

# **SANTA FE COUNTY SHERIFF'S OFFICE STANDARD OPERATION PROCEDURES**



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This manual is compiled and published by the Sheriff for the information, guidance, government, discipline and administration of the Santa Fe County Sheriff's Office; its members and employees.

Any violation of the provisions or intent of this manual may result in disciplinary action against the member or employee.

The Sheriff's Office does recognize the fact that situations will occasionally arise which may mitigate such violations. Evidence of such mitigating circumstances may be considered on an individual basis when assessing the conduct of personnel of this Office.

This manual is intended only to regulate the conduct of personnel of this Office and is not intended to create any higher standard of care than that required by State Law for the purpose of establishing civil liability on the part of the County, the Office or personnel of this Office.

It shall be the duty of every member of this Office to familiarize him/herself with the content of the manual and conduct him/herself in accordance with its precepts. Ignorance or misunderstanding of any of the provisions of this manual or failure to update the material contained therein will not be accepted as a defense against disciplinary charges.

## AUTHORITY

By virtue of the authority vested in me as the Sheriff of Santa Fe County, State of New Mexico, I do hereby prescribe and adopt the following as the Standard Operating Procedures Manual of the Santa Fe County Sheriff's Office.

This manual shall be considered as orders governing the actions of all personnel of this Office. This manual shall replace and supersede the General Orders, Rules and Regulations and all other Orders of this Office inconsistent herein issued prior to Revisions incorporating Orders and Procedures issued after this date will be distributed periodically.

  
Robert A. Garcia  
SHERIFF

6-5-13  
Date

## 1. LEGAL AUTHORITY STATE STATUES (COUNTY SHERIFF/DEPUTIES)

The following State Statues provide the legal authority to County Sheriff Office.

### Sec. 4-41-2 NMSA 1978 (Duties)

The Sheriff shall be conservator of the peace within his county; shall suppress assaults and batteries, and apprehend and commit to jail, all felons and traitors, and cause all offenders to keep the peace and to appear at the next term of the court and answer such charges as may be preferred against them.

### Sec. 4-41-5 NMSA 1978 (Deputy Sheriffs; appointment and term; merit system.)

The Sheriffs in all counties of this state shall have the power to appoint deputies, who shall remain in office at the pleasure of such Sheriffs; except that in counties which have established a merit system by ordinance shall control the demotion and discharge of deputies and other employees of the Sheriff's Office, except for one Undersheriff and an executive secretary, both of whom shall hold exempt positions.

### Sec. 4-41-9 NMSA 1978 (Deputy Sheriffs; powers and duties.)

The said deputies are hereby authorized to discharge all the duties, which belong to the office of the sheriff that may be placed under their charge by their principals, with the same effect as though they were executed by the respective Sheriffs.

### Sec. 4-41-12 NMSA 1978 (Entering other counties; powers.)

The various Sheriffs of the several counties of this state shall have the right to enter any county of this state, for the purpose of arresting any person charged with crime, whether the county so entered be the same to which the Sheriff so entering was elected or not; and the deputies of said Sheriffs shall have the same power as is conferred on the Sheriffs, and any Sheriff entering any county as above mentioned, shall have the same power to call out the power of said county to aid him, as is conferred on sheriffs in their own counties.

**NOTE: Deputy refers to all sworn (commissioned) personnel of this Office with the exception of the Sheriff.**

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# S.O.P NUMBER 1-1

## Sheriff's Staff And Related Responsibilities

### 1. PURPOSE

This Standard Operating Procedure establishes the order of succession of command of the Santa Fe County Sheriff's Office. The order of succession shall remain in effect under the conditions specified until changed by the Sheriff.

### 2. POLICY

#### A. Succession of Command:

1. Should the Sheriff become incapacitated due to illness, injury, death, or any other reason, or should he be absent from the County of Santa Fe without having designated a representative to command the Office, the following order of succession shall be maintained.

1. UNDERSHERIFF
2. MAJOR
3. CAPTAIN

2. Should any of the above become incapacitated or absent from the County of Santa Fe, the next designated member of the Sheriff's Staff in order of succession will assume command of the Office. If no member has been designated, the highest-ranking supervisor will assume the duties.

#### B. Duty Commander in Charge:

1. The Sheriff, Undersheriff or designated commanding officer in charge will keep the communications center informed of their location at all times. They will be informed without exception on all incidents, which are of a magnitude requiring Sheriff's Staff command decision, or on any matter having significance to the Sheriff.
2. Notification of the Sheriff, Undersheriff or designated commander will be by the on-duty shift commander and notification will be made on all the following circumstances
3. Immediately upon learning of the death or serious injury to a Deputy.
4. Immediately upon learning of an incident,

whether intentional or accidental, in which a member has been seriously injured or killed a person.

4. Immediately upon learning of serious infractions of law, Office policy, or procedures receiving public attention by personnel of the Office.
5. Immediately upon learning of incidents which appear to be developing into large scale disturbances or of incidents which would be considered as natural or man-made disasters.
6. Any and all homicides, fatal motor vehicle accidents, incidents involving public officials, or any other similar incident within the Jurisdiction of this Office.
7. Any cases which will most likely come to the attention of news media or have already.

# S.O.P NUMBER 1-2

## Internal Affairs Investigations

### 1. PURPOSE

The Internal Affairs Unit is created and changed with the responsibility of impartially and objectively investigating all allegations of malfeasance, non-feasance and misfeasance brought against any member of this department, and to ensure the complete and impartial investigation of formal complaints against any sworn member or employee of the Santa Fe County Sheriff's Office for allegations of misconduct and to ensure compliance with department rules and regulations, and enforce internal discipline.

This Standard Operating Procedure establishes a system to review, investigate complaints and allegations which are essential in establishing and maintaining the confidence of the citizens of Santa Fe County, in protecting the integrity/rights of the department employees, and to protect the public from police misconduct

### 2. POLICY

A. It is the policy of the Santa Fe County Sheriff's Office to maintain internal discipline, open lines of communication with the general public and encourage citizens to freely express concerns or complaints of misconduct, malfeasance, or other

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inappropriate conduct by members of the Sheriff's Office. All members of the department are responsible for ensuring departmental integrity and assisting in the expeditious response to citizen complaints in a fair and impartial manner.

B. The Internal Affairs Unit shall, when requested by or directed by the Sheriff, or this Standard Operating Procedure, have the responsibility and the authority to conduct investigations of the following situations and circumstances or conditions and to make appropriate reports.

1. Any allegation or complaint of serious misconduct made by a civilian or other person against the Sheriff's Office or any of its members or employees.
2. Any alleged or suspected breach of integrity or cause of moral turpitude from whatever source it may be reported or developed.
3. Any situation where a Deputy has been killed or seriously injured by the willful or deliberate act of another person.
4. Any situation where a citizen has been killed or seriously injured by a Deputy, whether on duty or not.
5. Any situation involving the discharge of firearms by a Deputy, other than firing on the firearms range, lawful sport or recreation activity.
6. Any use of physical force by a Deputy in which serious injury or death results, whether the Deputy was on-duty or not.

C. In addition, the Section shall:

1. Assist any member of the Office by investigating cases of personal harassment, threats, false accusations, or contrived situations, which may be harmful to him/her.
2. Advise citizen complainants of the decisions and actions resulting from investigations it has made following receipt of complaints.

D. Responsibility of all Office Personnel

1. Each member and employee of the Santa Fe County Sheriff's Office will perform the duties and assume the obligations dictated by this Standard Operating Procedure in the investigation of complaints, allegations of misconduct, or other specified incidents,

and will cooperate fully with personnel assigned to such investigations.

2. Initiate investigations of breaches of conduct of members under their command when an infraction is observed or a complaint rendered to them, and not automatically refer the matter to a higher authority.
3. Alleged or suspected violations of law, rules and regulations, and/or misconduct by members or employees of the Sheriff's Office shall be reported in writing, to the Internal Affairs Unit as soon as possible. The Supervisor or Commanding Officer who first receives the information of the alleged violation even though the same is believed to be unfounded will submit these reports.

Exceptions to these requirements are:

a. Minor transgressions such as:

- Tardiness in reporting for duty
- Failure to keep uniform clean, pressed, or repaired
- Failure to carry and maintain official equipment in good condition
- Failure to report back in service immediately upon completion of an assignment
- In-attention to duty

b. Complaints relative to differences of opinion between Deputies and citizens over issuing of traffic citations or some other official action, unless there is an allegation of violation of law or Official rule, regulation, or order on the part of the Deputy.

### 3. COMPLAINTS REGARDING SHERIFF SERVICE OR SPECIFIC DEPUTY

A. Between 0800 and 1700 hrs. Weekdays, complaints regarding alleged violations of law, rules, and regulations, and/or misconduct by members or employees shall be referred to the Internal Affairs Unit. Complaints regarding minor infractions such as those listed under II. D.3.a. and above shall be referred to the Unit, Section or Division Commander involved.

B. Between 1700 and 0800 hrs., weekdays, and during weekends, complaints regarding alleged

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violations of law, rules, and regulations, and/or misconduct by members or employees shall be referred to the Office of the Shift Commander. Complaints regarding minor infractions such as those listed under II, D.3.a. and b. above shall be referred to the Shift Commander involved.

C. All complaints alleging violations of law, rules, and regulations, and/or misconduct by members or employees shall be reduced to writing. If, in the opinion of the Shift Commander or other person receiving a complaint after hours, the nature of the allegation requires the immediate attention of the Internal Affairs Unit, the Sheriff or his designee shall be contacted through the Shift Commander's Office. The Sheriff or his designee may then contact the Officer of the Internal Affairs Unit or direct that the matter be deferred until 0800 hours the next weekday.

D. Upon receipt of a written and signed complaint alleging violation of law, rules and regulations, and/or misconduct by any member or employee, the Internal Affairs Unit shall:

1. Provide one copy of the complaint to the Sheriff
2. Initiate an investigation of the complaint

E. Complaints referred to the Unit Commander of a Division for investigation may be handled by him/her or assigned to the Supervisor or Commanding Officer of the member or employee involved.

1. The Supervisor or Commander of a member against which a complaint has been lodged shall promptly investigate complaints referred by the Commanding Officer:
  - a. He/She shall prepare a complete report of the investigation and statements of complainants and witnesses.
  - b. He/She shall submit the investigation reports and statements, and recommendations, to the Commanding Officer within five (5) working days.
  - c. Should the investigation require more than five working days to complete, a status report will be submitted at the end of five days and weekly thereafter until the investigation has been completed.

#### **4. REPORT OF FINDINGS OF INVESTIGATIONS**

A. The Internal Affairs Unit Commander:

The Internal Affairs Unit Commander shall promptly report the findings of investigations of complaints and other incidents to the Sheriff.

B. Completed Investigation:

When an investigation has been completed, the Officer conducting the investigation will classify the complaint as one of the following:

1. Unfounded - the allegation is false or not based on fact.
2. Exonerated - the incident complained of or that occurred, was lawful or proper.
3. Not sustained - insufficient evidence to prove or disprove an allegation.
4. Sustained - the allegation is supported by sufficient evidence.

C. Internal Affairs Investigation Shall be Confidential:

D. All personnel investigations, complaint reports, statements of witnesses, and other documents relating to Internal Affairs investigations shall be confidential. Such documents shall be kept secure by the Undersheriff. Such documents remain under his/her exclusive control, except that:

1. Commanders and Supervisors of the member or Employee involved may be allowed access to such documents on a "need to know" basis in order to maintain proper administrative control and discipline.
2. Accused members and employees will be notified of the findings of an investigation.
3. Complainants shall be notified of the decisions and actions resulting from investigations made following receipt of complaints.
4. Employees will be completely honest.

#### **5. LEGAL RIGHTS OF MEMBERS OR EMPLOYEES**

The Internal Affairs Unit shall not infringe on the legal rights of member or employees as defined by constitutional provision, court interpretations, or merit system ordinance.

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## 6. EMPLOYEE RIGHTS

- A. An Internal Affairs investigation is an interview in which disciplinary action may be taken.
- B. In an interview, the employee will be advised if he/she is a witness or the focus of the investigation.
- C. The employee will be told the investigation is administrative.
- D. The employee under investigation will be told who the person bringing the complaint is and the nature of the allegations.
- E. In an investigation, the employee will be entitled to have a person of his/her choosing (not related to the investigation) present during the interview.
- F. The employee will be allowed to delay the proceedings up to two (2) hours for his/her person to arrive. A waiver may be granted by the Sheriff.
- G. During the investigation the employee will be allowed to and have made available to him/her a copy of the Standard Operating Procedures and the County Personnel Rules and Regulations.
- H. The employee will not be subjected to any offensive language, coercion or threats.
- I. The interview will be held at a reasonable hour relative to the employee's work schedule and the employee shall be compensated for all time spent as provided by the Fair Labor and Standards Act.
- J. An interview with the employee will be recorded either in writing or by tape/digital recording.
- K. Cross examination of the complainant or witnesses will only be done during an appeal process under the County of Santa Fe Personnel Rules and Regulations.
- L. If the investigation is criminal, the employee cannot be compelled to answer questions.
- M. If the investigation is administrative, the employee is compelled to answer questions truthfully.
- N. If the employee is a witness, whether criminal or administrative, they are compelled to answer questions truthfully.
- O. An employee will be allowed to record their own questioning by the Internal Affairs Investigator.

Said equipment shall be the responsibility of the employee.

- P. An employee may be asked to take a polygraph examination only after the complainant has also taken and passed said examination. Failure to take said examination will subject the employee to possible disciplinary action to include termination.
- Q. Upon completion of said investigation, the employee who is the focus of the investigation, shall have the right to review the report.
- R. No copies of any Internal Affairs Investigation will be given to any agency or person unless specifically authorized by the Sheriff and at that time, may only in be requested in writing.

## S.O.P NUMBER 1-3 Correspondence

### 1. POLICY

It shall be the policy of the Santa Fe County Sheriff's Office to handle all correspondence as outlined herein.

### 2. PURPOSE

To establish an administrative correspondence system which will permit a free exchange of Office information between members and employees.

#### A. Administrative Correspondence Defined:

Letters, memoranda, and written media which is generated from within and outside the Office. Generally speaking, written materials which initiate action or are of noteworthy interest meet this definition.

### 3. PROCEDURES

#### A. Distribution:

The standard distribution shall consist of all office commanders and supervisors. The Sheriff or Undersheriff may designate that certain individuals be included from time to time within the distribution list as may be deemed appropriate.

#### B. Copies:

The distribution list shall only contain copies of the original administrative correspondence materials.

### C. Exempting Correspondence:

The Sheriff, Undersheriff or Major may direct that certain sensitive or confidential administrative correspondence be excluded from the distribution list. This option may only be exercised by the Sheriff, Undersheriff, or Major.

## 4. INCOMING ADMINISTRATIVE CORRESPONDENCE

### A. Private use of Office Address

The Sheriff's Office address shall not be used as a mailing address for any private purpose. The Sheriff's Office address shall not be used on any privately owned motor vehicle registration or New Mexico Driver's License.

### B. Opening Correspondence

All correspondence received at the Sheriff's Office and addressed to the Sheriff, the Office, a division or unit shall be opened, dated, stamped, and routed by the Office of the Sheriff.

#### Exceptions:

1. Mail addressed to any Sheriff employee shall be delivered to the employee unopened.
2. Mail or envelopes containing intelligence data which is marked "confidential" will be delivered unopened to the Sheriff, Undersheriff or Major.
3. Mail appearing to be personal will be delivered to the addressee unopened.

### C. Inclusion in Permanent File

A copy of all incoming administrative correspondence, which initiates action or is of noteworthy interest, shall be forwarded to the Office of the Sheriff. The responsibility for conveying a copy of correspondence to the Office of the Sheriff shall reside with the intended recipient of the document.

#### Exceptions:

1. Correspondence, which pertains to private or personal business between an employee and the County and/or Office.
2. Correspondence which initiates routine action such as background form letters, questionnaires and advertising literature.

## 5. OUTGOING ADMINISTRATIVE CORRESPONDENCE

### A. Outgoing Correspondence:

Outgoing correspondence from the Office may be originated by division commanders, supervisors, and others designated by the Sheriff, Undersheriff, or Major. The original copy of any outgoing correspondence of a sensitive or policy nature shall be forwarded to the Sheriff for signature and final approval, prior to mailing.

### B. Signatures

Provisions for signatures shall be as follows:

(Typed name of Sheriff)

SHERIFF

(Typed name of Undersheriff)

UNDERSHERIFF

### C. Inclusion in Permanent File

A copy of all outgoing administrative correspondence, which initiates action or is of noteworthy interest, shall be forwarded to the Office of the Sheriff. The responsibility for conveying a copy of outgoing administrative correspondence to the Office of the Sheriff shall reside with the author of the document.

Each copy of correspondence forwarded shall have the notation "copy file" written at the top of the first page.

#### Exceptions:

1. Correspondence that pertains to private or personal business between the employee and the County and/or Office.
2. Office forms or letters.

## 6. INTER-DIVISION CORRESPONDENCE

Inter-division correspondence will be in the form of memoranda to be originated by the division commanders, supervisors, and others designated by the Sheriff.

### A. Memorandums

Memorandums will be typed, grammatically correct and initialed by a supervisor prior to being routed.

### B. Inclusion in Permanent File

A copy of all inter-division administrative correspondence, which initiates action or is noteworthy interest, shall be forwarded to the Office of

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the Sheriff for on file purposes. The responsibility for conveying a copy of the administrative correspondence to the Office of the Sheriff shall reside with the author of the document.

## **S.O.P NUMBER 1-4 Overtime/Compensatory Time**

### **1. POLICY**

A Commissioned Deputy required to attend educational sessions, court hearings or other official functions outside of his/her regular hours will be compensated as outlined below:

1. Any employee that is required to work beyond his/her normal work shift will be paid overtime at one and one-half their hourly rate, providing the employee had worked a full 40-hours during that work-week. Holiday will be counted as hours worked for overtime calculation purposes.
2. Any employee that works a special function other than their normal duty hours will be paid overtime at one and one-half their hourly rate. This includes SWAT and Detectives (Investigators) called out for special investigations or on special assignments.
3. Employees may request compensatory time in lieu of overtime (at the same rate), to be accumulated or taken at a later time.
4. No employee may take time off in order to volunteer for a special assignment with the intent of receiving overtime payment or compensatory time.
5. All overtime must be approved by a supervisor prior to the employee working the overtime.

**NOTE: THIS POLICY WILL ADHERE TO THE RULES SET FORTH IN THE FAIR LABOR AND STANDARDS ACT AND THE COUNTY OF SANTA FE PERSONNEL RULES AND REGULATIONS.**

## **S.O.P NUMBER 1-5 Sheriff News Media Relations**

### **1. POLICY**

This Standard Operating Procedure establishes the official policy of the Santa Fe County Sheriff's Office regarding the role of the Public Information Officer and Command Officers in handling of information for release to the news media.

### **2. PURPOSE**

These guidelines are established to allow for a free flow of information to the news media and still preserve the integrity of Sheriff operations. It is necessary to recognize that most Sheriff matters are of public interest and concern. It is most important that the news media have access to information about the occurrences of crime and other Sheriff operations. It is the Office's responsibility to protect both the accused and the prosecutor's cases from possible prejudice or adverse publicity.

### **3. RESPONSIBILITY FOR NEWS MEDIA RELEASES**

- A. It will be the responsibility of the Public Information Officer, as designated by the Sheriff, to address any news releases that concern the operation of the Santa Fe County Sheriff's Office; ongoing investigations; information concerning victims and arrested suspects.
- B. The Public Information Officer or any Command Officer as designated by the Sheriff, will make himself or herself available to address any questions from the news media.
- C. Command Officer(s) will be available for news briefings to the news media on weekends, holidays, and evenings. This should be cleared by the sheriff or his/her designee prior to the briefing.

### **4. INFORMATION RELATING TO CRIME NEWS**

- A. The Public Information Officer will prepare a verbal morning report to the Sheriff.
  1. The report will consist of information regarding crime activities, arrests, etc. for a 24 hour period.
- B. Information subsequent to arrest or charge:
  1. Information that may be released to the news media subsequent to arrest includes:

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- a. The facts of the arrest and circumstances immediately surrounding it, including times and location; resistance, if any; pursuit, and the use or possession of weapons.
  - b. The identity of the arresting and investigating officers and the length of the investigation.
  - c. The nature, substance, or text of any charge, including a brief description of the offense.
2. Information that shall not be released to the news media subsequent to arrest, unless specifically authorized by the Sheriff, includes:
- a. A prior criminal record, or statement about the character or reputation of the accused.
  - b. The existence or contents of any confession, admission, or statement given by the accused, or of his/her refusal or failure to make a statement.
  - c. The performance of any examinations or tests by the accused, or of his/her refusal or failure to submit to an examination or test; the results of any scientific examination or test.
  - d. The possibility of a plea of guilty to the offense charged or to a lesser offense.
  - e. Any opinion as to the accuser's guilt or innocence, the merits of the case or the evidence.

## **5. INTERVIEWING AND PHOTOGRAPHING DEFENDANTS**

- A. After an arrest and until the completion of the trial or other disposition without trial, no member shall deliberately pose any person in custody for photographs or televising by any representative of the news media.
- B. When the accused has secured the services of, or has been appointed an attorney, any request by the news media to interview or photograph him/her shall be referred to his/her attorney.

## **6. INFORMATION RELATING TO NON-CRIME NEWS**

- A. Non-crime news is defined as information about sheriff operations and services which does not

relate to violations of the County of Santa Fe Sheriff's Regulations or the Criminal Code of the State of New Mexico.

- B. Release of newsworthy information shall be conducted by personnel delegated to do so by the Sheriff and/or his immediate command staff and Public Relations Officer.

## **7. NEWS MEDIA IDENTIFICATION**

- A. The New Mexico State Police has completed a News Media Identification Card Program to enable representatives of the news media to be properly and readily identified.
- B. Identification cards are available to all representatives of the news media in the State of New Mexico. They are issued by the Chief of the New Mexico State Police. These identification cards are a means of identifying news media personnel not personally known to the personnel of the Sheriff's Office.

## **S.O.P NUMBER 1-6 Hiring Sworn Personnel**

### **1. POLICY**

It is the policy of the Santa Fe County Sheriff's Office to obtain the best deputies possible. To that end, the Office shall practice a regimented, rigorous selection procedure while simultaneously affording equal opportunity to everyone regardless of race, creed, color, sex, national origin, or age. The Office does not discriminate against people with disabilities and affords them the same access to employment provided to all citizens. Where possible, the Office provides reasonable accommodation to the known disabilities of qualified people.

### **2 PURPOSE**

The purpose of this standard operating procedure is to outline minimum hiring requirements for deputies.

### **3. DEFINITIONS**

#### **A. Disability:**

A physical or mental impairment that substantially limits one or more of the major life activities.

#### **B. Reasonable accommodation:**

The modification of existing facilities to render them more accessible to and usable by people

with disabilities. Also refers to restructuring the job or modifying work schedules to assist assignment of a disabled employee.

#### **4. PROCEDURES**

##### **A. Minimum Qualifications of Applicants of Position of Deputy Sheriff:**

1. Minimum age of 21. (Note) This requirement may be waived by the Sheriff in certain circumstances.
2. High school graduate or equivalent.
3. Passing a written examination.
4. A background investigation which includes a check of school records, inquiry as to character and reputation, and a fingerprint based criminal records check and a driving history check.
5. Attending an interview.
6. Passing a physical assessment administered by the Sheriff Office's planning and training division and the Santa Fe County Human Resource Office.
7. Passing a physical examination, which includes a drug screen.
8. Passing a psychological test administered by a licensed forensic psychologist.
9. Must possess a "Class D" valid New Mexico driver's license or be able to obtain one.

**\*The medical screening and psychological test shall not take place until after a conditional offer of employment has been accepted.**

##### **B. Applicant Initial Requirements:**

1. Complete a written application and submit it to the Santa Fe County Human Resource Office.
2. Arrange with the Santa Fe County Human Resource Office to take the written test.

##### **C. Deputy's Investigation Requirements of Applicant:**

1. Obtain the applicant's driving record from the State of New Mexico Motor Vehicle Division or other State Motor Vehicle Division, as applicable.
2. Have applicant sign the appropriate release forms.

3. If the applicant has recently lived outside of Santa Fe County, request records checks through agencies in the applicant's previous communities.
4. Obtain references from applicant's current and past employers.
5. Obtain NCIC/New Mexico records check.
6. Conduct interviews of neighbors living near applicant's residences over the past three years.
7. Provide a complete background investigation file to the Sheriff.
8. Present findings will be provided to the hiring committee. The hiring committee consists of the Sheriff or his designee, and other senior members of the department.

##### **D. The Sheriff Shall:**

1. Make the final selection upon recommendation of the hiring committee.
2. Ensure that the applicant fully understands the selection process and the conditions and procedures for re-application.
3. Make a conditional offer of employment. The candidate must then undergo a physical examination, drug screen and forensic psychological examination which is required by all entering employees in sworn positions.
  - a. Further, no conditional offer of employment will be considered final until after a satisfactory physical examination and the completion of the background investigation.

##### **E. Lateral Entry:**

1. Refer to current Union Contract.
2. An already-commissioned police officer from another New Mexico law enforcement agency must meet the criteria set forth above. If accepted for employment, the officer will not be assigned to attend the basic academy subject to the status of the officer's certification and training.

**Note: Out of state commissioned officers must also meet the above criteria.**

## 5. PROBATION

A. All newly-hired deputies shall be considered to be on probation for one year from the date of employment.

The same probationary period applies to deputies hired through lateral entry.

B. The work performance of each probationary employee shall be evaluated using valid, non-discriminatory procedures.

## 6. RECORDS

A. The Office maintains, for each employee, a personnel record which includes all forms completed during the hiring process, all evaluations, all attendance rosters, complaints, commendations, promotions, and assignments.

B. The Sheriff or his designee maintains and controls all personnel records.

C. Employees may review their own records at any reasonable time upon request. The Sheriff may release a record from file upon obtaining a signed receipt from the authorized person with a need to review it.

D. All personnel records are the permanent property of the Office.

## S.O.P NUMBER 1-7

### General Rules Of Conduct

## 1. POLICY

The Santa Fe County Sheriff's Office expects its personnel to maintain high standards of appearance and conduct. The public similarly expects such high standards. Deputies wield considerable power over the citizenry, power that is carefully circumscribed by state and federal law, and, ultimately, by the Constitution and Bill of Rights. Our powers to arrest, seize property, and interfere, at times, with the lives of citizens constitute a public trust. We can help ensure that we regard this trust as vital by exemplary performance in our jobs. Performance is not enough: we must always conduct ourselves in an exemplary fashion.

## 2. PURPOSE

To define Official expectations for personal behavior on-duty and, to a degree, off-duty.

## 3. DEFINITIONS:

**All deputies will display the degree of integrity required by the Law Enforcement Code of Ethics:**

“As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality, and justice. “I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law of the land and the regulations of my Office. Whatever I see or hear, of a confidential nature, or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty. “I will never act officiously or permit personal feelings, prejudice, animosities, or friendships to influence my decisions, with no compromise for crime, and with relentless prosecution of criminals. I will enforce the law in a courteous manner and appropriately without fear of favor, malice, or ill will, never employing unnecessary force or violence. “I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession - LAW ENFORCEMENT.....”

## 4. GENERAL DUTIES

**A. All Deputies of the Office Will:**

All deputies of the Office will, at all times, within jurisdictional limits, prevent crime, preserve the peace, protect life and property, detect and arrest violators of the law, and enforce the laws of the United States, State of New Mexico, and all local ordinances, in accordance with the rules, regulations, policies, procedures, and orders of the jurisdiction and the Office. Deputies will be conscious that when they act under “color of law,” that the phrase includes not only laws but also policies, procedures, ordinances, common usage, and custom.

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**B. Obedience to laws, ordinances, rules, and regulations.**

1. **DEFINITION** - Employees of the Office will obey all federal and state laws. They will also obey all laws and ordinances of Santa Fe County or other municipalities in which the employee may be present. Employees will obey all rules, regulations, and orders as may be issued by the Office. The term “employees” includes both sworn and non-sworn personnel.
2. **AUTHORITY** - Employees of the Office will obey all lawful orders issued to them by competent authority.
3. **VIOLATION OF LAW** - Supervisory personnel of the Office will not knowingly or willfully issue any order in violation of law or ordinance or of any rule, regulation, general or standard operating procedure of the Office.
4. **CONFLICT OF ORDERS** - To permit effective supervision, direction, and control, employees shall promptly obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. In the event an employee is given two apparently lawful but different orders that may be in conflict, the order given by the supervisor holding the higher rank will be complied with unless the order is retracted or modified. In the event an employee receives conflicting orders, the employee should inform the person giving the last order of the conflict of orders.
5. **OBEDIENCE TO ORDERS** - No employee of the Office is required to obey any order which is contrary to the laws of the United States, State of New Mexico, or ordinances of the County of Santa Fe; however, such refusal to obey is the responsibility of the employee and he/she will be required to justify his or her action.
6. **CIVIL RIGHTS** - All members shall take care to observe and respect the civil rights of citizens, as the term “civil rights” as commonly understood.
7. **ARRESTS OF LAW ENFORCEMENT OFFICERS** - A deputy who arrests a mem-

ber of another law enforcement agency shall immediately notify his own supervisor of the fact. Deputies must take whatever action is appropriate to the circumstances, including issuance of citations or making an in-custody arrest. That the person cited or arrested is a police officer shall make no difference.

8. **FALSE STATEMENTS** - On any official matter whatsoever, members shall not knowingly make any false statement or misrepresentation of the facts.
9. **ENFORCEMENT WHILE OFF-DUTY** - If a deputy, while off duty, witnesses a violation of the law committed in his presence which, in his professional judgment, demands immediate attention, he may make an arrest, providing:
  - a. The law violation was committed in Santa Fe County.
  - b. The deputy does not use his own personal vehicle to chase or pursue the violator.
  - c. The deputy displays his/her sheriff identification to the violator and announces his/her purpose.
  - d. The deputy can make the arrest without jeopardizing his/her own safety, the safety of the violator, or the safety of the public.
10. **BRIBES** - Employees of the Office found to have accepted bribes shall be dismissed with prejudice.
  - a. report shall be submitted to the District Attorney’s Office for possible prosecution.
11. **MEDICAL ASSISTANCE** - Deputies shall render, or cause to be rendered, medical assistance to any injured person.

**C. Disciplinary/personnel actions:**

1. Disciplinary actions may include a warning, an oral or written reprimand, suspension with or without pay, reduction in pay, demotion or termination. Personnel actions may include probation, counseling, training, close supervision, performance evaluation, transfer, and termination.

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2. As appropriate, disciplinary actions may be taken for any of the following reasons:
  - a. Incompetent or inefficient performance of duty, orientation to, or dereliction of duty.
  - b. Insubordination, discourteous treatment of the public or a fellow employee, or any act of omission or commission of similar nature discrediting or injuring the public service or any act jeopardizing the effective functioning of their service.
  - c. Mental or physical unfitness for the position which the employee holds.
  - d. Conviction of a felony or misdemeanor involving conduct which shocks the conscience of a reasonable person, or a pattern of misconduct as displayed by series of convictions of misdemeanors.
  - e. Failure to report to an appropriate superior authority, incompetence, misconduct, neglect of duty, inefficiency, or any other form of misconduct or negligence which the employee has knowledge of.
  - f. Failure of a supervisory employee to take corrective action regarding employees under their supervision who may be guilty of any form of neglect of duty or misconduct where the supervisor knows or should have known of such dereliction.
3. Examples of behavior specifically prohibited include:
  - a. Use of alcoholic beverages on-duty, or drunkenness on duty.
  - b. Buying alcoholic beverages while on-duty.
  - c. Use of illegal drugs or narcotics.
  - d. Acting as bailer for anyone other than a family member.
  - e. Releasing any information to a suspect or person that would enable an escape from custody or hamper an investigation or impede the operation of the Office.
  - f. Selling, trading, or buying chances or bets, or any other gambling while on duty or illegal gambling while in an off-duty status.
  - g. Recommending legal counsel or bondsmen to any person in a criminal or civil matter which involves the Office.
  - h. Publicly criticizing superior officers, the County Manager, or any county official.
  - i. Use of harsh, profane, or obscene language to any member of the Office or to the public.
  - j. Sleeping on duty.
  - k. Sexual activities on duty.
4. Nothing in these Standard Operating Procedures limits the charges against employees because the alleged act or omission does not specifically appear in this manual, orders of the Office, or in the laws or ordinances of which the Office is responsible to enforce.

#### **D. General Conduct**

1. Employees of the Office will display respect for their superior officers, subordinates and associates. When on-duty and while in the presence of the public, superior officers will be addressed or referred to by rank.
2. Employees of the Office will address their subordinates, associates, supervisors or members of the general public courteously, and will not use abusive, violent, insulting or provoking language, which could be deemed insulting to any person or group.
3. Employees of the Office will at all times be civil and courteous. They will maintain an even disposition and remain calm, regardless of provocation, in executing their duties.
4. Employees of the Office will not gossip or speak rumors detrimental to the Office or to another employee.
5. Employees of the Office will always display absolute honesty.
6. Employees of the Office will cooperate and coordinate their efforts with other employees to ensure maximum effectiveness. This

high degree of cooperation and coordination will extend to other law enforcement organizations and government agencies.

7. Employees will restrict personal conversations or personal associations to an appropriate minimum while on duty.
8. A Deputy will not display cowardice while in the line of duty or in any situation where the public or another police officer might be subjected to physical danger unless actually incapacitated themselves. Deputies will aid, assist, and protect fellow deputies in time of danger or under conditions where danger might reasonably be impending.
9. Employees of the Office will not, at any time, use or attempt to use their official position, badge, or credentials for personal or financial gain.
10. Employees shall adhere to all County Personnel Policies.

#### **E. Gifts, Gratuities, Rewards:**

1. Employees will not solicit any gifts, gratuities, loans or fees where there is any direct or indirect connection between the solicitation and their Official employment.
2. Employees will not accept either directly or indirectly any gift, gratuity, loan or fee or any other thing of value arising from or offered because of sheriff employment or any activity connected with law enforcement employment.
3. Employees will not accept any gift, gratuity or other thing of value, the acceptance of which might tend to influence directly or indirectly the actions of the employee or any other employee in any manner of official business; or which might tend to cast any adverse reflection on the Office or any employee therefore.

**NOTE: The Sheriff may authorize a change on a specific Case-by-case basis.**

#### **F. Duty**

1. Employees of the Office will report for duty at the time and place specified by their assignment or orders and complete the number of hours required by their assignment.
2. Employees of the Office, while on duty,

will remain alert and awake, unencumbered by alcoholic beverages, prescription drugs, illegal narcotics, or conflicts arising from off-duty employment.

3. Deputies of the Office, while on duty, will not engage in any activity or personal business which would cause them to neglect their duty.
4. Deputies serve in order to protect lives, preserve the peace, enforce the laws of the County and State, and assist the public in any reasonable request.
5. Deputies shall identify themselves to any person requesting a deputies name and or rank.
6. Deputies shall notify the dispatcher of their telephone number, address, and any changes thereto within 48 hours of the change and shall submit a memo outlining the changes within 5 working days.
7. All deputies shall in a timely fashion, complete and submit all forms and reports required by the Office and the laws of the State of New Mexico.
8. Deputies shall not provide information from computer based vehicle license checks to citizens.
9. If injured, deputies shall promptly notify their supervisor of the injury and the circumstances of it.
10. Deputies, while on duty, shall constantly keep the dispatcher informed of their whereabouts. To this end, deputies will keep their portable radios charged, turned on, and in their immediate possession at all times.
11. Personnel shall maintain a professional attitude and manner when communicating by radio. Deputies shall communicate in plain language, abiding by FCC requirements and the requirements of the Office.
12. Deputies shall not loiter at the office, but shall use the office for professional purposes only. Each deputy is responsible for the cleanliness and upkeep of the office.
13. Deputies shall not use sheriff vehicles for personal business or transportation of unauthorized persons, except in emergency

situations. Requests to use Office vehicles for personal use shall be made in writing to the Sheriff. Authorized persons include arrestee, detained juveniles, victims, witnesses and citizen ride-along.

14. No employee shall represent his or her position with the Office for personal or monetary gain.
15. Deputies must carry sheriff identification with them while on duty. In addition, while on duty, deputies shall carry a valid driver's license.

#### **G. Leave**

1. Employees of the Office will not be absent from work without first obtaining permission from their supervisors.
2. Employees of the Office will, in situations requiring emergency leave or sick leave, notify their supervisors of the circumstances as soon as possible.
3. All leave will be taken in accordance with the County of Santa Fe Personnel Rules and Regulations.

#### **H. Information**

1. Employees of the Office will not communicate to any Person, who is not an employee of this Office, any information concerning operations, activities, or matters of sheriff business; the release of which is prohibited by law or which may have an adverse impact on the Office image, operations, or administration.
2. Employees of the Office will communicate promptly to a supervisor any information regarding tips on crimes or criminal activity or other relevant law enforcement information that may come to their attention. After conferring with a supervisor, employee and supervisor will notify the Sheriff, if appropriate, of the information.

#### **I. Public Appearances**

1. If a deputy receives a request to make a public presentation or appearance or publish an article concerning his duties, he shall apply for permission to the Sheriff. The Office wishes no interference with the First Amendment rights of deputies.

2. The Office can and will; however, authorize all appearances or writings that represent the agency.

#### **J. Use Of Alcohol**

1. Employees of the Office will not consume any alcoholic beverages while on duty. Deputies in plain clothes, with the consent of their commanding officer, may consume limited quantities while on duty when necessary to accomplish the sheriff's mission.
2. Employees of the Office will not appear for regular duty, or be on regular duty, while under the influence of intoxicants to any degree whatsoever or with an odor of intoxicants on their person.
3. In the event of an emergency recall, each deputy must determine fitness for duty if alcohol has been consumed. A supervisor will be consulted and asked to confirm or deny, as appropriate, the deputy's judgment in the matter. No adverse actions will be taken if, in an emergency recall, the deputy believes him/her self to be incapacitated for duty, says so, or is told so by a supervisor, before actually going on duty.
4. DWI is a serious offense although other offenses may be serious enough to warrant similar actions. Any employee who is found guilty, pleads guilty, or pleads no contest to Driving While Intoxicated, Driving Under the Influence, or other similar crime, which may be called by different name, in any jurisdiction shall result in a recommendation of termination. Santa Fe County Human Resource rules and procedure apply and the termination recommendation would go through Santa Fe County's normal policy's and procedures. The sheriff may take into consideration other factors and make any alternative recommendation.

#### **K. Use Of Drugs**

Employees of the Office will not use any narcotic, stimulating or dangerous drug while on-duty or off-duty unless prescribed by a physician. Employees using any prescribed drug or narcotic or any patent medicines that could possibly induce impairment of their performance will notify their supervisor.

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## L. Property, Equipment And Uniforms

1. Employees of the Office will be responsible for the proper care and use of Office property and equipment assigned to or used by them, and will promptly report to their supervisors any loss, damage, destruction or defect therein.
2. Employees of the Office will operate Office vehicles and other equipment in such a manner as to avoid injury to persons or damage to property.

Whenever a Sheriff vehicle is involved in an accident, no matter how minor, the operator will notify a supervisor immediately. Under no circumstances will a deputy investigate his or her own accident. Preferably, the deputy's supervisor will conduct the internal investigation used by the County Safety Office. An officer from an outside agency will investigate the accident.

3. At the beginning of a tour of duty, deputies will examine any vehicle assigned to them or used by them and report any operational deficiencies, damage, or defects to their supervisors. Failure to report damage or defects will create the presumption that the employee inspected the vehicle and found no damage or defects. The employee, in this case, will be held responsible for the damage.
4. Deputies will keep their uniforms clean and pressed, their shoes (boots) and other leather equipment polished and shined, and badges and name plates clean and bright.
5. Employees wearing civilian clothing on duty will present a neat and clean appearance. Employees will wear clothing which is appropriate to the type of duties and citizen contact expected. Civilian dress should not be a source of negative comment from the community.
6. Employees of the Office will not temporarily or permanently convert any Office property to their own personal use or the use of any other person.
7. When an employee terminates employment, or is terminated, all issued equipment will be returned on the same day the termination is effective.

Failure to return all items of county property will result in withholding final pay or taking legal action which may include criminal charges.

8. Employees of the Office will have as a part of their issued equipment a copy of these Standard Operating Procedures, and will maintain and make all appropriate changes or inserts as directed.
9. All uniforms shall be as issued with black leather gear. Uniform shirts and outer wear must display the Office patch on both shoulders.
10. Uniforms with ties or business attire will be worn for all court appearances. Business attire consists of a coat and tie.

## M. Part-Time Or Off-Duty Employment

Before engaging in any outside employment or business activity, an employee shall submit a request for permit for off-duty employment to the Sheriff for final approval. Off-duty employment activities of employees are subject to the following regulations:

1. The employment shall not render the deputy unavailable during an emergency, or physically or mentally exhaust the deputy to the point that his or her performance on duty will be affected.
2. Employment shall not in any way conflict with the objectives of the Office, impair its reputation or compromise law enforcement.
3. The Sheriff uniform shall not be worn nor Sheriff equipment be used unless so authorized by the Sheriff.
4. Each employee, while engaged in off-duty employment, shall conduct themselves in accordance with Office standards.
5. A Sheriff member or employee, at the discretion of his or her commanding officer may be called out on-duty at any time irrespective of his or her off-duty employment. The decision of the Sheriff to issue or deny a permit to work outside the Office is final and the opportunity to appeal the matter to higher levels will not be considered.

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**N. Reporting Arrests, Court Action, Civil Cases:**

1. Employees of the Office will immediately report to their supervisor any arrests or court action, except divorce proceedings instituted against them.
2. Any employee of the Office who becomes involved in any accident, incident, or altercation, or any problem which may come to the public attention will give oral notification as soon as possible, and within twenty-four hours in writing, to his supervisor. Supervisors will forward relevant information through the chain of command as rapidly as possible.
3. Employees shall keep all complaints, arrest information, or other official business confidential. Employees shall not indulge in gossip about departmental business.
4. Employees shall avoid involvement in any civil disputes involving neighbors or acquaintances. Further, deputies shall not remove children from parental custody or property without a court order or assuming exigent circumstances.

**O. Memberships**

No member of the Office shall be a member of any organization which advocates the violent overthrow of the government of the United States, the State of New Mexico, or any unit of local government, or participate in any organization which has a purpose, aim, or objective or any practices which are contrary to the obligations of a law enforcement officer under these Standard Operating Procedures.

**P. Money Expenditures:**

1. There will be no expenditures of money or financial obligations incurred in the name of the Office by any employee without the permission of the Sheriff.
2. No employee shall imply or accept financial liability for loss or damage on behalf of the County. Any inquires concerning financial liability will be referred to the County Attorney or the County Manager.

**Q. Resignations:**

An employee must provide at least two weeks written notice of his or her intent to resign.

**R. Court Room Appearances:**

1. All employees will treat courtroom appearances with the utmost importance. Furthermore, as a rule, employees must arrive at the court early enough to check the docket, if necessary, and to confer with the prosecutor. Employees shall observe the following rules:
2. If an employee receives subpoenas requiring their appearance in different courts at the same time, he or she should honor the first subpoena received. If however, one of the subpoenas was issued by District Court, it shall receive precedence over one issued by Magistrate Court.
3. A subpoena receives precedence over an order issued by a supervisor. In any event, the employee must notify his or her supervisor of the court appearance if it is during scheduled working hours.
4. If on-duty, sworn uniform personnel will appear in court in uniform with a tie. If off-duty, employees shall wear either the uniform with tie or appear suitably attired in business clothes (tie and jacket). Equivalent clothing for women.
5. When testifying, employees will remain attentive, face the jury when giving testimony, and speak in a clear, audible tone. Employees will respond to questions asked by the judge or attorneys and will not offer an emotionally-charged response.

**S. Social Media**

1. OVERSIGHT: As Public Employees, Santa Fe County Sheriff's Office personnel are cautioned that speech, on or off duty, made pursuant to their official duties is not protected under the First Amendment and may form the basis for discipline if deemed detrimental to the Sheriff's Office. Personnel should assume their speech and related activity on social media sites reflects upon their office and this agency. Engaging in prohibited speech may provide grounds for undermining or impeaching an officer's testimony in criminal or civil proceedings.
2. IMPACT OF CONDUCT: It is essential that the public have absolute trust and respect for the Santa Fe County Sheriff's Of-

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fice and the men and women who serve in it. Each employee, sworn or civilian, must earn that trust each day. This department is committed to a safe, secure community where the rights, history and culture of each citizen is valued and respected. Our agency will accept nothing less.

3. **RULES OF CONDUCT:** Strict adherence to our agencies General Rules of Conduct (SOP 1-7 pg. 10) is required. All personnel are subject to discipline for any violation of that code. Department personnel **shall** conduct themselves both on and off duty in such a manner as to reflect most favorably upon the agency. Conduct unbecoming an officer or employee includes that conduct which could bring the agency into disrepute or that which impairs the operation of efficiency of the Sheriff's Office.

## **5. DEPUTY/CITIZEN RELATIONS**

- A. A deputy is expected to be dressed and groomed in compliance with Official regulations pertaining to the deputy's assignment.
- B. While interacting with the public, a deputy is expected to be courteous, well-mannered, respectful, and helpful in all of his/her professional dealings.
- C. A deputy will address citizens as "Sir, Ma'am. Mr. or Mrs." in all cases not posing life threatening situations.
- D. Deputies in contact with the public will not chew gum, smoke, or chew tobacco, unless permission is first obtained from the party or parties present.
- E. Deputies will conduct themselves in a professional manner while in contact with the public, No horse play, clowning, or frivolous actions will be permitted.

## **6. DEPUTY/DEPUTY RELATIONS**

- A. On-duty deputies are expected to interact with fellow deputies and/or civilian employees and supervisors in a professional, courteous manner befitting their position and/or rank outlined in Standard Operating Procedure # 1-8.
- B. While addressing an on-duty supervisor in public, the deputy will address the respective supervisor by rank and last name, or by "Sir", "Ma'am".

- C. Commanders and supervisors are to address deputies of subordinate rank in an appropriate manner as befits their position/title, i.e., Detective, Deputy, etc.
- D. Nothing in this Standard Operating procedure is to be construed as limiting deputy's or supervisor's methods of addressing one another, in private, in a manner that suits the parties involved.

## **7. OUTSIDE EMPLOYMENT**

- A. Personnel shall submit a written request for off-duty employment to the Sheriff, whose approval must be granted prior to engaging in such employment.
- B. Approval may be denied where it appears the outside employment might:
  1. Render the employee unavailable during an emergency.
  2. Physically or mentally exhaust the employee to the point where their performance may be affected should an emergency "call out" be declared.
  3. Require any special consideration to be given to scheduling of the employee's regular duty hours.
- C. Each case shall be viewed individually and evaluated to ensure there is no conflict of interest, nor interference with the primary duty to the Sheriff's Office.
- D. The use of the Sheriff's Office vehicle to commute to and from locations of private employment shall be prohibited, exemptions may only be granted by the Sheriff.
- E. All Office employees must adhere to the County of Santa Fe Personnel Rules and regulations pertaining to outside employment.

## **8. OFF-DUTY EMPLOYMENT AS A SECURITY OFFICER**

- A. Personnel may engage in employment with/for private retailers or individuals providing the following conditions are fully understood and adhered to.
  1. The Office uniform, insignia, or any of its accessories may not be worn while functioning as a private agent for a security entity.
  2. No Office issued weapons, whether offensive or defensive in nature, may be utilized.

3. No member may be employed in a quasi full time/part time basis as a private security officer in an establishment whose primary revenue is derived from the sale and onsite consumption of alcoholic beverages, e.g., bar, lounge, etc.
  - a. Exempted from this would be those functions whereby the Office has authorized Sheriff security.
4. Personnel shall have completed state certification or possessing an out of state certification, which has been found to be acceptable for employment as a New Mexico Peace Officer.
5. Deputies may not engage in outside security employment while on probationary status.
  - a. An exemption to this would be assignments sanctioned by this Office where other approved personnel will be assigned.
6. Employees engaged as private security officers shall do so with the understanding of any acts they may be required to perform shall not be construed as being under “color of law” or within scope of Sheriff employment.
7. An employee may not represent himself/herself as a Santa Fe County Sheriff’s Deputy for the purpose of arresting, detaining, or searching an individual; nor may he/she display the Office’s badge or commission.
  - a. An exemption to this would be in coming to the aid of an on-duty deputy or police officer.

**S.O.P NUMBER 1-8  
Duties/Responsibilities  
Commanding Officers And Deputies**

**1. PURPOSE**

This Standard Operating Procedure establishes the duties and responsibilities for the members of the Santa Fe County Sheriff’s office.

**2. POLICY**

**A. Sheriff:**

Is the elected official responsible for the administration of the entire Office.

**B. Undersheriff:**

Is appointed by the Sheriff and is an exempt position serving at the pleasure of the Sheriff.

**C. Major:**

1. Shall be directly responsible to the Sheriff and Undersheriff. They are responsible for the direction, planning, and coordination of all functions of the divisions or sections under their command.
2. Shall be responsible 24 hours per day, seven days a week for the operation of their command. During vacation or other times when the Major is not available, a Captain will assume the responsibilities.
3. The Major will advise and consult with the Sheriff and the Undersheriff on all incidents which are of a magnitude requiring higher level command decisions or which have special significance to the Sheriff.
4. The rank of Major is made from a valid promotion list and is considered a permanent rank upon satisfactory completion of a one-year probationary period following promotion.

**D. Captain:**

1. A Command Officer may command and supervise a section, unit, or area.
2. A Captain performs administrative and supervisory duties under the direction of a Major or higher authority.
3. The rank of Captain is made from a valid promotion list and is considered a permanent rank upon satisfactory completion of a one-year probationary period following promotion.
4. The Captain will handle all duties in the absence of the Major, and shall keep the Major apprised of any and all matters requiring the attention of the Major.

**E. Lieutenant:**

1. A command officer who may command and supervise a unit, section, or subordi-

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nate personnel, shall keep the Captain, Major, Undersheriff and Sheriff apprised of all matters requiring their attention.

2. A Lieutenant supervises activities at an operational or administrative level under the direction of the Captain, Major, Undersheriff or Sheriff.
3. The rank of Lieutenant is made from a valid promotion list and is considered permanent rank upon satisfactory completion of a one-year probation period following promotion.

**F. Sergeant:**

1. A Command Officer who may command and supervise a unit, section, or subordinate personnel, shall keep the Lieutenant and/or Captain apprised of all matters which may require their attention.
2. A Sergeant supervises activities at an operational level under the direction of the Lieutenant, Captain, Major, Undersheriff or Sheriff. The rank of Sergeant is made from a valid promotion list and is considered a permanent rank upon satisfactory completion of a one-year probation period following promotion.

**G. Corporal:**

1. Is a first line supervisor who may command and supervise a section, and who is responsible to keep the Sergeant, Lieutenant, and Captain apprised of all matters that may require their attention.
2. The rank of Corporal is made from a valid promotion list and is considered a permanent rank upon satisfactory completion of a one-year probation period following promotion.

**H. Training Officer:**

1. May or may not be a ranking position. A Training Officer assists the Unit or Section Commander and is used primarily as a training officer for new recruits and junior deputies.
2. A Training Officer is a deputy who has achieved the status of at least Deputy II.

**I. Deputy:**

The rank of Deputy shall be subordinate to all other sworn ranks. Shall fulfill the duties of their assignment and obey the orders of their super-

sors. They shall, to the best of their abilities, protect the rights of those persons with whom they have contact with as provided in the Constitution of the United States and the Statutes of the State of New Mexico.

**J. Animal Control Officer:**

Is responsible for enforcing all County ordinances and State laws pertaining to domestic animals, livestock, etc.

**K. Reserve Deputy:**

A part-time, civilian volunteer who has sheriff powers while on duty and under the supervision of a sworn full-time Deputy. Shall be required to obey the orders of all Sheriff Commanders while on duty.

**L. Civilian Employee:**

Personnel of the Office who do not sustain Sheriff powers and who have not taken the oath of a Deputy.

**3. DUTIES:**

**A. Commanding Officer's Duties:**

A Commanding Officer is a Deputy in the rank of Corporal or above who has been designated the authority and responsibility by the Sheriff to direct all activities of a section or division of the Office, and shall promptly obey and support all directives and policies established by the Sheriff.

The Commanding Officers shall be responsible for:

1. The prompt service of all official notices, summons or subpoenas which may be sent to them by proper authority.
2. Punctual attendance in court and for the proper preparation and presentation of cases in court by personnel of their command. They shall assist subordinates in the preparation of their cases.
3. Properly preparing, transmitting, and preserving all official records, reports, forms and correspondence originating within or forwarded to their command.
4. Assigning particular duties to individuals within their command. Prescribing standard operating procedures for the command with the approval of the Sheriff. Keeping the Sheriff, Undersheriff, and

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Major informed of all pertinent information and/or matters of special interest to the Sheriff.

5. A Commanding Officer may relieve from duty, pending formal charges, any subordinate personnel of the department, pursuant to the procedures described in the County Personnel manual. They shall investigate or cause to be investigated all complaints and reports of any misconduct, incompetency, neglect of duty or any violation of Office policy on the part of anyone under their supervision and command.
6. In the event that any Deputy of the Office is wounded or killed in the line-of-duty or dies under any other circumstances, it shall be the responsibility of the Commanding Officer on duty at the time to notify the Sheriff who will cause to be notified the immediate family member of the injury or death.
7. Commanding Officers are responsible for the good order conduct, and discipline of their subordinates; for their compliance with the Office policies and procedures; and for enforcement of all **STANDARD OPERATING PROCEDURES**.
8. Commanding Officers who observe or are informed of neglect of duty or misconduct shall immediately take whatever action is necessary and bring the matter to the attention of the supervisor of personnel concerned. They shall make an impartial written report to their Commanding Officer in every case of serious misconduct, incompetency, neglect of duty or violation of the rules, regulations or Office Orders on the part of a subordinate.
9. Supervises and directs the activities of personnel assigned to them and inspects work of subordinates for effectiveness, efficiency, and adherence to established policies and procedures. A Commanding Officer also instructs and advises subordinates in the performance of their duties and shall promptly obey and support all directives and policies established by the Sheriff.
10. Shall brief, interpret, and enforce approved policies and plans within their supervision and act as a liaison in transmitting informa-

tion from top to bottom and vice versa.

11. Shall develop long and short range objectives for their assignment.
12. Shall review and forward all reports and other documents prepared by subordinates.
13. Shall evaluate the performance of immediate subordinates and review evaluations of other subordinates. Initiate commendations or disciplinary action for subordinates, subject to review by higher authority.
14. Shall administer and control expenditures of manpower, materials, and other cost elements which could materially affect the operation of this Office.
15. Shall be responsible for the early detection of problem drinking on the part of personnel under their command, unit and prompt referral to the County Employee Assistance Program for rehabilitation assistance. Referral to this program does not prohibit the Commanding Officer/Supervisor from making an entry in the individual's regular personnel file regarding the conduct making the referral necessary and the action taken.
16. A conviction for violation of a Federal, State, County, or City Statute or Ordinance will be grounds for disciplinary action. The disciplinary action will be on a case-by-case basis, based on the severity of the violation.
17. A valid Drivers License is a condition of employment. Revocation or suspension of license will be grounds for termination or suspension.
18. Deputies holding command rank shall be charged with the task of setting proper and positive examples to their immediate subordinates and all subordinate personnel by his/her appearance (uniform and plain-clothes) and projection of profession, competent self standards.
19. At no time will a Command Officer be allowed latitude in delegating those responsibilities entrusted to him or her. He/She may delegate sufficient authority to ensure operational harmony in fulfilling the Office mission and goals.

## B. Deputies Duties:

1. Shall carry their badge, firearm and identification card on their person while on duty, except when doing so would be dangerous to their safety or to an investigation and authorized by their supervisor.
2. Shall furnish their name and employee number to any person requesting that information when they are on duty or acting in an official capacity, except when the withholding of such information is necessary for the performance of Sheriff duties or is authorized by proper authority.
3. Shall carry and use weapons in a careful and prudent manner in accordance with the laws and Office Procedures.
4. Shall make only those arrests, searches, and seizures which they know or should know are legal and in accordance with the Office's Standard Operating Procedures.
5. Shall familiarize themselves with and have working knowledge of all laws of the State of New Mexico which they are required to enforce.
6. Shall be equally responsible for the enforcement of laws, ordinances, and sheriff regulations. The delegation of the enforcement of certain laws and ordinances to a particular division, section or unit of the Office does not relieve members of other division, sections, or units from taking prompt law enforcement action for violations coming to their attention. All Deputies will take appropriate action and render assistance in any instances coming to their attention whether on or off duty. All Deputies shall promptly obey and support all directives and policies established by the Sheriff.
7. Shall make themselves familiar with the County of Santa Fe including the location of streets, public buildings, hospitals, courts, transportation offices and depots, highways, and boundaries of the County. They shall further familiarize themselves with the location of the City, County, State and Federal agencies and Offices in order to enable them to render intelligent and helpful information and assistance when required.
8. Shall cooperate with all agencies engaged in the administration of criminal justice, public agencies and other Offices within the County of Santa Fe structure and shall give to each all the information and aid that it is entitled to receive.
9. Shall, while off-duty, carry on their person their official identification card and badge if armed.
10. Shall be responsible for reporting the neglect of duty or disobedience of orders of other personnel that may come to their attention.
11. Shall notify their supervisor at once when exposed to a contagious disease while in the line of duty.
12. Shall have a thorough knowledge of the Santa Fe County Sheriff's Office Standard Operating Procedures and The County of Santa Fe Personnel Rule and Regulations. Failure to know said rules and regulations will not be acceptable upon any infractions nor will it be accepted as a defense.
13. Shall at all times when in contact with the public, conduct themselves in a professional manner and exhibit the utmost courtesy as possible. Use of profane language, racial slurs, threats, coercion, bribery, excessive force, harassment, perjury or any other type of misconduct will not be tolerated. Disciplinary action taken will depend on the severity of the violation.
14. A conviction for violation of a Federal, State, County or City Statue or Ordinance will be grounds for disciplinary action. The disciplinary action taken will be on a case by case basis, based on the severity of the violation.
15. A valid Drivers License is a condition of employment. Revocation or suspension of a license will be grounds for termination or suspension.

## C. Santa Fe County Sheriff's Office Profiling Policy

### 1. PURPOSE

The purpose of this policy is to state the Santa Fe County Sheriff's Office commitment to unbiased, equitable treatment of all

persons in enforcing the law and providing law enforcement services

## 2. POLICY

Public trust and confidence in the sheriff's Office is critical to effective law enforcement and is achieved largely through fair and equitable treatment of the public. It is the policy of the Santa Fe County Sheriff's Office to respect and protect the constitutional rights of all individuals during law enforcement contacts and/or enforcement actions and that such enforcement decisions will not be predicated solely on the basis of an individual's race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious medical condition, or economic status.

To this end, biased-based policing and/or profiling in the Sheriff's Office are unacceptable practices that will not be tolerated.

## 3. DEFINITIONS

### a. BIASED-BASED POLICING / PROFILING

b. The interdiction, detention, arrest or other nonconsensual treatment of an individual because of a characteristic or status, such as race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious medical condition, or economic status.

### c. LAW ENFORCEMENT CONTACTS / ENFORCEMENT ACTIONS

Includes, but is not limited to, a routine or spontaneous investigatory activity, including an interview, a detention, a traffic stop, a pedestrian stop, a frisk or other type of bodily search or a search of personal or real property.

## 4. GENERAL PROCEDURES

Biased-based policing / profiling by any member of the Sheriff's Office is prohibited. Investigative detentions, field contacts, traffic stops, pedestrian stops, searches, a

frisk, other type bodily searches, arrests, property seizures and forfeiture efforts will be based on a standard of reasonable suspicion or probable cause for determining when or how to take enforcement action in accordance with the Fourth Amendment of the U.S. Constitution.

Nothing in this policy prohibits officers from using the traits and characteristics of persons, such as race, ethnicity, or national origin in the same manner that officers would use hair color, height, weight, or gender to the extent that credible information, relevant to the locality or time frame, links a person with those identifying characteristics to an identified criminal incident or criminal activity.

Sheriff's Office personnel will provide the same level of police service to every citizen regardless of their race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability, serious medical condition, or economic status.

### A. Reporting

1. Anyone may lodge a complaint regarding alleged unlawful police profiling with the Santa Fe County Sheriff's Office. All complaints will be investigated regardless of whether they are oral or in writing, anonymous or made by 3<sup>rd</sup> parties. Complaints must be made within 90 days of the original incident.

2. The Sheriff's Office will provide complaint forms and personnel will make them available to the public. If the complaint is not anonymous and the complainant requests the outcome, the Sheriff's Office will offer whether the complaint was determined to be sustained (allegation is supported by evidence), not sustained (insufficient evidence to prove or disprove), unfounded (the allegation is determined to be false and not based on fact), or exonerated (the incident complained of or that occurred was determined to be law-

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ful or proper. No information regarding personnel matters, discipline, or corrective action taken against an employee will be released without a court order.

#### B. Duties Of Sheriff's Office Personnel

1. Any member of the Sheriff's Office who is aware of a violation of this section, or who receives a citizen complaint, shall immediately report the alleged violation to the Captain, orally and submit the information in writing.
2. Personnel shall not discourage citizens from filing complaints of biased-based policing / profiling and shall not intimidate, coerce, or threaten retaliation against citizens to discourage or prevent them from filing complaints.

#### C. Supervisor Duties

1. Supervisors are responsible for seeing that all personnel under their command are familiar with this policy.
2. Supervisors will monitor the activities of personnel under their command in order to identify behaviors that may be indicative of a violation of this policy.
3. Supervisors, will respond to all citizen complaints of biased-based policing / profiling and will ensure that complaints are handled in accordance with this policy. Supervisors will not discourage citizens from filing complaints of biased-based policing / profiling and shall not intimidate, coerce, or threaten retaliation against citizens to discourage or prevent them from filing complaints.

#### D. Training

1. The Santa Fe County Sheriff's Office provides training to its law enforcement officers during orientation and every two years thereafter to assist deputies in adhering to this policy and the Prohibition of Profiling

Practices Act, pursuant to NM Laws 2009 Chapter 177, §§ 1-4, NMSA 1978 § 29-21-1 et seq.

#### E. Investigation Of Allegations Of Illegal Profiling

Allegations of illegal profiling will be handled as follows:

1. All complaints will be investigated by a Lieutenant or higher ranking deputy as assigned by the Captain or the Sheriff. If the complaint merits an Internal Affairs investigation as determined by the Sheriff then the Sheriff will assign an Internal Affairs Investigator. If the commanding Lieutenant or I.A. investigator is the subject of the complaint the sheriff shall designate an alternate investigator. The Captain shall maintain a log of all complaints and the outcome of the investigation.
2. Training will be utilized to address needs based on the outcome of the investigation.
3. The Sheriff, through the Captain will submit a redacted copy of all complaints and a description of their disposition to the New Mexico Attorney General. The documents submitted to the Attorney General shall disclose the nature and disposition of the complaint but shall not disclose personal identifying information of a law enforcement officer or complainant.

#### F. Discipline

1. Violation of this policy prohibiting unlawful police profiling is cause for discipline. The Sheriff will take any action necessary to enforce this policy up to and including termination.

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G. Citizen Complaint Form (example )

1. You have the right to make a complaint against any Sheriff's Office Employee for alleged improper conduct. The Sheriff's Office will conduct an investigation and you will be notified of the outcome if you have given us a way to contact you. We may be unable to provide specific actions taken against the employee but will offer whether the complaint was determined to be sustained (allegation is supported by evidence), not sustained (insufficient evidence to prove or disprove), unfounded (the allegation is determined to be false and not based on fact), or exonerated (the incident complained of or that occurred was determined to be lawful or proper). This form may be completed by the Complainant or by Sheriff's Office Employees taking the complaint by phone, fax, email, in person or anonymously.

Complainant Information (if known):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

Email(s): \_\_\_\_\_

Sheriff's Office personnel involved in the alleged misconduct (if known):

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Description of incident (please provide as much detail as possible):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Continued Description of incident (please provide as much detail as possible):

Lined area for providing details of the incident.

I understand that this statement will be submitted to the Santa Fe County Sheriff's Office and will serve as a basis for an internal investigation. In some cases another police agency may be asked to investigate this case. I declare and affirm that the facts contained in this statement are complete, accurate and true to the best of my knowledge and belief. Furthermore, I agree to fully cooperate with any investigation and agree to appear at any civil or criminal proceedings, if necessary. I also understand that if I attest to any intentional false statement it may be cause for criminal and/or civil proceeding against me.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Parent or Guardian if under 18 years of age:

\_\_\_\_\_

Sheriff's Office personnel accepting the complaint

Name (printed) \_\_\_\_\_ Date: \_\_\_\_\_

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H. Applicable State Statute.

**29-21-2. Profiling practices prohibited.**

A. In conducting a routine or spontaneous investigatory activity, including an interview, a detention, a traffic stop, a pedestrian stop, a frisk or other type of bodily search or a search of personal or real property, or in determining the scope, substance or duration of the routine or spontaneous investigatory activity, a law enforcement agency or a law enforcement officer shall not rely on race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious medical condition, except in a specific suspect description related to a criminal incident or suspected criminal activity, to select a person for or subject a person to the routine or spontaneous investigatory activity.

B. In conducting an investigatory activity in connection with an investigation, a law enforcement agency or a law enforcement officer shall not rely on race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious medical condition, except to the extent that credible information, relevant to the locality or time frame, links a person with those identifying characteristics to an identified criminal incident or criminal activity.

**29-21-3. Policies and procedures--required.**

A. A law enforcement agency shall:

- (1) maintain written policies and procedures designed to eliminate practices by its law enforcement officers that violate the provisions of Section 2 [29-21-2 NMSA 1978] of the Prohibition of Profiling Practices Act; and
- (2) provide training to its law enforcement officers, during orientation and at least once every two years, that the law enforcement agency determines will assist its law enforcement officers in adhering to the applicable provisions of the Prohibition of Profiling Practices Act and to the law enforcement agency's policies and procedures.

B. As part of a law enforcement agency's administrative complaint procedures, the law enforcement agency shall, at a minimum:

- (1) investigate a complaint alleging its law enforcement officer violated the provisions of Section 2 of the Prohibition of Profiling Practices Act;
- (2) take appropriate measures to discipline a law enforcement officer, including facilitating mediation or other restorative justice measures, when it is determined that the law enforcement officer violated the provisions of Section 2 of the Prohibition of Profiling Practices Act;
- (3) provide appropriate forms for submitting the complaint against its law enforcement officer;
- (4) publish the policies and procedures designed to eliminate practices that violate the provisions of Section 2 of the Prohibition of Profiling Practices Act; and
- (5) submit a redacted copy of the complaint and the disposition to the attorney general, which shall disclose the nature and disposition of the complaint but shall not disclose personal identifying information of a law enforcement officer or complainant.

C. A law enforcement agency shall establish a time frame within which a complaint alleging a violation of the provisions of Section 2 of the Prohibition of Profiling Practices Act may be made; provided that in no event shall the time frame be less than ninety days or exceed one hundred eighty days after the commission of the alleged violation of the provisions of Section 2 of the Prohibition of Profiling Practices Act. A law enforcement agency shall allow a complaint alleging a violation of the provisions of Section 2 of the Prohibition of Profiling Practices Act by its law enforcement officer to be made:

- (1) in person or in writing sent by mail, facsimile or electronic mail and signed by the complainant; or
- (2) by telephone, anonymously or by a third party; provided that the law enforcement agency shall determine the complaint to be valid before taking appropriate measures pursuant to Paragraph (2) of Subsection B of this section and shall comply with

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the provisions of Section 29-14-4 NMSA 1978.

**29-21-4. Independent oversight; complaints; confidentiality.**

A. The attorney general shall establish independent procedures for receiving, and for maintaining a record of, complaints alleging profiling by a law enforcement officer or agency. The attorney general may initiate an investigation of a complaint alleging a violation, or a systematic pattern of violations, of the provisions of Section 2 [29-21-2 NMSA 1978] of the Prohibition of Profiling Practices Act and take necessary actions as the attorney general deems appropriate. The attorney general may publish a report or summary of the attorney general’s findings regarding violations of the provisions of the Prohibition of Profiling Practices Act [29-21-1 NMSA 1978]; provided that personal and identifying information shall not be published or released to the public.

**S.O.P NUMBER 1-9  
Seniority In Employment**

**1. PURPOSE**

A. This Standard Operating Procedure establishes the policy and procedure of the Santa Fe County Sheriff’s Office concerning seniority preferences for both members and employees.

B. While seniority is a factor to be considered in assignment of personnel, it is of secondary importance to the efficient operation of the Sheriff’s Office as a whole or a division, section, or unit therein. Further, it should be secondary to the need for members and employees to work together in a spirit of harmony and co-operation.

C. It is not always possible to make duty assignments and day off assignment selections on a straight seniority basis; therefore, the Sheriff retains the authority to assign personnel in any manner deemed necessary. This method will assure that the best interest of the Department has been taken into consideration and shall further provide that the member or employee selected for each assignment possesses the minimum qualifications necessary for the assignment.

**2. POLICY**

A. Official seniority is the relative position of a member or employee to all other members or

employees within the Office. Seniority in rank is the position of Office personnel in relationship to other personnel of the same rank or position.

- B. When a question of seniority may arise, such seniority shall be determined by:
  - 1. Rank
  - 2. Continuous service in rank.
  - 3. Continuous service with the Office.

**3. PROCEDURE**

**A. Rank:**

- 1. Rank is the official grade or position within the Office as authorized by the County Personnel Rules and Regulations.
- 2. Rank is the deputies or employees designated position within the organizational structure of the Office.
- 3. The titles of the respective ranks which establish the chain of command within the Office are:
  - a. Sheriff
  - b. Undersheriff
  - c. Major
  - d. Captain
  - e. Lieutenant
  - f. Sergeant
  - g. Corporal
  - h. Deputy III
  - i. Deputy II
  - j. Deputy I
  - k. Cadet
  - l. Civilian employee
  - m. Reserve Deputy

**B. Continuous Service in Rank**

- 1. Members and employees of the same rank will take precedence according to the date of their appointment to their respective rank.
- 2. Where two or more members or employees are working together on the same assignment and are of equal rank, such seniority shall not be exercised except in an emergency necessitating it, unless by competent authority one member has been designated as in command.

**C. Continuous Service with the Office**

- 1. Members and employees of the same rank and same date of appointment to their rank will rank according to their date of appointment to the Office with the member or employee having the longest continuous service taking precedence.

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2. All members and employees shall strive to work together in harmony and in a spirit of cooperation rather than by authority of seniority.

outside party will be notified that the member could not be contacted at this time. A message will be routed to the members shift or division office.

## **S.O.P NUMBER 1-10 Office Personnel-Phone Numbers Listing And Release To The Public**

## **S.O.P NUMBER 1-11 Personnel Grooming Standards Uniform And Plain Clothes**

### **1. POLICY**

- A. It will be the policy of the Santa Fe County Sheriff's Office that all sworn personnel have a telephone accessible to them during their off-duty hours and that they make the phone number available to the Office whether it is listed or unlisted. This phone may be a message number so long as the member can be contacted in the event of an emergency call out. If the Deputy is issued a Department owned cellular phone, he/she will check messages periodically, (even when off duty).
- B. A sworn deputy has a solemn obligation and responsibility by virtue of the Sworn Oath of Office to be readily available for duty when called upon by competent authority and the telephone is the most prompt and time saving method used to communicate in case of emergency which necessitates Sheriff participation.
- C. Change of address - all personnel, commissioned and civilian, will make available to the Office of the Sheriff, his or her current home address ( not a P.O. Box number) and will see that a change is made when he or she moves and has a change of address. This will be done without delay.

### **2. RELEASE OF TELEPHONE NUMBERS**

- A. It will be the policy of this Office that no personal telephone numbers of any Office personnel, commissioned or civilian, will be given to anyone outside of this Office.
- B. In the event that someone from outside the Department wishes to contact a member of the Office in an emergency, the radio dispatcher or receptionist will take their name, phone number and other pertinent information. The radio dispatcher or receptionist will then attempt to contact the Office member and transmit the above information. If a member cannot be reached, the

### **1. POLICY**

- A. This Standard Operating Procedure promulgates appearance regulations to maintain the professional appearance of the sworn/civilian personnel of this Office.
- B. A uniformed agency necessarily expects of its members good grooming and uniformity of appearance. The primary reason for good grooming is to impart to the public an image of each member's competence, efficiency and pride in the organization.
- C. When circumstances dictate that deviation from this Standard Operating Procedure will be in the best interest of the Office, special permission will be obtained in writing from the Sheriff.

### **2. STANDARDS FOR ALL SWORN PERSONNEL**

#### **A. Male Hair:**

1. Hair styles reflecting a fuller look will be permitted.
2. Hair along the side of the head may extend to the ears but shall never protrude over the ears.
3. Hair at the nape of the neck may be rounded or "blocked" but it shall not touch or extend beyond the collar when the head is held in the position of attention.
4. Hair in front will be groomed so that it does not fall below the eyebrows.
5. The bulk or length of hair shall be so groomed that it shall not bush out or curl up while wearing the standard issue uniform hat.

#### **B. Female Hair**

1. In uniform, female personnel may style their hair in any manner conducive to the correct wearing of the uniform hat. Hair

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accessories such as ribbons or hair clips must be either black or blue in color so as not to clash with the official uniform.

#### C. Sideburns:

1. Sideburns shall not extend in length below the bottom of the ear. They shall be neatly trimmed, not bushy nor flared.

#### D. Mustaches:

1. Neatly trimmed mustaches will be allowed. Mustaches shall not extend in length below the top of the upper lip, nor extend more than 1/4 inch upward, downward, or to the side from the corner of the mouth.
2. Beards will not be allowed.

#### E. Exceptions

1. All male members excused from the above regulations because of specific or special assignments shall be in compliance with the above procedures when wearing the official regulation uniform.

#### F. Tattoos

1. All tattoos must be covered by clothing. If you have tattoos on your arms you must wear long sleeve shirts.

### 3. STANDARDS FOR PLAIN CLOTHES/CIVILIAN PERSONNEL

- A. It is the policy of the Santa Fe County Sheriff's Office that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation. Employees are expected at all times to present a professional, business-like image to fellow employees as well as the general public. Acceptable personal appearance is an ongoing requirement of employment with the Santa Fe County Sheriff's Office. Santa Fe County Sheriff's Office Employees must comply with the following personal appearance standards:

1. Employees are expected to dress in a manner that conveys a professional appearance. Employees shall not wear suggestive attire such as, blue jeans, athletic clothing, shorts, sandals, T-shirts, casual tank tops, baseball caps, tight fitting, and similar items of casual attire that do not present a business-like appearance. Any color denim material clothing may not be worn on any other than casual Friday.

2. Articles of clothing may not be inappropriately worn, ripped, torn, slit, stained, soiled, un-pressed or contain holes to expose underwear or skin, nor may they be see-through in the chest, groin, buttocks, or midriff areas. Shirts, blouses, and dresses must cover the back, waist and midriff. Shirts, blouses and dresses shall not have excessive armpit cutouts. Pants must be worn at the waist. Articles of clothing can be no more than three inches above the top of the knee. Employees may not wear hats inside any facility.
3. Clothing or any decoration that expresses a political opinion, an attitude or opinion contrary to the public safety code of ethics, is unacceptable. Clothing that promotes alcoholic beverages, tobacco, the use of controlled substances, depicts violence, is sexual in nature, or is of a disruptive nature, will not be tolerated. Employees may not wear jewelry affixed to the nose, tongue, cheek, lip or eyebrow. Clothing must cover all tattoos.
4. Hair should be clean, combed, and neatly trimmed or arranged. Shaggy, un-kept hair is not permissible regardless of length. Sideburns, mustaches, and beards should be neatly trimmed.
5. Acceptable dress includes:
  - a. Authorized Department Uniform.
  - b. For males: Casual business slacks, shirt with collar and tie or bolo tie.
  - c. For females: Casual business slacks, dresses, skirts, or dressy capri pants and professional shirt/blouse.
6. Immediate supervisors will be able to waive this policy on an individual, single occasion basis for special events. On Fridays, employees will be allowed to dress in a more casual fashion than is normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped, torn, or disheveled clothing blue jeans which are faded to the point of looking old or over-worn, athletic wear, or similarly inappropriate clothing. Appropriate professional looking blouses without collars will be al-

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lowed for females, males are still required to wear a collared shirt.

- B. Any employee who does not meet the standards of this policy may be subject to corrective action, which may include leaving the premises. Violations of this policy may result in disciplinary action.

## S.O.P NUMBER 1-12

### Personal Injury Involving Office Employees

#### 1. PURPOSE

To ensure that all on the job injuries are immediately reported to the employee's supervisor without delay, and that all reported that the Santa Fe County Risk Manager be notified as soon as possible.

#### 2. POLICY

##### A. Employee Responsibilities:

All Sworn and Civilian Employees will report immediately to their immediate supervisor "any" injury or accident occurring on duty, regardless of the extent or seriousness of the accident or injury.

##### B. Supervisor's Responsibilities:

The Supervisor, upon receiving a report of injury will conduct an investigation into the circumstances and submit findings on form, "FIRST REPORT ON INJURY" to the Office of the Sheriff by the end of the tour of duty. If the supervisor feels the employee should be checked by a physician, he/she will immediately make the necessary arrangements. If the injury or accident takes place during normal working hours, (8:00 AM to 5:00 PM) the Risk Management Officer for the County of Santa Fe will be notified. The Risk Management Officer will also be notified after hours if, the Supervisor or the Sheriff feels the injury is serious enough in nature to warrant such.

#### 3. REVIEW OF REPORTS

The Sheriff, Undersheriff or their designee will review the report and will submit the original copy to the Santa Fe County Risk Management Administrator for further disposition.

## S.O.P NUMBER 1-13

### Transfer Policy

#### 1. POLICY

When openings are anticipated in Specialized Divisions, a memorandum shall be placed in the Special Orders advising interested personnel to submit a memorandum requesting consideration for the position.

#### 2. PURPOSE

In fairness to all personnel, they should be made aware of openings that develop in Specialized Divisions. All eligible employees should have the opportunity to request consideration for their assignments.

#### 3. PROCEDURES

- A. When an opening is anticipated in a Specialized Division, the Sheriff's Office will announce the opening and any requirements for it will be listed in the Special Orders at least one calendar week in advance. All eligible interested personnel will submit a memorandum requesting consideration through their Chain of Command. Part of the selection process may consist of a panel designated by the Sheriff's Office. All eligible personnel will be granted a panel interview, should this be the case.
- B. Supervisory openings in a Specialized Division will not be advertised. Should an opening occur, any Commander of the same rank may submit a memorandum for consideration. The selection of a replacement shall be made by the Office of the Sheriff.
- C. A selection board may be impaneled by the Sheriff or his designee who shall be charged with the task of conducting an impartial interview process and returning to the Sheriff's Office the name(s) of a person(s) eligible for transfer.
- D. This selection list will be in effect for a period of ninety days from the date of selection of the primary choice.
- E. Inter-Shift transfers will be handled through the Major and be made to enhance the effectiveness of the Departments objectives.

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**S.O.P NUMBER 1-14**  
**Hazardous Exposure**

**1. POLICY**

Reporting procedures for exposure to or contamination by any Hazardous Materials/Communicable Diseases, will be the same as outlined in the Standard Operating Procedure for Personal Injury to Office Employees (S.O.P Number 1-12).

**2. PROCEDURE**

- A. Office personnel who have become contaminated by a substance or bodily fluid of a questionable nature shall remove affected clothing articles as soon as possible. Affected clothing articles should be packaged in such a manner as to avoid further exposure to themselves or anyone else.
- B. Reporting of the incident shall be accomplished by following the prescribed procedure for personal injury.
- C. Medical testing of the individual or any scientific testing of clothing articles or equipment shall be initiated by the County of Santa Fe Safety Office. Should a need for medical care or observation be identified, this should be attended to immediately.

**S.O.P NUMBER 1-15**  
**Firearms - General**

**1. POLICY**

A Deputy's firearm is perhaps the most commonly perceived symbol of his or her authority and role. In the best interest of public safety and police professionalism, the Office sets herein high standards of performance for its personnel who use weapons. The Office's policy ensures that members are properly trained, not only in the use of firearms, but also in their maintenance. In addition, the Office believes that off-duty use of weapons, plus the selection and wearing of on-and off-duty holsters must follow standards enforced by supervisors and the Office Armorer. Firearm training is an important phase in the development of law enforcement officers, particularly with weapons that are most accessible to the Deputy, i.e., sidearm, rifle and shotgun.

**2. PURPOSE**

To establish policy and procedures governing the care and maintenance of department issued weapons, the selection and use of holsters and off-duty weapons.

**3. PROCEDURES**

**A. Issuance of Weapons:**

- 1. The Property Custodian, if appropriate, shall issue Official weapons to only authorized personnel of this Office.
- 2. Official firearms which become unserviceable or are no longer needed shall be returned to the armory and the Property Custodian will make arrangements to have the weapon repaired or replaced.

**B. Security of Weapons:**

Deputies are responsible for the care, cleaning, and security of Official weapons issued to them. Deputies will not loan any Official weapon to any person who is not employed by the Santa Fe County Sheriff's Office for any reason whatsoever. Deputies will report any weapon malfunction to one of the Office armorers. The armorers will contact the Property Custodian to make arrangements to replace the weapon, if they are not able to repair it. All firearms will be secured safely in the Deputy's unit trunk or residence when the Deputy's tour of duty is complete and while the unit is left unattended for a long period of time.

**C. Official Armorer:**

The duties of the armorer are:

- 1. To provide for the care and maintenance of all issued Official weapons and associated equipment.
- 2. To inspect all weapons being returned to the armory in order to ensure they are clean and in a serviceable condition.
- 3. To repair all returned malfunctioning weapons if they are in a repairable condition.
- 4. To maintain records of issuance, care, and maintenance of Official weapons and associated items.
- 5. To inspect and certify as serviceable personally owned firearms that are authorized for on-duty or off-duty use.

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6. To inspect and authorize the use of holsters for off-duty use and for on-duty use if the Deputy prefers to use a holster other than one issued by the Office.
7. The Office armorer shall inspect all weapons used by Deputies both on and off duty at each qualification shoot.
8. The armorer shall maintain a record of all firearms which have been certified as safe and with which Deputies have qualified. This record shall include the following information:
  - a. The Deputy's name and identification number.
  - b. The make and model number of the weapon.
  - c. The serial number of the weapon.
  - d. If the Armorer inspects the weapon and finds it unsafe or not operational he/she will contact the Property Custodian to make arrangements in having the weapon repaired or replaced.

**D. Modification of Weapons:**

1. Official weapons shall not be modified nor altered in any way without the approval of the Sheriff except as outlined below.
  - a. Grips shall be of high quality wood, rubber, or polyurethane.
  - b. Grips shall be the color of the natural wood, or plain black.
  - c. Target-style grips, or any grips which interfere with the speed loading of the weapon are not authorized.
2. Modification of privately owned weapons designated by Deputies as duty weapons.
  - a. Substitution of grips as outlined above is authorized.
  - b. Trigger shoes or grip adapters are prohibited.
3. Any type of **laser** sight will not be permitted on any weapon (department or privately owned) designated by Deputies as duty weapons.

**E. Firearms Inspection:**

1. Although either the firearms instructor or the armorer shall thoroughly inspect each

weapon during qualification on the range, Commanders shall inspect subordinate deputies issued firearms bi-monthly to ensure they are maintained and in a clean and serviceable condition.

- a. Firearms inspections shall include side arms, shot-guns, and authorized rifles.
- b. Ammunition shall be inspected to ensure that it is of Official issue, of correct quantity, and of a serviceable condition.

**F. Off-Duty Weapons:**

1. Off-duty weapons, either revolvers or semi-automatic pistols, are purchased at the Deputy's expense. The armorer must inspect and certify the off-duty weapon before it may be carried.
  - a. Deputies must be able to qualify with the off-duty weapon tri-annually.
  - b. The armorer must approve any concealed holster for an off-duty weapon.
  - c. The armorer will maintain a record of all weapons used by each Deputy.
2. Deputies may carry, while off-duty, either an issued weapon or one purchased at the deputy's expense. To ensure proficiency with the weapon, at a regularly scheduled shoot each deputy shall qualify with his/her off-duty weapon according to the procedures outlined herein.
3. Deputies may not carry weapons when socially inappropriate and shall not carry weapons when consuming alcoholic beverages.
  - a. Off-duty weapons shall be carried safely and concealed from public view.

**S.O.P NUMBER 1-16  
Authorized Weapons And Ammunition**

**1. POLICY**

This Standard Operating Procedure establishes the official policy of the Santa Fe County Sheriff's Office regarding authorized weapons, components, ammunition and the use of such weapons by off-duty sworn personnel of the Office.

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## 2. WEAPONRY SPECIFICATIONS

### A. Authorized Revolvers:

Any Deputy wanting to carry a privately owned revolver must receive written authorization from the Sheriff. Revolvers may not be smaller than .38 caliber or larger than .357 caliber. 6" is the maximum barrel length and 2" is the minimum. Privately owned weapons must be inspected by one of the Office armorers and registered with the Office.

### B. Authorized Semi-Automatic Pistols:

The standard issue semi-automatic pistol is the Glock Model 31, .357sig cal., blue finish. Any deputy wishing to carry a privately owned pistol must receive written authorization from the Sheriff. Pistols may not be smaller than .380 caliber or larger than .45 caliber. 6" is the maximum barrel length and 2" is the minimum barrel length. Single action semi-auto pistols are permitted within these guide lines. Privately owned pistols must be inspected by one of the Office armorers and registered with the Office.

## 3. AMMUNITION SPECIFICATIONS

Standard ammunition is to be issued and carried by all members of the Office as follows:

1. Remington 125 grain semi jacketed hollow point .357 magnum or .38 special or comparable ammunition.
2. Federal Hydra-Shock, 147 grain hollow point, 9mm cal.
3. Remington, Federal, or Winchester, 185 grain jacketed hollow point, .45 cal. or comparable ammunition.
4. Remington, Federal, or Winchester 125 grain, semi jacketed hollow point .357sig cal. or comparable ammunition.
5. Federal Hydra-Shock, 180 grain hollow point, .40 cal. or comparable ammunition.

## 4. PROHIBITED AMMUNITION

The following types of ammunition will be strictly prohibited for use by members of the Office.

1. Teflon coated ammunition
2. Armor piercing ammunition
3. Hand loaded ammunition
4. Manufactured re-loaded ammunition
5. Full metal jacket (cased) ammunition.

## 5. AUTHORIZED SHOTGUNS

A. These weapons shall be the property of and issued by the Santa Fe County Sheriff's Office. Weapons are as follows:

1. Remington model 870, 12 gauge standard and folding stock.
2. Winchester Defender 12 gauge standard and folding stock.
3. Smith and Wesson model 3000, 12 gauge standard and folding stock.
4. Mossberg Model 500, 12 gauge standard or folding stock.

B. Shotguns that are not the property of or issued by the Santa Fe County Sheriff's Office will be authorized for use only by written permission of the Sheriff and all privately owned shotguns must be inspected by one of the Office armorers.

C. Authorized Shotgun Ammunition:

1. .00 buckshot shall be the standard load for Office use.
2. 12 gauge shotgun slugs are also available for use by all commissioned personnel. Members who wish to use 12 gauge shotgun slugs must qualify with slugs during a regularly scheduled shotgun qualification.
3. 12 gauge Bean Bag round; deputy's assigned Bean Bag Shotguns will qualify during a regularly scheduled shotgun qualification.

## 6. AUTHORIZED RIFLES

A. The standard issued rifles are as follows:

1. Heckler Koch MP-5, 9mm sub-gun (SWAT TEAM MEMBERS)
2. Ruger .223 caliber, mini 14, semi-automatic rifle (SWAT TEAM MEMBERS)
3. Remington .308 caliber, model 700 (SWAT TEAM MEMBERS)
4. Bushmaster AR-15, 223 caliber, carbine or long rifle or other comparable AR-15 models or brands.

## 7. AUTHORIZED PRIVATELY OWNED RIFLES

A. Privately owned rifles must be approved in writing by the Sheriff and must be inspected by one of the Office armories. They must also be registered with the Office.

1. Privately owned rifles allowed will be as follows:
  - a. Ruger .223 calibre, model MINI-14, semi-auto rifle with 20 round magazines.
  - b. Colt .223 calibre, AR-15 sporter, semi-auto rifle, or equivalent.

**NOTE: Scopes or any type of optical sights will not be permitted on privately owned rifles unless the sight mounting system allows for the use of the factory iron sights (open sights) without removing the scope. This type of scope mounting system is commonly referred to as see-thru mounts. No optical sights with built in lasers will be permitted.**

## **S.O.P NUMBER 1-17 Firearms Range/Qualification**

### **1. POLICY**

- A. It will be the policy of the Santa Fe County Sheriff's Office to establish guidelines and procedures for qualifying personnel on all firearms carried by them, and to set guidelines for the use of the firearms range by all personnel. It will also set penalties and remedial procedures for the lack of qualifying or for the failure to appear at the assigned time(s) and date(s) for qualification.
- B. The Office's firearms instructors will be responsible for the establishment and execution of training sessions for all firearms carried by personnel of this Office.
- C. Deputies will be required to periodically familiarize themselves with all weapons in accordance with the policies and scheduled firearms training of the Office.

### **2. AUTHORIZED USE**

All sworn personnel of the Santa Fe County Sheriff's Office will be allowed into the firearms range in accordance with regularly scheduled firearms training and during additional training as required.

### **3. RULES OF THE RANGE**

The strictest discipline must be maintained at all times on the firearms range in order to prevent accidents and injuries. Carelessness or horseplay of any nature will not be tolerated at anytime while on the firearms range. Range discipline will be strictly en-

forced by firearms instructors.

#### **A. Before Entering the Firearms Range:**

1. All weapons are to be secured in holsters
2. No alcoholic beverages or intoxicated persons will be allowed on the range.
3. Range discipline will be enforced, as mentioned. Above, at all times.

#### **B. Rule on the Firearms Range:**

1. Ear and eye protection must be worn while firing at the range.
2. All weapons will be secured in holsters until the command to load has been given by the range master.
3. Do not attempt to practice dry-fire or remove the weapon from the holster until directed to do so by the range master or firearms instructor.
4. Do not move from your position on the firing line until the line has been cleared, and only after the command has been given by the range master or firearms instructor.
5. No talking, joking, laughing, or conversation of any kind will be permitted on or near the firing line.
6. Only shooters will be allowed on the firing line.
7. No weapons are to be handled behind the firing line.
8. No smoking will be permitted on the firing line.
9. Ballistic vests must be worn while on the range.

### **4. QUALIFICATIONS**

- A. All members of the Santa Fe County Sheriff's Office must qualify tri-annually with the weapons they carry on duty unless exempted by the Sheriff in writing. All members who have been exempted from qualifications must attempt to qualify within fifteen (15) days after the expiration of the said exemption. Rehired or reinstated members must qualify within fifteen (15) days of their rehire date. Pass/Fail for qualification will be eighty percent(80%) unless otherwise directed by the range master with the written approval of the Sheriff.

1. In the event a scheduled shoot must be cancelled, range personnel will notify the patrol commander and the communications center of the cancellation at least one (1) hour in advance, if possible.
2. Members shall notify range personnel upon arrival at the range and will not be permitted to shoot if arriving late for a scheduled shoot.
3. For safety reasons and expediency in qualification and/or training, range personnel will be in command of the range activities regardless of the rank of others present at the range. Any member violating range rules, regardless of their rank, will be immediately disqualified and ordered off the range. A report of this incident will be submitted to the office of the Sheriff as soon as possible by the range master or firearms instructor.
4. Inspections of all weapons to be fired will be made by range personnel prior to their use at the range. Any weapon judged unsafe will not be used or fired and one of the Offices armorers will be notified as soon as possible so the weapon can be repaired or inspected if possible. The member's commanding officer will be notified of any duty weapon judged unsafe, in writing, by the firearms instructor who discovered the unsafe weapon. It is the member's responsibility to obtain a safe weapon from the property officer prior to returning to duty.

**NOTE: THE Office ARMORER WILL REPAIR ONLY Office OWNED WEAPONS.....**

5. The Office will furnish the following caliber of ammunition to members of the Office for the purpose of qualification:
  - a. .357sig cal.
  - b. 9mm
  - c. .45 cal.
  - d. .308 cal.
  - e. 12 gauge shotgun (.00 buckshot slug and Bean Bag)add
  - f. .223 cal

- g. Members firing other caliber handguns or rifles Will furnish their own ammunition.

## 5. PENALTIES FOR FAILURE TO APPEAR

- A. At the completion of qualification, the firearms instructor will have complaint forms initiated on all non-exempt members who fail to appear or successfully qualify. When a member fails to appear or successfully complete qualification with the handgun or shotgun, the following disciplinary action will be initiated by the member's immediate supervisor, subject to review and while considering any mitigating or aggravating circumstances:
  1. A letter of reprimand for the first incident in a 12-month period.
  2. A suspension of one (1) day for the second incident in a 12-month period.
  3. A suspension of a period between two (2) to five (5) days for the third or subsequent incident within a 12-month period.

## 6. PENALTIES FOR FAILURE TO QUALIFY (NON-PASSING SCORE OR INCOMPETENCY)

Personnel failing to qualify, or in the opinion of the firearms instructor, displaying incompetency with the weapon, on their first attempt of each qualification will immediately be provided a second opportunity to qualify. Personnel failing to qualify after the second attempt will be scheduled by range personnel to report to the range for remedial training while on duty and must again attempt to qualify.

- A. Those members failing to qualify on their second attempt will be given fifteen (15) working days from the date their second failure in which to qualify on their own time. Individual instruction will be made available to the member.
  1. After the completion of the fifteen (15) day period, deputies who fail to qualify will be subject to disciplinary action, which may include suspension without pay or termination. In every event, any deputy who fails to qualify after the fifteen (15) day period will not be allowed to work in any assignment which requires the carrying of a weapon.

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## S.O.P NUMBER 1-18

### Carrying Of Handguns By Off-Duty Sworn Personnel

#### 1. POLICY

This Standard Operating Procedure outlines the policy of deputies carrying handguns while off-duty, to establish a uniform and clear policy regarding firearms and their use by off-duty sworn personnel.

#### 2. PROCEDURES

- A. Sworn personnel of the Santa Fe County Sheriff's Department who have successfully completed and have been duly certified by the Law Enforcement Academy, will be authorized to carry a handgun on their person while off-duty.
- B. Caliber of Weapon - The caliber of handgun can be at the discretion of the individual Deputy. The weapon must be registered with the Office and must be worn as inconspicuous as possible.

#### 3. RESTRICTIONS

- A. No off-duty Deputy will carry on his/her person any firearm while indulging in alcoholic beverages in any form.
- B. No off-duty Deputy will carry on his/her person any firearm while attending a social function where alcoholic beverages are being served; nor will any Deputy carry on his/her person any firearm into any bar, nightclub, or fraternal club where alcoholic beverages are served.

**NOTE: This section is not intended to limit the rights of a Deputy Sheriff's right to carry a firearm in the same manner as unrestricted citizens, but rather to define the authorization to carry a firearm under the "color of law"**

#### 4. REPORTING THE DISCHARGE OF FIREARMS.

A Deputy who discharges his/her firearm for any reason other than at an authorized firing range or in an authorized sport will immediately take the following steps:

- A. Notify the on-duty shift commander and request that a full report be made on the matter.
- B. The on-duty commander will contact the Internal Affairs Unit Officer and together they will investigate the circumstances and determine what action is necessary in the case. A full investigation will be conducted and all information will be reviewed by administration. All inquiries are

subject to disciplinary action.

- 1. The Deputy involved will submit, in writing, an explanation of the circumstances surrounding the discharge of the weapon by the next calendar day.
- 2. If the discharge of a weapon was at the Gun Range and was a negligent discharge, the Range Master or Firearms Instructor will make sure the weapon is cleared and safe. If the discharge was deemed negligent the Range Master or Firearms Instructor will pull the officer involved off of the line and the Gun Range.
  - a. The Range Master or Firearms Instructor will contact the Commander of Community Services Division and Administration immediately.
  - b. The Range Master or Firearms Instructor will fill out a memorandum outlining the chain of events by the next calendar day.
  - c. The Deputy involved will submit, in writing, an explanation of the circumstances surrounding the discharge of the weapon by the next calendar day.
  - d. The Range Master or Firearms Instructor will re-schedule the officer for remedial training before they will be able to qualify.
- C. If the discharge was a negligent act:
  - 1. A letter of reprimand for the first incident in a 12-month period.
  - 2. A suspension of one (1) day for the second incident in a 12-month period.
  - 3. A suspension of a period between two (2) to five (5) days for the third or subsequent incident within a 12-month period.

#### 5. SANCTIONED HANDGUNS FOR OFF-DUTY USE

- A. This Office will sanction only those handguns (calibers) described in Standard Operating Procedure # 1-16 for off-duty use.
- B. Deputies will be required to qualify with the off-duty handgun at least once a year by an Office certified firearms instructor.

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## S.O.P NUMBER 2-1

### Evidence

#### 1. PURPOSE

To establish a process for the preservation and disposition of evidence or property taken into custody by the Santa Fe County Sheriff's Office.

#### 2. POLICY

It is the policy of the Santa Fe County Sheriff's Office to preserve evidence and property in such a manner as to ensure its actual and evidentiary value. It is also departmental policy to dispose of evidence and property promptly and lawfully when such items are no longer required for departmental purpose. No Santa Fe county employee shall take, receive or convert to his/her use, or anyone else's, any property of evidence at any time, whether or not it is needed for any reason or even if it is scheduled to be destroyed. All evidence and property will be maintained in a centralized location known as the evidence room. All access to this area will be restricted and maintained by the Sheriff's Office evidence custodian. The evidence custodian will maintain a permanent record on any person(s) entering and exiting this restricted area. The Sheriff, Undersheriff and any designee may enter this area in the event of an emergency and must keep a permanent record as to the reason entry was made. This must be done in order to preserve and maintain the chain of custody.

#### 3. DEFINITIONS

- A. Abandoned Property – Items that were found or are being held for safekeeping and that remain unclaimed shall follow the disposal guidelines set forth in Section 29-1-14, NMSA 1978
- B. Evidence – Instrumentalities of a crime, fruits of a crime, and contraband constitutes evidentiary items. Such items may be obtained through investigative activities, such as arrest, service of search warrants or submissions by third parties. Evidence may be held for use in investigations, criminal court proceedings or civil court proceedings to which the Sheriff's Office is a party.
- C. Evidence Custodian – Any person designated by the Sheriff as responsible for the secure storage of evidence or property at the Santa Fe County Sheriff's Office evidence area.
- D. Property – Non-evidentiary items in the Santa Fe County Sheriff's Office Evidence area.

## 4. PROCEDURE

### A. Guidelines

1. The evidence custodian is responsible for the secure storage of evidence or property at the Santa Fe County Sheriff's Office.
2. All property and evidence obtained by deputies or employees will be packaged and/or marked to maintain its value as evidence or its actual property value. Such evidence or property will be documented on a Sheriff's Office Evidence/Property tag.
3. Evidence/Property shall be secured before the end of the deputies in the designated team lockers.
4. The evidence custodian shall ensure that evidence/property seized or obtained is submitted promptly, properly packaged, properly labeled and logged into the permanent evidence log.
5. Evidence/property no longer needed by the Sheriff's Office will be returned to the owner, destroyed, or lawfully disposed of as soon as practical or within six (6) months after legal requirements have been satisfied.
6. An Offense/Incident Report shall be completed for any seizure of evidence or property or any item taken into the Sheriff's Office custody. The case number shall be indicated on a Santa Fe County Sheriff's Office Evidence/Property tag for tracking purposes.

### B. Packaging

1. General Guidelines
  - a. All evidence will be packaged in such a manner as to maintain its value as evidence and/or (when practical) its property value.
  - b. All property or evidence will have the evidence number and item number permanently written on each package or securely attached by a tag or adhesive sticker. The case number must be permanently marked on the outside of the package.

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- c. A Santa Fe County Sheriff's Office Evidence/Property Tag will be attached to the evidence/property on the outside packaging.
2. Specific Guidelines
- a. Clothing will be placed in paper bags.
  - b. Wet clothing will be dried before it is turned in.
  - c. Blood soaked clothing will be dried before it is turned in.
  - d. Jewelry will be separated, categorized, and placed in a clear plastic evidence/property bag. A complete list of all jewelry will be attached to the evidence/property bag.
  - e. Hazardous chemicals of unknown manufacture or origin, or those with manufacturer's containers which have been damaged or opened, will not be stored in the Santa Fe County Sheriff's evidence area. The Sheriff's Office will make temporary accommodations to have these types of items stored, until proper destruction can be made. This will be done on a case by case basis only.
  - f. Highly flammable and reactive chemicals or USDOT class A or B explosives may not be stored in the Santa Fe County Sheriff's evidence area. The Sheriff's Office will make temporary accommodations to have these types of items stored, until proper destruction can be made. This will be done on a case by case basis only.
  - g. Biological hazards such as bodily fluids shall be clearly labeled BIOHAZARD in red or orange prior to being submitted to the Santa Fe County Sheriff's evidence area.
  - h. Needles and syringes are not to be submitted into the Santa Fe County Sheriff's evidence area. Photograph the syringes and place the syringe into a sharps container.
  - i. All firearms should be unloaded before being submitted to the Santa Fe County Sheriff's evidence area.
  - j. Firearms should be stored in a gun box and the case numbers shall be clearly marked on the exterior of the packaging for ease identifying the item.
  - k. All firearms will be checked through N.C.I.C. and indicated on the packaging, as such.
  - l. Money shall be listed by denomination and number of bills or coins unless and individual bill or coin is of individual forensic or evidentiary value. When practical, monies should be packaged in heat sealed plastic Evidence/Property bag. The dollar amount and suspect's name should be visible through the bag, if practical.
  - m. A witnessed count of seized money will be completed at every step during a transfer, for accuracy purposes. The chain of custody form shall indicate the change of custody.
  - n. Potential evidence, such as Photographs, exposed film, negatives of crime scenes/traffic crashes; video and audio recordings shall be placed into evidence. These items shall be packaged according to the general guidelines mentioned above.
  - o. The narrative section of the deputies/employees incident or crash report should reflect the number of photographs taken.
  - p. When the case is adjudicated both criminally and civilly, negatives and photographs may be destroyed pursuant to a valid destruction order.
  - q. Digital image/audio files captured for evidentiary purpose, that are initially captured on a temporary storage medium, such as internal camera/audio recorder memory or flash memory cards including, but not limited to: Smart Media Cards, Multi Media Cards, Compact Flash Cards, XD Card, Sony Sticks, etc., shall be transferred to write once read many (WORM) CD or DVD for storage/archival purpose as soon as practical. The permanent storage me-



dia shall be labeled and stored in the same manner as film or negatives.

- r. Evidence required to be taken to the crime lab for analysis will be taken by the investigating Deputy who collected the evidence. The Deputy will also be responsible for picking up the evidence from the crime lab once analysis has been completed.
- s. Evidence that must be mailed or shipped to other cities will be done either by the investigating Deputy or the evidence custodian. The cost of such shipping will be absorbed by the receiving party and the item(s) will be sent C.O.D. unless other arrangements are made.
- t. Drugs shall be packaged in paper evidence/property bags or in plain manila envelopes.
- u. All drugs will be weighed with and without evidence packaging on a digital scale that will be placed in the briefing room; both weights will be logged on the envelope and on the Evidence/Property tag. A commander must witness and sign the evidence tag.
- v. All narcotics must be taken to the Department of Public Safety Crime Lab, for analysis, prior to submitting it into The Santa Fe County Sheriff's evidence area. The investigating Deputy will be responsible for picking up the item once the crime lab has concluded its analysis. A copy of the lab receipt will be turned over to the evidence custodian within 24 hours.
- w. The evidence custodian may be called out during off-duty hours, in order to secure large amounts of narcotic evidence. This will be at the discretion of the Investigations Lieutenant.
- x. Evidence is never to be stored at a Deputy's home at any time. *There will be no exception*

## S.O.P NUMBER 2-2 Computer Forensics

### 1. PURPOSE

The Computer Forensics Unit was created in July of 2005 to assist the Sheriff's Office with the analysis of digital media seized during criminal investigations. This unit has been developed and is equipped to handle all requests for analysis from investigative units within the Sheriff's Office and to assist other agencies in agreement as per a Memo of Understanding and other agencies when resources allow.

### 2. ORGANIZATION AND STAFFING

Redistribution of personnel and resources within this Division may occur as a result of any department reorganization. The Santa Fe County Sheriff's Office Criminal Investigations Division command staff will maintain personnel allocation information and which is reported to the Sheriff.

### 3. UTILIZATION AND DEPLOYMENT

- A. When a patrol officer requests advice from or the assistance of the Computer Forensics Unit after normal working hours, a patrol supervisor will contact the designated Criminal Investigation supervisor at home or on his/her cell phone. If the CID Lieutenant is unavailable the CID Sergeant should be called. The Investigation Commander will offer advice or coordinate a response to the scene or other location to assist patrol.
- B. Requests for assistance will normally be taken by the Forensic Technician or other agency's request and processed for assignment by the Sergeant or Lieutenant of Investigations. This assignment will be based on the following:
  - 1. Type of assistance required
  - 2. Technician's current caseload
  - 3. Urgency of the case.

### 4. GOALS, OBJECTIVES, AND PERFORMANCE MEASURES

Department goals and performance measures are reported to the Santa Fe County Sheriff's Office Administration. Monthly reports indicating progress will be made from the Forensic Tech to the Investigation Division Commander.

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## A. Personnel Duties, Authority, and Responsibilities

1. Confidentiality-All investigations conducted by Computer Forensics Unit are of a confidential nature. No member of the Computer Forensics Unit will disclose information gained from their official duties as Sheriff Department employees to persons not connected with the investigation or to persons who have no legitimate “need to know” basis.
2. Duties and Responsibilities
  - a. County Forensic Technician Reports to the Investigations Unit Commanders and/or up the chain of Command.
  - b. Has offense reports secured as needed and maintained within the Lab which is assigned an RECC case number or is cross-referenced to the Santa Fe County RECC case number.
  - c. Once an RECC case number is initiated and report is completed the SFCCART report created by either the Lab Manager or Computer Forensic Analyst will be submitted and attached as a supplemental attachment and will be forwarded to the District Attorney’s Office or appropriate Office for review and disposition.
  - d. Investigations Commander will conduct yearly employee performance evaluations, to include:
    - Conducting a performance evaluation on each employee under the sergeant’s command;
    - Counseling each employee on their performance;
    - Providing each employee with a copy of the performance evaluation;
    - Maintaining a copy of each employee’s performance evaluation.
  - e. Briefs commander/chair of command on extraordinary cases.
  - f. Supports patrol personnel in the documentation and investigation of cases involving digital media analysis.
  - g. Investigations Commander will monitor the thoroughness of investigations and appropriate case closure by Forensic Technician by reviewing supplements and offense reports when submitted for approval.
  - h. Accomplished projects, tasks, and duties within guidelines and timelines established by the chain of command.
  - i. Submits reports to the Staff Commander on accomplishments and plans for the unit based on the goals of the department on an as needed basis.
  - j. Maintains an accurate list of the Computer Forensic Unit’s equipment and resources available.
  - k. Inspects and inventories Computer Forensics Unit equipment in December of each year.
  - l. Reports anticipated personnel and equipment needs to the Staff Commander during the budget preparation process.
  - m. Monitors the unit’s budget (when created) in the areas of overtime, commodities, and contractual agreements, as well as, approves purchases within the department’s budget guidelines.
  - n. Ensures unit files/seized evidence are maintained according to Santa Fe County Sheriff Office Standard Operating Procedure and New Mexico State statutes.
3. The Forensic Tech will be responsible for maintaining the Departments MDT’S and server for the MDT’s. He/She will report any issues with the MDT’s to the Investigations unit commander immediately. He/She will also be responsible for preparing the yearly budget regarding all MDT matters.
  - a. Routes self-initiated offense reports to Report Review.
  - b. Completes analysis of assigned cases.
  - c. Participates in meetings and case staff meetings.

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- d. Appears in court prepared to testify.
- e. Seeks the approval of the unit sergeant prior to working overtime, compensatory time.
- f. Supports patrol deputies by assisting with the seizure of computer related hardware as appropriate.
- g. Prepares reports regarding the forensic analysis as required by the Santa Fe County Computer Analysis Recovery team, and in coordination with applicable New Mexico State Statutes or Federal Law.

## B. Training And Development

1. The Computer Forensics Analyst will attend mandatory in-service training” and other specialized training approved by the department such as EnCE certification (Encase Certified Examiner from Guidance Software) but not exclusively, and with the intent of Certification as a Certified Forensic Computer examiner (CFCE through recognized organizations i.e. IACIS, HT-CIA.

## C. Annual Inspection

The SFCCART Unit will cooperate with the inspections of the Unit by any Professional Standards Bureau for certification of the Unit i.e. (SWGDE) Scientific Working Group for Digital Evidence. The purpose of the inspection is to compare the department’s formal expectations, standards with the actual performance of the unit with any national trends or standards to achieve certification.

1. Collection and Preservation of Evidence-Unit personnel will adhere to the departmental policies and standard operating procedures regarding the collection and preservation of evidence, except where noted in this document.
2. Definitions
  - a. **Lab Manager-** A sworn supervisory member of the department specially trained in the techniques of data acquisition, analysis and seizure and who carries at least one computer forensic certification.

- b. **Computer Forensic Analyst Technician (CFAT)** - A member of the department specially trained in the techniques of data acquisition, analysis and seizure and who carries at least one computer forensic certification and also is trained and certified in maintaining and servicing Lab equipment.
- c. **Computer Forensic Examiner (CFE)** - A sworn member of the department specially trained in the techniques of data acquisition, analysis and seizure and who carries at least one computer forensic certification.
- d. **Computer Forensic Specialist** – A sworn member of the department trained (or in training)in the techniques of data acquisition, analysis and seizure and who does not yet have a computer forensic certification.
- e. **Computer System** - Computer monitor, CPU, hard drive, I/O device, modem, CD ROM, or floppy drive configured to work together as a unit or cabled together externally.
- f. **Recording Device** - Any device or peripheral that is connected to a computer or can stand-alone and is capable of reading and/or writing data.
- 7. **Recording Media** - Floppy disk, jazz disk, zip disk, magneto-optical disk, CD, DVD, solid state, tape or other type of media used to store data.

## 3. Procedures

- a. This policy shall apply only in those cases where data residing on computer systems, recording devices, and media are being sought as evidence in an investigation. Computers seized by department personnel as fruits of crimes, e.g., burglary, retail theft, etc. shall be handled in accordance with other evidence seizing and processing procedures, and will not normally require the services of the SFCCART.
- b. When it is determined that a computer, recording device or media is to be forensically processed, department per-

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sonnel shall contact the computer forensic unit. The supervisor of the computer forensic crimes unit will assign a department forensic computer examiner to assist the requesting unit.

- c. The computer forensic personnel will assist the case assigned detective in the seizure of computers, recording devices and media as needed or requested.
- d. Whenever possible, computer forensic personnel shall process seized systems, devices, and media for evidence.
- e. When the nature of the equipment or media seized exceeds the available resources to process it, computer forensic personnel shall inform the case detective of that fact and assist in obtaining the required assistance through other sources.
- f. Computer forensic personnel shall make all efforts to accomplish the following during the examination of the seized system and media:
  - Ensure the original media and data are maintained in their original, unaltered state with forensically sound and validated imaging processes.
  - Ensure no unauthorized writes are made and write blockers are in place to the media to prevent viruses, booby-trap defense schemes, to the operating system, write-back applications or by other inadvertent means.
  - Examination and processing of data will only be viewed, recovered from imaged media.
  - Recover, unlock and access deleted files, hidden data, password protected files and encrypted files, where possible.
  - Examine unallocated and slack space for relevant data.
  - Provide a report of findings to the case investigator.
  - Archive case evidence appropriately.
  - Environmentally sensitive computer equipment, components and soft-

ware that the forensic computer examiner is processing, or which is being held pending processing, shall be maintained in the Computer Forensic Lab holding area in the Evidence Room.

- Items of evidence to which CFA or CFE require immediate access as part of an ongoing case investigation may be stored in the Computer Forensics Lab. Once immediate access is no longer required, these items of evidence may be turned into the Evidence Room.
  - g. There will be times when the Department's Internet Use Policy, and any Department or County Policies regarding the downloading or storing of Pornographic Material will be inapplicable due to a particular investigation. This Policy will be applied on a case-by-case basis.
  - h. Computer Forensics personnel will also refer to, Policies, and Procedures and the Computer Forensics Unit Operational Manual concerning the collection and preservation of evidence.
4. Equipment Operation and Control
    - a. The unit is authorized computers and printers and other software/hardware needed for the completion of their mission.
    - b. The unit is authorized TVNCR combination sets to view videotaped interviews of witnesses/victims.
    - c. A Computer Forensics Detective may be issued the following items of equipment.

These items will be surrendered to the supervisor of the Computer Forensics unit whenever personnel transfer out of the unit.
    - d. The Computer Forensics Unit supervisor may issue additional items of equipment when needed to complete special assignments as well as the listed below. These items will be maintained by the forensic computer personnel and will

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be left in the lab whenever the forensic computer personnel examiner(s) transfer out of the unit.

- e. All hardware issued for forensic acquisition and analysis needs (computers, printers, write blockers, etc.) Tools,
- f. Expendable items (Tapes, CD-R's, Floppy diskettes, jazz disks, Zip disks, hard drives and other supplies necessary for the processing of evidence.)
- g. Software programs purchased by the Santa Fe County Sheriff Office specifically designed and used for digital media analysis
- h. The unit supervisor will be notified and department policy followed when equipment is lost, stolen, or damaged.

## **S.O.P NUMBER 2-3**

### **Mobile Video Recorders**

#### **1. PURPOSE**

The purpose of this policy is to set forth guidelines for the use, management, storage and retrieval of audio-visual media recorded by Mobile Video Recorders (MVRs)

#### **2. POLICY**

Mobile Video Recorders (MVRs) may be used to assist Department personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident. Additionally, to maximize effectiveness of the MVR and maintain integrity of evidence and related documentation. All personnel using these devices will adhere to the procedures outlined within this policy.

#### **3. CONFIDENTIALITY**

All recording media, images, and audio obtained on these devices while on duty or off duty are the property of the Santa Fe County Sheriff's Department and will not be copied, released, or disseminated in any other form or manner outside the parameters of this policy without the expressed written consent of the Sheriff or appointed designee. Under no circumstances will any member of the Santa Fe Sheriff's Office make a personal copy of any recorded event without the permission of the Sheriff or designee.

## **4. PROCEDURE**

### **A. Equipment**

Department issued MVRs are intended for official department use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the equipment will result in disciplinary action. Any member of the Santa Fe County Sheriff's Office may chose to purchase their own MVR. All personally owned MVRs must be approved by the Division Commander. All personally owned MVRs used by members of the Santa Fe County Sheriff's Office are intended for official department use only and are to be used in accordance with this policy.

1. Deputies will use only those MVRs issued or approved by the Sheriff's Office.
2. MVRs will be assigned to each individual and shall be placed on their inventory.
3. The issuance of each MVR will be documented and maintained by the Property technician.
4. MVRs will be considered issued equipment until relinquished by each individual.

### **B. Deputy Responsibility**

1. Prior to beginning a shift, Deputies assigned a MVR will ensure it's readiness for duty by conducting an operational inspection.
  - a. Any problems preventing the use of the unit during the shift will be reported to the immediate supervisor
  - b. Problems that cannot be remedied will be reported to the division commander.
2. Deputies will activate the unit to record during each citizen encounter related to a call for service, enforcement action, traffic stop, and/or police service. Additionally, tactical activities, such as building searches, searches for suspects, and building checks at alarms will be recorded.
3. Deputies will download video upon indication that the device is nearing capacity.
4. Deputies will transfer all pertinent recordings onto disc; tag them into evidence in accordance with evidence procedures. Pertinent records are as follows:

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- a. All recordings of evidentiary value
- b. Any recording where a Deputy feels a citizen is likely to file a complaint or grievance.

**C. Unauthorized Uses**

- 1. No employee shall electronically record any conversation between himself and another department deputy(s) unless the other person(s) has been advised of the recording prior to its initiation, the recording is done in conjunction with a criminal investigation to which the employee has been assigned, or the recording is done in compliance with the appropriate and applicable sections of the Standard Operating Procedures Manual.
- 2. Nothing in this section shall be construed to restrict the rights of any employee in the furtherance of legitimate non-departmental, personal interests to record conversations not in violation of applicable Federal and State law.

**D. Supervisor Responsibility**

- 1. It is the responsibility of the supervisors to ensure that Deputies utilize MVRs according to policy.
- 2. If a complaint or Deputy misconduct is associated with a recorded event, or a supervisor believes an incident may generate a complaint, the supervisor will hold the video until a formal/informal investigation is complete.

**E. Video Evidence**

Videos needed for evidence in court must be requested in a timely manner through the evidence technician.

**F. Documentation**

Once a video has been deemed applicable for evidentiary or documentation purposes, the existence of such video will be documented in the Deputies report and entered into the evidence section of his/her report.

**G. Video Purge**

Videos tagged into evidence will be purged or destroyed only when all prosecution is completed and there is no need for legal purposes or as evidence. Videos may be retained and used for

training purposes at the discretion of the Sheriff or designee.

**5. DEFINITIONS**

A mobile video recorder (MVR) is defined as any wearable or portable video recording device. Any pen cameras, head cameras, lapel cameras, Taser cameras, or any other similar device worn or carried to obtain video while a member of the Santa Fe County Sheriff’s Office, on duty, representing the Sheriff’s Office will be held to the policy outlined in this section.

**6. APPLICABILITY**

Any member of the Santa Fe County Sheriff’s Office while on duty or representing the Office in any fashion will be held to the policies outlined in this section.

**S.O.P NUMBER 3-1  
Report Writing**

**1. POLICY**

To establish uniformity for all reports generated by the Santa Fe County Sheriff’s Office.

**2. PURPOSE**

The preparation and processing of reports is a subject to which considerable time has been dedicated by this agency. After due consideration it has been concluded that the most efficient way would best be served through a Mobile Data Terminal (MDT) which is equipped with software necessary to complete and transmit these reports from the field.

**3. PROCEDURES**

- A. All reports shall be completed utilizing the issued mobile data terminal and submitted for approval prior to the end of his/her tour of duty. The Deputy will not go home until all reports have been approved and they are cleared to proceed home by their commander.
- B. The completion of reports shall be second in priority only to calls for service.
- C. All reports shall be completed in the first person style, e.g.: “I was dispatched to the Jones residence at...” where “I”, is the Deputy writing the report.

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#### D. Commanders

1. Shall make all efforts to allow the assigned Deputy to complete his/her report(s) prior to the end of the shift. Any reports requiring corrections will be returned to the Deputy immediately so they can make corrections by the end of their shift.
2. Shall route all completed reports through the Mobile Data Terminal to the Records Division.
3. Patrol Commanders are to collect and review reports in the field and not allow gathering of deputies in the office prior to the end of their shift. Deputies will be allowed to work on reports in the office only when approved by the Commander.

#### 4. REPORT REVIEW

- A. Completed/approved reports submitted by the shift Commander shall be signed for on the Staff Review (hard copy). Staff Review's will be housed in the Records Division.
- B. The Records Division will forward all received reports to the Commanders of the Criminal Investigations Bureau for review and assignment of all cases requiring follow up by a Detective.

#### 5. REPORTING POLICY

All incidents received through the Regional Emergency Communications Center shall be issued a case number. Formal Reports shall be done on all calls unless it is authorized to be (EIC) Entered into the Computer by the on-duty commander.

1. All reported crimes, arrests (with the exception of warrant only arrests without incident) and roadway crashes.
2. Death Investigations, Cases involving serious injuries, private property crashes involving serious injuries.
3. Impounded, stolen and recovered motor vehicles.
4. Missing persons, lost children and run-aways.
5. Civil problems, disturbances, animal bites.
6. Open door calls, prowlers suspicious persons or circumstances
7. All other incidents reported to the Sheriff's Office not covered herein and incidents that

deputy's encounter during their routine patrol.

8. The authority to EIC (enter into computer) a report rests with the commander. Only unfounded or non criminal reports are allowed to be so entered.
9. Commanders can order a formal report on any incident if they deem it necessary.

### S.O.P NUMBER 3-2 Form Use And Responsibility

#### 1. PURPOSE

To ensure the unobstructed flow of Official functions and procedures.

#### 2. POLICY

It is the policy of the Santa Fe County Sheriff's Office to use standardized forms in all cases for different responsibilities involving duties performed by this organization, and to set direct responsibilities on the section of the Sheriff's Office whose objectives are to keep in one designated area all forms, making sure that an adequate supply is maintained at all times.

#### 3. PROCEDURES

Records Division personnel will be responsible for maintaining an adequate supply of all Official forms.

### S.O.P NUMBER 3-3 Website Hot Sheets

#### 1. POLICY

To establish uniformity for entry of information on the Website Hot Sheets for the Santa Fe County Sheriff's Department.

#### 2. PURPOSE

The preparation and processing of information that will be displayed to the general public with access to the Web, specifically the Santa Fe County Sheriff's Web page. After due Consideration it was concluded that the interest of this Department would be served with the following procedure for entering website information and which will be adhered to.

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### 3. PROCEDURES

A. Commanders for each Team or Division are ultimately responsible to ensure that accurate and complete information is entered and submitted to the website.

1. Unless there are mitigating circumstances or an emergency, hot sheets will be entered on a daily basis.

B. Appropriate training will be provided to all Commanders and Sheriff designee's to ensure that Hot Sheets information is correctly submitted and uploaded to the website. Once uploaded the Hot Sheet cannot be accessed, altered or redone.

C. Hot Sheet form for the website is revised from the actual Hot Sheet turned in by the Deputy and commanders should ensure that information for the Web Hot Sheet. This website form does not replace the current Hot Sheet in use, which still will be turned in by the Deputies and processed as usual.

1. Case Number will be entered on all entries.
2. Date entered will be entered on all entries.
3. Date of incident will be entered and should correlate to actual incident date not to date entered unless dates are same.
4. Deputy handling case will be entered.
5. Commanders name will be entered for sign off.
6. Location of incident, at no point will an exact address be used, a block number will be using i.e. the (500 block of Airport Road)
7. Suspect information, a full name and Date of Birth will be used only if the individual had been charged; otherwise a description will be used, i.e. (25-year-old male 5'6" in height, approximately 150 lbs, brown hair, brown eyes, etc.) Also suspect vehicle information will be entered as well with as much detail as information is available. Also person cited on non-traffic citations will not be named.
8. Victims name or Witnesses name will never be used, they will be listed as such nor will persons interviewed as witnesses, complainants, be identified by name, i.e. (35-year-old female reported or 40-year-old male witnessed).

9. Property description, property will be described in brief form and identified by brand name, color, serial number, are not required. Description of damage to private property, motor vehicles, vandalism, and graffiti can be generalized. Description of vehicle stolen should be described in full, license plate, color, make and model.

10. A brief description of the events will be entered, i.e. (The described suspect entered the residence in question by force removed the listed items and fled in the above described vehicle.) Also do not indicate any information that relates to the physical or mental illness, or medical treatment of anyone. This includes suspects, victims, or witnesses, and non-essential information or information, which is only entered to cause embarrassment or ridicule of anyone involved will not be entered. In the case of death investigation the brief summary should include the classification of either:

- a. No foul play is suspected at this time.
- b. Being investigated as a suspicious death at this time.
- c. Death is being investigated as a suicide.
- d. Death is being investigated as a homicide.

### S.O.P NUMBER 4-1 Uniform Regulations

#### 1. PURPOSE

This Standard Operating Procedure establishes the policy and procedures of the Santa Fe County Sheriff's Office concerning the change over of uniform styles and the implementation of new uniform styles and accessories.

#### 2. POLICY

A. It shall be the policy of the Office that all members, except as noted below shall wear the regulation uniform.

1. The Sheriff and Undersheriff at their discretion, will dress appropriately for the occasion.

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2. Personnel assigned to the Criminal Investigation Division and the Sheriff's Staff will be exempt from the regulation uniform unless otherwise directed by the Sheriff.
- B. All supervisory deputies will be responsible for the appearance of all uniform personnel under their supervision and will note that each one has the prescribed uniform and equipment while on duty.
- C. All supervisory deputies will ascertain that all uniform personnel under their command keep their uniform clean and neat and that the uniform and equipment is being properly worn. This is accomplished via regular uniform inspections.
- D. Every member who is required to wear a uniform has the following responsibility with respect to the wearing of the uniform. Those members:
1. Will provide themselves with the proper and sufficient number of uniforms and will maintain these uniforms in a thoroughly neat and serviceable condition.
  2. By their appearance, will set an example for neatness and strict conformity to regulations in the wearing of their uniform.
  3. Will be mindful that, while wearing the uniform, they are representatives of the Santa Fe County Sheriff's Office. They shall wear, when on duty, such uniform, insignias, and accessories as prescribed herein. The uniform will be worn complete.
  4. Off-duty deputies using Sheriff vehicles will be required to carry an outer covering which will identify him/her as a member of the Santa Fe County Sheriff's Office if called on any emergency and/or assignment.
  5. All items (uniforms and equipment) purchased with Office funds are the property of the Sheriff's Office. When leaving the employment of the Office, all items will be turned over to the property custodian.

### 3. OFFICIAL SHERIFF UNIFORM

#### A. Uniform Hat:

Hat, will be an 8 point cover. The wearing of hats will be mandatory when out of the vehicle, at all special functions, prolonged traffic control, inspections or as otherwise directed by command staff.

1. All personnel with less than five years of service will wear hats with a silver in color hat band in place, attached with silver grommets.
2. All personnel with five years or more of service will wear hats with a gold in color hatband in place, attached with gold grommets.

#### B. Tie:

The wearing of ties by deputies of command rank will be optional during duty hours. At such time (when ties are worn) the rank insignia will be displayed on the collar tabs for command deputies of the rank of Lieutenant or above and cloth chevrons on the sleeves of personnel holding the rank of Sergeant or Corporal. Note: exception to this regulation would be a Sergeant or Corporal wearing a tie with the administrative style shirt.

1. Ties will be required at all formal functions or as directed by the Sheriff. Ties will be four-in-hand style, black in color.
2. Turtle neck shirt, black in color may be worn during the winter months with the winter (long sleeve uniform shirt).

#### C. Shirts (Summer and Winter)

Shirts, summer and winter - will be Sheriff issue, gray in color, and epaulets. Administrative shirts will be solid gray in color without epaulets. Winter shirts are optional during the summer months by Deputies baring tattoos on their arms.

1. Winter dates - Oct. 15th to April 15th.
  - a. Optional - Oct. 1st thru Oct. 14th depending on the weather.
2. Summer dates - Apr. 16th to Oct. 14th
  - a. Optional - Apr. 1st thru Apr. 15th depending on the weather.

#### D. Trousers:

Trousers - will be Sheriff issue, Black in color. These are available in Dress and Cargo Pocket; however, the Dress (non-cargo pocket) should be used during special functions or when full dress uniform is required or ordered by the Sheriff or a commander.

#### E. Jackets:

Outer wear jackets will be Sheriff issue and will be black in color.

**F. Leather Jackets:**

Leather jackets will be Sheriff issue and will be black in color.

**G. Windbreaker (Lined or Unlined)**

Windbreaker (lined or unlined) - will be Sheriff issue and will be black in color.

**H. Sweaters:**

Sweaters will be Sheriff issue and will be black in color with shoulder patches in place.

**NOTE: ALL OUTER WEAR MUST HAVE THE SHOULDER PATCHES IN PLACE....**

**I. Footwear:**

1. Shoes will be Sheriff issue, rounded toe, black oxford type.
2. Patrol boots will be Sheriff issue, black in color.
3. Lightweight, tactical style boots or shoes are acceptable for use providing they are black in color and are made of a material, which will readily accept a shine.

**J. Coveralls:**

Coveralls will be Sheriff issue, black in color and must have the shoulder patches sewn in place.

**4. MISCELLANEOUS**

- A. All uniformed personnel are required to wear an undershirt while in uniform. The undershirt must be a crew neck style shirt and must be white or black in color only.
- B. All uniformed personnel are required to wear their ballistic (Bullet-proof) vest which was assigned to them while in uniform. Any exceptions excusing a member from this order will be in writing by the Sheriff. Vests are optional for administrative staff while in uniform.
- C. All personnel will wear a nametag while wearing the uniform. The nametag will be gold in color and have the deputy's rank, first name, middle initial, and last name in black lettering.
- D. Personnel holding the command rank of Corporal or Sergeant will wear cloth chevrons on their uniform shirts and all outerwear. These individuals are not authorized to wear brass rank insignias on the collar tabs of their uniforms or outerwear.

E. The only authorized collar insignia for non-ranking deputies will be the "S.F.S.O" brass insignia and the wearing of this insignia is mandatory.

F. Deputies holding the rank of Lieutenant or higher who are not wearing the administrative uniform will wear their rank insignia centered on the epaulets. The standard collar insignia will be worn as outlined above.

G. Deputies holding the rank of Corporal or higher who are authorized to wear the administrative uniform will wear their rank insignia on the collar tabs of the shirt.

H. Non-Standard Approved Uniform clothing that is purchased on their own and Santa Fe County Sheriff's office patches have been added CANNOT be worn while on duty. Only the approved list of uniform clothing items can be worn while on duty.

**S.O.P NUMBER 5-1  
Sheriff Office Vehicles**

**1. POLICY**

Santa Fe County Sheriff Office Deputies will report for duty with their assigned units ready for assignment. This will allow deputies to proceed to their assignments at the conclusion of briefing without delay.

**2. PROCEDURE**

Deputies shall report for briefing in their sheriff units with sufficient fuel to perform their tour of duty. They should also have all equipment they would normally require with them and when reporting for duty.

**3. RESPONSIBILITY**

It is the Deputy's responsibility to have their units ready for duty immediately after briefing.

1. Preventative maintenance will be scheduled every 5000 miles without exception
2. Units will be kept clean, inside and out, as is reasonably possible
3. Units will be assigned within the best interest of the Office.

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4. Unit assignments will be at the discretion of the Sheriff, Undersheriff, or their designee.

#### **4. SHERIFF FLEET FUEL POLICY**

##### **A. Primary Fueling Site**

Located at the new Santa Fe County Public Works facility on 424 NM 599. ALL Sheriff's / County vehicles should be filled with gas at this location whenever possible. When filling a vehicle with gas the employee is required to enter the correct odometer reading and their 5 digit employee number and PIN. Employees should have been provided a "cheat sheet" of instructions that walks through the steps of entering data. The information entered into the pumps utilizes software that allows tracking and analyzing of data. The County Manager's office will send monthly reports to each Department Director. Any suspicious activity will be highlighted. A transaction is considered suspicious based on the computerized analysis of several variables, including unusual variance of Miles Per Gallon (MPG) as calculated from odometer readings and fuel usage. The employee will be required to write a memo explaining the transaction; the memo shall be signed and approved by the employee's immediate supervisor, and forward on to Sheriff's Administration for review. If variance is deemed to be justified the memo will then be forwarded to the County Manager's office.

##### **B. Secondary Fueling**

Provided by the county from Wright Express which utilizes public gas stations. Wright Express cards should NOT be used in town. The Wright Express (red) cards should be used ONLY if the employee is unable to fuel at the primary site or if the employee is going out of town, (ex. conference, training, and prisoner transport). Employees will fill up with gas at the Public Works facility prior to leaving on a long trip. Fuel costs at the primary site are usually much lower than at public gas stations. When using the Wright Express card the correct odometer reading and PIN must be used as this information is entered into our logging system and used to analyze gas usage and possible fraud. The information entered into the public pumps is tracked and entered into the same database al-

lowing the county to track and analyze usage in relation to the primary site.

- C. If you have any issues with using either card you are to contact the Sheriff's Office Fleet Manager.

#### **S.O.P NUMBER 5-2 Vehicle Take Home Policy**

##### **1. POLICY**

It will be the policy of the Santa Fe County Sheriff's Office to assign vehicles to individual deputies when possible on a permanent basis.

##### **2. PURPOSE**

To establish a standard method and uniformity in the assignment of Office vehicles.

##### **3. PROCEDURES**

###### **A. Introduction:**

The following are the rules and regulations governing the operation of assigned county owned vehicles.

1. To increase the number of sheriff units available to respond to the scenes of reported crime or other urgent calls for assistance.
2. To increase the visibility of "presence" and display to citizens that there are deputies in Santa Fe County ready to respond when needed, thereby contributing to their peace of mind.
3. To enhance the Sheriff Office's ability to summon off-duty deputies in emergencies and have them report in equipped units directly to the site where they are needed.
4. To improve the maintenance and reliability of deputy units by placing the responsibility for care of each vehicle on an individual Deputy.

###### **B. Assignment and Responsibility:**

1. All units are assigned individually by unit number.
2. Each individual Deputy assigned to a unit will be allowed to take the unit home when not in use.
3. The responsibility for the care and maintenance of the vehicles rest with the deputy assigned to that vehicle and he/she will

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be held strictly accountable for any lack of maintenance or damage to the vehicle through negligence.

**C. General Regulations Governing the use of County Owned Vehicles:**

1. Deputies will not presume any special privileges with the county owned vehicle while off duty. As an example, parking the vehicle in the designated area at all times, not in a reserved or no parking area.
2. Unattended vehicles of off duty deputies must be locked at all times.
3. General rules of conduct covering a deputy on duty in uniform will also apply to a deputy off duty in civilian clothes if he is driving the county owned vehicle.
4. The county owned vehicle will not be utilized for carrying heavy or excessive loads and will not have objects protruding from the trunk or windows, except as authorized by the deputies supervisor.
5. Deputy will not use the county-owned vehicle during a part-time job as part of that employment.
6. All deputies assigned a county-owned vehicle on a personal basis shall exercise good judgment in utilizing it and shall not drive or use the vehicle so as to cause unfavorable comment or reflect discredit on the Office.
7. Deputies, while off duty and operating a county-owned vehicle, should be appropriately attired to effectively perform a sheriff function if the need arises.
8. While using the county owned vehicle off duty, the Deputy will be required to leave the Office two-way radio turned on. Radio communications at all times will be restricted to Official business.
9. Deputies living in a remote area will park the unit at headquarters when weather conditions could cause the unit to become stuck or require towing out.
10. In minor cases encountered off duty, the Deputy may summon an area unit to handle the call and standby and assist until the unit arrives. In the event immediate action

is necessary, the off duty deputy will handle the situation. It will not be necessary to check in and out when off duty unless the deputy makes a traffic stop or otherwise needs some type of assistance.

11. The vehicles will be ready for official use at all times by assigned Deputies. No abuse of vehicles will be tolerated. No excuse will be accepted for a vehicle not being able to be on the line when needed by assigned Deputies unless it is red-lined for repairs or maintenance.
12. No Deputy when using the county owned vehicle will be allowed to carry his/her family or any other passengers in the vehicle unless on official business or approved by his/her supervisor.
13. An off duty Deputy may only use the county owned vehicle to attend court, training sessions, attend Office meetings, take the vehicle for vehicle maintenance and/or turn in evidence either to this Offices evidence custodian or the State Crime Laboratory.
14. The county owned vehicle will not be used to attend any social function nor will it be used to go to nightclubs, bars, etc., unless on official business.
15. Deputies driving county owned vehicles will be required to carry on their person, their commission cards and their weapon at all times.
16. Deputies driving county owned vehicles while off duty will be required to investigate any serious incidents they happen to observe except traffic violations or traffic accidents.
17. Deputies driving county owned vehicles will be required to respond to any assistance calls by deputies who are on-duty and in need of assistance.
18. Deputies who take the county owned vehicle home should make an effort to park the vehicle in a secure place for the prevention of vandalism.
19. All equipment assigned to the Deputy that is of value, i.e. laptops(MDT), cameras, weapons, etc., shall be secured inside the trunk of the unit or within the Deputy's res-

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idence immediately after their tour of duty and while the vehicle is left unattended for a long period of time.

20. Off duty personal use of the county owned vehicle is prohibited.
21. The take home policy of this Office is a privilege and not a right. Violations of policy are subject to disciplinary action and temporary or permanent loss of this privilege.
22. Exceptions to this policy can be granted only by the Sheriff.

#### **D. Maintenance Regulations Covering the use of County Owned Vehicles:**

1. The Deputy assigned a county owned vehicle shall be fully responsible for the general maintenance and proper care of the vehicle and shall refrain from:
  - a. Performing major mechanical work on the vehicle.
  - b. Altering the body, general design, appearance, markings, mechanical or electrical system.
  - c. Making any repairs or having any repairs made to the vehicle other than at the county warehouse or as authorized.
  - d. Adding accessories or equipment without the written approval of the Sheriff.
2. Deputies will be responsible for the appearance and cleanliness of the vehicle assigned to them or the vehicle they may be using, both interior and exterior.
3. Deputies will change flat tires when on or off duty. Repairs to the tires will be made at the warehouse.
4. Deputies will be required to have all maintenance and service work, including repairs, done on the vehicle during off duty hours. Maintenance, service work, and repair work are to be scheduled ahead of time at the county warehouse. The only exception will be an absolute emergency. This will also eliminate the warehouse calling vehicles in off the street while they are on duty for some type of work to be performed.
5. Commanders will inspect each vehicle assigned to deputies under their supervision

at least once a month for cleanliness, both interior and exterior; maintenance is being performed at the proper mileage interval; all equipment is in good working order in and on the vehicle. Inspection forms will be kept on file and made available for review.

6. Accidents on and off duty will be reviewed by the accident review board.

### **4. DISCIPLINARY PROCEDURES FOR MISUSE OF VEHICLES**

- A. Driving while intoxicated or drinking while operating an Office vehicle will be cause for immediate disciplinary action which may result in dismissal.
- B. Any other violation of this Standard Operating Procedure will be referred to the office of the Sheriff with any recommendation for disciplinary action using form "Disciplinary /Corrective Action", and signed by the supervisor.

### **S.O.P NUMBER 5-3**

#### **Sheriff Vehicle Accident Involvement**

### **1. PURPOSE**

This Standard Operating Procedure establishes policy and procedure to follow when a Sheriff Office vehicle or privately owned vehicle being driven while performing official duties is involved in an accident.

### **2. POLICY**

It shall be the policy of the Santa Fe County Sheriff's Office to have executed an Uniform Crash Report for accidents involving an Office vehicle or privately owned vehicle being driven while performing official duties (i.e. rental car); whether it involves another motorized vehicle, a fixed object or a pedestrian.

### **3. PROCEDURES**

- A. Accidents involving another motorized vehicle a fixed object or a pedestrian inside the City Limits of Santa Fe or any other municipality shall be reported to the local police Office for the purpose of having a Uniform Crash Report completed by that law enforcement jurisdiction.
- B. Accidents involving another motorized vehicle, a fixed object or pedestrian in unincorporated areas of the county or state shall be reported to the New Mexico State Police for the purpose of

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having a Uniform Crash Report completed by a law enforcement representative of that agency.

C. Fixed object accidents which occur within, or outside of the county in either local jurisdictions or unincorporated areas of the state shall be reported to the appropriate law enforcement agency for the purpose of having a Uniform Crash Report completed by a law enforcement representative.

D. All accidents of any type will require the following:

1. The shift commander must file a written report (in addition to any accident report which may be required) to the Sheriff. Such report will establish the facts of the accident, and circumstances surrounding the accident.
2. The shift commander must file a report to the County Sheriff's Officer. All reports will be prepared on the same date of the accident. The Sheriff, Undersheriff or designee will forward a copy of the report to the County Risk Management Office.

E. All accidents of any type will require the Deputy involved in the accident to:

1. Prepare and file a report to the Sheriff establishing the facts and circumstances surrounding the incident. (This is a memo submitted to the Sheriff's Office).
2. Prepare and file all necessary paperwork, copies of reports and documentation, copies of citations and witness statements related to the incident, as prescribed by the Sheriff. All initial reports will be prepared on the same date of the accident and all other related documents will be submitted to the Sheriff as soon as possible.

F. Regardless of the nature or severity of an accident, any incident, whether it involves another motorized vehicle, a pedestrian, or a fixed object, which occurs when a Deputy is transporting anyone, will be reported as required by this Standard Operating Procedure.

G. If the Sheriff Office vehicle or privately owned vehicle being driven while performing official duties, is disabled and requires towing, the Deputy shall inform the shift commander either by radio or by telephone. The shift commander will use the County designated wrecker if it is avail-

able. If it is not available, the Shift Commander will use the wrecker rotation log with no preference given on local wrecker calls or will authorize the Deputy to use an available wrecker service through another law enforcement agency when the accident occurs outside of the county. For local accidents, the shift commander will personally inspect the Sheriff Office vehicle to ensure that towing is required.

H. If the Sheriff Office vehicle or privately owned vehicle being driven while performing official duties, is drivable, but requires repairs, the deputy shall stand-by at the location of the accident until all the necessary reports and visual inspections are completed. No drivable vehicle shall be removed from an accident scene without the specific permission of the shift commander.

I. Any accident in a Sheriff's Office vehicle or privately owned vehicle being driven while performing official duties, where the Deputy is found to have violated any state or local traffic ordinance or law, will result in the issuance of a uniform traffic citation to that Deputy.

J. All motor vehicle accidents involving Sheriff Office vehicles or privately vehicles being driven while performing official duties, will be reviewed by an Accident Review Board consisting of the following personnel in accordance with the Santa Fe County and SFCDSA Union Contract:

1. Undersheriff or Designee shall serve as chairperson
2. Captain as appointed by the Sheriff
3. (one) Lieutenant as appointed by the Sheriff

Note: The Captain and Lieutenant are members at the Management Team as per SFCDSA

4. 2 (two) Deputies appointed by the Representative of NMCOPS/SFCDSO/County of Santa Fe Union Contract.

K. The Accident Review Board, based on the presentation of fact, written reports and circumstances will determine if the accident will be classified according to the degrees of negligence, rather than charged as avoidable or unavoidable.

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#### 4. CLASSIFICATION OF ACCIDENTS

- A. Accidents will be classified according to degrees of negligence rather than as preventable or not preventable. There will be five classifications as follows: A, B, C, D, and E, depending on the degrees of negligence. There will also be certain other provisions which permits the Office to deal more fairly with a driver's record.
- B. For the purpose of classifying accidents, negligence is defined as the omission of an act which a driver could normally have been expected to perform such as:
  - 1. Failure to make proper observation when approaching an intersection.
  - 2. Failure to make sure that equipment is in good mechanical condition.
  - 3. Reliance on someone else to make his observations for him/her as in backing.
  - 4. Failure to make proper observation, both in front and to the rear.
- C. Likewise, negligence is defined as the committing of an act which a driver would not normally be expected to commit, such as:
  - 1. Driving too fast for conditions.
  - 2. Following too closely.
  - 3. Making improper turns.
  - 4. Changing lanes without signals.
  - 5. Attempting to pass when there is a remote possibility that it is unsafe to do so.

#### 5. CLASSIFICATIONS

##### A. "A" Classification

- 1. An accident in the "A" classification is one where it is clear that no negligence existed on the part of the Deputy. Examples of such accidents include but are not limited to:
  - a. The county owned vehicle or privately owned vehicle being driven while performing official duties, is properly parked and someone runs into it.
  - b. The county owned vehicle or privately owned vehicle being driven while performing official duties, has made a proper stop for a stop sign, traffic signal, or police officer and someone runs into the rear of the vehicle.

- c. The county owned vehicle or privately owned vehicle being driven while performing official duties, is moving forward in a prudent manner and someone runs into the rear of it.
- d. An accident in the "A" classification will not be considered in taking disciplinary action against a driver, it will not cause the driver to forfeit any privileges, and it will not be shown on any letter of reference or recommendation.

##### B. "B" Classification

- 1. An accident in the "B" classification is one where the driver cannot prove beyond a reasonable doubt that he did everything possible to prevent becoming involved in a situation, which resulted in an accident. Examples of such accidents include but are not limited to:
  - a. The county owned vehicle or privately owned vehicle being driven while performing official duties, is making a right turn and the other vehicle is permitted to squeeze between the county vehicle and the curb or edge of the roadway on the right side; or when the county vehicle is making a left turn and the other vehicle is permitted to squeeze between the county vehicle and the curb or edge of the roadway on the left side.
  - b. The county owned vehicle or privately owned vehicle being driven while performing official duties, is approaching an intersection and a vehicle which is approaching from the opposite direction makes a left turn into the path of the county vehicle.
  - c. An accident occurs as a result of merging traffic.
  - d. A sideswipe accident occurs while involved vehicles are traveling in the same direction or in the opposite directions. An accident in the "B" classification will cause forfeiture of any privilege the driver may have enjoyed as an accident-free driver for whatever period of time such a privilege may have been intended.

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- e. One continuous year of accident-free driving will remove one “B” type accident from the employee’s driving record.

**C. “C” Classification**

1. An accident in the “C” classification is one which the driver was obviously guilty of committing an act, or failing to commit an act, which allowed him/her to become involved in a situation that resulted in an accident. Examples of such accidents are as follows:
  - a. A vehicle in front of the county owned vehicle or privately owned vehicle being driven while performing official duties, changes lanes and the deputy fails to increase his following distance: the vehicle in front stops and the county owned vehicle strikes the rear of the vehicle in front or some other vehicles or objects.
  - b. A vehicle passes the county owned vehicle or privately owned vehicle being driven while performing official duties, the deputy fails to allow sufficient distance between the two vehicles; the vehicle in front stops and the county owned vehicle or privately owned vehicle being driven while performing official duties, strikes the rear of the vehicle in front or some other vehicle or object.
  - c. Backing accidents.
  - d. Driving too fast for conditions.
  - e. Running off the roadway.
  - f. An accident in the “C” classification will cause the driver to be suspended without pay for a period of not less than one day nor more than three days.

**D. “D” Classifications**

1. An accident in the “D” classification is one in which the driver is guilty of gross negligence; that is, he/she committed, or he/she omitted some safety precaution which a normal, prudent person would not have omitted. Examples of such accidents include but are not limited to:

- a. Driving while under the influence of intoxicating liquor and/or drugs.
- b. Passing on hills, curves, two lane bridges, at intersections, and other places where passing is prohibited.
- c. Going to sleep at the wheel.
- d. Running off the roadway without provocation.
- e. Following too closely (tailgating in traffic).
- f. Violating any motor vehicle law except while on a emergency run. (This does not relieve the deputy from the duty to drive with due regard for the safety of others while on an emergency run). An accident in the “D” classification will cause the driver to be suspended for not less than three (3) days without pay or possible termination of employment.

**E. “E” Classification**

1. An “unreported accident” is an accident involving a county owned vehicle or privately owned vehicle being driven while performing official duties, which is not reported in accordance with the procedures outlined for accidents involving Office vehicles.
2. A driver who fails to report an accident involving a county owned vehicle or privately owned vehicle being driven while performing official duties, shall be suspended for a period of not less that five (5) days and no more than fifteen (15) days, at the discretion of the Sheriff. The classification of the accident will have no bearing on an unreported accident as all other classifications and their penalties will still be in effect.

**6. CLASSIFICATION AND PENALTIES**

When considering an employee’s record for final disciplinary action, the different classifications or combination of classifications shall carry the following classification and penalties:

**CLASSIFICATION & PENALTIES**

CLASSIFICATION	PENALTIES
A	None
B	Pre-disciplinary hearing Letter of reprimand

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C	Pre-disciplinary hearing	Not less than one (1) and no more than three (3) days suspension
D	Pre-disciplinary hearing	Three (3) or more days of suspension without pay or dismissal
E	Pre-disciplinary hearing	Not less than three (3) days and no more than thirty (30) days of suspension without pay or dismissal

C+C+C	Pre-disciplinary hearing	pay Not less than fifteen (15) days and up to thirty (30) days suspension without pay or dismissal
D+D	Pre-disciplinary hearing	Not less than thirty (30) days suspension without pay or dismissal

**NOTE: The Sheriff may, at his/her discretion, change the above penalties due to exigent circumstances.**

**TWO OR MORE ACCIDENTS WITHIN A 12-MONTH PERIOD**

B+B	Pre-disciplinary hearing	Not less than one (1) day and no more than three (3) days suspension without pay
B+C	Pre-disciplinary hearing	Not less than two (2) and no more than five (5) days suspension without pay
C+C	Pre-disciplinary hearing	Not less than five (5) days and no more than ten (10) days suspension without pay
C+D	Pre-disciplinary hearing	Not less than ten (10) days and up to 30 days suspension without pay or dismissal
B+B+B	Pre-disciplinary hearing	Not less than three (3) days nor more than five (5) days suspension without pay
B+B+C	Pre-disciplinary hearing	Not less than five (5) days nor more than thirty (30) days suspension without pay
B+C+C	Pre-disciplinary hearing	Not less than ten (10) days nor more than thirty (30) days suspension without

**S.O.P NUMBER 5-4  
Pursuit Driving And Responding To  
Emergency Calls**

**1. POLICY**

This Standard Operating Procedure establishes the policy and procedure of the Santa Fe County Sheriff's Office concerning the operation of Sheriff Office vehicles during the course of pursuit driving and responding to emergency calls. Deputies operating Sheriff vehicles will respect and follow the traffic laws of the State of New Mexico in the course of their normal duties. Pursuits shall comply in accordance with Sections 29-20-1 to 29-20-4, NMSA 1978, The Law Enforcement Safe Pursuit Act.

**2. PURPOSE**

- A. It is the purpose of this policy to provide guidelines and delineate responsibilities governing pursuit of motor vehicles and emergency driving. It is not the intent to prohibit all motor vehicle pursuits; however, it is the intent to restrict motor vehicle pursuits to those situations and circumstances in which the immediate apprehension of the violator outweighs the hazards generated to Deputies, the public or the occupant(s) of the vehicle being pursued.
- B. A Deputy driving a county owned vehicle when pursuing a vehicle or responding to an emergency call will not arbitrarily exercise the special privilege or right of way to which he/she may be entitled, but must exercise due care. He/She must exercise that degree of care in which a reasonably prudent person would perform in the discharge of similar duties and under like circumstances would use.

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- C. Under the provisions of this Standard Operating Procedure, a Deputy operating an authorized emergency vehicle, when in pursuit of an actual or suspected violator of the law or dispatched on an emergency call will not be relieved of his/her duty to drive with “due regard” for the safety of all persons and the protection of property.
- D. Self-preservation and consideration of other people’s safety are necessary essentials in any pursuit or emergency driving situation.

or personal injury to an individual, or loss or destruction of property, or where action by a deputy may avert or reduce the seriousness of the situation.

## 4. PROCEDURES FOR PURSUIT DRIVING

### A. Deciding when pursuit is necessary

## 3. AUTHORIZED EMERGENCY VEHICLES

- A. The State Statute of New Mexico defines an authorized emergency vehicle as: “any fire Office vehicle, police vehicle, ambulance and any emergency vehicle assigned to municipal Offices or public utilities that are designated or authorized as emergency vehicles by the director of the New Mexico State Police division of the Office of Public Safety or local authorities. (N.M.S.A. 66-1-4.1 (F), 1978 Comp.)
- B. To further assist the Deputy in capturing fleeing criminals, traffic law violators or in emergency situations, the law has designated police vehicles as authorized emergency vehicles. The special privileges or rights-of-way granted to the Deputy may, under certain circumstances include:
  - 1. Parking or standing irrespective of the provisions of the law governing such action.
  - 2. Proceeding past a red traffic signal, *but only after stopping*, as may be necessary for safe operation.
  - 3. Exceeding the posted speed limit, so long as life and property are not endangered.
  - 4. Disregarding turning movements.
- C. Two basic conditions must be present before the special privileges or rights-of-way may be exercised in pursuit of a motorist or in responding to an emergency call for service:
  - 1. The Deputy must be driving an authorized emergency vehicle, and in a marked vehicle using the red rotating emergency lights, while sounding the siren when reasonably necessary.
  - 2. The Deputy must be in pursuit of an actual or suspected violator or dispatched by communications, whereby the situation is one in which there is a high probability of death

- 1. It is the policy of the Santa Fe County Sheriff’s Office to pursue only those individuals who:
  - a. A Deputy has probable cause to believe have committed a violent felony and are attempting to avoid apprehension by using a motor vehicle; their escape presents the likelihood of death or great bodily harm being inflicted upon another.
  - b. The suspect(s) are fleeing to avoid being served with a violent felony arrest warrant and their escape presents a likelihood of death or serious bodily injury to another.
  - c. A Deputy has probable cause to believe the suspect(s) have committed a felony and are leaving the scene using a motor vehicle as the means of escape, thus creating the likelihood of death or great bodily harm being inflicted upon another.
  - d. The suspect(s) are driving in a hazardous manner that presents continuing danger to other road users and requires an immediate stop to the actions of the suspected driver to prevent the probability of death or serious bodily harm being inflicted on the Deputy or another.
- 2. Violations, which present continuing danger to other road users, require immediate and sometimes hazardous pursuit, such as:
  - a. Driving a motor vehicle while under the influence of intoxicating liquor and or drugs.
  - b. Reckless Driving
  - c. Driving at speeds in extreme excess of posted speed limits as in competition racing on public streets or highways (i.e. Drag Racing).

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3. Pursuit of violators who are not committing hazardous moving violations does not merit excessive speed, or unnecessary risk to the pursuing Deputy and nearby motorists or pedestrians.

## **B. Definitions**

1. Vehicular Pursuit – An active attempt by a Deputy in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the law enforcement.
2. Authorized Emergency Vehicle – A vehicle of this agency equipped with operable emergency equipment as designated by state law.
3. Primary Unit – The police unit, which initiates a pursuit or any unit, which assumes control of the pursuit.
4. Assisting/Secondary Pursuit Units – The unit(s) which assume the assisting positions, at the request of the primary unit who initiates the pursuit.
  - a. Assisting/Secondary Pursuit units shall:
    - Engage all emergency equipment;
    - Notify communications of his/her identity;
    - Assume radio transmissions responsibility, allowing the primary unit to devote his/her full attention to driving.
    - In the event where a secondary unit must pass the primary unit to assume the primary position, the Deputy shall notify the primary unit of his/her intent to pass, via police radio. Passing will only take place when it is safe to do so and only when it does not require movement into oncoming lanes of traffic.
    - Exercise due care and caution to protect the lives, property and public safety. To assure this end, secondary units are to proceed at the minimum response level that will still allow effective assistance to the primary unit.

## **C. Initiation of Pursuit:**

1. The decision to initiate pursuit must be based on the pursuing Deputy's conclusion that the immediate danger to the Deputy and the public created by the pursuit, is less than the immediate or potential danger to the public should the suspect remain at large.
2. Any law enforcement Officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when properly directed to do so. Pursuit may also be justified if the Deputy reasonably believes that the suspect, if allowed to flee, would present a danger to human life or cause serious injury.
3. In deciding whether to initiate pursuit, the Deputy shall take into consideration:
  - a. Road, weather and environmental conditions;
  - b. The time of day/night, population density and vehicular and pedestrian traffic.
  - c. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued.
  - d. The seriousness of the offense; and
  - e. The presence of other persons in the police vehicle.

## **D. Identification of the Pursued Vehicle**

1. Advise communications a pursuit chase is in progress, informing them of the reason for the pursuit, and advise whether assistance will be necessary or not. Transmit information to communications in order of importance.
  - a. The pursuing Deputy must identify themselves by unit number and give his/her present location as specifically as possible.
  - b. State the direction of travel and any subsequent change of direction.
  - c. Describe the vehicle and the number of occupants if available.

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d. In the event the pursued driver abandons his/her vehicle and the Deputy decides to pursue on foot, advise communications of the development and, as specifically as possible, the location where the Sheriff vehicle is being abandoned.

2. In identifying the pursued vehicle, list such identifying features such as the license plate number and issuing state, the make, style, color, and year; and any unusual features or characteristics of the vehicle.

### **E. Pursuit Operations**

1. All emergency vehicle operations shall be conducted in strict conformity with applicable traffic laws and regulations.

2. Upon engaging in a pursuit, the pursuing vehicle shall activate all appropriate warning equipment, to include the siren. The driver of an unmarked vehicle or a police vehicle without roof mounted lightbars shall insure all standard installed emergency equipment is utilized.

3. Upon engaging in a pursuit, the Deputy shall notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The Deputy shall keep communications updated on the pursuit. Communications personnel shall notify any available supervisor of the pursuit, clear the primary radio channel of non-emergency traffic, and relay necessary information to other Deputies, agencies and jurisdictions.

4. When engaged in a pursuit, Deputies shall not drive with reckless disregard for the safety of other road users or pedestrians.

5. Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles, a primary and a secondary unit. All other personnel shall stay clear of the pursuit unless instructed to participate by supervisor.

6. The primary pursuit unit shall become the secondary unit when the fleeing vehicle comes under air surveillance or when another unit has been assigned primary responsibilities. This would apply to marked

police vehicles assuming primary duties from an unmarked police vehicle or an SUV/4x4 assigned vehicle.

### **F. Supervisory Responsibilities**

1. When made aware of a vehicular pursuit, the appropriate supervisor shall monitor incoming information, coordinate and direct activities as needed to ensure the proper procedures are being used, and shall have the discretion to terminate the pursuit.

2. Where possible, a supervisory Deputy shall respond to the location where a vehicle has been stopped following a pursuit.

### **G. Pursuit Tactics**

1. Deputies shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.

2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall disengage from the primary position and assume the secondary units responsibilities when a marked unit is in position to assume control of the pursuit.

3. SUV/4x4 assigned patrol units may be used for a pursuit in exigent circumstances and when weather and related conditions allow. They shall assume the secondary role when support from marked patrol units become available.

4. All intervention tactics, short of deadly force, such as spike strips, low speed tactical intervention techniques, and low speed channeling (with appropriate advance warning) should be used when it is possible to do so in a safe manner and after receiving the appropriate training in their application.

5. Decisions to discharge firearms at or from a moving vehicle, to use a roadblock, ram or box in a suspect vehicle, shall be governed by this agency's use of force policy, and are prohibited if they present an unreasonable

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risk to others. They should first be authorized, whenever possible by a supervisor.

6. Once the pursued vehicle is stopped, Deputies shall utilize appropriate Deputy safety tactics and shall be aware of the necessity to utilize only reasonable and necessary force to take suspect(s) into custody.

#### **H. Safety During Pursuit**

1. Safety is a prime consideration when trying to pass through traffic while moving at a speed faster than surrounding traffic.
2. The pursuing Deputy should attempt a rapid apprehension in order to lessen danger to themselves, the violator, other traffic, and pedestrians.
3. Intersections are a source of grave danger to the Deputy. He/she should never approach at a speed greater than he/she can bring the vehicle to a stop if another vehicle enters from an adjoining street. When the Deputy is approaching the intersection, he/she shall come to a stop when the stoplight is **RED**.

#### **I. Terminating Pursuit**

1. There are various reasons for terminating a pursuit, such as:
  - a. The hazards are high, exposing the Deputy and the public to unwarranted risk, especially when the violation is not serious.
  - b. When conditions clearly indicate the futility of further pursuit. Darkness, road and weather conditions, distance between the pursuer and pursued are examples of such conditions.
2. The primary pursuing unit shall continually re-evaluate and assess the pursuit situation including all of the initiating factors and terminates the pursuit whenever he or she reasonably believes the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
3. The pursuit may be terminated by the primary pursuit unit at any time.
4. A supervisor may order the termination of a pursuit at any time.

5. A pursuit may be terminated if visual contact with the suspect vehicle is lost for more than ten (10) seconds, suspect's identity has been determined, immediate apprehension is not necessary to protect the public or Deputies, and apprehension at a later time is feasible.

#### **J. Inter-Jurisdictional Pursuits**

1. The pursuing Deputy shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line.
2. Pursuit into a bordering state shall conform to the law of both states and any applicable inter-jurisdictional agreements.
3. When a pursuit enters this jurisdiction, the action of Deputies shall be governed by the policy of the Deputy's own agency, specific inter-local agreements and state law as applicable.

#### **K. After Action Reporting**

1. Whenever a Deputy engages in a pursuit, the Deputy shall file a written report on the appropriate form detailing the circumstances of the pursuit. This report shall be critiqued by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.
2. The department shall periodically analyze police pursuit activity and identify any additions, deletions or modifications warranted in departmental pursuit procedures.

#### **L. Training**

Deputies who drive police vehicles shall be given initial and periodic update training in the agency's pursuit policy, emergency driving techniques and safe driving tactics.

### **5. LEGAL ASPECTS OF PURSUIT OR EMERGENCY DRIVING**

- A. The Deputy driving an emergency vehicle must remember that the laws governing the operation of such vehicles does not protect the driver from the consequences of reckless disregard for the safety of others. It is merely a privilege allowed for emergency conditions.

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- B. When driving an authorized emergency vehicle, the driver is not required to continuously sound the siren while pursuing a motorist or responding to an emergency call for service; however, State Law requires the siren be sounded when reasonably necessary to warn pedestrians and other drivers of the emergency vehicle's approach.
- C. The sounding of the siren does not automatically relieve the Deputy from the duty to exercise due care. In determining whether due care was being used by the Deputy, in the event of a collision, the courts will consider whether:
  1. It was reasonably necessary to give an audible signal under all the circumstances.
  2. The siren was in fact sounded.
  3. The signal given was audible to the other motorist or pedestrian.
  4. The requirement of notice was given in ample time. This requirement is not complied with if the warning is not given until a collision is inevitable. It must be given in order to adequately give the motorist a reasonable opportunity to yield the right-of-way

**EXAMPLE:** The failure to make use of the siren while traveling above the posted speed limit and proceeding through a controlled intersection could quite likely be considered negligence on the part of the Deputy.

**S.O.P NUMBER 6-1  
Wrecker Service**

**1. PURPOSE**

- A. This Standard Operating Procedure establishes the policy and procedure of the Santa Fe County Sheriff's Office concerning the relationship of its members and employees with vehicle wrecking companies, tow-truck operations, and/or their employees.
- B. Strict adherence to this Standard Operating Procedure is expected and required by all personnel of this Office. To do so otherwise could bring discredit upon the Sheriff's Office and will subject any offending member or employee to disciplinary action.

**2. POLICY**

- A. Request for wrecker service by any member or employee acting in an official capacity shall be restricted to the wrecker on call in accordance with the wrecker rotation log, unless a vehicle owner or operator of a vehicle to be towed requests wrecker service from a specific company. (Known as an owners request).
- B. Under no circumstances will any deputy or employee recommend or suggest the owner or operator of a vehicle being towed utilize any specific wrecker company or tow-truck operator.

**3. PROCEDURE**

- A. When a vehicle operator is taken into custody, and his/her vehicle is to be towed, the arresting Deputy will request the next wrecker on line according to the wrecker rotation log maintained in the Regional Emergency Communications Center.
- B. When a disabled vehicle is to be towed, as from the scene of an accident, the Deputy shall ask the owner/operator of the vehicle if they prefer any specific towing company to tow their vehicle. If none is specified, the Deputy shall only request the next wrecker in line according to the wrecker log maintained in the Regional Communications Center, unless the vehicle operator or owner initiates a request for a specific wrecker company.
- C. No member or employee of the Santa Fe County Sheriff's Office will, by virtue of his/her employment or service in an official capacity, accept any consideration or gratuity from any wrecker company or its employees.
- D. Before any vehicle is impounded, due to reasons other than being involved in a motor vehicle accident, by owner's request, or by private property request, such impoundment must be cleared by the shift commander.
- E. Once the radio dispatcher has notified the Deputy in the field of the name of the wrecker service dispatched, no other wrecker service should be allowed to tow the vehicle other than the next wrecker on rotation.
- F. If a wrecker service is unable to respond or fails to respond to a call within 30 minutes, the next wrecker service on the rotation log will be called. The wrecker service unable to respond will be placed at the bottom of the rotation log.

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- G. An authorized wrecker is only one, which has been dispatched through Sheriff Communications as a “list call”, or at the specific request of the vehicle owner or operator. Wreckers, which “happen to be passing by”, are not permitted to solicit any of the owners or operators involved in the accident. Unauthorized wreckers at the scene may be used by the Deputy to clear the scene, this does not authorize them to tow the vehicle from the scene without the express request of the owner or operator of the vehicle.
- H. A report of towed vehicle (TOW SHEET) shall be completed by the requesting Deputy, containing a complete description of the vehicle, the property within the vehicle, the signature of the wrecker driver, and any pertinent information required by the Deputy. A carbon copy of the tow sheet shall be given to the wrecker driver to be attached to his bill of lading and the original copy shall be attached to the Deputy’s report.
- I. In the event the owner or operator of a vehicle requests a specific wrecker company to tow his/her vehicle and that wrecker company is not on the Office’s rotation log, the request will be honored providing the wrecker company requested is able to respond in a timely fashion and as outlined in section F of his Standard Operating Procedure.
- J. Wrecker companies wishing to be placed on the Office wrecker rotation log must submit a written request to the Sheriff. Only the Sheriff may approve or disapprove these requests. The Sheriff has the only authority to remove a towing company from the Office wrecker rotation log.

**NOTE: (PARAGRAPH I.) THIS DOES NOT APPLY TO ARRESTED PERSONS AND THEIR VEHICLES.**

**S.O.P NUMBER 6-2  
Impoundment Of Vehicles Pursuant To Arrest/Seizure**

**1. PURPOSE**

To establish a policy concerning the impounding of vehicles in conjunction with an arrest, narcotics investigation, evidentiary search or general safekeeping.

**2. POLICY**

Requests for authorization and/or tow service shall be in keeping with Standard Operating Procedure 6-1. This Standard Operating Procedure addresses those situations involving the release of a vehicle pursuant to arrest, at the scene of arrest, holds pending criminal litigation, and forfeiture proceedings.

**3. PROCEDURE**

**A. Impounding pursuant to arrest.**

- 1. The criteria set forth in Standard Operating Procedure 6-1, Paragraph H, shall be observed.
- 2. There must be mention of the vehicle in the Deputy’s offense/incident report reflecting all vehicle information, tow service, and disposition of the vehicle.
- 3. Unless directed otherwise, the Deputy shall order the vehicle be towed to, and stored at the towing company’s lot.
- 4. Release of the vehicle shall be authorized by this Office only after the individual seeking to secure the release of the vehicle produces satisfactory proof of ownership.
- 5. Prior to any release, the impound log, which is maintained in the Regional Emergency Communications Center, must be examined for the possibility of a “hold” having been placed on the vehicle by the investigating Deputy.

**B. Authority to release (on-site) a vehicle, upon request of the owner/driver to a third party.**

- 1. Determination to release may be at the Deputy’s discretion having consulted with his/her immediate supervisor who, when possible, shall act as a witness.
- 2. The Deputy may release to a third party after having observed all of the following:
  - a. Proof the driver is in legal possession of the vehicle by examination of the vehicle registration, title, vehicle registration inquiry, etc., and NCIC inquiry.
  - b. The consent of the owner/driver to release the vehicle to a third party.
  - c. Proof the third party driver is a valid licensed driver and that his/her driving privileges are not currently under a suspended or revoked status.

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**C. Vehicles impounded pending forfeiture proceedings.**

1. Shall be towed to the Santa Fe County Warehouse and placed in the secure lot at that facility.
2. The major, Investigation Division Lieutenant and fleet maintenance officer must be made aware of the impound.
3. The Deputy must document the circumstances of the impound.
4. The vehicle must be secured against unauthorized entry.
5. Photographs of the vehicle must be taken during daylight hours.

**D. Vehicles impounded as evidence or for evidentiary examination shall:**

1. Be towed to the Santa Fe County designated secure lot.
2. The Major and the fleet maintenance officer must be notified.
3. Must be secured against unauthorized entry and contamination.
4. Evidence seals must be affixed to the doors, windows, engine, and trunk compartments.
5. Keys must be surrendered to the Investigation Division Lieutenant or the fleet maintenance officer. In the event of their unavailability, the keys will be placed into evidence.
6. Investigating Deputies will properly and accurately document the circumstances surrounding the impound.

**E. "Hold" Placed by the Investigating Deputy:**

Any vehicles having a "hold" placed by the investigating deputy will be designated only for evidentiary purposes and shall follow these guidelines. The vehicle shall:

1. Be towed to the towing service's lot.
2. Be properly entered into impound as a "hold" for investigation.
3. Be properly documented with sufficient information providing an explanation left with Radio Communications or by "Hot Sheet" in the event the investigating Deputy is off duty or otherwise unavailable.

4. Be approved by a Field Commander who must be made aware of the circumstances prior to approval.
5. A memo must be submitted by the impounding Deputy to the Major or his designee. This memo must include the case number, reason for a "hold", and a description of the vehicle.
6. If a "hold" is placed on a vehicle at a Tow Yard for evidentiary purposes, the Investigating Deputy, shall release the "hold" status of the vehicle within 24-hours.

**S.O.P NUMBER 7-1  
Patrol Division**

**1. POLICY**

To establish guidelines and procedures in the Patrol Division.

**2. PROCEDURE**

**A. Patrol Shifts:**

1. Team "A" – Day Shift
2. Team "B" – Swing Shift
3. Team "C" – Graveyard Shift

**B. Responsibilities**

1. Handle calls for service
2. Residential burglary patrol
3. Commercial burglary patrol
4. Accident investigation
5. Traffic control
6. Report writing
7. Alarm response
8. Escorts
9. Other duties as assigned

**C. Shift hours and rotation**

1. Day Shift - 0600 hrs to 1400 hrs
2. Swing Shift - 1400 hrs to 2200 hrs
3. Graveyard Shift - 2200 hrs to 0600 hrs
4. Shift rotation will take place pursuant to The New Mexico Coalition of Public Safety Officers (NMCOPS) Contract.

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## D. Miscellaneous Duties

1. Briefing will be handled by a commander and conducted daily prior to the shift being released for field duty.
2. Commanders will inspect their personnel at least twice monthly and fill out personnel inspection forms which will be routed to the designated authority for filing.
3. Deputies assigned to specific patrol areas will not leave their assigned areas without prior approval from a commander or as assigned by dispatch personnel.
4. Commanders are to ensure all reports are collected in the field and deputies are not allowed to congregate in the office prior to the end of their shift.
5. Deputies are required to report any unsafe condition that may exist in the County.
6. Deputies may take their coffee or meal break in or out of their area but not outside of the County without approval of their commander.
7. Deputies will not arbitrarily inform the public that a Detective will be assigned to their case. Inform them that the case will be routed to the Investigation Division for review. The on-call Detective commander will decide whether the situation warrants the assignment of a detective.
8. Deputies will be responsible for any follow-ups on reports routed back to them from the Investigation Division Commanders. Commanders will be responsible to ensure prompt and correct follow-ups are completed. This includes follow-up investigations requested by the District Attorney's Office.

## 3. CITIZEN RIDE-ALONG PROGRAM

### A. Purpose

The purpose of this directive is to establish guidelines for the transportation of civilians, other than prisoners in Santa Fe County vehicles. The Santa Fe County Sheriff's Office encourages community interest and involvement in the law enforcement process and allows reputable citizens and student interns to ride as passenger observers in Sheriff's Office vehicles for

legitimate civic or educational purposes.

The ride-along program is a public relations tool, which is designed to and intended to promote a better understanding of a deputies' duties on patrol. Participation in the programs considered a privilege extended by the Sheriff and is subject to cancellation or adjustment at any time without prior notification.

### B. Policy

It is the Policy of the Santa Fe County Sheriff's Office to allow interested and reputable members of the community to view Sheriff's Office operations by allowing them to accompany a Deputy Sheriff during his/her tour of duty.

### C. Procedure

Members of the community who meet the listed qualifications and who desire to participate in the Sheriff's Office ride-along program may acquire approval from the Sheriff or his designee in the following manner.

1. Submit a written request to the Sheriff's Office, which contains the person's name, age, reason for wanting to be considered as a participant and a date and time they wish to ride.
2. The request will be routed to the Sheriff's Executive Assistant for entry into the log.
3. Upon entry the request will be routed to the Sheriff or his designee for approval. Once approved the request will be sent to the CSS Division to be scheduled.
4. The CSS Sergeant will then contact the person initiating the request; and will arrange for the completion of the waiver forms and verification of age. The CSS Sergeant upon verification will schedule the ride-along with the appropriate patrol team commander.

### D. Eligibility

All individuals eighteen or older, who have not been convicted of a felony, and have a valid reason for desiring to view Sheriff's Office operations are eligible to participate in this program.

Juveniles between the ages of fifteen and eighteen, who have their parent's written consent, are enrolled in, and sponsored by a school or community program which promotes understanding the criminal justice system and/or the social sci-



ences, are eligible to participate in this program. All individuals must abide by the rules, regulations and requirements outlined herein.

#### E. Restrictions

1. Person's requesting permission to participate in the program must provide a picture identification card or driver's license for the purpose of verifying age.
2. Participation in the program is limited to once a year per person, unless waived by the Sheriff or his designee.
3. All participants will be required to submit a written request outlining the reason (s) they are asking for authorization to participate in the program. All information submitted is subject to verification.
4. Under no circumstances will a participant in the ride along program be allowed to ride with a spouse, partner or significant other.
5. The ride along program is for the participants observation only, therefore at no time will the participant exit the vehicle during any call for service or become involved in any investigation. Violations of any portion of this directive will cause for the immediate termination of the ride along and prohibit the participant from future ride-alongs.

### S.O.P NUMBER 7-2

#### Criminal Investigations Division / Structure Of Divisions And Assignments

##### 1. POLICY

The Criminal Investigations Division(CID) is divided into separate units in order to effectively accomplish the goals of the division. The division has a command structure in order to facilitate supervision and the flow of information.

##### 2. PROCEDURE

###### A. Investigative Division Structure

1. Detectives are assigned to the following units within CID:
  - a. **Property Crimes Unit** - Detectives assigned to this unit are responsible for the investigation of crimes against

property and other duties as assigned. The following teams or detective function exist in the unit:

- (1) Residential and Commercial Burglaries
- (2) Auto theft related crimes
- (3) Forgery, Fraud
- (4) General Offenses
- (5) White Collar crimes

b. **Violent/Crimes Against Persons** - Detectives assigned to this unit are responsible for the investigation of crimes against persons, as well as other duties as assigned. The following teams or detective functions exist in the unit:

- (1) Violent crimes
- (2) Missing persons
- (3) Sex crimes
- (4) Juvenile related crimes

c. **Sex Offender Unit** - Detectives assigned to this unit are responsible for the tracking, maintaining, and validation of all registered sex offenders. Sex Offender Detectives are required to ensure the Santa Fe County Sheriff's Office is in compliance with all state and federal laws concerning sex offender(s) and offender registration. Investigation of crimes involving registered sex offenders and other duties as assigned.

2. Lieutenant - the Lieutenant supervises all of the units within CID and reports directly to the Captain.

###### B. Assignment Duties

1. Detectives - are responsible for the investigation of cases assigned to them. When a case is assigned for follow-up, the detective is responsible for:
  - a. Developing an investigative plan.
  - b. Following up on all leads provided.
  - c. Developing leads and following up on those leads.
  - d. Checking appropriate sources of information.

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- e. Providing members of the Patrol Division with information that will assist in the successful completion of the case.
  - f. Keeping their supervisor and other detectives apprised of the progress of the case.
  - g. All other investigative follow-ups.
  - h. Proper processing of all evidence.
  - i. Completion of all required reports.
  - j. Working with the District Attorney's Office in order to assist with the successful prosecution of individuals charged with criminal acts.
  - k. Contacting the victim of the investigation as soon as the report is received by the detective for follow-up.
2. Detectives are assigned to the follow-up of specific crimes of categories. At times, the nature of the crime being investigated demands the formation of temporary task forces. In such cases, detectives may find that their duties have been temporarily changed.
  3. The duties assigned to detectives within CID are so assigned by the Lieutenant with input from the Sergeant. Any permanent or temporary change in a detective's duties will take into account the needs and desires of the detectives involved however the overall need of the Office will be primary.
  4. Sergeant - the Sergeant is responsible for the supervision of the detectives who are members of the unit(s) which he/she supervises. The Sergeant is likewise responsible for the cases that are assigned to the detectives which he/she supervises.

The Sergeant is also responsible for the following:

- a. Case management and investigation.
  - b. Supervision of detectives.
  - c. Supervision of secretaries in cooperation with the Lieutenant.
  - d. Personnel attendance roster.
  - e. Other duties as assigned.
5. Lieutenant - the Lieutenant is responsible for the management and overall operation

of CID. Specific duties include, but are not limited to:

- a. Press relations.
- b. Resource allocation.
- c. Inter and intra-agency coordination.
- d. Policy development.
- e. Planning
- f. Supervision of the Sergeant, and division secretaries.
- g. Inform the Command Staff and Sheriff of on-going cases/activities.

### **3. CHAIN OF COMMAND**

Detectives and other CID members shall follow their chain of command. When the individual's supervisor is absent, the member shall attempt to locate a supervisor. If there is none available and the situation requires action, the member shall seek out the supervisor at the next level until a supervisor is located. All possible methods of contacting a supervisor are to be attempted (i.e. cell phone, telephone, etc.) if the problem is urgent before contacting a supervisor outside the bureau for a decision.

### **4. OPERATING HOURS**

Normal working hours for CID will be from 0800 hrs to 1700 hrs. At times investigative demands may alter the working hours of the detectives, the change of hours will be at the discretion of the Sergeant or Lieutenant.

### **5. WORKING ATTIRE**

- A. Detectives will wear professional attire while assigned to the investigation division.
- B. Narcotics personnel and detectives assigned to special investigations may dress appropriate to their job assignment at the discretion of the Lieutenant.
- C. Detectives will not be allowed to grow a beard unless on special assignment and only at the discretion of the Lieutenant
- D. Detectives grooming standards will be the same as those outlined in Standard Operating Procedure number 1-11 section II.
- E. Detectives are to wear a dress shirt and a tie. Detectives are to wear dress slacks.
- F. The Lieutenant may authorize other attire to fulfill the successful completion of an investigation (i.e. Search warrants or special assignments).

## 6. SEARCH WARRANTS

- A. Detectives will write search warrant affidavits when necessary during an investigation.
- B. All search warrants will be reviewed by a CID Commander before being submitted to the District Attorney's Office for approval.
- C. A clear description of the property to be searched is to be included with the search warrant.
- D. In order to ensure that the correct location is being searched as per the search warrant, it is mandatory that a commander and the affiant are present at the stated location prior to the execution of the warrant.

**Note: This requirement may be waived by the Sergeant or Lieutenant under certain circumstances as deemed necessary.**

- E. It is mandatory for all personnel who are executing a search warrant to knock and announce themselves as Sheriff's Office Officers and give the person ample time to open the door before forced entry is made.
- F. All personnel executing a search warrant must display their badges and wear an outer garment that clearly indicates that they are law enforcement officers, if possible. NOTE: High risk search warrants may be an exception to this rule at the discretion of the Bureau Chief.
- G. Prior to any search warrant being served, the following will take place:
  - 1. A briefing will be conducted by the affiant and the commander.
  - 2. Personnel assigned to conduct the search warrant will be given their assignments at the briefing.
  - 3. A detailed plan will be presented to all personnel involved.
  - 4. An accurate description of the location to be searched will be provided to all personnel to include the viewing of photographs if they are available.
- H. When personnel are executing a search warrant within the Santa Fe City Limits, a Supervisor must be present.

## S.O.P NUMBER 7-3

### Property Crimes Unit

#### 1. PURPOSE

The Property Crimes Unit of the Santa Fe County Sheriff's Office has the responsibility of conducting initial and follow-up investigations of all residential and commercial burglaries, white collar crimes, and related property crimes, i.e. larcenies and auto burglaries.

The division will also be responsible for the apprehension and prosecution of burglary suspects and the prevention of burglaries by known offenders.

#### 2. OBJECTIVES

- A. Reduce the number of burglaries that occur in the Santa Fe County area through the utilization of investigative techniques and follow-up procedures.
- B. Provide a centralized network for intelligence concerning the activities of known or suspected burglars and disseminate this information to other law enforcement agencies as deemed necessary.
- C. Develop a highly skilled investigative team knowledgeable in the latest techniques, such as crime scene investigations and interviews.
- D. Maintain an open line of communication among all agencies and deputies involved in investigating property crimes.
- E. Responsible for the enforcement of all Federal and State laws within Santa Fe County and shall take the appropriate measures to prevent burglaries and related property crimes.

#### 3. ORGANIZATION AND CHAIN-OF-COMMAND

- A. A sworn deputy with the rank of Sergeant or above shall be assigned by the Sheriff as the Supervisor of the Property Crimes Unit.
- B. The supervisor of the Property Crimes Unit shall be responsible to the CID Lieutenant.
- C. The Supervisor of the Property Crimes Unit shall direct the work of the members under his/her command and shall require satisfactory performance in accordance with Office rules, regulations, policies and procedures, and such orders -- written or verbal -- as he/she may receive from the Sheriff, Undersheriff, Captain and/or Lieutenant.

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#### **4. GENERAL DUTIES OF THE PROPERTY CRIMES UNIT**

- A. Conduct follow-up investigations on all residential-commercial burglaries and white collar crimes.
- B. Prepare thorough and accurate reports; analyze all individual investigations (photos, crime scene searches, interview with audio or video recording devices on key witnesses, victims and suspects; obtain written statements; document all collected and preserved evidence and make arrests.
- C. Perform preventative patrol operations (surveillance).
- D. Engage in undercover operations such as:
  - 1. Pawn Shop detail.
- E. Cultivate information
  - 1. Informants
  - 2. Other agencies
- F. Collect and maintain records on all known burglary suspects and fences.

#### **S.O.P NUMBER 7-4 Sex And Violent Crimes Unit**

##### **1. PURPOSE**

The Sex and Violent Crimes Unit of the Santa Fe County Sheriff's Office has the responsibility of conducting initial and follow-up investigations of all sex offenses to include, but not limited to, prostitution, criminal sexual penetration and criminal sexual contact, murder, armed robbery, assault and battery cases, felony in nature, and any other crime as assigned by the Lieutenant.

##### **2. POLICY**

- A. Develop a highly skilled investigative team, knowledgeable in the latest techniques, such as crime scene investigation, interviews, and to identify suspects involved in violence and sex crimes for prosecution.
- B. Maintain an open line of communication among all agencies and deputies involved in the investigation of violent type crimes.
- C. Prepare thorough and accurate reports; analyze all individual investigations (photos, crime

scene searches, crime scene sketches, videotape crime scenes, interviews with audio or video recording devices on key witnesses, victims and suspects; obtain written statements, document all collected evidence and make arrests.

#### **3. ORGANIZATION AND CHAIN-OF-COMMAND**

- A. A sworn deputy with the rank of Sergeant assigned by the Sheriff as the supervisor of the Sex and Violent Crimes Unit.
- B. The Supervisor of the Sex and Violent Crimes Unit shall be responsible to the CID Lieutenant.
- C. The Supervisor of the Sex and Violent Crimes Unit shall direct the work of the members under his/her command and shall require satisfactory performance in accordance with the Office rules, regulations, policies and procedures, and such orders -- written or verbal -- as he/she may receive from the Sheriff, Undersheriff, Captain or CID Lieutenant.

#### **4. GENERAL DUTIES OF THE SEX AND VIOLENT CRIMES UNIT**

- A. Conduct initial and follow-up investigations of all sex and violent crimes.
- B. Prepare thorough and accurate reports; analyze all individual investigations (photos, crime scene searches, crime scene sketches, crime scene videotape, interviews with audio or video recordings devices on key witnesses, victims and suspects; obtain written statements; document all collected evidence and make arrests.
- C. Perform preventative patrol operations (surveillance).

#### **S.O.P NUMBER 7-5 Sex Offender Unit**

##### **1. PURPOSE**

The Sex Offender Unit of the Santa Fe County Sheriff's Office has the responsibility of conducting initial and follow-up investigations of all sex offender violations; to include but not be limited to: failure to register, failure to notify of address change and the acquiring of new sex offenses; charges all of which are felony in nature. The Sex Offender Unit is responsible for maintaining the sex offender's file for all registered offenders within the county of Santa Fe. The Sex Offender Unit shall organize and com-

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plete validations of sex offenders on a regular basis, working with outside agencies in order to complete validations. The Sex Offender Unit shall communicate with the Department of Public Safety to assure the Sheriff's Office is in compliance with State Law.

## 2. POLICY

- A. Develop a highly skilled investigative team, knowledgeable in the latest techniques, such as crime scene investigation, interviews, and to identify suspects involved in violence and sex crimes for prosecution.
- B. Maintain an open line of communication among all agencies and deputies involved in the investigation of all sex crimes.
- C. Prepare thorough and accurate reports; analyze all individual investigations (photos, crime scene searches, crime scene sketches, videotape crime scenes, interviews with audio or video recording devices on key witnesses, victims and suspects; obtain written statements, document all collected evidence and make arrests.

## 3. ORGANIZATION AND CHAIN-OF-COMMAND

- A. A sworn deputy with the rank of Sergeant assigned by the Sheriff as the supervisor of the Sex Offender Unit.
- B. The Supervisor of the Sex Offender Unit shall be responsible to the CID Lieutenant.
- C. The Supervisor of the Sex Offender Unit shall direct the work of the members under his/her command and shall require satisfactory performance in accordance with the Office rules, regulations, policies and procedures, and such orders -- written or verbal -- as he/she may receive from the Sheriff, Undersheriff, Captain or CID Lieutenant.

### S.O.P NUMBER 7-6 Narcotics Unit Organization

## 1. PURPOSE

The Narcotics Unit of the Santa Fe County Sheriff's Office is charged with the responsibility of detection, apprehension, and in the prosecution and prevention of all drug laws.

## 2. POLICY

- A. Reducing the available supply of illicit drugs in the County of Santa Fe in a concentrated effort with all other law enforcement agencies.
- B. Providing a centralization of intelligence network concerning activities of known or suspected distributors and the dissemination of such information.
- C. Developing a highly skilled investigation team, knowledgeable in the latest techniques and capable of conducting professional efforts to pursue a higher level of organized distributors of drugs.
- D. Maintaining a drug enforcement cooperative amongst all agencies and officers involved in policing this type of activity.
- E. The Narcotics Unit shall be responsible for the enforcement of all Federal and State laws, within the County of Santa Fe and shall develop methods and take measures to prevent the spread of addiction and the sale, use and possession of all illegal drugs.

## 3. ORGANIZATION AND CHAIN-OF-COMMAND

- A. A sworn Deputy with the rank of Sergeant or above shall be assigned by the Sheriff as the Supervisor of the Narcotics Unit.
- B. The Supervisor of the Narcotics Unit shall be directly responsible to the Criminal Investigations Division Commander.
- C. The Supervisor of the Narcotics Unit shall direct the work of the members under his/her command and require satisfactory performance in accordance with Official rules, regulations policies, and procedures and such orders, written or verbal, as he/she may receive from the Sheriff, Undersheriff, Major and/or the Criminal Investigations Division Commander.
- D. All sworn personnel in the Narcotics Unit under the rank of Sergeant shall have the title of "Agent".

## 4. GENERAL DUTIES

- A. Conduct surveillance
- B. Engage in undercover operations
- C. Investigate leads
- D. Maintain liaison with Federal, State and local law enforcement agencies and other members of the Santa Fe County Sheriff's Office.

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- E. Assist other members of the Sheriff's Office with any drug investigations they may be involved in.
- F. Make arrests and prepare and submit necessary reports.
- G. Cultivate information sources.
- H. Participate in Office training programs.
- I. Collect and maintain confidential records on illegal drug traffickers and users, using the utmost care to ensure security, privacy, and confidentiality in accordance with the existing and future laws, regulations, and policies.

**NOTE: Sworn personnel who are assigned to the Region III Task Force should refer to the Policy and Procedures Manual created by the Task Force for additional policies and procedures. Assignment to the Region III does not exempt an employee from following the Sheriff's Office S.O.P.'s. The Santa Fe County Sheriff's Office is their primary agency of employment.**

**S.O.P NUMBER 7-7  
Warrants Unit**

**1. PURPOSE**

The Warrants Unit receives and maintains Arrest Warrants issued by the 1st Judicial District Court and the Santa Fe County Magistrate Court. The Unit is also responsible for managing and serving all domestic violence orders of protection.

**2. PROCEDURES**

**A. Warrants Unit Responsibilities:**

- 1. Receiving and proper handling of First Judicial District Court and Magistrate Court warrants for arrest.
- 2. Inter-State fugitive apprehension and processing for extradition of out of state fugitives.
- 3. Assisting other Local, State and Federal law enforcement agencies in locating and apprehending wanted fugitives.
- 4. Receiving and proper handling of Domestic Violence and Civil Restraining Orders of protection as issued by the Courts.
- 5. Receive, distribute and properly record the status of District Court and Magistrate Court Warrants in the following manner:

- a. Computer terminal entry.
- b. Ensure N.C.I.C. entry by the RECC (Regional Emergency Communications Center).
- d. Disbursement to respective Court Clerks of returns of service for served Arrest Warrants (original documents), by the next business day to ensure proper arraignment.
- e. work in conjunction with the RECC to validate warrants.
- f. Tracking warrant attempts of service on all warrants documented on a contact sheet in each file.
- g. Warrants forwarded to the patrol division for service will be returned to the warrants division by the next business day for processing and follow the guidelines set forth in this directive.

6. Receive, distribute and properly record the status of District Court Restraining Orders of protection in the following manner:

- a. Computer terminal entry.
- b. Disbursement of served Orders of Protection to the Special Commissioner of Domestic Violence Division or their representative.
- c. Work in conjunction with the RECC to validate all Orders of Protection.
- d. Tracking attempts of service on a contact sheet attached to each order of protection.
- e. Orders of protection forwarded to the patrol division for service will be returned to the warrants unit the next business day following service for processing.

7. Attempt to serve all District Court and Magistrate Court Arrest Warrants and restraining Orders of Protection, State of New Mexico Adult and Juvenile Arrest Orders, and Local, State and Federal Arrest Warrants.

**B. Contingency Money Policy**

- 1. Purpose
  - a. To establish guidelines and procedures when dealing with contingency money.

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2. Procedure
  - b. All requests for money must be in writing through a Cash Expenditure Report which will be kept with the Lieutenant in the Investigations Division. The Cash Expenditure Report will be submitted to the Lieutenant or his designee for review and approved. The report will then be submitted to the Undersheriff for the final review.
3. Use of Contingency Money
  - a. Purchase of Information, (i.e., Informant Payment)
  - b. Purchase of Evidence, (i.e., undercover purchase of stolen property, drugs, etc.)
  - c. Purchase of Service in Emergencies, (i.e., Lodging, Food, Travel, Equipment, during investigations or large scale law enforcement operations.)
4. Record of Funds Used
  - a. Cash Expenditure Reports with all pertinent information will be kept filed in locked filing cabinet in the Undersheriff's office.
  - b. Cooperating Individual cash receipt form listing services rendered, signed by supervisor of the deputy requesting money, and CI. The CI's ID number will also be listed on the form which will be kept in locked file in Undersheriff's office.
  - c. Receipt of items purchased will be attached to the Cash Expenditure Report and filed in locked file in Undersheriff's office.
5. Documentation of Monies Received and Expenses
  - a. The Undersheriff will be responsible for documenting all money received and disbursed, maintaining a check and balance documentation of all Contingency Money and keeping money locked in a file in his office.
  - b. Once the checks are received from the Finance Department they will then be cashed and the funds listed in the Contingency Money ledger which is kept in

the locked file cabinet in the Undersheriff's office.

- c. All monies given out will be listed in the Contingency Money ledger identifying the person who received the money, the date of transaction, amount received, the receipt number, and the balance of money.
- d. A receipt book will be kept which will be signed by person giving money out and the person receiving money. The amount of money going out will be listed along with case numbers and reason for transaction. This book will be kept with original receipt in the Undersheriff's office in a locked file.
- e. A second receipt book will be kept on all money returned which is not used. This book will also be locked in a file cabinet in the Undersheriff's office.

### **3. ORGANIZATION**

- A. The Warrants Unit is a sub-section of the Criminal Investigations Division and all Warrants Unit personnel will report to the commanders of the Criminal Investigations Division.
- B. At least two (2) deputies and one secretary will be assigned to the Warrants Unit.

### **S.O.P NUMBER 7-8 Case Management**

#### **1. PURPOSE**

This procedure is designed to provide guidance in the management of investigative cases brought to the attention of the Santa Fe County Sheriff's Department

#### **2. POLICY**

The Santa Fe County Sheriff's Department will investigate cases to the best of our ability, dependent upon the following criteria:

1. Seriousness of the offense
2. Priorities
3. Solvability factors associated with the case
4. Resources available

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### 3. DEFINITIONS

- A. *Case*- An incident that requires a narrative report or follow-up investigation by a Santa Fe County Sheriff's Deputy or Detective.
- B. *Incident*-All activity conducted or responded to by the Santa Fe County Sheriff's Department.
- C. *Incident Status*- Used as a case tracking tool for follow-up investigations
- D. *Investigative Activity*- Includes, but is not limited to: interviews completed, persons that need to be interviewed, property recovery, follow up, collection of evidence, and evidence that is to be submitted to the State Crime Lab.

### 4. PROCEDURES

#### A. General Case Management

- 1. Case Management is the responsibility of ALL sworn personnel. Patrol officers shall investigate incidents assigned to them. Detectives will provide assistance with follow-up investigations that cannot be investigated by patrol personnel as assigned by the Investigations Supervisor(s) or self assigned during the Detectives regular shift as needed.
- 2. All felony cases will be forwarded to the Investigation Sergeant for review.

#### B. Assignment of cases

- 1. The Investigations Sergeant generally makes assignments of follow-up investigations. The Sheriff or his designee may also assign detectives and patrol Deputies to work on cases. Detectives may assist patrol officers in their investigative work as needed.
- 2. A Detective may take over an investigative case from a Patrol Deputy when the circumstances dictate.

#### C. Patrol Division

- 1. Patrol Supervisors will review and approve all reports submitted by the assigned personnel to ensure that all information necessary to assign a case has been included and that the elements of the offense are present. Patrol Supervisors will ensure all applicable report writing protocols are contained in the incident reports that Patrol personnel

author. Reports should be clear and concise with minimal punctuation and spelling errors.

- 2. Patrol Deputies will be required to follow up on cases if there is reason to believe that the case may be solved with minimal investigation, without Investigation Division resources, and there will be minimal impact on the duties or responsibilities of the shift. All required follow-up investigations shall be done in a timely manner.
- 3. The Investigations Sergeant or reviewing supervisor, may request that further information or follow up be completed by the reporting Deputy. It will be the responsibility of the Deputies supervisor to ensure that the follow up is completed and a supplemental report completed in a timely manner.
- 4. Deputies shall not advise complainants that detectives will be contacting them in reference to their case. Depending on solvability factors the case may not be assigned for follow up investigation.
- 5. All cases will be approved and forwarded to the Records Division

#### D. Criminal Investigations Division

- 1. The respective Investigations Sergeant or Supervisor shall review all approved Patrol reports and assess the solvability factors of each case.
- 2. Assignment of cases to the Investigations Division shall be at the discretion of the respective Investigations Sergeant or supervisor. The Investigation Sergeant will be responsible for checking and reviewing all supplemental reports maintained by the assigned detective. The Investigations Sergeant will also be responsible to review assigned cases with detectives working in the Investigation Division and Deputies working out of the Investigations Division on follow-up investigations or self initiated reports.
- 3. Those cases that are assigned to Detectives or officers working in the Investigations Division will be worked until all viable leads have been exhausted.

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- a. When there are no more leads available or no further progress can be made on an assigned case, the assigned detective or Deputy will notify the complainant that the case is being inactivated and that no further action will be taken until more leads develop.
- b. The investigating Deputy shall note in the supplemental report that the complainant was contacted and advised that the case was being classified as inactive.
- c. The Patrol Supervisor, Records Manager, Investigations Sergeant, or any Investigations Supervisor, may refer any report submitted for review back to the originating Deputy, through the chain of command, for additional information, clarification, re-classification, or follow-up as deemed necessary.

- 4. Investigation Division Detectives shall keep a log of all assigned cases and should have all assigned cases available for review upon request.
- 5. The Investigations Division shall have in place a case review process. This process shall include a system of tracking and reviewing cases assigned to the Investigations Division.

**E. Incident Status**

- 1. The initial officer will utilize the incident status for cases that require any additional investigation beyond the initial complaint or completed on the day the initial officer was assigned the case. If a Patrol Officer believes a case should be forwarded to the Investigations Division, it shall be noted in the report or case status.
- 2. Detectives and Patrol Officers initiating cases that require follow-up investigation on another day will note the status in their report. It will be the responsibility of the Patrol Officer or Detective to complete the follow-up and document the investigation in the form of a supplemental report.
- 3. The Investigations Sergeant or reviewing supervisor, may request that further information or follow up be completed by the reporting Officer. It will be the responsibility

ity of the Deputies supervisor to ensure that the follow up is completed and a supplemental report completed in a timely manner.

- 4. Once investigation activity has led to an arrest, there are no further leads, the case is unfounded or completed and submitted to the District Attorney for review, this information will be noted along with the date by the assigned Detective or Deputy.

**S.O.P NUMBER 7-9  
Community Support Services Division**

**1. PURPOSE**

- A. The overall purpose of this division is to act as liaison between the general public and the Sheriff's Office.
- B. To aid the Sheriff and his staff in determining the primary and subordinate goals of the Office and the priorities assigned to them.
- C. To formulate, implement, evaluate and update relevant crime prevention programs in keeping with the needs of the community.

**2. DUTIES AND RESPONSIBILITIES**

- A. Establishing priorities and needs of the Office both administrative and functional and developing programs to meet the needs through sources of funding.
- B. Directing program progress and evaluation of programs.
- C. Control of training programs and in-service training of Office personnel.
- D. Communication with the general public through lecture, personal contacts, local publications, radio, television, in-service training and school curriculum, as well as professional trade journals. Great emphasis is to be placed on media or mass communications.
- E. This unit will be the central clearinghouse for the Sheriff's Office in the disseminating of pertinent data only to, and for the Office to the general public, news media and employees of the Office.

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### 3. ORGANIZATION AND CHAIN-OF-COMMAND

- A. The Division Commander is a staff position appointed by the Sheriff from the sworn personnel with the rank of Corporal or above.
- B. The division consists of at least three (3) deputies and one secretary.
- C. The deputies are responsible directly to the Division Commander who in turn is responsible to the Captain, Major, Undersheriff and Sheriff.

### 4. RESPONSIBILITIES FOR TRAINING

- A. It is the Division Commander's responsibility to assure all deputies of the Office are properly trained and certified in all necessary aspects of their jobs, not only to comply with the State and Federal law and guidelines, but with Office needs and guidelines as well.
- B. Once schooling is assigned or arranged, whether it be in-service or out of town or state, it becomes the Deputy's responsibility to attend and pass the course and all tests that are required. Should a Deputy fail to attend and/or pass a course selected for him/her, it will become the Sheriff's decision as to whether any disciplinary or administrative action is necessary. This is to include but is not limited to: disciplinary action, retaking of the course, transfer from his/her current assignment, re-scheduling of the class, or reimbursement to the County for the cost of the schooling.
- C. Once the Deputy has completed a training course, other than in-service training, he/she may be required to complete a critique form for the Office on the relative merits and/or usefulness of the subject matter presented during the course of instruction. This critique should also contain any information the Deputy feels would be of benefit to the rest of the Deputies in the Office as a whole so a special training session or Training Bulletin may be prepared to disseminate the information to them. The Deputy attending the course of instruction may be required to instruct Office personnel on the subject matter of the course taken.
- D. The Deputy is required to submit to the training Unit Supervisor one(1)copy of all certificates, and course grades so a record can be maintained

by him/her of all courses attended by the Deputy and a copy can be placed in the Deputy's personnel file.

### S.O.P NUMBER 7-10 Civil Unit

#### 1. PURPOSE

The Santa Fe County Sheriff's Office Civil Unit is a unit within the Community Support Services Division of the department. Its primary function is to properly serve civil orders issued by Magistrate Court or District Court.

#### 2. POLICY

The Civil Unit will abide by all New Mexico State Statutes pertaining to the service of all legal documents; including, but not limited to:

- A. Summons
- B. Criminal Summons
- C. Out of State Summons
- D. Subpoena
- E. Subpoena Duces Tecum
- F. Writs of Garnishment
- G. Writs of Assistance
- H. Writs of Restitution
- I. Writs of Replevin
- J. Writs of Attachment
- K. Writs of Execution
- L. Writs of Mandamus
- M. Orders to Show Cause

**NOTE: On occasion, the Civil Unit will serve both Domestic Violence and Civil Restraining Orders of Protection as issued by the Courts.**

#### 3. PROCEDURES

##### A. Organization and Assignments:

- 1. The unit is supervised by a commanding officer who holds the rank of Corporal or higher.
- 2. The entire unit falls under the direct supervision of the Captain.
- 3. A minimum of two (2) deputies are assigned to the unit on a full-time basis.

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4. One (1) secretary (civilian) is assigned to the unit.

**B. Accounting of funds received:**

1. Blank receipt books held by the Office shall be maintained in a secure, locked area. Only those employees authorized by the Sheriff will be allowed to issue receipts for collected funds.
2. Receipt books will be clearly marked in numerical sequence with a control number and the numerical sequence of the actual receipts, thus providing both a receipt book number as well as the actual receipt numbers to be used for each individual receipt.
3. A control log of all receipt books held by the Office shall be maintained and kept up to date. An authorized employee shall sign for each receipt book received, indicating the control number of the book, the receipt numbers to be used in the book and the date the receipt book was issued. The issuing party shall also sign the control log to indicate disbursement of the receipt book.
4. The Sheriff or his/her authorized designee, shall be responsible for ensuring procedures for the control and issuance, as well as the return of used receipt books are followed.
5. No receipt written in error shall be discarded. The issuer will void both the original and the copy and maintain both in the receipt book and will return with the used book after all receipts have been used. Return of the used receipt book will be to the issuing party.
6. Pre-numbered receipts will be entered into each receipt book by the issuing party only.
7. A pre-numbered receipt will be issued in numerical sequence for all monies received by an authorized employee, even if only a partial payment is made. The receipt will indicate the date, payer, case number, amount received, total due, balance if any, method of payment (cash, check, money order, etc.), and signature of preparer.
8. All monies received by the Sheriff or his/her designee will be turned over to the clerk responsible for the accounting of such funds on a daily basis.

9. The accounting clerk, using a separate receipt book, will issue a pre-numbered receipt to the employee turning in the collected funds. The receipt will indicate the date, payee, amount, method of payment, and it will be cross-referenced to the receipts issued by the Deputy who collected the monies.
10. The accounting clerk will prepare a daily bank deposit with a cross-reference to the receipt books for all monies received and make provisions to have the bank deposit made by an employee who has no involvement with either the collection, accounting or reconciliation of the monies. Bank deposits of such funds shall be made no later than prior to the end of the next business day from the date such funds are collected.
11. On a monthly basis, the accounting clerk shall account for and balance all monies received, deposited and disbursed and shall report same, in writing, to the Sheriff or his/her designee, the County Manager and the Finance Director of the County. The report shall indicate the following:
  - a. Book balance at the beginning of the month.
  - b. Amounts collected during the month.
  - c. Amounts disbursed during the month.
  - d. Balance at the end of the month.
12. The accounting clerk, working in conjunction with the County Finance Director, shall develop and utilize a standardized form which provides current period and year to date accounting information for the monthly report on a fiscal year basis.
13. Any and all disbursements of funds will be documented on a pre-numbered release form which requires the payee to acknowledge receipt of the money received. All disbursements will be made by check only on an account set up in the name of the **COUNTY SHERIFF WRIT COLLECTION ACCOUNT.**
14. All disbursement checks shall be cross referenced to the pre-numbered release form and the copy of the original receipt which indicated the collection of the monies.

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15. All disbursement checks will require two (2) signatures and will not be processed by the bank without the same. Bank statements shall be sent directly to the office of the County Finance Director, which shall prepare a timely reconciliation of the monthly report submitted by the accounting clerk. All differences will be promptly addressed.
16. On all checks collected, which are made payable to plaintiff, the Office will still issue a receipt and a notation will be made that the check was not deposited to the County Sheriff Writ Collection Account. This receipt, along with the completed and signed pre-numbered release form shall be cross-referenced to show that the check made payable to the plaintiff was disbursed directly to same.
17. All checks accepted by authorized personnel and deposited to the County Sheriff Writ Collection Account will be held in that account for a sufficient time to clear from the originating bank before a disbursement check is issued. The County Finance Director will establish the maximum time checks will be held to clear.
18. The accounting clerk will complete a daily receipt recap form which shall list the name of the authorized collector (Deputy Sheriff), the receipt number issued to the payer, the clerk's receipt number, the amount of each transaction, the total collected for the day, the deductions for amounts collected with the plaintiff as payee on the check, subtotals, net cash on hand, amount deposited to the specific account and the total for the date.
19. Personnel authorized by the Sheriff to maintain records, account for funds and disbursements, collect monies, issue receipts or control and issue receipt books shall be specified and identified in writing, which may, from time to time be changed according to the personnel needs of the Office. All authorized personnel will be required to sign a voluntary statement testifying they have received and understand the policies and procedures set forth in these Standard Operating Procedures.
20. It will be the responsibility of the supervisor of the Civil Unit to ensure all personnel authorized by these Standard Operating Procedures, carry out the functions described herein, and do so in the manner and methods so stated. Any infractions of these Standard Operating Procedures will be immediately reported to the Sheriff. Any employee found to have violated these Standard Operating Procedures shall be subject to disciplinary action to include termination.

## **S.O.P Number 7-11 Honor Guard**

### **1. Purpose**

To promote the Santa Fe County Sheriff's Office in a positive manner at functions of an official capacity where representation is being requested. The Honor Guard also renders Honor to fallen and seriously injured Deputies of the Santa Fe County Sheriff's Office and their families. The Honor Guard attends funerals of all Santa Fe County Sheriff Office Deputies active or retired and active civilian employees. To assist in rendering honors to any County Manager or County Commissioner as determined by the Sheriff or their designee and to welcome visiting dignitaries as requested by the County Manager or their designee. To represent the Santa Fe County Sheriff's Office at funerals of fallen officers from law enforcement agencies in the State of New Mexico.

### **2. Policy**

- A. Honor Guard Members will always maintain a professional look while representing the Santa Fe County Sheriff's Office and/or the County of Santa Fe.
- B. Hair will be cut according to Departmental SOP; male Honor Guard Members will not have their sideburns below the top of the ear. No facial hair is preferred.
- C. There will be at least one (1) practice per month that members shall attend. The Honor Guard Supervisor on a month to month basis can modify exceptions to the one (1) practice per month. The Honor Guard Supervisor will send out an e-mail to the member's division/shift commander in advance to notify of training, when feasible

a work day shall be switched for the training day. This will also be in effect for events attended by the deputies. Members will be compensated at a rate of 1.5 of overtime/compensation time per event after hours as directed by the Sheriff.

- D. Any tattoo(s) must be covered while in uniform.
- E. Honor Guard Members will be eligible to wear the Honor Guard Pin after a six (6) months probationary period with the Honor Guard Team. This must be continuous, with the exception of being activated to Military Service.
- F. Honor Guard practices will be at the discretion of the Honor Guard Supervisor, with the input of the Honor Guard Members. Practices will be held at the Santa Fe County Sheriff's Office on Fridays, unless changed by the Honor Guard Supervisor.
- G. There will be a minimum of one (1) in-service day per year. The Honor Guard Supervisor will choose the date for this and it will be an all-day event, hours and days off will be adjusted for this.
- H. Honor Guard breast badges will be different from the everyday issued badge and will only be worn when on an official honor guard assignment. They will be designed in the format of the original breast badge worn by Santa Fe County Sheriff's Deputies.

### 3. Uniforms

- A. While in uniform Honor Guard Members will wear their duty uniform to the highest standard to be an example to fellow deputies, and shall conform to SOP guidelines, to include SOP grooming guidelines.
- B. The Honor Guard Pin will be worn ¼ inch above the name plate and centered on the right breast pocket flap.
- C. The citation cord will be worn on the left shoulder of the jacket/coat.
- D. All Honor Guard leather gear will be highly polished with Leather Luster or equivalent.
- E. All metal on the Honor Guard Uniform will be highly polished at all times and Free of nicks, scratches and dents. This will include polishing the issued badge.
- F. The Honor Guard Team Patch must be worn on both shoulders of the Honor Guard Uniform.

As a specialty patch it may be worn on the left shoulder of the everyday patrol uniform.

- G. High gloss shoes will have edge dressing on them, in order to maintain an inspection ready look.

### 4. Honor Guard Chain of Command

- A. Sheriff
- B. Undersheriff
- C. Major
- D. Captain
- E. Sergeant- Assigned as the team supervisor/coordinator.
  - 1. If the Honor Guard Sergeant is promoted to Lieutenant they may continue their Appointment, this will be at the discretion of the Sheriff or their designee.
  - 2. If an officer in the Honor Guard is promoted they may remain on the team but will have no supervisory authority unless they have been designated by the team supervisor in their absence.

### 5. Violations

Serving as a member of the Santa Fe County Sheriff's Office Honor Guard shall be considered an honor and a privilege. Officers selected to serve in this capacity have demonstrated above average qualities in the areas of attitude, appearance, and care of equipment. The Santa Fe County Sheriff's Office Honor Guard is a non-incentive position. Members are appointed and serve at the leisure of the sheriff or their designee. A member of the Honor Guard who violates any of these guidelines or departmental SOP's may be removed from the team without recourse.

### 6. Honor Guard Supervisor

- A. The Honor Guard Supervisor will be responsible for scheduling of all training.
- B. The Honor Guard Supervisor will be responsible for the scheduling of all events.
- C. The Honor Guard Supervisor will be responsible for ensuring that proper protocols are followed in any event the Honor Guard is involved in. The Honor Guard Supervisor must be proficient in Proper protocols for funerals, flag etiquette, and any other protocols that may affect the Honor Guard performance.

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- D. The Honor Guard Supervisor will be responsible for submitting a budget request for any and all anticipated equipment, maintenance and training for each fiscal year.
- E. The Honor Guard Supervisor will conduct inventories/inspections periodically to ensure the use and care of equipment is being maintained.
- F. The Honor Guard Supervisor will submit a report of all Honor Guard training and events during the year to the CSS Commander at the end of each month.

**7. Funeral/Serious On the Job Injuries**

- A. Line of Duty-As soon as it is learned that an Officer is killed in The Line of Duty the Honor Guard Supervisor will be the point of contacts for all Honors to be rendered to the Officer and family. The Honor Guard Supervisor will initiate a Full Honor Guard call-out. This will entail 24 hour guarding of the fallen officer until the funeral is over. This will include being in the emergency room, OMI, religious ceremony (Rosary, etc), to the church. The fallen officer will never be left alone. The exception to this is if medical personnel are performing surgery on the officer. At this point the Honor Guard will post outside of the room or be as close as possible to the officer. The only time the fallen will be left unguarded by the Honor Guard is right after the mass when the honor Guard will NOT be part of the procession, as they go straight to the cemetery to prepare for the arrival of the fallen Officer.
- B. The Fallen Officer will be entitled to a Flag Folding team, a 21-gun Salute, Taps, and bagpipes at their funeral. They will also be entitled to an Entry Volley upon the funeral coach’s entrance to the cemetery. This one-round Volley should be made up of Honor Guard members of other Law Enforcement agencies and supervised by an Honor Guard Supervisor from one of the other agencies. The Sheriff will present the Flag to the Officer’s family. The Sheriff may say the following when presenting the flag: **“On behalf of a grateful community please accept this flag as a token of our appreciation for the faithful and honorable service (insert Officer’s name here) has given to us.”** After the flag is presented by the Sheriff the Honor Guard Supervisor and/or Honor Guard Sergeant(s) will then put in three spent casing from the 21-gun Salute into

the flag and advise the person accepting the flag the following. **“ The Gun Salute is the highest honor we can give to someone. There are three volleys fired to indicate that a hero is going home to be with their creator. There are three casings, one from each volley.”**

**NOTE: if the Sheriff wishes the three spent casings may be put into the flag before it is presented to the family.**

- C. Funeral of a Former Sheriff, and former Deputy Sheriff’s retired in good standing shall have representation from the honor guard.
- D. Gravesite Protocol: When the Casket arrives we render a hand salute to fallen officers hold till Casket is placed at gravesite. Chaplin gives eulogy, rider-less horse (if present), then Gun Salute, Taps, flyover (if present), Bag Pipes, at the same time as bag pipes is being played the Flag Team folds the Flag, the Flag is presented to an Honor Guard Supervisor who then presents it to the Sheriff who then presents the Flag to the Family of the Officer. Flag team exits and the Honor Guard Supervisor or Honor Guard Sergeant then places three spent casings from the gun salute in the folded Flag for the Family.

**8. Funeral-Protocols**

**Church**

- Honor Guards Report Time: \_\_\_\_\_ hours
- All Honor Guards
- Start posting right away
- Guard posting until 10 minutes before Mass/Service Starts.
- Honor Guard Supervisor goes up and relieves the Guard.
- Body alone for approximately 5 minutes.
- Honor Guard Supervisor marches up and renders Final Salute and then exits.
- Mass/Services starts
- After Mass/Services ends
- Honor Guard Supervisor escorts pall bears to casket and renders one more salute and leads the casket out.

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- Remaining Honor Guard; form a line and render a salute.

Honor Guard will park in separate area so as not to be part of the procession and head straight to the cemetery.

## Cemetery

Entry Volley Team

- Arrive by: \_\_\_\_\_ hours

Bag Piper

- Arrive by: \_\_\_\_\_ hours

Once all Honor Guard Teams arrive

- Set up Fire Party location
- Entry Volley-Rolling Thunder as soon as Procession enter the Cemetery
- Rest of Honor Guard form line to render Salute as Casket is being removed from vehicle.
- If Flag Folding Team are not Pall Bearers then march up right after Pall Bearers leave.
- As soon as Gravesite Services is over Signal person gives signal to start 21-Gun Salute.
  - **If rider-less horse-Firing Party Leader must wait until horse is facing them before starting.**
  - Everyone then called to Present Arms
- Then Taps
- After Taps everyone is called to Order Arms
- Fly over (if one)
- Bag Piper then plays.
- Flag is presented to Sheriff
- Firing Team Leader collects 3 empty casings and gives to Honor Guard Supervisor
- 21-Gun Salute represent the Highest Honor we can give to our fallen Officers

- The 3 Volleys represent the Final Call; the Battle is over and time to return home
- Officers are then given order to Fall Out

## S.O.P NUMBER 7-12 Fleet Management

### 1. PURPOSE

- The primary function of the Fleet Manager of the Santa Fe County Sheriff's Office is to ensure all Official vehicles are properly operating, functioning, and maintained in accordance with the County maintenance requirements and safety standards.
- Responsible for managing and overseeing all support activities related to the operation of Sheriff Office vehicles.

### 2. STATUS AND RESPONSIBILITIES

- Assist in developing policies and procedures pertaining to the use, maintenance, repair, and operation of Sheriff Office vehicles.
- Scheduling, overseeing and implementing vehicle maintenance and repair.
- Maintaining updated, comprehensive, and accurate files on all Office vehicles.
- Act as a liaison with other County Offices and private business entities as necessary for the upkeep of the Office vehicles.
- Order, maintain, and arrange for the installation and repair of miscellaneous equipment i.e., light bars, radios sirens, etc.
- Assist in developing specifications for fleet vehicles.
- Have a clear understanding of the budgetary process and thorough knowledge of Official and County procurement systems.
- Other duties as assigned by the Sheriff or his/her designee.

### 3. ORGANIZATION AND CHAIN OF COMMAND

- The fleet manager of the Santa Fe County Sheriff's Office will be a person appointed by the Sheriff and under the Command of the Community Support Services Division.

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- B. The fleet manager is directly responsible to the Community Support Services Division Commander or his/her designee.
- C. This position is not necessarily filled by a sworn Deputy and may be a civilian employee of the Office at the Sheriff's discretion.

- D. Completed Reports - After reports are approved by the supervisor and subsequently submitted to the records division, they will be available for release providing they meet all the criteria established by the IPRA (Inspection of Public Records Act, NMSA 1978, Ch. 14 Article 2).
- E. Right to Inspect Public Records; Exceptions:

**S.O.P NUMBER 7-13  
Records Division**

**1. PURPOSE**

Establish guidelines for receiving and housing of all departmental reports generated by the Santa Fe County Sheriff's Office.

**2. REPORTS**

- A. All reports must be routed to the Records Division to be maintained by the Records Division by the end of each respective shift. This will be done via transmittal through the department issued MDT (Mobile Data Terminal). All attachments i.e.: handwritten supplemental(s), property forms, towing forms etc. will be placed into the Records file box designated inside the briefing room; with the exception of those reports which must be left pending ie: Fatal Crash investigations, criminal investigations callouts etc.

- B. Pending reports - Any report which must be left pending, whether it is an offense report, investigation report, motor vehicle crash report, or whatever type of report it may be, must be completed in every detail up to the point where it was left pending.

A note explaining why the report is being left pending must be attached to the report, and it must indicate the approval of the Shift Commander or one of the subordinate supervisors. The commander approving the pending report will communicate with the records supervisor weekly as to the status of the investigation.

- C. Incomplete Reports - Information or copies of incomplete or pending reports will not be released in copy form to anyone. An explanation may be given to the interested party or parties, but no photocopies will be made available until the report is complete and checked by a commander and where the investigation is no longer active.

1. Records pertaining to physical or mental examinations and medical treatment of persons confined to any institution.
2. Law enforcement records which reveal confidential sources, methods, information or individuals accused but not charged with a crime. Law enforcement records including, evidence in any form received or compiled in connection with any criminal investigation or prosecution by any law enforcement or prosecuting agency, including inactive matters or closed investigations to the extent they contain information listed above.

3. Any juvenile who is listed as a victim in an offense/incident report i.e.: CSP (criminal sexual penetration), CSC (criminal sexual contact) will not be released without the approval of the Criminal Investigations Commander or a member of the Sheriff's Administration. Individuals requesting such reports will present identification and purpose for the request.

- F. Records Supervisor Responsibilities:

1. The records supervisor will compile/maintain and disseminate all agency statistics.
2. The records supervisor will maintain/monitor and administer the database for CrimeReports.com for the Sheriff's Office and Santa Fe Police Department.
3. The records supervisor will generate and enter reports regarding UCR (Uniform Crime Reporting) to the New Mexico Department of Public Safety and Federal Bureau of Investigations on a monthly basis.
4. The records supervisor will compile quarterly statistical report regarding our agencies Domestic Violence and Criminal Sexual Contact/Penetration of Minors and Adults to the State of New Mexico Coalition of Sexual Assault Programs.

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5. Disseminate crash report data to the Santa Fe County Public Works Department to identify problem areas with the county.
  6. The records supervisor will serve as the TAC (Technical Administrator Coordinator) for the LEADS Program (Law Enforcement Automated Data Service) and NCIC Program (National Crime Information Center).
  7. Administer the County Alarm Permit Ordinance to include collection of fees, entering information into database and retaining applications.
  8. The records supervisor will ensure all necessary paperwork is disseminated and tracked to the appropriate agencies for follow up and prosecution.
- G. Office Hours - The Records Division is open Monday through Friday from 8:00 A.M. to 5:00 P.M. to include the noon hour, excluding holidays.

### 3. SHERIFF'S OFFICE RECORDS RELEASE POLICY

There will be absolutely no information given to anyone over the telephone. If anyone desires information, they may come to the Records Division, identify themselves and give a reason for needing the information. This is not done to inconvenience the public but rather to protect a citizen's rights to privacy.

#### S.O.P NUMBER 7-14 K-9 Unit

##### 1. PURPOSE

To establish Standard Operating Procedures governing the training and use of dogs and their handlers in law enforcement work, henceforth called canines.

##### 2. PROCEDURES

- A. The Canine Unit was initiated to assist the field units with violent or high risk situations, and/or drug interdiction. If the Canine Unit is on duty or readily available and the Shift Commander or the Division Commander feels one is needed for a particular situation then he/she should make an attempt to call one.

- B. The handlers and dogs fall under the command of the Sheriff or his/her designee while conducting any type of Canine operation.
- C. If a dog handler is requested to do something which they feel they cannot or should not do, the handler will inform the superior officer and state his/her reasons. Failure to do so means the responsibility of the action falls directly on the Deputy. If the superior officer allows his/her order to stand after being notified of the inability of the dog to perform, the dog handler will attempt to comply. In this case the superior officer will be totally responsible for any such action and its outcome.
- D. Safety of those in contact with the dogs is of the primary concern to the Office. The dogs are trained to attack on command or whenever they or their handler is attacked. Deputies should be cautious when dogs are present. Do not make any motions which could be interpreted as a threat to the dog or its handler. Deputies should not attempt to harass or frustrate the dogs and at all times should use extreme caution around the dogs.
- E. It is the handlers responsibility to keep the dog under control at all times. When out of the vehicle, the dog will be on a leash at all times, except when the dog is performing a task commanded by the handler in direct line with police work or training. At no time, under any condition, will the dog be used to intimidate deputies or civilian personnel "for the fun of it".
- F. Public demonstrations on how the dog's work, will not use volunteers from the audience. This task will be performed by the handlers and Sheriff personnel only.
- G. When a dog is used to search a building, the exits should be guarded from the outside and no one should be allowed to enter the building until the dog and its handler arrive. When a dog is used to track a subject, the area to be searched should not be walked on unless absolutely necessary.
- H. The dogs will not be sent to apprehend a person committing a misdemeanor offense, but may be used to stop any felony activity. This does not prohibit the use of the dog where a real danger exists and where a situation may erupt into felony activity. If there is a question of whether the offense is a misdemeanor or a felony, for the

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safety of the deputies, handlers and the general public, the case is to be handled as a felony.

1. If a felony situation arises in the presence of an off-duty canine officer with his dog present then the officer will use his/her discretion based on experience, training, and safety of the general public before issuing any commands to the dog. If called into action by command, the canine officer now assumes an on-duty status.
2. Canine handlers will be required to attend at least 40 hours of regular training per year with their assigned dog. This training time is to be tracked by the Community Support Services Division.

## **S.O.P NUMBER 7-15**

### **D.U.I Enforcement Unit & Drug Recognition Expert Evaluations**

#### **1. PURPOSE**

- A. It is the policy of the Santa Fe County Sheriffs Office to apprehend, arrest, and assist in the efficient prosecution of persons who are found to be operating a motor vehicle while under the influence of intoxicating liquor, drugs, or driving a vehicle while their license is revoked or suspended for a previous DWI violation.
- B. D.U.I. Unit deputies will be on call to trouble shoot problems with the breath testing equipment assigned to or owned by the Office (Key Operators).
- C. To enforce all state statutes as applicable to any sworn deputy.

#### **2. GENERAL DUTIES**

- A. The D.U.I. Unit will be under the direct supervision of the Traffic Corporal or as ordered by the Sheriff.
- B. D.U.I. deputies will work as a team effort to ensure a positive enforcement effort.
- C. Hours and days of operation are subject to change depending on the need for D.U.I. enforcement at the discretion of the D.U.I. Unit Commander with approval of administration.
- D. D.U.I. Unit deputies will be on call to assist the Fatal Accident Investigation Team, if needed, on fatal motor vehicle accidents.

- E. The D.U.I. Unit deputies will not be assigned other duties unless such duties are cleared by the unit commander unless the on-duty commander feels it is an emergency and the patrol division must have their help in order to accomplish their mission.
- F. Target areas will be identified from accumulated data by the Unit Supervisor and the Unit will be assigned to these areas.
- G. Special assignments can be assigned to the Unit if cleared through the Unit's supervisor.
- H. The D.U.I. Unit Corporal and Deputies will ensure that all equipment utilized for D.U.I. enforcement is in good working order and ready for use at all times. This includes all personal issued equipment to the deputies, units and specialized checkpoint equipment.
- I. D.U.I. Unit deputies will respond to the scene of all accidents where alcohol or drugs may be a contributing factor when possible. They may handle the D.U.I. portion of the accident investigation if requested to do so by the on-duty field commander. (Note: patrol deputies will be responsible for handling the accident investigation). This is done in order to ensure that the patrol deputy can return to his/her patrol duties in a timely fashion.
- J. D.U.I. Unit deputies may respond to the scene of a traffic stop which was made by another deputy (when requested) to assist and/or assume the D.U.I. investigation so the patrol deputy can return to regular patrol duties.
- K. D.U.I. Unit deputies who are also certified as "Drug Recognition Experts" will, when requested to so do, conduct Drug Recognition Expert evaluations as long as the conditions required to conduct such an evaluation are met. These conditions are outlined later in this Standard Operating Procedure.

#### **3. DWI ARREST**

- A. After developing reasonable suspicion / probable cause to conduct a traffic stop or welfare check on a vehicle in question. Contact with the vehicle operator shall be made. After contacting the operator of a motor vehicle who is suspected of being under the influence of alcohol or drugs, the officer shall, if conditions permit, request that the operator perform a series of standard field sobriety tests (*all SFST's will be recorded.*

*refer to section VI. Evidence Handling, subsection C.* If probable cause exists, the suspect shall be placed under arrest for driving while under the influence of intoxicating liquor or drugs.

- B. Handcuffs are to be placed on the violator behind the back and double locked. The violator is to be placed into the rear seat of the patrol car and further secured with a seatbelt for transport.
- C. Miranda Warnings are not required prior to administering a chemical test. However, the New Mexico Implied Consent Act will be read to the suspect immediately after the arrest is made. Miranda Warnings shall be given if a Deputy questions the suspect for information to be used in court.
- D. Any person arrested for driving while under the influence (DWI) must have their prior conviction record checked through NCIC to determine if the person has any prior DWI convictions. If the person has prior DWI convictions, the number of convictions must be indicated on the offense report.
- E. The suspect's vehicle shall be released or towed at the discretion of the investigating Deputy based on investigative circumstances. Except when the vehicle in question meets the requirements of Santa Fe County Vehicle Seizure Ordinance 2006-05.
- F. **ADMINISTERING A BREATH TEST:** Unless the suspect declines to give or is physically incapable of providing a second breath sample, two breath samples shall be collected and/or analyzed by certified operators only. The failure of the suspect to provide a second sample will constitute as a refusal. If a subject takes a breath test and then decides he/she wants an additional test, the arresting deputy must make reasonable attempts to accommodate this by transporting the suspect to an area hospital for an independent test to be paid for by our agency.
- G. **ADMINISTERING A BLOOD TEST:** If the arrestee, for physical reasons is unable to give a breath test, or if the deputy suspects the arrestee is under the influence of drugs, the arresting deputy shall transport the suspect to Christus St. Vincent's Hospital for a blood test. A blood test shall be administered by a qualified blood technician. Upon arrival of the blood technician, the arresting deputy will be present to witness the

blood tests being administered. Upon completion of the blood test the deputy will give the blood technician a case number and the suspect's information for his/her report. The blood technician will then surrender the sealed blood test kit back to the arresting deputy. The arresting deputy will ensure that the blood kit will be mailed/transported to New Mexico State Laboratory Division (SLD) for testing.

- H. **TESTING OF INJURED OR INCAPACITATED PERSON:** The following procedures shall be followed if the arrestee is injured or incapacitated to such an extent that the breath test cannot be administered. If the suspect is conscious, the suspect shall be advised of the Implied Consent Law. During the reading of the Implied Consent Law, a witness should be present, i.e., the Blood Technician. The name of the witness will be indicated in the officer's report. The physician in charge of treating the suspect will be consulted prior to obtaining a blood test.

#### 4. DRUG RECOGNITION EXPERT EVALUATION

##### A. Conditions for Evaluation

1. The subject must have been placed under arrest for "Driving a motor vehicle while under the influence of intoxicating liquor and/or drugs".
2. The arrested persons blood alcohol content as determined by breath testing equipment, is not consistent with the subjects performance of the Standardized Field Sobriety Tests which were administered by the arresting deputy. An example of this would be where the subject failed the Field Sobriety Tests but his/her blood alcohol content is very low, such as .02, .03, etc.
3. The arresting deputy must suspect drug influence and be able to articulate his/her suspicions to the Drug Recognition Expert.

##### B. General duties

1. The Drug Recognition Expert will either respond to the arresting deputies location, telephone the arresting deputy in order to ascertain if an evaluation is warranted, or tell the arresting deputy where to respond with the subject for an evaluation.

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2. The arresting deputy must remain present during the evaluation and retain custody of the subject after the evaluation is completed.
3. The evaluation takes approximately 50 minutes to conduct.
4. The evaluation screens the subject for seven drug categories or combinations thereof.
5. Drug Recognition Experts will make themselves available to testify in court on the evaluation results, and their expert opinion.
6. Drug Recognition Experts will not evaluate a subject who has a blood alcohol content over the legal “per-se” limit unless the subject was involved in a serious motor vehicle accident or a fatal motor vehicle accident.
7. At the end of the evaluation, the Drug Recognition Expert will request a toxicology sample (blood or urine) from the subject. If the subject refuses to submit the sample, the arrest becomes a refusal even though a breath sample was obtained, as per the New Mexico Implied Consent Act.
8. The Drug Recognition Expert will submit a supplemental report to the original arresting deputies report, which will include his/her findings regarding the evaluation.

## 5. SOBRIETY CHECKPOINTS / SATURATION PATROLS

### A. Sobriety and Traffic Checkpoints

1. The Traffic Division Commander shall prepare the checkpoint tact plan and an individual of the rank of Captain or higher must approve all Checkpoints.
2. Checkpoints must adhere to current case law i.e. City Of Las Cruces v. Betancourt (1987).
3. The Checkpoint will be supervised by an individual of the rank of Corporal or higher. The Supervisor in charge shall conduct an operational briefing, including an operational/tactical plan, to all assigned deputies participating in the checkpoint. The supervisor in charge shall monitor safety needs at the checkpoint, and supervise all related activities of deputies at the checkpoint.

Other supervisors at the checkpoint shall be assigned duties as needed to ensure safety, proper conduct and procedures of deputies.

4. The deputies will have no discretion on whom to stop and deputies should be instructed on uniform procedures to be utilized when contacting motorists.
5. Sobriety Checkpoint assignments: Should be used for areas identified as showing a pattern of alcohol related crashes and arrests.
6. Saturation Patrol assignments: Should be used to target areas identified as showing a pattern of alcohol related crashes and arrests throughout the county.
7. The deterrent value of any checkpoint and its reasonableness for sobriety checks will be enhanced if given widespread advanced publicity. Local media should be notified via a press release email sent by a designated member of the Santa Fe County Sheriff’s Office. Proof of this notification should become a permanent part of the tact plan file.

## 6. EVIDENCE HANDLING

- A. All evidence will be the responsibility of the arresting officer.
- B. All photographs are to be tagged into evidence consistent with department procedures.
- C. All SFST’s conducted will be videotaped/recorded by deputy mobile unit cameras. Additionally, and when appropriate while performing checkpoints, SFST’s will be videotaped/recorded by deputy mobile unit cameras. The recordings will then be submitted into evidence consistent with department procedures.
- D. In the event the deputy’s mobile unit camera is not operating, another unit will be summoned to the location within reason and as determined by the on duty commander. Example; the area 4 deputy needing a video may have to use their issued lapel camera or other recording device.

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## S.O.P NUMBER 7-16 Sheriff's Reserve Division

### 1. POLICY

This Standard Operating Procedure establishes the official policy of the Santa Fe County Sheriff's Office concerning the formation of, operating procedures and training of the Santa Fe County Sheriff's Office Reserve Deputies, and the authority granted to and the restrictions and requirements placed upon its members by the Sheriff of the County of Santa Fe, New Mexico.

### 2. INTRODUCTION

A Sheriff's Reserve Unit (hereinafter referred to as "Reserves") shall be composed of Reserve Deputies who have been appointed and sworn in as members thereof by the Santa Fe County Sheriff. For the purpose of this Standard Operating Procedure, a "Trainee" means a person who has been accepted into training to qualify to become a Reserve Officer. Reserves Officers and trainees shall be volunteer workers only and shall not be deemed to be employees of the County of Santa Fe or the Sheriff's Office for any purpose other than for the purposes of a Reserve Sheriff's Deputy. All Reserve Officers shall be bound to abide by all rules, regulations, Standard Operating Procedures, and all Special Orders of the Santa Fe County Sheriff's Office.

### 3. AUTHORITY AND CONTROL

A Sheriff or designee shall have authority and control over the Reserve Unit. The Reserve Unit will fall under the direct command of the Community Support Services Division, (Hereinafter referred to as "CSS") providing for the maintenance of discipline and the assigning of each member to perform peace officer duties.

#### A. Duty Status

1. Prior to a Reserve Deputy going on duty he/she shall notify the CSS Commander/Supervisor prior to the assignment date. On the day of the assignment the Reserve Deputy shall notify the on-duty commander prior to going on duty.

2. A Reserve Deputy must serve 8 hours a month to maintain their Reserve Deputy status.

#### B. Authority

1. 4-41-10. Right to carry arms; deputies; appointment; qualifications.

2. Any Sheriff is hereby authorized at any time to appoint respectable and orderly persons as special deputies to serve any particular order, writ or process or when in the opinion of any sheriff the appointment of special deputies is necessary and required for the purpose of preserving the peace.
3. Reserve Deputies will not carry concealed firearms while acting as a Reserve Deputy and while dressed in civilian clothing.

### 4. THE ORGANIZATION OF THE DIVISION

Reserves are volunteers and receive no benefit, remuneration or entitlement including annual leave, sick leave, retirement, etc.; however, each Reserve will be entitled to \$300.00 annually to utilize as clothing allowance; However, they will be covered by the County of Santa Fe for injuries received while acting in the official capacity of a Reserve Deputy.

- A. Citizens applying to become a Reserve Deputy must follow the below listed application process:
  1. Submit application to the CSS Division.
  2. Complete and successfully pass a background investigation.
  3. Attend and successfully complete a new employee eighty (80) hour orientation.
- B. Upon acceptance to the division Reserve Deputies will attend all required trainings and maintain all necessary training certifications as determined by the CSS Division.

### 5. STATUS AS A RESERVE DEPUTY SHERIFF

- A. The Leadership of a Reserve Division will have Rank by title only. The Rank will NOT be displayed on the uniform in the same manner as the full-time Deputies. Reserves will NOT have any supervisory authority over any full-time Department personnel.
- B. On-duty Reserve Deputies will be required to ride with a full-time certified Deputy. The only deviation to this requirement can only be granted by the Sheriff or Undersheriff or their designee.
- C. The uniforms worn by Reserve Deputies will meet all the same requirements as full-time Deputies.

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- D. A Reserve Deputy may carry his/her badge and commission card when not officially on duty; However, he/she may not present or display his/her badge or commission card except for official purposes and in the event of an emergency in which he/she needs to identify him/herself as a Reserve Deputy. Misuse of the badge and/or commission card can constitute impersonating a peace officer (30-27-2.1 Impersonating a Peace Officer, NMSA 1978) and may result in dismissal from the reserve unit and may constitute criminal prosecution.
- E. All Reserves will be required to have and maintain an e-mail address. All members will be responsible for reading any correspondence sent from the Sheriff's Department or the Leadership of the Reserve Division. If response is required by the Reserve Deputy, the Reserve Deputy must respond. (i.e. Bulletins, Special Orders)
- F. It will be the responsibility of the Leadership of the CSS Division to alert the members of any Bulletins or Special Orders which affect the Unit or may require action by all Department personnel.
- G. All Training records and Service files will be kept at the Sheriff's Office, CSS Division, where such files are also kept for regular personnel. Members will have the right to review their files.
- H. Nothing in these Standard Operating Procedures may supersede any local ordinances, county regulations, State of New Mexico or federal laws.

**S.O.P NUMBER 7-17**  
**Special Weapons And Tactics Team**  
**(S.W.A.T)**

**1. POLICY**

It is the policy of the Santa Fe County Sheriff's Office, in any hostage, barricaded subject, sniper situations, situations involving tactical response, visiting dignitary protection, and situations identified by the Sheriff or his/her designee, to protect citizens and deputies with a minimal amount of danger, and to arrest the subject(s) involved in these situations with the maximum amount of safety.

**2. PURPOSE**

The Special Weapons and Tactics Team hereafter will be referred to as S.W.A.T.; will function as a high-

ly flexible and mobile operational force. S.W.A.T. functions will primarily function as a supportive unit to the Patrol Division, but are not exclusive of any other division that may require special assistance.

The S.W.A.T. Team will be utilized for high-risk situations, and when activated, will assist the requesting division in accomplishing their goals, by resolving situations requiring their tactical response.

**3. GENERAL DUTIES**

- A. S.W.A.T. call out situations:**
  - 1. Hostage situations
  - 2. Barricaded armed suspects
  - 3. Search or Arrest Warrants with exigent circumstances.
  - 4. Visiting dignitary protection and escort
  - 5. Active shooter response
  - 6. Terrorist threat response
  - 7. Any situation identified by the Sheriff, Undersheriff, or their designee.

**B. Commander Responsibilities**  
 It will be the responsibility of the on-duty shift commander to notify the S.W.A.T. Team Commander of any incident requiring the use of S.W.A.T personnel.

- C. S.W.A.T. Commander / Supervisor Arrival**
  - 1. When the S.W.A.T. commander or S.W.A.T. supervisor arrives on the scene, the shift commander will relinquish command of the situation to the S.W.A.T. commander/supervisor. He/she will brief said commander on all information concerning the situation.
    - a. Once command has been assumed by the S.W.A.T commander or supervisor, he/she can only be removed from the scene by the Sheriff or the Undersheriff.
    - b. The S.W.A.T. supervisors and the shift commanders, along with their respective personnel will make every effort to establish cooperation and coordination between their respective operations to assure the safety of the deputies, the citizens, and to ensure the success of the operation.

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- c. The S.W.A.T supervisors shall only take orders from the Sheriff or Undersheriff during S.W.A.T. situations. Should the Sheriff or Undersheriff not be available, the order of command shall follow to the Major or Captain.

#### **4. OPERATIONAL PROCEDURES**

##### **A. The S.W.A.T. team unit:**

1. One (1) S.W.A.T. commander with the rank of Captain or Lieutenant.
2. Two (2), Team Leaders.
3. One (1) negotiator.
4. S.W.A.T. Operators
5. Minimum of (1) One S.W.A.T. Sniper

\*\*\* The above teams are the minimum amount of personnel, and may be changed at the discretion of the Sheriff.

#### **5. ACTIVATION**

A. Upon a situation arising where the S.W.A.T. team must be activated, the S.W.A.T. commander will be notified first, and immediately. The S.W.A.T. commander will have the responsibility of notifying the team members and the Sheriff and Undersheriff of the activation. Any call-outs or placing of any member(s) or team(s) on an on-call status, alert, or stand-by status; shall be done with the concurrence of the Sheriff and the Undersheriff only.

1. No utilization of S.W.A.T. personnel without prior approval will be condoned.
2. S.W.A.T. personnel shall familiarize themselves with the policies and objectives of the unit. They will strive to promote efficiency and harmonious working relationships, not only within the unit, but throughout the entire Sheriff's Office, along with other agencies with which they may be concerned with.

#### **6. TRAINING**

- A. Training is the responsibility of the S.W.A.T. team commanders. All S.W.A.T. personnel will be required to participate in a program of in-service training on a periodic basis. Training will be of a physical and tactical nature.
- B. All personnel will be given two (2) hours (on-duty time) a week to participate in a physical fitness

program. This time is not to interfere with the smooth operation of their shift or unit to which they are permanently assigned. The members' supervisor must authorize this time so as not to interfere with the smooth operation of the Office. If the time is not taken within the week, it is permanently lost and cannot be accumulated. This time must be used at the Office's physical fitness center only.

1. Twice a year, a physical agility test will be given to each Deputy S.W.A.T. member where the minimum requirements must be met. Personnel failing to meet the minimum standards, as set by the S.W.A.T. commander, will be given one (1) quarter to successfully complete the test. If the minimum requirements are not met a second time, the S.W.A.T. commander will recommend to the Sheriff that the member in question be discharged from the team.
2. During regularly scheduled Firearms Qualification, S.W.A.T. team members will be required to score a 90% or better score with all required firearms. Personnel failing to meet the minimum standards will be given one(1) month to successfully complete the qualifications. If the minimum requirements are not met a second time, the S.W.A.T. commander will recommend to the Sheriff that the member in question be terminated from the team.
3. Tests results will become a part of the team members' file, for the duration the said member is assigned to S.W.A.T.
4. Physical training results and scores will be kept in the deputy's file.
5. S.W.A.T. personnel will strive to maintain a high degree of effectiveness by constant evaluation and updating of its operational tactics and procedures. Ongoing in-service training will be an integral part of S.W.A.T. At least one (1) day of training per month will be conducted. Due to the specialized nature of S.W.A.T., its personnel will be carefully selected in accordance with their past service record, capabilities, demeanor, physical fitness, and professional attitude.
6. All personnel will maintain proficiency with their assigned weapon(s).

## 7. SELECTION OF PERSONNEL

- A. Candidate must have one(1) or more years of uninterrupted service with this Office.
- B. Candidate may not have received a sustained excessive force complaint or received any disciplinary action resulting in a suspension for the prior 12-month period; which can be waived by the Sheriff.
- C. Candidate must have scored a minimum of 90% on his/her last departmental fifty(50) round square range course, with all required weapons. This requirement/standard can only be waived by the Captain.
- D. Candidate must be willing to serve a six (6) month probationary period for the purpose of monitoring team membership attitude, aptitude, and ability to perform other tactical skills. A transfer during this period is not subject to a grievance hearing.
- E. Candidate must be willing to adjust hours and work days to fit the needs of the unit. He/she must remain in good physical condition.
- F. Personnel will be expected to be available for duty at all times should a need arise where the team(s) are activated. Team members will carry digital pagers/cell phones at all times when off duty.
- G. Assignment will be on a voluntary basis only.
- H. Personnel selected for the unit must be above average in the following categories:
  - 1. Care of equipment
  - 2. Attendance
  - 3. Personal contacts with fellow deputies and the general public.
  - 4. The desire to embrace and accomplish the goals and objectives of the S.W.A.T Team.
- I. It is of paramount importance members of the unit bear in mind the effectiveness and efficiency of S.W.A.T. is limited, only by the lack of imagination, ingenuity, cooperation, perseverance, and willingness of the members themselves.

- B. Selectees must have a high degree of emotional stability and be able to maintain this stability in a high stress situation or activity.
- C. Must possess a voice, which emits calm, understanding and communicable skills.
- D. Must successfully pass the United States Office of Energy, Hostage Negotiator School, or equivalent training.
- E. Candidate must have one (1) or more, years of uninterrupted service with the Sheriff's Office, prior S.W.A.T. experience desirable; although not mandatory.
- F. Candidate may not have received a sustained excessive force complaint ore received a disciplinary action resulting in a suspension for the prior twelve(12) month period, which can be waived by the Sheriff.
- G. Candidate must be willing to serve a six(6) month probationary period for the purpose of monitoring attitude, aptitude, and ability to perform other negotiation skills. A transfer during this period is not subject to a grievance hearing.
- H. Candidate must be willing to adjust hours and work days to fit the needs of the unit.
- I. Member will be expected to be available for duty at all times should a need arise. Member(s) will carry mobile phones at all times when off duty.
- J. Assignment will be on a voluntary basis only.
- K. Personnel selected for must be above average in the following categories:
  - 1. Care of Equipment
  - 2. Attendance
  - 3. Personal contacts with fellow deputies and the general public
  - 4. The desire to embrace and accomplish the goals and objectives of the S.W.A.T. team
- L. It is of paramount importance that the negotiator keep in mind the effectiveness and efficiency of Crisis Negotiations, is limited, only by the lack of imagination, ingenuity, cooperation, perseverance and willingness of the members themselves.

## 8. SELECTION OF HOSTAGE NEGOTIATOR (PRIMARY AND SECONDARY)

- A. Primary and secondary negotiator(s) must be familiar with all S.W.A.T tactics, procedures, and guidelines.

## 9. HOSTAGE, BARRICADED SUBJECT, AND SNIPER SITUATIONS

- A. Any Unit or Division when encountering a hos-

tage, barricaded subject or sniper situation will, as soon as possible:

1. Notify a commander and communications.
  2. Request notification of the S.W.A.T. Commander.
  3. Request immediate backup.
  4. Set up a containment perimeter, to exclude all pedestrian and vehicular traffic.
  5. If deemed necessary, evacuate citizens from within the perimeter.
  6. It will be the goal of the S.W.A.T. team to utilize negotiations or a blending of negotiations and tactics to ensure the safe release of the hostage or hostages and the apprehension of the offender(s).
    - a. If necessary, to preserve life and only under the most extreme circumstances, begin negotiations with the suspect(s).
  7. The S.W.A.T. team will assist Field Services in containment and evacuation of any endangered citizens.
  8. The Patrol Division personnel will ensure that no one, regardless of rank, will be permitted to enter the inner or outer perimeter, without the approval of the S.W.A.T. Commander, Sheriff, or Undersheriff.
  9. The S.W.A.T. team will be responsible for maintaining the inner perimeter and the high ground positions.
  10. Ascertain if there are any injured persons on scene, and if so, evacuate them to the closest medical facility in accordance with Standard Operating Procedures.
- B. The S.W.A.T. Commander, upon arrival at the incident, will:
1. Ensure a tactical plan is developed and is ready to be implemented.
  2. Be responsible for maintaining the inner perimeter, and the high ground positions. In the case of utilizing a sniper, prepare and set up a counter-sniper position.
  3. Maintain radio contact on the pre-arranged channel designated for S.W.A.T. operations.
  4. Set up a Command Post in the appropriate area.

5. Contact the respective public service companies to ascertain if there are telephone lines which can be utilized to communicate with the suspect(s), hostages, or barricaded individuals.
6. Designate a media area, and assign a media liaison officer or other person as designated by the Sheriff.
7. Notify rescue, ambulance, fire Office, and/or make arrangements for surveillance equipment as needed, to stand by at the command post.
8. The chain of command as set forth in the Standard Operating Procedures will be maintained by all personnel.
9. In situations where there are avenues of escape by the suspect(s), S.W.A.T. personnel will have a marked patrol vehicle manned in the event pursuit is necessary, and to keep a surveillance of them if they are able to leave the area.
10. Negotiable and non-negotiable items during hostage situations will be determined during the incident.

## **10. SEARCH OR ARREST WARRANTS WITH EXIGENT CIRCUMSTANCES**

- A. Search or arrest warrants with exigent circumstances will be handled by the S.W.A.T. team personnel, when necessary, to allow the investigating unit executing the warrant to maintain a safe environment for both the public and deputies involved.
- B. When a location where service of a search warrant or arrest warrant is to be served has been fortified against entry, by the following, the S.W.A.T. team personnel will be utilized:
  1. Wrought iron bars.
  2. Multiple door locks.
  3. Door bracing(s).
  4. High fencing/walls with locks.
  5. Other types of barricades or fortifications.
- C. The S.W.A.T. team(s) may also be utilized for the following:
  1. There is reason to believe the suspect(s) is armed and will use force against law enforcement officers.



2. The suspect(s) background reveals a propensity toward violence.
3. There is no practical way the suspect can be arrested outside the location.
4. The target location is believed to be a drug or other controlled substance manufacturing point or a larger distributing point.
5. The location is where neighborhood or patron sympathy could cause hostilities toward the Sheriff's Deputies.
6. The evidence located inside the target location is of such a type, that it can be destroyed if entry into and securing the location cannot be accomplished in a quick and tactically safe method.

## 11. USE OF FORCE

### A. Hostage Situations

1. The safety of the hostage(s) takes precedence over the time of the Deputies deployed and the inconvenience of the community.
2. If negotiations are moving in a positive direction and the hostages are not deemed to be in immediate danger, negotiations should continue.
3. The amount of force necessary to ensure the safety of the hostage(s) is authorized when negotiations are moving into a negative direction and the lives of the hostages seem to be in peril. The S.W.A.T. team commander may authorize a sniper assault or hostage rescue operation. The S.W.A.T. team commander will consult with the Sheriff or his/her designee prior to initiating a sniper assault or rescue operation, unless exigent circumstances require an immediate response.

### B. Barricaded Subject/Sniper Situations

***THE LEAST AMOUNT OF FORCE REASONABLY NECESSARY TO RESOLVE THE SITUATION WILL BE EMPLOYED.....***

1. Barricaded subjects or snipers will be given time to surrender on verbal request with consideration of the number of deputies employed and the inconvenience and danger to the affected community.

2. Chemical agents are authorized and recommended for deployment when a barricaded subject refuses to surrender. If chemical agents are to be used, the Fire Department will be notified to stand by at the outer perimeter.
3. Additional force or entry into a building will be used only upon the authorization of the S.W.A.T. team leader or commander, following consultation with the Sheriff or his/her designee.

## 12. REPORTING POLICY

- A. The S.W.A.T commander will submit a monthly report of any S.W.A.T. activities taking place, to the office of the Sheriff.
- B. The S.W.A.T. team leaders will be responsible for debriefing and gathering information from all S.W.A.T. involved personnel during the conclusion of the operation. All personnel will treat the information of the operation as confidential. S.W.A.T. commanders will release the information pertaining to the mission, only to the Sheriff or his staff. It will then be their responsibility to disseminate the information to the media or its representatives.
- C. It will be the S.W.A.T. commander's responsibility, or his/her designee to submit, within five (5) working days, a report of any S.W.A.T. activation to the office of the Sheriff.

## S.O.P. NUMBER 7-18 Court Services Division

### 1. POLICY

The Court Security Division is a separate division of the Santa Fe County Sheriff's Office. The primary function of the Division is to provide judicial security for the 1st Judicial District Court as well as building physical security. The Division is further charged with the duty of the transportation of in-custody inmates that are the responsibility of Santa Fe County. The Division is also responsible for the transportation of mental health patients designated by Court Order. The Division has a command structure in place in order to facilitate supervision and the functions of the Division.



## 2. PROCEDURES

### A. Court Services Chain of Command:

1. The Division is supervised by a commanding officer that holds the rank of Sergeant or higher.
2. A designated Corporal or Senior Deputy may supervise the Division, if the Commanding officer is out of service and for a short period of responsibility.
3. There will be a civilian secretary assigned to the Division.
4. The entire Division falls under the direct supervision of the Administrative Major.

### B. Basic principals of courthouse security:

1. Controlled access.
2. Secure perimeters.
3. Screening checkpoints.
4. Maintain security of court staff and general public.

### C. Courthouse areas of responsibilities:

1. All areas located within the interior of the courthouses, including courtroom, jury room, court clerks, office of the court administrators, judges chambers, lounge areas and drug court offices.
2. All parking areas surrounding the courthouses, including public parking, judicial parking and law enforcement parking areas.
3. Non-public areas, including Court Services Division office and holding cell areas.
4. Ingress/egress of public, court staff, in-custody inmates and law enforcement personnel.
5. Any other area/space designated by court order.

### D. Courthouse Post Assignments:

1. A minimum of one (1) Deputy will be assigned as a rover to the interior and exterior of the building of the 1<sup>st</sup> Judicial Courthouse.
2. A sufficient number of deputies will be assigned to handle in-custody inmates, throughout the transport, including their

movement within the courthouses for various hearings.

**Note:** Deputies assigned to the Division will rotate these duties and deputies will be placed throughout the courthouse, as the supervisor deems necessary.

### E. Duties of the Court Services Division:

1. Maintain a list of emergency contacts, including the names, title and 24-hour telephone numbers of the following:
  - a. Sheriff's Department
  - b. Santa Fe Police Department
  - c. New Mexico State Police
  - d. District Judges and Magistrate Judges
  - e. Clerk of the Court
  - f. Federal Courthouse (Santa Fe)
  - g. United States Marshall's Office (Santa Fe)
  - h. Santa Fe County and City Fire Departments
  - i. Regional Emergency Communications Center
  - j. County Building Maintenance Personnel
  - k. Utilities Emergency Services, including:
    1. Gas
    2. Electric
    3. Water
    4. Telephone
2. Maintain a directory of building occupants.
3. Maintain a schematic floor plan showing all occupants, doors, windows and service or access panels.
4. Maintain a schematic with all fire exits.
5. Maintain a schematic with all utility control points, shut off valves, elevator control panels, heating and air conditioning systems, fire hose and extinguisher locations.
6. Maintain a listing of Division Staff, which includes name, address and any phone numbers where the Deputy can be reached at all times.

7. All Division Deputies will be in a full uniform while on-duty and working their assigned duties described herein.

#### **F. Screening Area Duties:**

1. The screening area at the 1<sup>st</sup> Judicial Complex will comply with Court Order (D-0101-CV-77-52749) Administrative Order No. 2005-02.
2. Deputies must maintain a constant presence at the screening area, which makes up the ingress/egress for the public, during regular working hours or as ordered by the court.
3. Deputies must have a common working knowledge and functionality of how to properly operate the X-Ray machine, provided by 1<sup>st</sup> Judicial District Court.
4. Deputies must have a common working knowledge and functionality of how to properly operate the Magnetometer, provided by the 1<sup>st</sup> Judicial District Court.
5. Deputies must have a common working knowledge and functionality of how to properly operate all of the handheld metal detectors assigned to the Division.
6. Deputies must have a common working knowledge and functionality of how to properly operate the video monitoring system that is in place at the 1<sup>st</sup> Judicial District Courthouse.
7. Deputies will not allow any article of contraband to enter the 1<sup>st</sup> Judicial Court, unless it is maintained by Law Enforcement Personnel for the purpose of presenting evidence in a court hearing. The following items are defined as contraband:
  - a. Weapons of any type, including deadly or explosive material deadly weapons, defined in Section 30-1-12 NMSA 1978.
  - b. Any controlled substance, defined in Section 30-31-2 NMSA 1978, without a valid doctors prescription.
  - c. Any object, in the Deputies opinion, could be used as a weapon to any person or equipment inside the 1<sup>st</sup> Judicial District Court.
  - d. Any item deemed by a court order that is prohibited to entering the courthouse.

8. Deputies assigned to the screening area will operate the magnetically controlled door, as needed for law enforcement personnel in the transporting of inmates into and out of the courthouse.

#### **G. Courtroom Duties:**

1. Deputies assigned to a particular courtroom or trial will conduct systematic searches throughout the entire courtroom, including adjacent jury and witness room for the purpose of locating the presence of contraband and clearing of any weapons of opportunity that may have been left inside the courtroom. Particular attention should be given to routine objects left in the courtroom that can be used to defeat restraint devices.
2. Ensure that all courtroom doors are locked after hearings when court is not in session.
3. Deputies should establish their presence and authority in the courtroom, while demonstrating an authoritative, but not arrogant attitude.
4. Deputies should maintain a courteous and professional demeanor with all participants present at the courthouse at all times.
5. A Deputy may be asked to act in the capacity of a court bailiff, if the need should arise; this is acceptable if approved by the commanding officer.
6. Deputies assigned to courtroom security should keep a vigilant watch over the proceedings, while monitoring the public and court staff looking for signs of potential problems.
7. Deputies assigned, as courtroom security, will not participate in the duties of overseeing inmates present in the courtroom, so long as other deputies are available and assigned the task of overseeing inmates.

#### **H. Roving Deputy Duties:**

1. Conduct a systematic search of the interior of the courthouse. The search of the courthouse consists of all areas accessible to the public. The public areas include waiting areas for witnesses and defendants, drug court and jury areas.
2. Conduct a systematic search of the exterior of the complex ensuring that no weapons or

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explosive devices are present on the premises. Deputies should also become aware of subjects that appear to be loitering in the area or waiting in the parking area.

3. Conduct systematic search of the judge's chambers, offices and the office of court clerk. This search should also become an opportunity to remove any weapons of opportunity from the courthouse.
4. Courthouse roving deputies will assist in the movement of in-custody inmates within the building.
5. Courthouse roving deputies will monitor court hearings that are being conducted through out the building. Special consideration should be given to courtrooms where a bailiff may not be present in.

#### **I. Panic Alarm System:**

1. The Division will conduct quarterly checks of the panic alarm system.
2. The Division will maintain a log of the quarterly checks of the panic alarm system. This log should include the date each alarm was checked, the number assigned to each panic alarm, the name of the Deputy who checked the panic alarm system and the condition the alarms was in.

#### **J. Security Site Survey:**

1. The Division Commander will conduct a yearly security site survey on the 1st Judicial District Courthouse and the Santa Fe County Magistrate Courthouse.
2. The security site survey will be done in conjunction with the recommendations of the National Sheriff's Association.
3. The results of this survey should be put into a report format that will be kept confidential. The report will be shared with the Sheriff, Santa Fe County Officials and the Judges.
4. The Division will maintain the yearly site reports.

#### **K. Evacuations:**

1. If an emergency should arise necessitating an evacuation of a courthouse, any of the court assigned deputies will have the authority for initiating an evacuation.

2. The Division will maintain an on-hand ready plan, approved by the Sheriff for the evacuation of the District Court and the Magistrate Court.
3. This tactical plan should include steps for the evacuation of court staff, judges, juries, in-custody inmates and the general public present at the courthouses. The plan should include communication contacts with the evacuated subjects.
4. The plan will make arrangements for notification of the Regional Emergency Communications Center, Sheriff and other persons that may need to be notified.
5. The tactical plan should be confidential; however, court personnel are to be made aware of their evacuation points and areas of responsibility.
6. The plan should include the duties of outside responding deputies and other law enforcement agencies.
7. All deputies assigned to the courthouse will have a full working knowledge of this plan and be able to carry it out.

#### **L. Lockdowns:**

1. If an emergency should arise necessitating a lockdown of a courthouse any of the court assigned deputies will have authority for initiating an evacuation.
2. The Division will maintain an on-hand ready plan, approved by the Sheriff for the lockdown of the District Court and the Magistrate Court.
3. This tactical plan should include steps for the lockdown of court staff, judges, juries, in-custody inmates and the general public present at the courthouses.
4. The plan will make arrangements for notification of the Regional Emergency Communications Center, Sheriff and other persons that may need to be notified.
5. The plan should include the duties of outside responding deputies and other law enforcement agencies.
6. The tactical plan should be confidential; however, Court personnel are to be made aware of their areas of responsibility in implementing this plan.

7. All deputies assigned to the courthouse will have a full working knowledge of this plan and be able to carry it out.

#### **M. Escapes:**

1. The Division will maintain a ready plan in the event of an escape attempt or an escape.
2. The ready plan will outline procedures that should be taken by deputies who are directly involved.
3. The plan will include a coordinated response by responding deputies and outside agencies.
4. The plan will include outlined procedures for a coordinated search and setting up initial perimeters.
5. The Division will maintain the plan.
6. All deputies assigned to the courthouse will have a full working knowledge of this plan and be able to carry it out.

#### **N. Transporting of In-Custody Inmates:**

1. Deputies assigned to transport in-custody inmates will consider every safety precaution necessary when transporting prisoners.
2. Deputies have a solemn obligation and responsibility in the assurance of safety to themselves and any individual in his or her custody.
3. Deputies assigned to transport prisoners will only transport those individuals that appear on the official transport list of the Court Services Division.
4. Deputies will not transport any individual that appears to be medically unfit for transport. The deputy will explain this reason to the presiding judge, prior to leaving the detention or correctional facility, if possible.
5. By State Statute, all inmates assigned for transport will be properly searched and fully restrained, with a belly chain and leg restraints, throughout the entire transport. The Division Commander must approve any deviation from this policy.
6. Deputies will remain in the presence of prisoners throughout an entire transport.
7. Deputies will not allow prisoners to interact or have physical contact with the public, while in the course of a transport.

8. Deputies will not allow prisoners to bring any item from outside the detention facility back with them from court. The exception is legal paperwork provided to them by their attorney or the court. This paperwork should be screened to ensure no contraband is present.
9. Transporting deputies will maintain a list of inmates that are in their custody; special notations should be made noting a prisoner's status as an inmate in protective custody or an inmate with a classified serious medical condition.
10. Transporting deputies will ensure there is a sufficient amount of personnel to move inmates in a safe manner into and out of courthouse facilities. The same is true for movement within the courthouse facilities.
11. While in the courtroom, no prisoner will be permitted to be seated near any member of the public, without a barrier in place.
12. Transporting deputies will accompany their prisoners into the courtrooms at all times and will not take a position where the prisoner will not be harmed nor harm anyone.
13. No juvenile and adult inmates will be transported in the same vehicle at one time.

#### **O. Jury Trials**

1. Deputies will take special precautions to ensure their actions do not cause a mistrial.
2. Inmates will be allowed to wear plain clothes, which have been searched and screened by deputies, unless otherwise ordered by the court.
3. Trial inmates will not be restrained in the presence of the jury, unless otherwise ordered by the court.
4. Jury deliberations that are conducted outside normal working hours will require a minimum of three (3) deputies in the event a verdict is reached. Deputies are responsible for control of the public, control of the inmate, protection of court staff and exiting of the jury.

#### **P. High Risk Trials:**

1. The Division will work with the judge and the District Attorney's office to determine

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which cases will need extra Sheriff staff and extra security procedures.

2. The Division will develop a unique security plan to deal with a high-risk trial.
3. The Division should follow procedures outlined by the National Sheriff's Association.
4. The plan should be reduced to writing and shared with all involved personnel.
5. The Division Commander and the Judge presiding over the case should approve the plan.
6. A tactical briefing will occur each day of the trial, prior to the start of the day's hearings, with all personnel assigned to the case.

**Q. Transport Order Deadlines:**

1. Transport Orders or Requests are only accepted between the hours of 8:00 am until 3:00 pm, Monday thru Friday (Except for Holidays).
2. Transport Orders or Requests will only be accepted in writing and must be delivered to the Division Office, either in person or via fax, to the Judicial Complex.
3. All Transport Orders or Requests must be submitted to the Transport Office 24 hours in advance for all in-county (Santa Fe County) transports or the transport request may not be honored.
4. For out of Santa Fe County transports, excluding those to Hobbs, New Mexico or Las Cruces, New Mexico, the request or Orders must be turned into the Transport Office 48 hours in advance, or it may not be honored.
5. Any Transport Requests or Orders for Hobbs, New Mexico or Las Cruces, New Mexico must be turned into the Division Office 72 hours in advance, or it will not be honored.
6. It is not the responsibility of the Division to arrange transports to the Las Vegas Medical Center. The entity that is arranging the transport to the Las Vegas Medical Center must insure a bed is available and that all essential paperwork is sent to the Medical Center, prior to requesting a transport. The Division cannot and will not transport an

individual, unless a bed is available. Again, 48 hours advance notice is required for this type of transport

7. Any transport to a facility run by the New Mexico Department of Corrections or the Children Youth and Families Department requires the Division be provided with three (3) certified copies of the Transport Order or Judgment and Sentence.
8. If a transport is needed for an inmate of the New Mexico Department of Corrections, the Department of Corrections (DOC) should first be contacted prior to transport. The (DOC) is primarily responsible for the transport of their inmates.

**NOTE: Deviations to the time deadlines will be reviewed and can be waived by the Sheriff or Designee.**

**R. Holding Cells:**

1. All inmates will be placed in holding cells before and after their court appearance, unless they are ready for immediate transport.
2. Inmates will be kept restrained in the holding cells.
3. No smoking will be allowed in the holding cells.
4. No visitors will be allowed into the holding cells,
5. No weapons will be allowed into the holding cells. Deputies will secure weapons before entering the holding cells.
6. The holding cell keys will remain in the direct custody of the Division deputies.
7. Adults and juvenile inmates will be kept separate from each other and not permitted to intermingle.
8. Male and female inmates will be kept separate from each other and not allowed to intermingle.
9. The holding cells will be searched by Division deputies prior to placing inmates in them and after the inmates leave.

**S. Courthouse and Courtroom Demands:**

1. All deputies assigned to the Division will act in a courteous manner to all subjects entering the courthouse.

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2. Deputies will not be allowed to give or attempt to give legal advice to anyone.
3. Deputies will not discuss the merits of any legal case presented at the courthouses.
4. Deputies will not discuss any case that is a closed session case with any person.
5. Deputies will not discuss or give any statements to the news media concerning any activity, on-going cases. All news media will be referred to the public information officer.

3. Standardized Field Sobriety Test certification.
4. Breath Alcohol Test Operator certification.
5. Accident Reconstruction
6. Computer literacy

- D. Fatal Team members will submit complete, concise, and accurate reports on all accidents they investigate to the team commander for approval.
- E. All fatal motor vehicle accident reports submitted by team members must have a scale diagram submitted with the report.
- F. All fatal motor vehicle accident scenes will be photographed and videotaped by the investigating team member or another team member who may be assisting the handling deputy. These photographs and videotapes will be submitted as evidence in accordance with Standard Operating Procedure number 2-1.
- G. In the absence of the Fatal Accident Investigation Team Commander, all reports generated by team members will be forwarded to the next highest ranking deputy on the team for approval.
- H. Deputies assigned to the Fatal Accident Investigation Team will have five (5) working days from the date of investigation to submit their report for approval.

**Note: This is the preliminary report which at the very least will include the Uniform Crash Report, scale diagram, copies of all teletypes, Motor Vehicle Division Operator's license or vehicle inquiries and statements of witnesses or parties involved. Follow-up supplements will be submitted in a timely fashion and the investigation will be completed as soon as possible.**

- I. Many fatal motor vehicle accident investigations are quite complicated. Team members should request other team members to assist them with their investigation as they deem necessary.
- J. All team members are on-call to include the team commander. Team members are required to carry a digital pager or cellular phone with them at all times while off-duty. Each member will be on-call for a period of seven (7) days as follows: Monday at 8:00 A.M. to the following Monday at 8:00 A.M. This will be accomplished via a systematic rotation of all team members. The team commander will produce a list, which outlines the on-call status to include dates for the

## S.O.P NUMBER 7-19

### Fatal Accident Investigation Team

#### 1. PURPOSE

The purpose of the Fatal Accident Investigation Team is to investigate all fatal motor vehicle accidents within the County of Santa Fe as reported to this agency.

#### 2. POLICY

The Santa Fe County Sheriff's Office "Fatal Accident Investigation Team" will abide by all New Mexico State Statutes pertaining to the Motor Vehicle Code.

A person holding the rank of Sergeant or above will be in charge of the Fatal Accident Investigation Team. This supervisor will be directly responsible to the Sheriff.

#### 3. GENERAL DUTIES

- A. The Fatal Accident Investigation team is charged with the investigation of all fatal motor vehicle accident reported to the Santa Fe County Sheriff's Office within the confines of the County of Santa Fe.
- B. The Fatal Accident Investigation Team will consist of at least five (5) sworn deputies. The manpower allocated to this team may be changed at the discretion of the Sheriff.
- C. Deputies assigned to the Fatal Accident Investigation Team must have advanced training in the accident investigation field. This training should include but is not limited to:
  1. Advanced Accident Investigation
  2. Speed measurement (radar operator certification)

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Fatal Accident Investigation Team. This list will be provided to the communications Division.

- K. All team members will abide by the Standard Operating Procedures outlined herein. Failure to comply with these procedures may result in the removal of the member from the team.

#### **4. FATAL ACCIDENT INVESTIGATION TEAM CALL-OUT PROCEDURES**

- A. In the event the Patrol Division is dispatched to the scene of a fatal motor vehicle accident or potentially fatal accident, the following procedures will be followed:
  1. The initial responding deputy will contact his/her shift commander and advise them of the need for a Fatal Accident Investigation Team member.
  2. The shift commander will respond to the scene and verify if the team should be called out. He/she will advise the communications center to contact the Fatal Accident Investigation Team Commander who in turn will have dispatch contact the on-call team member.
  3. It will be the responsibility of the Patrol Division to secure the accident scene, (crime scene) until the arrival of the Fatal Accident Investigation Team member. It may also be necessary to assist with scene preservation during the investigation.
  4. Patrol Division members will not request wreckers, Deputy Medical Investigators or any other personnel to be dispatched to the scene without the approval of the team member who is assigned to investigate the accident with the exception of emergency medical assistance( fire or rescue personnel or hazardous material responders.)
  5. A crime scene log will be initiated by the Patrol Division upon their arrival at the scene.
  6. The same degree of care will be observed at the scene of a fatal motor vehicle accident as that afforded to any crime scene such as a homicide.

## **S.O.P NUMBER 7-20 Animal Control Division**

### **1. PURPOSE**

This Standard Operating Procedure establishes the policy concerning the operation of the Santa Fe County Sheriff's Office Animal Control Division. The Animal Control Division will commit to provide a high level of service to the citizens of Santa Fe by humanely enforcing the County of Santa Fe Animal Ordinances as they pertain to domestic animals and the public's health, safety and welfare.

### **2. POLICY**

The Animal Control Division will enforce all County Animal Control ordinances within the County of Santa Fe. The Animal Control Division provides the Sheriff's Office the ability to control and prevent animal related problems in Santa Fe County through public education, a warning/citation system, and the impoundments of domestic animals within the community.

### **3. PROCEDURE**

#### **A. Response to Calls for Service**

Primary duties of the Department's animal control officers include, but are not limited to, the pick-up, transportation, and impoundments of stray dogs and cats, the investigation of animal cruelty and neglect cases, animal bites, responding to reports of injured animals, barking complaints, and animal welfare checks. Animal control officers work seven days a week, including holidays, and are subject to call-outs after hours.

#### **B. Equipment and Training**

All uniforms and equipment issued to animal control officers will be worn in a manner consistent with departmental directives. Any equipment issued to animal services officers shall also be used in accordance with departmental directives.

Animal control officers will receive a minimum of sixteen (16) hours of supplemental training each year. The training will include CPR, First Aid, Defensive Driving, and animal-related courses as applicable.

#### **C. Animal Services Vehicles**

Under the direction of Fleet, animal control officers are assigned an animal control vehicle to

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be used on a daily basis to patrol all areas within the County limits and to transport stray animals to the shelter.

Animal control officers are responsible for the maintenance of animal services vehicles.

1. Each animal control vehicle will be equipped with the following:
  - \* prominent display of department name on exterior of the vehicle
  - \* emergency light bars and an arrow stick
  - \* two-way radios
  - \* spotlight
2. The following equipment will be maintained in each animal control vehicle:
  - \* basic first aid kit
  - \* two blankets
  - \* fire extinguisher
  - \* reflective traffic vest
  - \* flashlight and charger
  - \* hazardous materials manual
  - \* rubber gloves
  - \* leather gloves
  - \* leads and/or leashes
  - \* plastic bags
  - \* muzzles
  - \* catch-all poles
  - \* cat net
  - \* small animal tongs
  - \* transfer cages
  - \* horse halter and lead rope
  - \* shovel
  - \* tire chains
  - \* digital camera
  - \* digital voice recorder
  - \* digital thermometer

A monthly inspection of the animal control vehicle and equipment will be conducted by the animal control supervisor.

#### **D. Chain of Command**

1. Animal Control Division Chain of Command is as follows:

- \* Animal Control Officer
- \* Animal Control Supervisor
- \* Sheriff Administrative Captain
- \* Sheriff Major
- \* Undersheriff
- \* Sheriff

## **4. DUTIES**

### **A. Duties of Animal Control Supervisor**

Duties include, but are not limited to, the following: making and supporting day-to-day decisions concerning Animal Control operations, including providing direction to the Animal Control Division secretary and the Animal Control officers; perform evaluations; review completed paperwork; answer complaints; interview job applicants; provide ongoing training; maintain daily schedule roster; issue and account for all equipment issued to the officers; inspect officers' vehicles and equipment; and act as liaison between Animal Control Division and Magistrate Court and the Santa Fe Animal Shelter and Humane Society.

### **B. Duties of Animal Control Secretary**

Duties include, but are not limited to, the following: responsible for the administrative process and procedures; perform a variety of secretarial work and administrative details; compose, type, and print correspondence, reports, studies, statistics, and other specialized material; assist in editing and design of projects or reports; develop and maintain record management system for office files; receive, respond to and distribute mail; act as receptionist for incoming callers or public visitors; operate and ensure maintenance of office equipment; distribute monies and issue receipts; research and report on special projects; and coordinate activities as directed by Supervisor.

### **C. Duties of Animal Control Officer**

Duties include, but are not limited to, the following: pick up, transport, and impound stray dogs and cats; investigate animal cruelty and neglect cases; investigate animal bites; respond to reports of injured animals; respond to barking complaints; conduct animal welfare checks; and issues citations and/or educates the public on County Animal Ordinances. Animal control

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officers work seven days a week, including holidays, and are subject to call-outs after hours.

#### **D. Procedures for Reporting for Duty**

Animal Control personnel shall report for duty at the time and place required by assignment or order, and shall be physically and mentally fit to perform their duties. Personnel shall be properly equipped so they may immediately assume their duties. Personnel shall not fake illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Sheriff's Office or the County as to the condition of their health. A violation of this policy could result in possible disciplinary action and/or possible termination.

#### **E. Conduct While on Duty**

Animal Control Personnel shall constantly direct their best efforts to accomplish the functions of the Sheriff's Office intelligently and efficiently. Personnel shall not engage in any activity or personal business which may cause them to neglect or be inattentive to duty. A violation of this policy could result in possible disciplinary action and/or possible termination.

#### **F. Responsibilities**

1. The Animal Control Division shall undertake the following responsibilities in providing an Animal Control program for the County of Santa Fe.
  - a. Enforce animal-related County ordinances, provide various field services and administer a general program to reduce animal nuisances and surplus pet population.
  - b. Provide community education and information programs to acquaint citizens with the operation of the Animal Control Division and to secure support for the Division's goals and objectives.

#### **G. Reports**

1. Animal Control officers are responsible for proper completion of all report formats, the use of proper form and the proper filing of these reports. All reports are to be legible, accurate, and contain necessary information.

2. Witnesses should be asked their name, address and phone numbers for day and evening. This information is vital to subpoena witnesses.

## **5. OPERATIONS**

### **A. Animal Rescue**

1. Animal Control Officers must use good judgment when acting to rescue an animal. In general, due to safety and liability concerns, officers will not climb trees or poles to rescue stranded animals, nor will they go onto roofs or into crawl spaces in order to rescue animals. The rescue of animals in heavy traffic should not be attempted without assistance from Deputies to control traffic. The progress of the animal can be monitored and rescue may be attempted as soon as the animal is in a safe position to do so.

### **B. Animals Confined in or upon Motor Vehicles**

1. Animal Control Officers shall respond to a welfare check on an animal in or upon a vehicle, determine if the animal is in immediate danger due to severe heat, lack of food or drink, or other circumstances which could be expected to cause suffering, disability or death.
2. If it is determined an animal is confined in an enclosed vehicle or upon a vehicle and is in immediate danger, Animal Control Officers may breach entry into the vehicle by whatever reasonable means necessary, and without being liable to the owner of the vehicle. The Animal Control Officer may then impound the animal.
3. When removing an animal who is confined in an enclosed vehicle, the Animal Control officer must notify the Animal Control supervisor or on-duty patrol commander and a deputy should be summoned to stand by while the animal is removed. The Animal Control Officer will then post a door notice in or upon the vehicle informing the pet owner of the impoundment.
4. If it is determined the animal is not in immediate danger, the Animal Control Officer may standby for the pet owner to return to the vehicle or may leave a door notice on the vehicle. The Animal Control Officer

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may also follow-up by returning to the vehicle after a period of time to re-check the animal's condition.

### C. Animal Tags

1. All dog owners in the County are required to purchase an animal registration license. The owner must provide proof of any vaccination records and proof of spay/neuter, if applicable, from their veterinarian for each animal. This information will be recorded and input into the Animal Services database.

### D. At Large

1. All canines, running at large, or not confined per this policy and what is outlined in the County Ordinance, shall be picked up by the Animal Control Officer. If possible, the Animal Control Officer shall determine who the owner of the dog is, and/or address of where the dog resides, and transport the dog home rather than impounding it.
2. The Animal Control Officer shall then explain the County ordinances relating to Animal Services and the reason the animal was picked up, to the owner of the animal.
3. When necessary, the Animal Control Officer will issue a citation or a written warning to the owner of the animal.
4. If the address of where the animal resides is determined, the owner is not present and there is no responsible person to take custody of the animal, the Animal Control Officer must post a notice of impoundment, stating where the animal was observed at large and/or impounded, the date, time, and Animal Services officer's name. Once contact is made at a later date with the owner, the Animal Control Division's County ordinances should be explained, as it pertains to the animal owner, along with the impoundment and redemption procedure.

### E. Bites

1. When the Animal Control Officer responds to a report of an animal bite, the Animal Control Officer shall ascertain the need to summon an ambulance. In all cases where the victim requests an ambulance,

the Animal Control Officer will request an ambulance to respond, through the Regional Emergency Communications Center (RECC). If the wound appears to be a minor injury, the Animal Control Officer will recommend to the victim that any wound caused by an animal bite should be cleaned to its greatest depth with soap and water or an appropriate antiseptic to prevent infection. It is the victim's responsibility to then contact their physician to determine if a tetanus shot or other further treatment is needed. The Animal Control Officer should discuss the circumstances of the bite with the victim and assure them a complete investigation will be conducted.

2. In the circumstance where the bite victim is a child, the Animal Control officer should summons a Deputy to the scene when the bite appears serious or severe. The Deputy will then take appropriate action in contacting and identifying the child's parents to advise them of the injury.
3. If the animal was determined by Animal Control to be at large, the Animal Control Officer shall attempt to locate and apprehend the animal as soon as possible. The Animal Control Officer and one secretary Officer will then determine if there are other witnesses to the incident and, if so, obtain statements from them.
4. The Animal Control Officer will then make a determination if the bite was provoked or unprovoked.
5. The Animal Control Officer will then obtain victim's physician information, name of the hospital and/or treatment location information where the victim was treated and verify the identity and/or location of the biting animal.
6. The Animal Control Officer will attempt to contact the owner of the animal. If the owner is not present, the Animal Services Officer shall leave a door notice for the pet owner to contact Animal Services within 24 hours.
7. The Animal Control Officer shall attempt to verify if the animal has current rabies vaccinations. If the animal is current on

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rabies vaccinations, the Animal Control Officer will conduct a property inspection to determine if a home quarantine is acceptable. If it is determined the animal does not have current rabies vaccinations, the animal must be quarantined at the Santa Fe Animal Shelter and Humane Society or a local veterinarian for a period of ten (10) full days and the Animal Control Officer shall transport the animal. During the quarantine period the animal should not be removed from the property. The animal should remain isolated from any contact with other animals or people.

8. In the event the animal is to be surrendered to the Animal Control Division, at the end of the quarantine period, the animal's owner is required to sign a "Surrender of Animal" form provided by the Animal Control Officer and thus remains responsible for all costs incurred during the quarantine period.
9. Should the animal owner desire the animal to be quarantined at a veterinary clinic, the owner must provide the Animal Control Division with the name, address and telephone number of the veterinary clinic.
10. The Animal Control officer will advise the owner that the quarantined animal is not to be vaccinated, sold or destroyed during the ten (10) day quarantine period. The animal owner is to immediately notify Animal Services if the animal becomes sick or dies during the quarantine period. The animal must be picked up by the date given to the owner and all fees incurred are to be the responsibility of the animal owner and will be paid at the time of redemption.
11. The Animal Control officer is to contact the pet owner at the completion of the home quarantine period to determine the health of the animal and will note the outcome in a supplementary report. If the owner of the animal is unknown, the animal will be transported and detained at the Santa Fe Animal Shelter and Humane Society for the duration of the quarantine period.

#### **F. Citations**

1. The Animal Control Officer may issue a citation on a first offense if the officer ob-

served a violation of the ordinance. Details of the Offense should be documented in a report. The Animal Control Officer shall attempt to make immediate contact with the pet owner or responsible party and issue the citation on scene, immediately.

2. In situations where it is not possible to make immediate contact with the pet owner or responsible party, the officer should make a second attempt to contact the pet owner.
3. If contact with the pet owner is still not made, the handling officer may designate another officer to make contact and issue a citation.
4. If contact with the pet owner is not made after three attempts, a Criminal Complaint may be drafted and filed in Santa Fe County Magistrate Court.
5. When a citation is issued to a pet owner or responsible party, the pet owner or responsible party is not required to sign or accept a citation.
  - a. If a citizen refuses to sign the citation, the Animal Control Officer shall explain that he or she cannot be forced to do so, but the citizen is required by law to furnish identification to the Animal Control Officer.
  - b. Once the citizen refuses to furnish identification, the Animal Control Officer is required to obtain as much personal information as possible and mark the citation as "Refused to Sign" where the pet owner's signature should be.
  - c. The Animal Control Officer must then advise the citizen that a copy of the citation will be forwarded to Santa Fe County Magistrate Court for action being pursued against them in violation of the Santa Fe County Ordinance.
6. If the violator continues to refuse to furnish identification or hinders the officer's duties, a Deputy shall be summoned for assistance.

#### **G. Complaints**

1. Complaints are generally called into the Regional Emergency Communications Center (RECC) by citizens. Any active complaints which necessitate any follow up or reports

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by Animal Control Officers, should be done in order of priority. Complaint priority is listed as follows:

- a. Vicious animals posing an immediate threat to the safety of persons or animals
  - b. Injured animals
  - c. Bite reports
  - d. Animals running at large
  - e. Animals in danger from abuse
  - f. Neglected or abandoned animals
  - g. Confined strays
  - h. Barking dog or noisy animal complaints
  - i. Dead animals (unless it poses a traffic hazard)
2. Unusual circumstances may warrant increasing the priority of a complaint. The Animal Services Officer will determine the priority as a basic guide and use common sense and good judgment when making a decision to deviate from the priority list.

#### **H. Deceased Animals**

1. The Animal Control Division is responsible for picking up dead animals within the County jurisdiction. If the animal is wearing identification, every attempt should be made to contact the animal owner.
2. The Animal Control Officer shall contain the animal in a bag deemed appropriate for disposal. The Animal Control Officer shall label the bag the animal is contained in along with the animal's property (i.e. collars, tags, etc.), in an attempt to return the animal's belongings to the owner.
3. A description of the animal should be recorded on the deceased animal log. All deceased animals are to be placed in the designated freezer at the Santa Fe Animal Shelter and Humane Society on a daily basis.
4. The Animal Control officers shall not pick up deceased animals from a pet owner's home or private property. It is the pet owner's responsibility to arrange for disposal of their deceased animal.

#### **I. Door Notices**

A door notice should be issued and placed at the pet owner's residence, in a conspicuous place, when a complaint or violation has occurred and the Animal Control Officer is unable to contact anyone at the residence. A door notice is used to notify the pet owner of a complaint, violation, or impoundment of their animal. The officer's copy of the door notice is to be submitted daily with the officer's reports.

#### **J. Emergency Call Out**

1. Animal Control officers are assigned to be on-call. A mandatory on-call schedule will be posted at the Animal Control Office, in which each officer is placed on-call for one week at a time. There shall be a reasonable response time for call outs and the Officer's response shall be as soon as possible and within one hour. Emergencies requiring a call out of an Animal Services officer include, but are not limited to:
  - a. Injured animals
  - b. Animals posing an immediate threat to public safety
  - c. Animal bites
  - d. Protective custody cases
  - e. Bat inside a residence due to risk of rabies exposure
  - f. Snakes inside a residence
2. Calls for Service, *NOT* considered an emergency warranting a call out:
  - a. Unrestrained animals
  - b. Dead animals
  - c. Barking dogs
  - d. Injured animals with owner present
  - e. Welfare checks

#### **K. First Offenders of a Non-Dangerous Nature**

1. Non-dangerous nature includes: violation of ordinances other than dangerous animal, dog fighting, intentional animal cruelty, other violation that pose definite risk to the life or safety of another animal or person, and bite cases.
2. A First offense, for purposes of these enforcement guidelines, shall mean: the first instance known by or reported to the Ani-

mal Control officer concerning a particular individual/animal involved or allegedly involved in a violation of an ordinance.

3. The Animal Control officer should conduct the first offense as establishing a basis for all future Animal Services contacts with that person. The first offense incident provides the Animal Control officer the opportunity to educate the person, to inform the person of the local ordinances and the reason for enforcing them.
4. Any interaction with the pet owner should be considered as an opportunity in possibly preventing future incidents before they occur.
5. The Animal Control officer may choose to issue a warning or a citation at a first offense contact encounter. The Animal Control Officer shall document a first offense contact encounter in the form of an incident report.

#### **L. Impounding Animals**

1. It is the Animal Control Division's policy under the Sheriff's Office that, if possible, animals be returned home rather than be impounded.
2. If an animal is impounded it shall be transported by the Animal Control Officer to the Santa Fe Animal Shelter and Humane Society and be placed into an intake kennel. An impound card shall be completed and placed on the outside of the kennel. If the animal has tags, the Animal Control officer shall make an attempt to contact the pet owner.
3. If contact is made with the pet owner, the Animal Control officer shall document contact on the impound card stating so. If contact is not made with the pet owner, the Santa Fe Animal Shelter and Humane Society staff will assume custody of the animal and continue to attempt to make contact with the pet owner.

4. If an animal is impounded by the Animal Control Officer, and *does not* have a County of Santa Fe animal registration license, the animal shall be detained at the Santa Fe Animal Shelter and Humane Society for a period of five (5) days where the owner

must claim it. If the pet owner does not claim the animal at the end of this time period the animal becomes the property of the Santa Fe Animal Shelter and Humane Society.

5. If an animal is impounded by the Animal Control Officer and *does* have a County of Santa Fe animal registration license the animal shall be detained for a period of seven (7) days. If the pet owner does not claim the animal at the end of this time period the animal becomes the property of the Santa Fe Animal Shelter and Humane Society.

#### **M. Inadequate/Inhumane Conditions**

1. Upon observing an animal that appears to be without an adequate amount of water, food, or shelter or an animal which appears to be suffering and in need of veterinary care, the Animal Control Officer shall attempt to contact the pet owner or custodian of the animal and explain the inadequate conditions, in a manner that suggests assistance. In a matter of inadequate or inhumane conditions, the Animal Services Office has a main objective to have the problem corrected as soon as possible.
2. Once the conditions are discussed with the pet owner or custodian, the Animal Control Officer shall issue a written warning or citation, outlining the points discussed and record the time period agreed upon for correction of the situation.
3. The Animal Control Officer shall perform a follow-up inspection to ensure the situation is corrected and remains adequate and humane, and shall document the changes on a supplemental incident report. If the pet owner has not made attempts to improve the living situation, or correct the living conditions of the animal, or if the situation has not been entirely corrected, the Animal Control Officer shall determine whether a second written warning or second citation should be issued. The Animal Control officer shall document such activity in a supplemental incident report.

4. If the Animal Control Officer is unable to locate the owner or custodian, he or she must initiate an attempt to temporarily cor-

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rect the problem, by: filling the empty water bowl or untangling the chain/rope.

5. If the animal's life is not in immediate danger, the Animal Control Officer shall place a door notice in a conspicuous place, listing the date, time and explanation of any violations and/or observations. The Animal Control Officer shall also document instructions for the pet owner/custodian to contact the Animal Control Division within 24 hours.
6. If the pet owner/custodian contacts the Animal Control Division within the 24 hour period, the pet owner's name, address, phone number, and date of birth must be obtained by the Animal Control Officer, or any member of the Division.
7. The Animal Control Officer will then contact the pet owner to explain the situation and notify the owner of any violations. The Animal Control Officer shall then establish a time period in which the situation shall be corrected and issue a written warning or citation. The Animal Control Officer shall then follow-up with the pet owner to ensure he/she has complied.
8. If the animal's life appears to be in immediate danger, and you are unable to the Animal Control Officer is unable to make contact with the pet owner/custodian or other person responsible party for the animal, the Animal Control Officer must do what is necessary and within the law to save the animal.
9. Points to consider when observing what appear to be inadequate/inhumane conditions are:
  - a. No water – The Animal Control Officer must consider the possibility the animal was given water at other times during the day/night sufficient to the animal's needs. Because water is not available at the time(s) the Animal Control Officer is present does not necessarily mean the animal is always without water or the animal does not receive sufficient water.
  - b. Shelter – The Animal Control Officer must consider, if the animal is observed outside with no shelter or inadequate

shelter, he/she must gain information and corroborating testimony from neighbors in the area who have consistently observed the animal is most often without shelter and mostly during times where inclement weather is present. The Animal Control Officer shall gain information confirming the animal is either housed indoors at times or is always outside and without shelter. If the dog is considered an indoor dog and is only outdoors when an owner/custodian is present, shelter is not necessary.

- c. Food – The Animal Control Officer must consider the possibility the animal was given food at other times during the day/night sufficient to the animal's needs. Because food is not visible at the time(s) the Animal Control Officer is present does not necessarily mean the animal has not been fed. If the animal appears to be noticeably thin to a point of starvation, the issue can be discussed with the owner/custodian at the time the Animal Control Officer makes contact.
  - d. Starvation – The Animal Control Officer must consider, if he/she observes an animal appears to be thin does not necessarily mean the animal is not fed an adequate diet. The Animal Control Officer must consider the possibility of the physical thin structure of the animal could be due to old age, parasites or an illness currently being treated by a veterinarian.
10. When an Animal Control Officer is assigned to investigate an alleged inadequate/inhumane conditions case, it is important to closely observe each individual situation to the fullest. The Animal Control Officer will investigate, obtain statements from neighbors, witnesses, and the owner and document his or her findings in an incident report. The Animal Control Officer must confirm the owner/custodian has had custody of the animal for the entire period of time in question or prior to the animal reaching the present condition.
  11. When an Animal Control Officer is assigned to investigate an alleged inadequate/

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inhumane conditions case the Officer must consider the initial approach to the owner/custodian is viable to the case. The Animal Control Officer should approach in a concerning and caring manner, in order to obtain a good rapport with the owner/custodian. The purpose of this tactic is to gain cooperation from the owner/custodian in an attempt to correct the animal's situation. Before the Animal Control Officer removes the animal from the premises of the owner or from private property for inadequate/inhumane conditions, the officer must be certain of the situation is considered life threatening for the animal, make all reasonable attempts to contact the owner/custodian, and determine if the removal of the animal requires a warrant.

#### **N. Injured Animals**

1. All reports of injured animal calls should be considered a priority call. When Animal Control Officers respond to injury calls, Animal Control vehicles will be operated in accordance with all prevailing traffic regulations.
2. When Animal Control responds to animals injured on roadways, the Animal Control officer's primary concern is personal safety followed by that of the animal. Vehicle warning lights and flashers should be used as necessary. Animal Control Officers must wear their department issued safety vests where hazard exists.
3. In the presence of a pet owner, on scene it is their responsibility to provide necessary veterinary treatment. Any medical treatment arrangements with a veterinarian must be initiated by the pet owner.
4. In the event the pet owner is not present or is unavailable, the Animal Control officer must determine if the animal requires immediate medical attention. Any animals showing visible signs of severe pain, uncontrolled bleeding, respiratory distress, shock, severe fractures or wounds, should be transported to a veterinarian by the Animal Control Officer.
5. During normal working hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., the

Animal Control Officer on duty shall transport the injured animal to the Santa Fe Animal Shelter and Humane Society for the staff veterinarian to examine. After hours and on weekends, the Animal Control Officer on duty shall transport the animal to the Emergency Veterinary Clinic.

6. Animal Control shall determine if the injured animal has sustained minor injuries or wounds and shall transport the injured animal for impound to the Santa Fe Animal Shelter and Humane Society. The Animal Control Officer shall notify the Shelter staff immediately of the animal's injuries and the injuries should be documented on the impound card. If the Animal Control Officer is able to identify the owner of an injured animal, an immediate effort should be made to contact them.
7. If the responding Animal Control Officer is alone or the injured animal appears to be uncooperative or vicious, the Animal Control Officer shall approach the animal with due caution and attempt to muzzle the animal. Where the animal appears to be unconscious, having trouble breathing, or has an injured mouth the Animal Control Officer shall not attempt to put a muzzle on the animal's snout.
8. If the injured animal is observed standing up but refuses a muzzle, the Animal Control Officer must attempt to secure the animal against a fixed object in an attempt to secure the animal's head while placing a muzzle on the animal's snout area.

#### **O. Kennels and Transfer Cages**

Animal Control staff must clean each animal kennel and transfer cages after each use. Cleaning the kennels consists of disinfecting and rinsing in an attempt to help prevent infection or the spread of disease. The Animal Control officer is responsible for keeping all equipment clean and tidy at all times.

#### **P. Lost and Found**

Photos of any animals that are impounded by the Animal Control Officer with or without tags or other owner identification will be posted on the Santa Fe Animal Shelter and Humane Society website ([www.sfhumanesociety.org](http://www.sfhumanesociety.org)) as Lost and

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Found. These animals will be detained on the site for no fewer than five (5) days. Citizens/pet owners may report a lost or found animal to the Santa Fe Animal Shelter and Humane Society. It is ultimately the pet owner's responsibility to contact the Animal Shelter in an attempt to locate their lost pet.

#### **Q. Miscellaneous Circumstances**

A miscellaneous circumstance will occasionally occur. In the event of a miscellaneous or unusual circumstance, the Animal Control Officer shall use his or her discretion as how to handle the situation. Decisions will be made on a case by case basis. The Animal Control officer should always abide by his or her training, policy and ordinances in an effort to assist him/her in decision making.

#### **R. Restraint of Animals**

1. Animal Control Officers shall respond to restraint violations as observed through citizen complaints and through general patrol. If the Animal Control Officer observes an animal at large and in violation of the restraint law the Animal Control Officer shall issue a written warning or citation. The restraint violation applies when the Animal Control Officer observes the animal is not contained within a fully enclosed or fenced area from which the animal cannot escape (invisible fencing included), or on a leash or tether constructed of sufficient strength to restrain the animal inside the yard or premises of the owner, or is securely fastened to a leash not more than eight (8) feet in length and constructed of sufficient strength to control the dog or cat, and where such leash is securely held by a person capable of controlling the dog or cat.
2. Animal Control, shall, when possible, unrestrained dogs should be returned to their owners and the owner shall be warned or cited for the violation by the Animal Control Officer. In cases where it is not possible to return the animal home, the Animal Control Officer shall impound the animal and document the incident in a report.

#### **S. Right of Entry**

1. Animal Control officers, who are operating in the performance of their duties, may

enter upon private property for the purpose of apprehending stray animals and animals observed running at large.

2. The Animal Control Officer shall not breach entry into any dwelling or residence located on private property.

#### **T. Vehicle**

The Animal Control officer will be issued a County owned vehicle to operate on a daily basis, and to drive to and from work, to and from training classes, and during emergency call-outs only. The officer is responsible for scheduling routine maintenance and reporting any operating concerns to the County Fleet Department. Animal Control vehicles shall be washed weekly unless inclement weather does not permit it. The Animal Control supervisor will conduct monthly inspections of the vehicles to ensure all operating equipment is present and in good working condition.

#### **U. Wild Animal Bites**

When a wild animal bite is reported, the Animal Control officer will make contact with the victim and obtain as much information as possible. The Animal Control Officer shall attempt to capture the animal and report it to the State Health Department for them to determine if the animal requires tests for rabies. The Animal Control Officer shall encourage the victim to seek medical attention immediately. If the animal is transported and tested positive for rabies, the Animal Control Officer must notify the victim of the results as soon as possible.

### **S.O.P NUMBER 8-1**

#### **Pre-Assignment Of Deputy Cadets**

##### **1. POLICY**

This Standard Operating Procedure will outline the policy for Deputy Cadets and their training program prior to being assigned to a shift with a Field Training Officer.

##### **2. PURPOSE**

To prepare Deputy Cadets for their assignment to a scheduled shift, by making cadets aware of what will be expected by their Field Training Officers.

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### 3. PROCEDURE

- A. All newly recruited Deputy Cadets will be required to attend an eighty (80) hour in-service training program prior to being assigned to a scheduled shift with a Field Training Officer.
- B. Training will be provided to all new Deputy Cadets in order to familiarize them with the Sheriff's Office's Standard Operating Procedures, their responsibility and completion of necessary paperwork (Office forms) and chain of command. Additional training will be provided to Deputy Cadets in order for them to obtain certification in the following areas:
  - 1. Firearms qualification
  - 2. CPR
  - 3. Expandable Baton
  - 4. Taser Certification
  - 5. Defensive Driving
  - 6. MDT Training
  - 7. Flying Armed Class
  - 8. OC Certification
  - 9. Defensive Tactics/Use of Force
  - 10. Hate Crimes
  - 11. Domestic Violence
  - 12. Ensuring Child Safety Upon Arrest
  - 13. Review of Department S.O.P.'s

*To include any additional training which may be required by the Planning and Training Division.*

- C. The Santa Fe County Sheriff's Office Community Support Services Division will be responsible to ensure all Deputy Cadets receive the above mentioned training.
- D. Certified Deputies who are hired by this Office from another agency (lateral hires) will also be required to attend a in service training.

### S.O.P NUMBER 8-2

#### Field Training Officer Program

### 1. POLICY

This Standard Operating Procedure will outline the procedures and responsibilities for the Santa Fe County Sheriff's Office Field Training Officer (FTO) Program.

### 2. PURPOSE

To establish a standardized method of organization and training that will ensure all Field Training Officers' duties to provide adequate training to newly assigned deputy cadets and this program's goals and objectives.

### 3. PROGRAM GOAL AND OBJECTIVES

The goals and objectives of the Field Training Officer Program are to produce a Deputy Sheriff capable of working in a solo capacity in a safe, courteous, effective and responsible manner. This will be accomplished through a comprehensive program designed to meet the Office goals and objectives.

### 4. ORGANIZATION OF PROGRAM

#### A. Coordinator

The Field Training Officer Program will be headed by a program coordinator. Assignment to said position will be at the discretion of the Sheriff. The coordinator shall be a ranking commander within the Office's organizational structure.

#### B. Field Training Officer Committee

The purpose is to provide a central board to monitor the FTO program and provide recommendations to the commander of field operations. It will consist of the Office's training officer who will act as chairman and a direct representative of the Sheriff and three Office commanders.

#### C. Field Training Officer(s)

The FTO provides on-going instruction utilizing personal and practical techniques in line with the Office's Standard Operating Procedures to produce a Deputy Sheriff who can perform his/her duties in a skillful, productive and professional manner.

### 5. RESPONSIBILITIES OF COORDINATOR

The coordinator will perform his/her normal duties and will be responsible for the over-seeing of the program's goals and objectives by coordination of the FTO team and other members of the Santa Fe County Sheriff's Office and along with the control and monitoring of all FTO's and Deputy cadets assigned to the program.

- 1. The coordinator will be responsible for as-

signing Deputy Cadets to Field Training Officers.

2. The coordinator will be responsible for liaison between the program's committee board and the Office's training officer. The coordinator will ensure Standard Operating Procedures are followed in accordance with guidelines set forth in the FTO manual.
3. The coordinator will be responsible for forwarding daily evaluations of the Deputy cadets to the Office's training officer on a weekly basis, ensuring the evaluations have been properly filled out and training deficiencies are documented.
4. The coordinator will be responsible for providing a way to improve a Deputy cadet's substandard performance to an acceptable level. This can be accomplished by one of the following means:
  - a. Training by the FTO
  - b. Training by the programs coordinator.
  - c. Remedial training by the Office's training officer.
  - d. Any other approved training necessary.
5. The coordinator will be responsible for monitoring the performance of FTO's and take necessary steps to ensure their continued competence to perform as such.
6. The coordinator will be responsible for advising the commander of field operations and the Deputy cadet's chain of command on problems involving the discipline of the Deputy cadets and to take the appropriate measure to resolve those matters.
7. The coordinator will be responsible for maintaining a Deputy cadet folder for all deputy cadets commanded under the FTO program. The folder will include a copy of their daily evaluations. This folder will be forwarded to the commander of field operations at the end of each four (4) week phase period for review of the cadet's performance.
8. The coordinator will serve as an FTO cadet member.
9. The coordinator will be responsible for reading and signing all cadet's evaluations.

10. The coordinator will be responsible for assigning a cadet to another FTO or supervisor in case of an absence by the regularly assigned FTO.

11. The coordinator will be responsible for monitoring the cadets while they are training in their assigned areas by documenting their activity through daily evaluations and conversations with the training officer and his immediate supervisor.

## **6. RESPONSIBILITIES OF THE FTO COMMITTEE**

- A. The FTO Committee will monitor the FTO Program.
- B. The FTO Committee will be responsible for constant evaluation of the FTO's and decisions on whether or not they should remain FTO's.
- C. The FTO Committee will be responsible for continuing the evaluation of deputy cadets to determine the need for extension, early release or termination.
- D. The FTO Committee's recommendation will be presented to the commander of field operations and the Sheriff for their final evaluation.
- E. The FTO Committee will review recommendations of termination after such recommendations have gone through the program coordinator.
- F. All training records kept on a deputy cadet will be provided to the committee whenever a review of a cadet's training is necessary.
- G. The committee will discuss changes that may arise in the program and make recommendations to the Sheriff and commander of field operations for their review and final approval.
- H. The committee will be responsible for the selection and interviewing of prospective FTO's.

## **7. RESPONSIBILITIES OF THE FIELD TRAINING OFFICER**

- A. The FTO's action in teaching a Deputy cadet often results in the utmost critical part of the Deputy cadet's career. When an FTO does not understand the law, uses bad judgment or acts bad faith, the FTO represents an injustice to the program. Having been selected as a Field Training Officer, commends the utmost dedication. Only by open communication with the field training team, a good understanding of the Office goals

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and an eagerness to teach, will display the FTO's part of the training process to be successful. The FTO's will not only be responsible for this duty, but will perform his/her normal assigned duties as well.

1. FTO's will be responsible for evaluating a deputy cadet on a daily basis with the daily evaluation form which is provided. FTO's will show and discuss the evaluation with the deputy cadet daily so the cadet can further develop his/her strengths and correct weaknesses.
2. FTO's will be responsible for keeping a daily field notebook containing documentation of a Deputy cadet's progress. These notes will be attached to the weekly evaluation report.
3. The FTO's will be responsible for completing a four-week training report at the end of each training phase that has been assigned to him/her.
4. The FTO will then forward these evaluations to his/her shift commander for the commanders review, comments and signature. The FTO will then forward this evaluation to the program coordinator for review, comments and signature.
5. The FTO will be responsible for observing any training problems or deficiencies the cadet might have encountered while being assigned to the FTO program. The FTO will make every effort to assist in improving areas he/she feels are substandard for the cadet.
6. The FTO will be responsible for bringing to the attention of the coordinator, any problems in relation to the cadet's performance.
7. The FTO will document all problems concerning the Deputy cadet's performance by means of evaluations and other pertinent facts, documents or paperwork. All documentation will be forwarded to the FTO coordinator, as is the daily evaluation.
8. The FTO's personal and professional appearance and conduct should be beyond reproach. He/she must recognize the need for possessing a higher sense of idealism than may be found in the Office. The FTO must

understand the need for quality personnel and their affect on the image, effectiveness and further development of the Office.

9. The FTO will be responsible for explaining and demonstrating the practical applications of the New Mexico State Statutes, The New Mexico Traffic Code and the Standard Operating Procedures of the Santa Fe County Sheriff's Office to personnel assigned to them.
10. The FTO will be responsible for performing the duties of a patrol deputy along with any other duties necessary or assigned.

## **8. FTO QUALIFICATIONS**

- A. Presently assigned to the patrol division or on approval by the Sheriff, transferring from other divisions.
- B. Minimum of two (2) years of experience as a sworn Deputy.
- C. Formal recommendation by two supervisors. One must be from his/her current supervisor.
- D. Satisfactory evaluations for the past twelve months.
- E. Successfully complete an approved Field Training Officer course.
- F. Successfully pass the Field Training Officer selection committee process.
- G. The application for the FTO program must be in the form of an Official memo submitted by any applicant meeting the above listed qualifications.

## **9. FTO SELECTION PROCESS**

- A. The prospective applicants applying for the position of coordinator or FTO must submit a memo to the Committee board explaining their interest and desire to become a participant in the program. Applicants meeting the qualifications of FTO will be contacted and interviewed for the position desired if any vacancies exist.
- B. Each applicant is interviewed for approximately twenty to thirty minutes and asked questions to determine his/her suitability for the position of FTO coordinator or FTO.
- C. The applicant's interests and desires are examined as is his/her educational background, maturity, teaching skills, law enforcement experience



rience and his/her interpersonal relationships. The attempt is made to establish his/her ability to train on a one-on-one basis and to determine whether or not he/she is capable of establishing the kind of rapport necessary for a successful teaching-learning process.

- D. The committee board will evaluate the applicant's motivation, self expression, training experience, requisite knowledge, personality as it pertains to training a cadet, physical appearance and his/her pristine effectiveness in the Field Training Program.
- E. In addition to the interview process, each applicant's current and former supervisors are interviewed regarding his/her performance in field activities. The applicant's personnel file and any file associated with an internal investigation is also reviewed. This, along with other information pertinent to the FTO's background is studied before a decision for selection to the FTO Program is made.
- F. The recommendations of the committee board are normally followed, although the coordinator of the program has the prerogative to override the decision of the board for just cause. Said cause might, for example, be based on his/her perception of excessive complaints in internal investigations.
- G. Finally, applicants not selected for the program are encouraged to seek a private interview with the programs coordinator to learn why they were not selected and what they might do to ensure a more favorable consideration in the future. Unsuccessful applicants are encouraged to resubmit applications as future openings in the program occur.

## S.O.P NUMBER 8-3 Alarm Response

### 1. POLICY

Alarms are a means of notifying the local law enforcement agency that a robbery or burglary is in progress when the use of a telephone is impractical or impossible. Deputies shall exercise sound judgment and proceed with extreme caution when answering any type of alarm call. Despite the large number of false alarms, no Deputy can afford to assume an alarm is false and turns out to be real.

### 2. PURPOSE

To establish a plan of action to be taken in response to activated alarms.

### 3. PROCEDURES

#### A. Activated alarms:

Dispatching/response/ notification:

1. When a silent alarm signal is received, a minimum of two (2) deputies shall be dispatched (one closest to the scene and a backup) immediately to the alarm location. Other available units will proceed to the area if they are available and will standby maintaining radio silence, unless another emergency exists.
2. If units are dispatched to a bank alarm located a considerable distance away, the siren and emergency lights may be used, but the siren should be disabled within hearing distance from the location of the alarm.
3. The dispatcher shall immediately begin and maintain telephone contact with the business or home until the responding deputy advises the dispatcher over the telephone that the alarm was false. Dispatchers shall telephone businesses only during working hours. This requirement only applies when someone in fact answers the telephone.
4. If the telephone call goes unanswered, responding units will be so advised.

#### B. Bank alarms:

1. Before arrival, responding units shall, by dispatcher assignment or prearranged agreement, know which unit will cover the front and which unit will cover the rear of the building.
2. Units shall attempt to arrive simultaneously and position themselves at opposite corners of the building, but not in front of entrances or windows, if possible. Suspects leaving the building should not be able to see Sheriff vehicles.
3. Deputies shall approach entrances with caution using any available cover to their best advantage, but shall not enter the building.
4. A bank officer should appear outside with the proper identification. Deputies shall not approach the bank officer; the bank officer shall approach the deputies.



5. If no bank officer approaches in a reasonable amount of time and the dispatcher has telephone contact with any employee within the bank, the deputies shall consider the alarm to be a robbery in progress. In this event, all responding Deputies and commanders must maintain a safe position, advise the dispatcher, and **ALWAYS KEEP RADIO CONTACT.....**
6. If the deputy determines the alarm is false:
  - a. Only one deputy shall enter the bank and the backup deputy will standby maintaining radio contact with dispatch.
  - b. The deputy entering the bank must be satisfied that no robbery is taking place. Deputies shall not rely solely on the teller or bank official's claims of the alarm being false.

**C. Business alarms:**

1. All possible exit areas should be covered.
2. If the business is closed, the owner or other responsible person on the alarm company's call list shall be notified.
3. A business, showing no physical signs of a break-in, shall be entered into only after the owner or responsible person has arrived. Deputies shall conduct a complete, thorough search of the premises.
4. Deputies at the scene knowing a break-in has taken place and the perpetrator is still inside the building shall take the appropriate actions necessary to apprehend the suspect(s).

**D. Residential alarms:**

1. Deputies shall try to contact the owner or responsible party left in charge of the residence prior to entering the home if an open door is found.
2. Deputies shall check for suspicious persons or vehicles.
3. Unescorted entry shall only be made if a suspect is still on the premises. **CALL FOR A BACK-UP UNIT....**

**E. Robbery/burglary:**

1. If a robbery or burglary has taken place and dispatch has the victim or repartee on the

telephone, they shall obtain any available information about the suspect's description, mode and direction of travel, and shall advise the business or home to keep everyone out except Sheriff personnel.

2. Deputies shall proceed with caution in the event the suspects are nearby.
3. Secure the crime scene and all physical evidence. Advise the Shift Commander of the situation. The commander will determine if investigation personnel should be called to the scene for investigation.

**F. False alarms:**

1. If responding deputies determine the situation to be a false alarm, they shall advise the dispatcher by telephone or radio.
2. The Sheriff or his/her designee shall confer with local businesses showing repeated false alarms in order to curb the problem.

**S.O.P NUMBER 8-4  
Bomb Threats**

**1. PURPOSE**

The purpose of this section is to establish the Standard Operating Procedures of the Santa Fe County Sheriff's Office with reference to uniform conduct by deputies and civilian personnel in cases regarding bomb threats.

**2. PROCEDURES**

**A. Bomb Threat Notification:**

1. The Santa Fe County Sheriff's Office will be in charge of all phases of these operations.
2. The Santa Fe County Fire Office will respond to any bomb threat which might result in fire, or if requested to respond by the deputy in charge.
3. When a bomb threat notification is received by Office personnel, an attempt will be made to obtain the following information:
  - a. Time the bomb is set to go off.
  - b. The location of the bomb.
  - c. Type and description of the bomb.
  - d. Name of the caller.

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- e. Any other information such as, caller's sex, age, accent, and any discernable background noise.
- 4. Office personnel receiving any type of bomb threat notification will record the time the call was received, the time the call was terminated, and notify the communications supervisor.
- 5. Upon dispatching units to the scene, the dispatcher will notify the on-duty shift commander.
- 6. The on-duty shift commander will notify the communications supervisor if the Santa Fe County Fire Office is required.
- 7. Due to the possibility of setting off an electronically triggered device, when advising the communications center of arrival at the scene of the reported bomb threat, this must be performed at least 3 blocks away from the scene. After arrival, should the deputy need to communicate, use only a telephone within the area which has already been searched.
- 8. Upon arrival to the scene, the dispatched deputy will immediately contact the civilian in authority or in control of the area or building to determine if they want the area evacuated.
  - a. The civilian in position of authority has the right to make this determination, and the Sheriff's Office will comply with his/her decision.
  - b. If the civilian in position of authority refuses to evacuate the area, every effort should be made to obtain the refusal in writing or by having witness deputies present when the civilian makes the verbal refusal.
  - c. In the event a bomb or device is located, the decision to evacuate the area reverts back to the Sheriff's Office as a matter of public safety.

**B. Search of Area Procedures After a Bomb Threat is Received:**

- 1. The decision to search a public building or area will be the responsibility of the deputy in charge as a matter of public safety. Permission from the homeowner or respon-

sible party is required to search a private residence.

- 2. The search team(s) shall be compiled of Patrol Personnel. The deputy in charge of directing the search shall be designated search leader.
  - a. The search leader shall assign personnel to specific teams and assign specific areas to be searched.
  - b. The search leader shall maintain a checklist of the areas to be searched, a record of the personnel assigned to those areas, and a current progress report of the search.
  - c. The search leader shall solicit the aid of the maintenance personnel and building engineers to assist in the search. In searching a building, the assistance of custodial personnel is required in order to familiarize the searchers with the physical layout of the building, to provide access to locked areas, to operate building facilities, and to identify objects foreign to the premises.
- 3. A systematic search pattern shall be formulated as suggested by the floor plan of the building or characteristics of the area:
  - a. The first search should be cursory and should be directed toward easily accessible areas such as hallways, restrooms, entry ways, and the exterior of the building.
  - b. If a detonation time has been provided, all teams assigned to the search shall be out of the building or area at least one half hour prior to the time indicated. In the event a detonation does not occur, they shall not return to the building until at least one half hour after the stated detonation time.
  - c. Depending on the information, there may not be enough time for a search. This will be the decision of the deputy in charge and the civilian in charge.
- 4. During the search of any structure, residence, or commercial building:
  - a. If a light is turned on upon entering, leave the light on until after the search

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is made and it has been determined there is no device in the room.

- b. Should the complete structure be not lighted upon arrival, **DO NOT** turn on any lights; use either a hand-carried battery powered lantern or flashlight to search a large area in the dark, notify the Santa Fe County Fire Office in order to obtain lighting from them may be utilized.
5. If a bomb or device is not located, the deputy in charge will:
  - a. Notify the civilian in charge of the building or area of the results of the search and advise him/her it will be his/her responsibility to declare the building or area safe. The Sheriff's Office cannot assume this responsibility.
  - b. Notify the communications supervisor and have all deputies at the scene return to service.
6. If a bomb or device is located:
  - a. The deputy in charge will:
    1. Notify the communications supervisor that a device has been located and they in turn will notify the Santa Fe City Police Office Bomb Recovery Team.
    2. Evacuate and seal the entire area.
  - b. **NO ONE WILL TOUCH OR DISTURB A DEVICE REGARDLESS OF HOW INNOCENT OR HARMLESS IT MAY APPEAR!!!!!!!**
    1. There is no designated appearance for a bomb.
    2. Bombs may be armed with an anti-disturbance device so that it will detonate if moved or touched.
    3. A bomb may have two fuses. A Bomb with electric blasting caps may have a secondary source.
    4. A partially burned time fuse may be obvious so that it will be assumed the bomb is not dangerous; however, it may contain a hidden anti-disturbance device or time device.

5. **DO NOT TAKE ANYTHING FOR GRANTED. IF YOU DO NOT KNOW, DO NOT ACT!!!!!!!**
  - c. The minimum area perimeter that should be established and sealed is 300 feet from the device or building where the device is located in - this includes all civilian and Sheriff personnel.
  - d. Upon locating a suspected bomb, the commander in charge will notify the Santa Fe City Police Office or the New Mexico State Police Office and ask for the assistance of their Bomb Recovery Team. Our agency does not have the equipment necessary to manage this type emergency.
7. Dispatch of Bomb Technician:
  - a. After the bomb technician's arrival, he/she will assume tactical responsibility for the safe removal or deactivation of the device and Official personnel.
  - b. The Sheriff's Office will continue to secure the area perimeter until the bomb team leader no longer requires the Sheriff's Office assistance. The Sheriff's Deputy in charge will assure a written report is documented and submitted regarding the Office's involvement in the case.

## **S.O.P NUMBER 8-5**

### **Distribution Of Office Special Orders**

#### **1. PURPOSE**

To establish a policy for the distribution of Office Special Orders.

#### **2. POLICY**

To create uniformity in the distribution of Office Special Orders and to afford the widest distribution of information to all Office members.

#### **3. DISTRIBUTION**

Each Special Order will be numbered by sequence and distributed electronically to each employee of the Sheriff's Office, via email, by the Sheriff's Executive Assistant or Secretary. Each Special Order will

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then be saved to the Sheriff's "Y" Drive network as backup and for additional access. A hard copy of all special orders will be placed in the Special Orders file for review during each briefing. By order of the Sheriff, additional copies will be routed to specific units, individuals, or other agencies, if necessary.

**NOTE:** Only the Sheriff, Undersheriff, Major, or the Captain may approve any item for placement into the Office Special Orders.

## **S.O.P NUMBER 8-6 Hospital And Ambulance Procedures**

### **1. POLICY**

- A. Members and employees of the Santa Fe County Sheriff's Office will cooperate and assist in obtaining emergency medical assistance for any person in need of such care.
- B. Generally, any person requiring immediate medical care will be transported via ambulance service to the hospital emergency room preferred by the patient, or if the patient is incapable of stating a preference, then the patient shall be transported via ambulance to the nearest hospital emergency room providing the necessary services.
- C. In all cases where death is suspected, the victim will be transported to the nearest hospital emergency room immediately, unless death is apparent beyond all reasonable doubts.
- D. Members of the Sheriff's Office will normally render aid to the victim of an injury or illness only to the degree of care necessary, and within the member's abilities, to sustain life, prevent or control of shock, and to prevent further harm.
- E. The following procedures are obligatory for all members of the Santa Fe County Sheriff's Office in the performance of their official duties. Statements concerning actions of ambulance services and hospitals are advisory only and are not intended to dictate policy or practices to those agencies.

### **2. PROCEDURE**

- A. Any deputy encountering a need for ambulance and/or Fire Office Rescue Services shall request such services through the Regional Emergency Communications Center.

- B. Pending the arrival of the rescue unit or ambulance service, deputies shall render only the aid reasonably necessary, and within the deputy's abilities; in an attempt to sustain life, prevent or control shock, and to prevent further harm. Deputies will not dress wounds, apply splints, or take other action that could be considered medical care unless:

- 1. Such action is necessary to prevent loss of life, and
- 2. Ambulance or rescue unit service is not immediately available.

## **S.O.P NUMBER 8-7 Transporting Of Prisoners/Extraditions**

### **1. POLICY**

- A. It will be the policy of the Santa Fe County Sheriff's Office to take every safety precaution when transporting prisoners in Sheriff Office vehicles for any reason.
- B. The deputy has a solemn obligation and responsibility in the assurance of safety to themselves and any individual placed in his or her custody.

### **2. PURPOSE**

- A. To ensure the maximum amount of protection for the safety of the deputy, of the prisoners, and of the Office equipment when transporting prisoners.
- B. To minimize the possibility of attempted escape or injury to anyone which might lead to allegations of negligence or abuse.

### **3. PROCEDURE**

- A. The following procedures will be adhered to in prisoner transportation using Sheriff Office vehicles which are not equipped with security screens:
  - 1. Thorough Search of prisoner - when making an arrest, the deputy shall carefully search the prisoner and take possession of all weapons and evidence. The search will be conducted prior to placing the prisoner in the Sheriff Office vehicle. If possible, the prisoner will be searched by a deputy of the same sex. If a deputy of the same sex is not available at the arrest scene, the deputy

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will search the outer garments, articles, and packages possessed by the prisoner. Under extenuating circumstances, a deputy who is of the opposite sex of the prisoner may pat down the prisoner only with the back of the hands and only in the presence of another deputy in order to ascertain the possible presence of weapons.

2. All prisoners will be handcuffed behind the back and placed in the right rear seat. The seat belt will be securely fastened and the prisoner transported. Exclusions to handcuffing may be elderly persons. Very careful evaluation and discretion must be utilized by the deputy in exercising exclusions to handcuffing. **IF IN DOUBT, HANDCUFF YOUR PRISONER....!**
  - a. In the case of a two-man unit, the prisoner will be properly handcuffed and placed into the right rear seat with the seatbelt fastened.
  - b. Under no circumstances should a single deputy attempt to transport more than one felony or violent-orientated person alone. If necessary, and for a deputies safety, deputies should not hesitate to pair up in transporting felony or violent-orientated prisoners, making sure the Sheriff vehicle is properly parked and secure.
  - c. Any deputy transporting a prisoner of the opposite sex will notify the radio dispatcher, giving his/her location and mileage from the scene of and upon arrival to the destination. Transportation will be without delay.
- B. The following procedures will be adhered to in prisoner transportation with Sheriff vehicles equipped with prisoner security screens. When prisoner security screens are installed in Sheriff vehicles, the rear inside door and window handles will be altered inoperative, thus providing access from only the outside of the vehicle.
  1. Search of prisoner - when making an arrest, the deputy shall carefully search the prisoner and take possession of all weapons and evidence. Search will be conducted prior to placing the prisoner in the Sheriff vehicle. If possible, the prisoner will be searched by

a deputy of the same sex. If a deputy of the same sex is not available at the scene, the deputy will search the outer garments, articles, and packages possessed by the prisoner.

2. All prisoners will be handcuffed behind the back and transported in the right rear seat. The seat belt will be securely fastened and the prisoner transported without delay.
3. Non-violent misdemeanor, traffic, and juvenile prisoners will be transported in the back seat. Seatbelts will be utilized on all persons whether they are prisoners or not and while being transported in any Sheriff's Office vehicle.
4. No more than two prisoners will be transported in the back seat of a Office vehicle at one time.

**Note:** The above does not apply in the transportation of prisoners for court purposes.

#### 4. EXTRADITIONS

- A. The following procedures will be adhered to while escorting prisoners during extraditions:
  1. Prisoners will be handcuffed and/or shackled when escorting a prisoner during an out-of-state extradition. NOTE: This may not be possible while in an aircraft due to airline regulations. If the particular airline advises you that you cannot have the prisoner handcuffed during flight, follow their directions. The prisoner will be handcuffed at all times prior to entering the aircraft and after exiting the aircraft.
  2. At no time will a prisoner be left without visual contact by the escorting deputy. This also applies when he/she is escorted to restroom facility.
  3. Weapons are mandatory at all times while escorting a prisoner.
  4. It will be the responsibility of the deputy conducting the extradition to complete a background check on the prisoner prior to conducting the extradition. This includes a Triple II check on the subject and, if possible, contacting the investigating officer in order to determine the prisoner's history for safety reasons.



5. It will be the responsibility of the deputy who is conducting the extradition to submit the following paperwork upon return as follows:
  - a. Return of service to the Warrants Division.
  - b. Extradition file to the assigning commander,
  - c. Gas and/or Car rental cards to the finance division.

6. Check out the prisoner leg restraints from admin. Verify if a large or small restraint is needed.
7. Sign for travel per diem in Admin PRIOR to trip.

#### B. Rental Car

1. Deputy is required to pick up Rental car card from the Santa Fe County Finance Department.
2. The rental car chosen for your trip cannot be changed at anytime unless the rental car company doesn't have any available cars and charges are the same as what was reserved. If an upgrade is required due to inclement weather, terrain, etc. an approval from the Major or Captain is required.
3. No additional insurance is to be added to the rental car agreement. Deputies are required to carry a copy of the current county insurance information.
4. Rental cars are required to be filled with gas prior to being returned to the airport. A Special Fuel Card will be issued to the Deputy from Administration for this purpose. It is the Deputy's responsibility to acquire this card BEFORE your trip. If the Deputy requires a list of gas stations that accept this card, one will be provided upon your request. Should the Deputy's destination not be listed, you may request a separate fuel card in advance. **You must save the fuel receipt and turn it back in with the card to Administration.**
5. Deputies are to keep mileage on rental cars to a minimum and within reason.
6. Deputy is required to return rental car card to finance with an **ORIGINAL** receipt. A copy of the receipt is to be given to Administration. If the receipt is lost, it is the Deputy's responsibility to contact Rental Car company and obtain a copy.

#### C. Requirements for a Deputy to fly armed:

1. Deputies are required to be armed on all extradition.
2. The requirements for a LEO armed aboard commercial aircraft are outlined in 49 CFR § 1544.219 *Carriage of Accessible Weapons*. The complete text of this section can

### THIS IS TO BE COMPLETED ON THE NEXT REGULAR WORK DAY

## 5. EXTRADITION RESPONSIBILITIES WHEN FLYING ARMED

#### A. Upon Advise ment of Extradition:

1. Deputies are to review all paperwork in extradition file for completion to include Transport Order and letter for the TSA to be armed on flights.
2. Dates and flight schedules should be reviewed and verified for accuracy in comparison to the itinerary PRIOR to departure.
3. NCIC checks must be conducted for knowledge of inmate background.
4. 24 hours prior to flight a teletype must be transmitted via Nlets, to **ORIVAFAM0199**. At that point an NLETS receipt, with a Unique Alphanumeric number is transmitted from the Transportation Security Operations Center (TSOC) back to the SO. The teletype will require the 3 letter airport codes from your flight itinerary, (i.e., Albuquerque is ABQ). You will need to take this receipt to the Airport and present it at the TSA screening. **(If the dates of travel change (due to weather, delay, etc.) you will be required to send and new teletype and receive a NEW Alphanumeric number. You will need to contact Dispatch to send the new teletype if you are out of state when the delay occurs. If the change(s) do not affect the date of travel, the existing teletype number previously given will be accepted as long as you are traveling through the same airports.**
5. Prior to departure, contact jail to advise them of pickup date and time.

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be found online at the Government Printing Office web site at: <http://www.gpoaccess.gov/cfr/>.

3. Weapons are not to be stored under seats or in overhead storage bins.
4. Weapons are to be concealed at all times. Confirm that the letter to carry weapons is accessible for travel.
5. OC spray and Tasers WILL NOT be allowed on extraditions requiring airline travel.

#### D. Dress Attire Requirements

1. Sports jacket/coat, casual dress slacks and a collared shirt are required to be worn on extraditions.
2. Faded blue jeans and/or T-shirts are not allowed.

#### E. Airport Parking

Law enforcement parking is available at the Albuquerque International Airport on the upper level at the East end. Once you proceed past the terminal; you will see an electric arm gate. There is a Call Box attached to the gate, where you must obtain clearance for authorization to park in this area. Use the phone, which is located behind the Arm Box, to advise the operator that you are a law enforcement officer and wish to park in law enforcement parking. When they allow access, proceed to the left of the entrance to parking area clearly marked "Police Parking".

#### F. Miscellaneous

1. While prisoners are handcuffed, the handcuffs are to be concealed while in the airport. While prisoners are being transported in rental car they are to be handcuffed to the back.
2. On occasion, employees have purchased food for the prisoner due to cancelled flights or other unforeseen circumstances. Should this occur, and you wish to be reimbursed, a separate receipt must be obtained for the prisoner's expenses.

## S.O.P NUMBER 8-8 Use Of Force

### 1. POLICY

- A. Deputies are confronted daily with situations requiring the use of force to achieve an arrest or ensure public safety. The degree of force used depends on what the deputy perceives as reasonable and necessary under the circumstances at the time he or she decides to use force. Except for deadly force, the application of any degree of force is only justified when the deputy reasonably believes it is necessary :
  1. To prevent the escape from custody, make an arrest or an investigative detention of a person the deputy believes has committed a crime; or
  2. To defend himself or herself or another person from what the deputy believes is the use of force while trying to arrest another, prevent his or her escape, or otherwise lawfully take the person into custody.
- B. Facts or circumstances unknown shall not be considered in later determining whether the force was justified. The Office expects deputies to observe the following two guidelines in all applications of force:
  - A. Employ the minimum force reasonably necessary to accomplish a legal purpose.
  - B. Deputies may resort to more severe methods of force to overcome either increasing resistance or an increasingly dangerous threat to public safety.
- C. The escalation in the use of force typically follows a pattern: verbal control, compliance techniques, defensive tactics (e.g., Baton), and finally deadly force. Deputies must understand how to recognize increasing or decreasing levels of threat and respond appropriately.
- D. When applying deadly force, deputies objective must be to **"stop the action and incapacitate the suspect"**, not to kill, unless no other choice presents itself. The objective of the use of any force is to overcome the suspect's resistance to a deputy's lawful purpose; deputies shall avoid unnecessary or excessive applications of force.
- E. Deputies shall not unreasonably or unnecessarily endanger themselves, another deputy or the public when applying this policy.

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## 2. PURPOSE

To establish guidelines governing the use of force and its limitations, and to clearly describe prohibited activities.

## 3. DEFINITIONS:

### A. Deadly Force Includes:

1. The firing of a firearm, even though no intent exists to kill or inflict bodily harm.
2. Any force applied, in any manner, and by any means that could reasonably be expected to cause death or great bodily harm.
  - a. **“Great Bodily Harm”** means bodily injury which creates a substantial risk of death or which is likely to cause serious permanent disfigurement or loss, or extended impairment of the function of any body member or organ.

### B. Non-Deadly Force:

Force employed which is neither likely nor intended to cause or inflict serious injury.

### C. Firearms:

Any weapon from which a projectile is forcibly ejected by an explosive.

### D. Reasonable Belief:

When facts or circumstances the deputy knows, or should have known, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

### E. Serious Physical Injury:

A physical injury which creates a substantial risk of death, or which causes death or serious and prolonged disfigurement, or impairment of the function of any bodily organ or limb.

### F. Excessive Force:

1. Force is excessive when its application is inappropriate to the circumstances, resulting in serious physical injury or death to a suspect. The U.S. Supreme Court, in *Graham V. Connor*, recently set forth guidelines for determining whether force has been excessively applied: the primary concern is reasonableness in its application, as judged by the on-scene officer. Based on the reasonableness standard, the following considerations contribute to a determination of excessive force:

1. The severity of the crime.
  2. The nature and extent of the threat posed by the suspect.
  3. The degree to which the suspect resists arrest or detention.
  4. Any attempts made by the suspect to evade arrest by flight.
2. In evaluating the reasonable application of force, deputies must consider their own age, size, strength, and skill level with Office weapons, state of health, and the number of deputies opposing the number of suspects.

## 4. PROCEDURES FOR APPLICATION OF NON-DEADLY FORCE

The Santa Fe County Sheriff’s Office trains deputies in the use-of-force continuum, emphasizing the recognition of and response to increasing levels of threat. Most instances in which force is applied are non-deadly. Deputies shall assess the incident to determine which technique will best defuse the situation and bring it under control. The following techniques reinforce key principles from training:

### A. Verbal Control:

Verbal control refers to the manner in which the deputy speaks to a person, which of itself can effectively manage a situation. Verbal control includes advice, persuasion, warnings, or orders. The volume and tone of the deputy’s speech may also contribute to control of the situation without having to resort to another method of force. The Office urges the use of verbal commands without the use of profanity or disrespectful or argumentative behavior.

### B. Compliance Techniques:

At times, uncooperative people who refuse to be taken into custody may only respond to a combination of strength, leverage, take-downs, control holds, or come-a longs with sufficient force to make a lawful arrest without aggravating tension or a suspect’s combativeness. The object of this level of force is to gain control and enforce the suspect’s compliance while minimizing the risk of injury to the deputies, bystanders, or the person being placed into custody. Where lesser levels of force appear ineffective, deputies may employ hands, fists, feet, and knees, and so on

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in striking an adversary, according to methods sanctioned through training.

### C. Defensive Tactics:

The Office authorizes the carrying and use of the Baton as the only striking weapon for deputies: all other forms of striking or punching weapons are prohibited for carrying or use, including but not limited to saps, blackjacks, slapjacks, nunchaku and similar sticks, and brass knuckles. Deputies must be certified in the use of the baton. The weapon may be used in quelling confrontations involving physical violence where higher levels of force are unnecessary or inappropriate, and lesser levels are inappropriate or ineffective.

1. The PR-24 or expandable baton shall not be used to strike handcuffed individuals, nor to threaten or intimidate people.

## 5. DEADLY FORCE

### A. Firearms - General:

1. Firearms may be used:
  - a. In defense of the deputy or others from what is reasonably believed to be an immediate threat of death or serious bodily harm; or
  - b. To prevent the escape of a fleeing felon whom the deputy has probable cause to believe will pose a significant threat to human life should escape occur.
    - (1) In evaluating a "significant threat", the deputy must reasonably believe that the person has either used deadly force in the commission of a crime or may inflict death or serious harm to the deputy or others if apprehension is delayed.
    - (2) Where feasible, deputies shall identify themselves and give a verbal warning before shooting.
  - c. To kill seriously injured or dangerous animals when no other disposition is reasonably practical. A supervisor's approval should be sought when possible.
  - d. In routine firearms training or practice at an approved range or for any legal sporting purpose.

### B. Shotgun:

1. Due to its wide shot dispersion, the shotgun will only be used when a possibility exists that the deputy will be dealing with an armed robbery in progress, searching for armed suspects, or answering calls when the complainant has indicated a person is armed.
2. The Sheriff may approve the use of shotguns on raids and stakeouts when he/she believes that a threat to human life exists.
3. Shotguns will be carried in all patrol units.
4. Before beginning a tour of duty or at the end of each work day, deputies will inspect the shotgun assigned to the unit.
5. Deputies will remove the shotgun from the unit when leaving the vehicle at any garage or service center for maintenance.
6. During regular firearms qualifications, deputies will be required to demonstrate proficiency with the shotgun.
7. The general rules for the use of firearms above apply to shotguns.

## 6. LIMITATIONS ON FORCE:

The following acts associated with the use of force are prohibited.

- A. Firing into crowds.
- B. Firing a warning shot.
- C. Firing at or from a moving vehicle, except where the deputy reasonably believes that:
  1. An occupant of the other vehicle is using, or threatening to use, deadly force by means other than the vehicle; or
  2. A vehicle is operated in a manner deliberately intended to strike a deputy or a citizen, and all other reasonable means of defense have been exhausted (or are not present), which includes moving out of the path of the vehicle, and the safety of innocent persons would not be unduly jeopardized by the deputy's action.
- D. Firing into a building or through doors when the person fired at is not clearly visible unless the deputies are being fired upon from such building or through such door.



- E. Firing at a suspect when lesser force could be used and the deputy believes that the suspect can be apprehended reasonably soon thereafter without the use of deadly force, or when there is any substantial danger to innocent bystanders. **(When in doubt, don't shoot.)**
- F. Application of choke hold or carotid control holds, except when the deputy reasonably believes such holds are the only means of protecting him/herself or another person from imminent threat of serious physical injury or death.
- G. Use of Stream lights or Mag-lights or other flashlights as batons. A deputy may use a flashlight or other object designed for use other than a weapon ONLY to defend him/herself or another person from imminent serious physical injury or death and then ONLY if Officially sanctioned methods are not available or are impractical. The use of a flashlight under such circumstances shall be deemed an application of deadly force.
- H. The carrying or use of saps, blackjacks, or slapjacks.
- I. Use of deadly force against unarmed, non-dangerous fleeing felons, fleeing misdemeanants, or traffic offenders.
- J. Any use of force not reasonably necessary in the light of the circumstances confronting the deputy.
- K. Any forcible enforcement action when off duty except in circumstances which seriously threaten life, valuable property, or public order.

## 7. WEAPONS

### A. Duty Weapon

While on duty, a deputy shall carry a Office issued or approved weapon as outlined in Standard Operating Procedure # 1-16.

1. Any deputy who wishes to carry a personally owned weapon on duty must request permission, in writing, from the Sheriff. Weapons must be inspected and approved by the Office armorer. In addition, the weapon must fire Office issued ammunition and the deputy must qualify with the weapon as well as with Office issued weapons.
2. The Office armorer shall maintain a record of all weapons used by deputies either on or off duty. The record lists weapon descriptions, ammunition type issued, date of

issue, and information pertaining to qualifications. Deputies shall annually review the records to ensure that they are up to date.

### B. Off-Duty Weapons

Deputies are encouraged, but not required, to carry a handgun when off duty. A deputy who elects not to carry a handgun while off duty shall not be subject to disciplinary action if an occasion should arise in which he/she could have taken police action if he/she were armed.

1. (Exception) Off duty deputies while operating a Office vehicle shall be armed with an approved weapon.
2. Deputies who carry off-duty weapons must understand that in some social situations (e.g., sports) the carrying of a firearm would be inappropriate.
3. Deputies who have consumed alcoholic beverages shall not carry an off-duty weapon under any circumstances.

## 8. REPORTING USE OF FORCE

- A. Deputies shall document any application of force, except for those arising in training or Official demonstrations.
- B. If deputies have employed any degree of force, they shall:
  1. Immediately notify their commander of any use of physical force.
  2. Submit an offense/incident report, which describes the incident fully, to include any medical services rendered to the suspect and or the deputy.

## 9. OFFICIAL RESPONSE

- A. Pending administrative review, any deputy who has taken the life of another person or seriously injures another person, will be removed from line-duty assignment. This action protects both the deputy's and the community's interests until the situation is resolved. Administrative leave shall be for a minimum of three days or extended by the Sheriff on a case by case basis.
- B. Whenever a deputy discharges his/her weapon, except at an approved range or during any legal sporting activity, he/she shall immediately notify his/her supervisor and submit a written report of the circumstances as soon as possible, but before the end of his/her tour of duty.





1. The on-duty shift commander will notify the Sheriff or Undersheriff immediately.

**NOTE: This Standard Operating Procedure is for internal use only, and does not enlarge a deputy's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Standard Operating Procedure, if proven, can only form the basis of a complaint by this Office, and then only in a non-judicial administrative setting.**

## 10. REACTIVE CONTROL MODULE

### REACTIVE CONTROL MODEL™ (RCM)\*

SUBJECT BEHAVIOR:	COOPERATIVE	NON-COOPERATIVE	UNARMED ASSAILANT	ARMED ASSAILANT
<b>SUBJECT'S "BEHAVIORAL" CUES:</b> 	Submits to Directions and Custody: <ul style="list-style-type: none"> <li>• COMPLIANT</li> <li>• RESPONSIVE</li> <li>• FOLLOWS DIRECTIONS</li> </ul>	Resists Custody By: <ul style="list-style-type: none"> <li>• Not Responsive to Directions</li> <li>• Evasive to Questions</li> <li>• Verbal Resistance or Body Posture</li> <li>• Pulling/Moving or Running Away</li> </ul>	Resists Custody By: UNARMED THREATENING   UNARMED ATTACK Closes Distance	Resists Custody By: ARMED THREATENING   ARMED ATTACK (Deadly Assault) Closes Distance
<b>CRIMINAL ACTIVITY CUES:</b>	Unknown	Threat	Type of Criminal Activity Investigating	High Risk Activity
<b>OFFICER MENTAL CONDITION:</b>	<b>ALERT</b>	<b>CONTROL</b>	<b>ACTIVE</b>	<b>SURVIVAL</b>
<b>OFFICER'S ACTIONS:</b> 	Verbal Directions <ul style="list-style-type: none"> <li>• AUTHORITY</li> <li>• ASSESSMENT</li> <li>• CUSTODY DECISION</li> <li>• POSITIONING</li> <li>• PROCEDURES</li> </ul>	Verbal Persuasion EMPTY HAND TECHNIQUES ASSESSMENT <ul style="list-style-type: none"> <li>• Custody Decision</li> <li>• Close Distance</li> </ul> CONTROL BY <ul style="list-style-type: none"> <li>• Escort Position</li> <li>• Distraction Techniques</li> <li>• Compliance Holds</li> <li>• Leveraged Takedowns</li> <li>• Impact Takedowns</li> <li>• Chemical Agents</li> </ul>	Verbal Commands SHOW FORCE   USE FORCE Draw Baton or Other Intermediate Weapon   Use Baton or Other Intermediate Weapon ASSESS: <ul style="list-style-type: none"> <li>• Cover</li> <li>• Distance</li> <li>• Assistance</li> <li>• Retreat</li> </ul> <ul style="list-style-type: none"> <li>• Chemicals</li> <li>• Canine</li> </ul>	Verbal Warnings   Survival Action SHOW FORCE   USE FORCE Draw Firearm   Fire Weapon to Stop Attack ASSESS: <ul style="list-style-type: none"> <li>• Cover</li> <li>• Distance</li> <li>• Assistance</li> <li>• Retreat</li> </ul> <ul style="list-style-type: none"> <li>• Canine</li> </ul>
	SUBMITS TO CUSTODY	FORCED CUSTODY & CONTROL PROCEDURES		

\* The RCM™ must be used in conjunction with instructional materials and only by an approved CJTC instructor.

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## S.O.P NUMBER 8-9 Less Lethal Weapons

### 1. POLICY

Deputies of the Santa Fe County Sheriff's Office shall use physical force only when necessary for legitimate law enforcement purposes and only to the extent necessary to accomplish those purposes. To such an end, the use of the expandable baton, Oleoresin Capsicum (OC) spray, Advanced Taser, 37/40 mm projectile baton rounds, and/or 12 gauge Bean Bag rounds are authorized to provide Deputies with an alternative to the use of deadly force, when appropriate.

### 2. PURPOSE

- A. To establish procedures for the availability and use of the expandable baton, OC Spray, Advanced Taser, 37/40mm Projectile, and/or 12 gauge beanbag rounds as a less lethal means of defense.
- B. Less Lethal weapons are not intended to be an alternative to the use of deadly force when such use is clearly authorized and necessary.
- C. Less Lethal options for the Santa Fe County Sheriff's Office may vary as to their availability. The least invasive level of force should be deployed based upon the facts/circumstances for each individual incident.

### 3. PROCEDURES

#### A. Baton

The Department issued expandable baton is the only authorized baton for use by sworn departmental personnel.

1. The expandable baton shall be issued and carried only by Deputies who have completed the Department's baton training.
2. Deputies assigned regular field duties will carry the baton as part of required equipment.
3. Plain clothes and administrative Deputies will be required to have the baton readily accessible, in their police vehicles while on duty.
4. Deputies are responsible for ensuring the baton is in good condition. Broken or otherwise unserviceable batons will be replaced as soon as a defect is noted.

5. The baton is to be used as a defensive weapon only. Its use shall be governed by departmental training criteria and the use of force policy.
6. Use of the baton as an offensive weapon, or intentional misuse of the baton may subject the violator to disciplinary action.
7. The baton shall remain in the holster until such time as the deputy perceives an apparent threat.

#### B. Oleoresin Capsicum (OC) Spray

1. OC Spray shall be issued to and used only by Deputies who have completed the Department's OC Training.
2. OC spray will not be drawn and/or used against an individual holding a deadly weapon. OC Spray is not intended to be an alternative to the use of deadly force when such use is clearly authorized and necessary.
3. When all reasonable efforts have failed to calm a person who is acting violently and presenting a definite danger to himself, or others, a minimum stream may be fired at the person in accordance with the manufacturer's recommendations and departmental training received. (Two one second bursts).
4. The OC Spray will be used only to terminate violent behavior, or the threat of violent behavior, which could result in injury to the deputy, other persons, or the violent individual.
5. OC Spray should not be discharged in the immediate vicinity of an infant, unless the infant's life is in danger, since their respiratory system is developing and especially sensitive to irritating vapors.
6. OC Spray will normally be discharged from a distance of at least six (6) feet. Bursts deployed any at any closer than three (3) feet may cause eye damage and should only be used in extreme conditions where serious bodily harm to the deputy or other persons may be imminent.
7. Only under conditions which represent an extreme hazard (Potential threat of serious injury or death to the deputy or others) will the OC Spray be used in the following manner:

- a. Prolonged discharge at any effective distance into the face of a person already incapacitated or not responding to normal application of the chemical agent formulation who is continuing an assault which may result in serious injury.
- b. Discharge of large quantities of the chemical irritant in a confined space such as a small room or closed automobile.
- c. Discharge OC Spray in close proximity of an infant.

### C. Advanced Taser

1. It is the policy of the Santa Fe County Sheriff's Office to utilize the Advanced Taser on individuals who:
  1. A Deputy has probable cause to believe a person has committed a felony and are attempting to avoid apprehension.
  2. Armed with a deadly weapon and/or has the ability to inflict great bodily harm on another.
  3. Are fleeing to avoid being served with an arrest warrant.
  4. A Deputy has probable cause to believe a person has committed a crime and use is necessary to effect arrest and the individual is physically resisting arrest.
  5. Need to be restrained for their safety, or are attempting to actively resist, or attempting to commit a battery upon a deputy.
  6. At no time will the Taser knowingly be used on a passive non-resistance individual, handcuffed and secured, children under 13 years old, the elderly, or a pregnant female. The use of the Taser may be warranted if a person within this category is armed with a weapon, or poses an immediate threat of great bodily harm, or injury to the deputy, or another person.
  7. Are a physical threat to the safety of another or themselves.

**Taser users shall adhere to all warnings as outlined in Advanced Taser Certification.**

2. In order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely, Deputies should assess the situations where force is warranted. Deputies shall use only that force which is reasonably necessary to effect lawful objectives.
3. Deputies will be trained and familiarized with the Reactive Control Model prior to use of an Advanced Taser.

## 4. TRAINING

### A. Baton

1. Initial Certification- All Deputies shall satisfactorily complete a 8-hour certification course on the Use of Force, use and application of the baton, prior to receiving authorization to carry the weapon.
2. Bi-annual Certification- All Deputies shall attend a four-hour re-certification course bi-annually on the use and application of the baton.

### B. Oleoresin Capsicum (OC) Spray

1. Initial Certification - All Deputies shall satisfactorily complete a 4 hour certification course on the use of force, use and application of OC Spray prior to receiving authorization to carry OC Spray.
2. Biennial Certification - All Deputies shall receive refresher training every two years on the use and application of OC Spray.

### C. Advanced Taser

1. Initial Certification - All Deputies shall satisfactorily complete a required certification course on the use and application of the Advanced Taser, prior to receiving authorization to carry the weapon.
2. Annual Certification - All Deputies shall attend a four-hour re-certification course annually on the use and application of the Advanced Taser.

## 5. DOCUMENTATION

It shall be the Policy of the Santa Fe County Sheriff's Office to document any use of the Advanced Taser:

### A. On Duty Field Deployment:

1. Santa Fe County Sheriff's Office Offense Incident Report



2. Santa Fe County Sheriff's Office Use of Force report
3. Advanced Taser User Report
4. Photograph
5. If an Advanced Taser cartridge is deployed it shall be submitted as evidence as outlined in Advanced Taser Training
6. Deputy will update User Log

**B. Taser Logs:**

1. Upon request, Deputy will update copies of log forwarded to the Office of Santa Fe County Sheriff.

**C. Taser Cameras:**

1. Deputies are to be responsible for the charging and proper function of the Taser cameras.
2. Any incident involving the deployment of the Taser or recordings of evidentiary value will be downloaded and turned into the evidence department.

**D. Training:**

1. It shall be the responsibility of the Advanced Taser Instructor to document the following information when conducting training:
  - a. Serial number of Advanced Taser(s) utilized
  - b. All Advanced Taser Cartridges Deployed
  - c. Date and Times of Training
  - d. Personnel who attended

**Copies of all Advanced Taser uses will be forwarded to the Sheriff's Office and/or his designee for tracking and review.**

**E. Definitions: Advanced Taser**

1. Less-lethal Electronic Control Device (ECD) that use propelled wires to conduct energy to a remote target, thereby controlling and affecting the central nervous system of the body.
2. ECDs are effective because they affect the central nervous system of the human body. The human nervous system communicates by means of simple electrical impulses.

The Advanced Taser sends out short duration, low amperage electrical waves or Taser-Waves or T-Waves that overpower the normal electrical signals within the nerve fibers.

3. Electro-Muscular Disruption (EMD)- EMD systems override the central nervous system and take direct control of the skeletal muscles. The Advanced Taser is an EMD system and affects the sensory and motor nervous system. The EMD systems directly cause the muscles to contract. Hence, even someone whose sensory nervous system is impaired by drugs or alcohol will have involuntary muscle contractions.
4. The Advanced Taser utilizes a 26-watt system with an electrical output of 50,000 volts.

**6. ELECTRONIC R-E-A-C-T SYSTEM**

**A. Purpose**

1. The (Remote Electronically Activated Control Technology) REACT System has been adopted to provide a safe, effective restraint device in court with high-risk defendants or during transportation details. The device can also be used in other custody situations to reduce the physical force needed to effectively control combative prisoners or prisoners who may attempt escape, while reducing the likelihood of injuries to all parties including but not limited to innocent bystanders.
2. The system is a remotely operated electronic restraint device which produces an electronic shock for 8 continuous seconds that can disorient, temporarily immobilize and stun a person without causing permanent injuries. It is activated by a radio transmitter with a range of up to 150-175 feet. The device may be used in combination with other restraints such as handcuffs, belly chains and leg irons.

**B. Appropriate Use**

1. The system may be activated under the following circumstances:
  - a. Any outburst or quick movement
  - b. Any hostile movement

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- c. Any tampering with the System
- d. Any attempt to escape custody
- e. Any loss of vision of subject's hands by the custodial officer
- f. Any overt act against any person within fifty(50)foot vicinity

2. Immediately after the device has cycled, secure the inmate with appropriate devices as necessary to fully control him/her.
3. In the event that the prisoner is able to resist being immobilized after a single activation, a second activation may be initiated.
4. Subsequent activations will be used only if the prisoner is still actively attempting assault or escape. If the prisoner's actions are limited to resistance to being secured, other physical restraint techniques should be attempted.

### C. Written Report

1. On every occasion the System is activated, a written report will be completed by the activating deputy before he/she goes off duty. That report will comply with regular department report requirements and must also include:
  - a. The observed Reaction of the prisoner/subject at the time of activation.
  - b. Description of any observable marks or injuries to the prisoner/subject.
  - c. Complaints from the prisoner/subject.
  - d. The time, location and by whom photographs were taken.
  - e. In a separate memo, the activating officer will write his/her observations regarding the effectiveness and/or ineffectiveness of the system.
  - f. The memo and a copy of the report will be immediately forwarded to the supervising officer.

### D. Unauthorized Uses

1. The REACT System may not be used in the following circumstances:
  - a. With pregnant women.
  - b. With any person known to have serious heart disease, multiple sclerosis or muscular dystrophy.

- c. To unlawfully threaten, coerce, harass, taunt, belittle or abuse any person.
- d. In any form of horseplay between staff or with persons from outside the department.

### E. React System Training

1. ALL Deputies shall satisfactorily complete an 8-hour certification course on the use and application of the REACT System, prior to receiving authorization to carry the weapon.
2. All Deputies shall attend a four hour re-certification course annually on the use and application of the REACT System.

### F. Medical Examination

1. The REACT System is designed for temporary immobilization. It will not normally cause any significant injury. A prisoner may, however receive secondary injuries as a result of falling when the device is activated.
2. Medical treatment procedures as outlined in the Use of Force directive shall be followed when the REACT System is activated.
3. Upon exposing an individual to the REACT System, the deputy will check the affected area as soon as safely possible and first aid will be rendered to the user's level of training. The deputy shall also request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to St. Vincent Hospital Emergency Room. The paramedics will assess the subject on scene and make the determination to transport by ambulance or by the deputy. Prior to arriving at the Emergency Room, the deputy will request dispatch to notify hospital staff that a person who has received a REACT System cycle is being transported.
4. After the subject is treated, the deputy will obtain a signed medical release form from the attending physician for Detention Center personnel.
5. Failure to provide appropriate care after exposing a person to the REACT System is considered a violation of this policy.



6. As soon after the incident as possible, photograph signature marks (contact marks) and any secondary injury. Photographs should be 35mm quality.

#### **G. Inmate/Prisoner/Defendant Notification Form**

1. An inmate/prisoner/defendant notification form must be reviewed and signed by the officer and prisoner any time the REACT System is utilized.
2. A REACT System Implementation Form and Checklist must be completed and submitted by the Deputy any time the REACT System is utilized.

### **7. 37/40 MM PROJECTILE LAUNCHER AND/OR 12 GAUGE BEAN BAG**

#### **A. PURPOSE**

1. It is the policy of the Santa Fe County Sheriff's Office to utilize the 37/40 mm Projectile and/or the 12 gauge Bean Bag on individuals who:
  - a. A Deputy has probable cause to believe a person has committed a violent felony and are attempting to avoid apprehension. The individual is armed with a deadly weapon and/or possesses the ability to inflict great bodily harm.
  - b. Are fleeing to avoid being served with an arrest warrant and the individual possesses a threat to the safety of the community.
  - c. Is armed and there is a need to be restrained for their own safety.
  - d. Under aggravated circumstances are attempting to actively resist or batter A Deputy.
  - e. After-action photographs shall be taken of any individuals subjected to this measure.
2. In order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely, Deputies should assess the situations where force is warranted. Deputies shall use only that force which is reasonably necessary to effect lawful objectives.

3. Deputies will be trained and familiarized with the Reactive Control Model prior to use of a 37/40 mm Projectile and/or the 12 gauge Bean Bag.

#### **B. Training – 37/40 MM Projectile Launcher And/or 12 Ga. Bean Bag Round**

1. Initial Certification - All Deputies shall satisfactorily complete a 2-hour certification course on the use and application of the Projectile Launcher and 12-gauge beanbag round. All Deputies must qualify with each weapon prior to receiving authorization to carry the weapon.
2. Biennial Certification - All Deputies shall attend a qualification course annually on the use and application of the Projectile Launcher and/or 12-gauge beanbag round.

### **8. MEDICAL TREATMENT**

#### **A. Baton**

1. Medical treatment procedures as outlined in the Use of Force directive shall be followed.
2. First aid shall be rendered by paramedics and/or trained medical personnel.
3. After the subject is treated, the deputy will obtain a signed medical release form from the attending physician for Medical Clearance for incarceration, and given to Detention Center personnel.
4. Failure to provide appropriate care after exposing a person to a baton strike is considered a violation of this policy.
5. After-action photographs shall be taken of any individuals subjected to this measure.

#### **B. OC Spray**

1. Medical treatment procedures as outlined in the Use of Force directive shall be followed.
2. The contaminated area will be flushed with water.
  - a. The time between OC exposure and wash-up should be as soon as possible.
3. No deputy shall apply, nor permit another person to apply oil or grease medications such as butter, cold cream, lanolin, Vaseline, lotion or salves which could trap the

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irritant to the skin and thereby cause blistering unless authorized by a physician.

4. Exposed areas should not be bandaged; the areas should be exposed to fresh air for evaporation.
5. Upon exposing a person to the OC Spray the deputy will request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to St. Vincent Hospital Emergency Room. The paramedics will assess the subject on scene and make the determination to transport by ambulance or by the deputy. Prior to arriving at the Emergency Room, the deputy will request dispatch notify hospital staff that a person contaminated with OC Spray is being transported.
6. After the subject is treated, the deputy will obtain a signed medical release form from the attending physician for Medical Clearance for incarceration, and submit it to Detention Center personnel.
7. Upon arrival at the Detention Center the deputy will notify jail staff the subject and his/her clothing has been contaminated with OC Spray.
8. Failure to provide appropriate care after exposing a person to OC Spray is considered a violation of this policy.
9. After-action photographs shall be taken of any individuals subjected to this measure.

#### C. Advanced Taser

1. Medical treatment procedures as outlined in the Use of Force directive shall be followed.
2. The effected area will be:
  - a. Checked by User as soon as safely possible and first aid rendered to the users level of training.
  - b. If Probes are discharged and penetrate the skin the User will not remove the probes as outlined in Department training.
    - i. Photographs should be taken before and after removal.
    - ii. Deputies shall summons Emergency Medical personnel to the scene for

probe removal as outlined in Advanced Taser certification.

3. First aid shall be rendered by paramedics and/or trained medical personnel.
4. Upon exposing an individual to the Advanced Taser in the Taser/ stun mode the deputy will request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to Christus St. Vincent's Hospital Emergency Room. The paramedics will assess the subject on scene and make the determination to transport by ambulance or by the deputy. Prior to arriving at the Emergency Room, the deputy will request dispatch to notify hospital staff that a person who has received a Taser/stun cycle is being transported.
5. After the subject is treated, the deputy will obtain a signed medical release form from the attending physician for Detention Center personnel.
6. Failure to provide appropriate care after exposing a person to the Advanced Taser is considered a violation of this policy.
7. After-action photographs shall be taken of any individuals subjected to this measure.

#### D. 37/40 mm Projectile Launcher and / or 12 Gauge Bean Bag

1. Medical treatment procedures as outlined in the Use of Force directive shall be followed.
2. The effected area will be:
  - a. Checked by User as soon as safely possible and first aid rendered to the users level of training.
  - b. Photographs should be taken as soon as possible.
3. First aid shall be rendered by paramedics and/or trained medical personnel.
4. Upon exposing an individual to the 37/40-mm Projectile and/or 12 Gauge Bean Bag the deputy will request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to a Hospital Emergency Room. The para-

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medics will assess the subject on scene and make the determination to transport by ambulance or by the deputy. Prior to arriving at the Emergency Room, the deputy will request dispatch notify hospital staff that a person who has received a projectile baton or beanbag strike, is being

5. After the subject is treated, the deputy will obtain a signed medical release form from the attending physician for Medical Clearance for incarceration and submit it to Detention Center personnel.
6. Failure to provide appropriate care after exposing a person to the projectile baton or beanbag is considered a violation of this policy.

#### **E. Reporting**

1. Deputies will photograph the person's affected area as soon as possible, under normal circumstances whenever a less lethal weapon is deployed.
2. A use-of-force form shall be completed and submitted to the Sheriff's Office any time the expandable baton, OC Spray, Advanced Taser, 37/40 mm Projectile, and/or the 12 ga. Bean Bag is utilized as a weapon. Use-of-force forms will be completed and submitted in accordance with the use of force policy.
3. All additional deployment forms will be completed and submitted to the Sheriff's Office and/or to their appropriate tracking unit, I.E. Offense Incident, Criminal Complaints/Probable Cause Statements, and Taser Use Report.
4. Video recordings and/or photographs shall be submitted to the property section as evidence.

#### **S.O.P NUMBER 8-10**

#### **Hazardous Materials Response**

##### **PURPOSE**

This Standard Operating Procedure establishes guidelines for determination and handling of a hazardous materials incident within the County of Santa Fe.

## **2. POLICY**

Hazardous material incidents are becoming more common. In the event of accident or other incident involving hazardous or suspected materials, the following procedures should be followed:

1. Approach the scene cautiously and only to such a distance that will allow you to determine if medical assistance is required and to identify any materials placard(s).
2. Render any life saving assistance within reason.

If possible, obtain shipping papers, manifest, and any other information available from the driver or responsible party at the scene of the accident.

3. Notify radio dispatch of information acquired to include placard design and lettering, location of accident, type of materials involved (if Known), personal injuries, accident description, package/container description, weather conditions at the site, and any other pertinent information available.
4. Establish a 2,000 foot hazard perimeter to avoid any exposure to the general public.
5. Radio dispatch will assist in identifying the type of hazardous material, if not immediately known, by utilizing the Hazardous Materials Identification handbook, A copy of this manual will remain in Radio/Communications at all times.
6. Radio/Communications will then relay all information available to the deputies on the scene. Immediate notification shall then be made to the Office of Public Safety - State Police Division - and the Fire Office.
  - a. It shall be the responsibility of the Office of Public Safety - State Police Division, to notify the designated State Police District Emergency Response Officer.
  - b. The Office of Public Safety - State Police Division will be responsible for management of site operations and any liability responsibilities.

7. Deputies on the scene of the accident or incident shall then stand by and assist emergency response personnel as they arrive and maintain any established perimeters.
8. If a release of materials has occurred, personnel should request a contamination check, if possible, from any personnel on-hand having an expertise in such matters.
9. The on-site or shift commander shall ensure that proper documentation is effected on any Office personnel having received exposure to any health hazardous materials.
10. On-site commander will make a determination regard evacuations that may be necessary dependant on the circumstances.

4. Upon receipt of a second request for follow-up, the commander will be notified and it will be his/her responsibility to ensure the request is complied with as soon as possible or have a valid explanation as to why the request was not addressed.
5. The deputy will have 4 working days to provide the information requested and give this information to his/her commander who in turn will forward the information to the records division.
6. Upon receiving a third request for follow-up information, the liaison officer will make contact with the deputy's commanding officer and ascertain why the information has not been provided. It will be records department's responsibility to contact the District Attorney and make available to them a valid explanation as to why the information has not been obtained. The deputy will be given no longer than 3 working days to provide the information and after a third request for follow-up information has been received.
7. Failure to comply with these regulations may result in disciplinary action against both the supervisor and the deputy involved.

**S.O.P NUMBER 8-11  
District Attorney Follow-Up Requests**

**1. PURPOSE**

To establish procedures and guidelines for the handling of District Attorney Follow-up requests presented to the Santa Fe County Sheriff's Office and its employees.

**2. POLICY**

All District Attorney Follow-up requests will be handled in a timely fashion.

**3. PROCEDURES**

- A. The Records Division for the Santa Fe County Sheriff's Office will ensure all follow-up requests presented to this agency by the District Attorney's Office are forwarded to the deputy and the follow-up is addressed to in the following manner:
  1. Upon receipt of the follow-up request, the Records division will forward the request to the shift commander who is responsible for supervising the deputy who the follow-up request is addressed to.
  2. The shift commander will ensure that the deputy receives the follow-up request in a timely fashion.
  3. Upon receiving the first notice of follow-up request, the deputy will be responsible for obtaining the information requested within 5 working days.

**S.O.P. NUMBER 8-12  
Vehicle Mounted Camera System**

**1. PURPOSE**

The purpose of this directive is to provide officers with guidelines for the use of the vehicle mounted camera systems. Mobile video/audio recording equipment has proven to be a valuable law enforcement tool. The department has adopted the use of in-car video/audio systems in order to enhance the effective and efficient delivery of law enforcement services, and to serve as an asset to prosecution of criminal cases.

**2. POLICY**

It is the policy of the Santa Fe County Sheriff's Office to utilize vehicle mounted camera systems in order to enhance officer reporting, evidence collection and court testimony. Vehicle mounted camera systems will also enhance the effective and efficient delivery

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of police services by providing a tool for evaluation of arrest procedures, officer and suspect interaction and as a guide for officer evaluation and training.

### 3. PROCEDURE

At the direction of the Sheriff, the fleet manager or designee shall be responsible for the deployment and installation of the vehicle mounted camera systems. Vehicle mounted camera systems will be installed to automatically activate when the vehicles emergency equipment is activated. Deputies may also activate the camera system at their discretion. Deputies assigned vehicle mounted camera systems will be responsible for the operation and care of the assigned equipment.

1. Prior to each shift officers shall ensure that camera equipment is properly powered to effectively operate.
2. In the event of equipment malfunction, the officer's immediate supervisor will be notified. A memo detailing the malfunction will be generated no later than the end of the officer's tour of duty and forwarded to the patrol captain through the officer's chain of command.
3. Prior to each shift, officers shall ensure proper alignment, focusing and positioning of camera equipment.
4. Team sergeants or other team commanders will be responsible for utilizing an appropriate VCR head cleaning tape at least once every 30-day period.
5. Deputies assigned with digital audio video systems will be responsible for the downloading of the memory card into their computers by use of the USB port for the purpose of saving all video and audio recordings. These recordings will then be burned onto a DVD and stored for future use as necessary.

### 4. OPERATION

- A. The vehicle mounted camera system will automatically engage each time the emergency equipment is activated. Every traffic contact shall be recorded until the stop is terminated.
- B. At the scene of extended incidents (other than traffic contacts), the officer has discretion in terminating video taping when there is no other evidentiary value to be obtained. Examples of these

types of events include, but are not limited to:

1. Traffic collisions while waiting for clean up or wrecker service.
  2. Motorist assists or abandoned vehicle while waiting for wrecker service.
- C. The vehicle mounted camera system will also be used to record the following incidents/contacts:
    1. Pursuits
    2. Field Contacts.
  - D. Officers must be aware of limitations to the recording ability, specifically interference caused by buildings, traffic noise and moving outside of the transmission range of the wireless microphone unit. Even though the video recording may be unrevealing, an audio record is transmitted from the wireless body microphone whenever the equipment is activated.
  - E. Officers may deactivate the equipment during non-enforcement activities such as during their meal breaks and during private conversations. The officer will be responsible for insuring the system is fully activated, including the wireless microphone, when an incident occurs.
  - F. Once a supervisor installs a video tape/memory card in a unit, the tape/memory card will not be removed until the end of the officer's shift, or at such time as is necessary, due to the tape/memory card becoming full or being placed into evidence.
  - G. Officers holding the rank of Corporal, or above will be responsible for loading, unloading and storing videotapes/video recordings. This responsibility will not be delegated except in those cases of absence where all other supervisory responsibilities are also delegated to a subordinate.
  - H. Tampering with or disabling the video equipment, shielding or taking any other action which interferes with the proper operation of video equipment or erasing or in any manner altering tapes is cause for disciplinary action.
  - I. Completed video tapes/CD or DVD shall be properly identified with a SFSO tape label at the time of removal from the video recorder. The tape label shall consist of the following information.
    1. Officer name.
    2. Officer employee number



3. Tape number (Tapes will be sequentially numbered starting at number 1.
4. Case number
- J. Each label shall also contain the date and time the tape was first installed and the date and time the tape was removed.

## 5. TAPE /VIDEO LOG

Officers utilizing video equipment will be required to maintain a log which they will use to document video tape/memory card changes.

1. The log will be kept in an area near the recording unit and will be utilized for each and every video tape/ memory card change.
2. Officers who fail to maintain the log or who neglect to keep entries current will be subject to disciplinary action.
3. Tape/memory card logs are considered essential equipment items and will be subject to inspection at any time.

## 6. TAPE/CD/DVD CONTROL AND STORAGE

- A. Video tapes/CD/DVD and their content are considered open records unless marked as evidence.
  1. Requests to view any portion of a tape, CD, or DVD by anyone not employed by the Santa Fe County Sheriff's Office shall be referred to the deputy's immediate supervisor.
  2. Viewing may be conducted at the department at a time arranged by the supervisor.
  3. The respective patrol supervisor, upon completion of the viewing, shall return the videotape, CD, or DVD to the appropriate storage.
- B. Original tapes, CD or DVD shall not be released to any outside agency. Tapes, CD, or DVD shall be duplicated in accordance with this policy and the original returned to safe storage.
- C. All tape, CD, or DVD duplication will be done by the evidence custodian or by the Deputy or supervisor who has custody of the tape, CD, or DVD.
  1. A duplication fee equal to the expense incurred in duplicating the tape may be assessed.

2. Duplicated tapes are furnished to the requesting entities for the express use of the requester and further duplication or distribution without the express written consent of the Sheriff or his designee is prohibited.
3. The duplicate tape, CD, or DVD's shall be labeled with the following information:
 

Santa Fe County Sheriff's Office.

  - a. Date of duplication.
  - b. A statement prohibiting further duplication or distribution of the tape without expressed written consent of the Sheriff or his designee.

- D. Video tapes, CD, or DVD's relating to use of force incidents and/or containing information that may be of evidentiary value or used in any civil proceeding shall be safeguarded and a chain of custody maintained as with other evidentiary items and submitted into evidence. Videotapes, CD, or DVD's marked as evidence will only be released according to the procedures already established for the release of evidentiary items.

## 7. STORAGE

- A. Patrol commanders are responsible for devising and maintaining the file system for video tapes. Each tape should be maintained for a period of no less than 90-days, at which time it will be recycled for use. Additionally, tapes should be separated by patrol team and further separated by individual officer.
- B. Team sergeants or other team commanders shall be responsible for storing the tapes, CD, or DVD's in their respective assigned location and controlling access to the tape storage room.

## 8. SUPERVISORY RESPONSIBILITIES

- A. Supervisors shall ensure officers utilizing video equipment adhere to established procedures, guidelines and policies.
- B. Supervisors shall conduct monthly inspections of the video equipment to evaluate its suitability for its intended use. If defects are discovered, a repair request memorandum will be completed and forwarded to the patrol captain prior to the end of the officers tour of duty.
- C. At their discretion, supervisors may request video tapes, CD, or DVD from an officer under their

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command. Nothing contained in this section shall be construed as prohibiting a supervisor from addressing with an officer apparent policy violation, procedural deficiencies with regard to arrest, investigation, interpersonal communications or other officer safety issues that are discovered during review of a video tape, CD, or DVD.

D. Supervisors who fail to enforce or abide by the policy as outlined in this directive will be subject to disciplinary action.

## **S.O.P NUMBER 8-13**

### **Domestic Violence Policy**

#### **1. PURPOSE**

Each Domestic Violence Incident is different. A definitive policy to cover all possible events cannot be created. This directive and procedure is meant to serve as a guide to personnel so they have an understanding of their respective responsibilities and to establish a uniform procedure for responding to Domestic Violence Incidents. Domestic Violence is a crime that differs from other crimes because of the intimate relationship between the victim and the accused. Notwithstanding that difference, officers will respond to domestic violence calls as they would respond to any crime. The primary objective in responding to domestic violence calls will be to reduce assaults, reduce Sheriff call backs and to improve coordination with present community resources.

#### **2. POLICY**

It shall be the policy of the Santa Fe County Sheriff's Office to reduce the incidence and severity of domestic violence, aggressively investigate and enforce laws relating to domestic abuse where applicable. When violence has occurred, the primary responsibility of the responding deputies is to investigate, and if probable cause exists, arrest the abusing household member. This policy will promote officer safety by ensuring officers are fully prepared to respond to and effectively manage domestic violence calls for service.

#### **3. PROCEDURE FOR RESPONDING DEPUTIES**

A. When responding to a domestic abuse call the officer shall:

1. Restore order by gaining control of the situation.
2. Take control of all weapons used or threatened to be used in the crime, and place them into evidence.
3. Assess the need for medical attention and call for medical assistance if indicated.
4. Interview all parties and witnesses, including children and neighbors and make every effort to determine the predominant aggressor. If it is determined that any party to the incident is a Santa Fe County Sheriff's Employee, the responding officer shall notify the shift supervisor who in turn will arrange for an outside law enforcement agency to investigate the case. The supervisor will notify the Sheriff's Administration through the chain of command.
5. Deputy's report should be very detailed including all names and witnesses, contact information of all individuals interviewed.
6. After all parties have been interviewed responding officers will confer to determine whether an arrest should be made or whether other actions should be taken, pursuant to the New Mexico Family Protection Act, Chapter 40, Article 13 NMSA. The officer does not have to witness the misdemeanor crime(s) in order to take appropriate enforcement action to include arrest, as long as there are visible signs of violence; to include trauma, damage, interference with communications, etc.
7. The arrest of the person shall be considered the preferred action by a deputy of this agency when evidence indicates domestic abuse has occurred.
8. Deputies shall determine whether the NM Children Youth and Families Department (CYFD) should be notified.
9. All appropriate documentation regarding the investigation i.e.: Offense Incident reports, Criminal Complaints, Statements of Probable Cause, Voluntary Statements, etc., will be forwarded to the 1st Judicial District Attorney's Office and the Santa Fe County Magistrate Court to ensure proper prosecution.

10. If the suspect has fled the scene prior to deputy's arrival and a crime has been committed, the deputy will:
11. Conduct a search of the immediate area.
  - a. Obtain information from the victim(s) and witnesses as to the offender's location.
  - b. Determine whether or not it is appropriate to seek an arrest warrant for the suspect.
  - c. Determine whether or not it is appropriate to seek a summons for the suspect to appear in Santa Fe County Magistrate Court.

#### 4. DEFINITIONS

A. As used in the Family Violence Protection Act (40-13-1 to 40-13-7 NMSA 1978) and for the purpose of this policy, the following terms shall be interpreted to have the following meanings:

1. "DOMESTIC ABUSE" means any incident by a household member against another household member resulting in:
  - a. physical harm
  - b. severe emotional distress
  - c. bodily injury or assault
  - d. a threat causing imminent fear of bodily injury by any household member
  - e. criminal trespass
  - f. criminal damage to property
  - g. repeatedly driving by a residence or work place
  - h. telephone harassment
  - i. stalking
  - j. harassment
  - k. harm or threatened harm to children as set forth in the paragraphs of this subsection.
2. "HOUSEHOLD MEMBER" means a spouse, former spouse, parent, present or former stepparent, present or former parent-in-law, grandparent, grandparent-in-law, a co-parent of a child or a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for the

purposes of the Crimes Against Household Members Act.

3. "CONTINUING PERSONAL RELATIONSHIP" means a dating or intimate relationship.
4. "CO-PARENTS" means persons who have a child in common, regardless of whether they have been married or have lived together at any time.
5. "ORDER OF PROTECTION" means a court order granted for the protection of victims of domestic abuse.
6. "PETITIONER" is the person alleging abuse in a petition for an order of protection.
7. "RESPONDENT" is the person alleged to have abused another in a petition for an order of protection.

#### 5. DUAL-ARREST SITUATIONS

- A. At times there are situations in which both parties have been violent toward one another. It will be necessary to determine who is the primary aggressor. Consider the following in your investigation:
1. Consider the law's intent to protect victims of domestic violence.
  2. Look at the relative degree of injury or fear inflicted on both individuals.

#### 6. NON-ARREST SITUATIONS

A. **Alleged assailant present.**

1. Where the alleged assailant is present at the scene and no arrest is made, the investigating deputy will carefully document his/her reason for not making an arrest in his/her offense/incident report.

B. **Alleged assailant is not present.**

1. When a deputy responds to a domestic violence call and the alleged assailant is not present, the deputy will make every reasonable effort to search the surrounding area and locate the perpetrator.
  - a. Deputies should refer to NMSA 31-2-5 which defines the term "fresh pursuit" and look at NMSA 31-2-8 which gives an officer authority to arrest a misdemeanant when dealing with a "fresh pursuit".

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b. There are two cases which discuss the “Police Team Concept”, namely: (1) State of New Mexico v. Lyon; and (2) State of New Mexico v. Warren. Both cases are decisions by the Court of Appeals. The Court cited three requirements, which must be met before invoking the police-team qualification to the rule on misdemeanor arrests, namely:

1. The “misdemeanor must be committed in the presence of a police officer”;
2. That “police officer must promptly communicate to other police officers via police radio or other communications devices such information and a description of the misdemeanor”;
3. The “misdemeanor must be arrested within a reasonable amount of time from the receipt of the information and description”.

## 7. REPORTING REQUIREMENTS

A. An offense/incident report will be completed on every domestic violence investigation where at least one (1) of the following criteria exist:

1. An act of violence is committed, attempted, or threatened either in the presence of the deputies or reported to the deputies;
2. An involved person reports to the responding deputy they fear for their safety after the deputy leaves;
3. There is probable cause for the deputies to believe an assault or battery or more serious offense has occurred prior to his/her arrival;
4. An arrest is made for any crime committed as a result of a domestic situation;
5. At any time where the investigating deputy or supervisor believes a report is appropriate or necessary.

B. The offense/incident report should contain a complete description of the case and information on all parties involved, including witnesses. The following should be included but is not limited to:

1. A detailed description of the scene as you found it upon arrival;
2. The circumstances leading up to the incident, as recounted by all parties;
3. A detailed description of the assault;
4. A description of the victim’s injuries and any complaints of pain;
5. Names, phone numbers and statements of all parties at the scene, including the victim, suspect, and witnesses;
6. Any weapons used or other instruments of assault;
7. Include any evidence of property damage incurred in the incident;
8. Document the marital status or relationship of the parties involved;
9. Record the frequency and severity of past assaults if any, with a brief summary of history of the violence;
10. Any unusual circumstances. (For example, did the victim change the statement when interviewed away from the suspect).

C. Deputies will provide the victim with a case number to the report made.

## 8. ORDERS OF PROTECTION

A. Enforcement

1. When a deputy receives information that an order of protection has been issued, and that the order has been violated, the deputy will make an appropriate investigation and take such action as may be necessary in its enforcement.
  - a. The deputy will first confirm the existence of the order of protection. In the case of an ex parte order of protection, the deputy will ensure it has been served on the respondent or the respondent has otherwise acquired actual knowledge of its existence before taking further action.
  - b. If there is an order of protection in existence, or an ex parte order of protection in existence, which has been served on the respondent, the deputy will make an inquiry as to its contents. (1) If there



is probable cause to believe that the respondent or petitioner has violated the terms of the order of protection and the violation(s) occurred within the jurisdiction, the deputy will, as required by NMSA 40-13-6C, arrest the violator(s). The violator(s) need to be in willful violation of the order.

- c. If a valid order of protection is in effect but the violator is no longer present, the deputy will complete an offense/incident report and give the case number for this report to the complainant for further follow-up.

## 9. DOMESTIC VIOLENCE INVOLVING LAW ENFORCEMENT OFFICIALS

### A. Law Enforcement Officials as Alleged Offender or Victim:

- 1. When a Santa Fe County Sheriff's Deputy responds to a call of domestic violence and finds the alleged offender or victim is another law enforcement officer, the responding deputy will, as soon as possible, call his/her immediate supervisor to the scene. Should the alleged offender or victim officer be of equal or higher rank than that of the responding supervisor, the responding supervisor, will then contact someone of higher rank than that of the alleged offender or victim officer. It would be more acceptable for another agency to investigate any reports of domestic violence involving any member of the Santa Fe County Sheriff's Office. This is the preferred action that should be taken by the on-duty shift commander.

### B. Failure to arrest/privilege/ special consideration:

- 1. In any situation where an arrest is warranted, deputies shall not fail to arrest, when probable cause exists, and shall not give privilege or special consideration to other deputies or officers from other law enforcement agencies when such officers are alleged to have committed acts of domestic violence.

### C. Solicitation of privilege/special consideration:

- 1. Deputies who are being investigated for any allegation of domestic violence shall not solicit privilege or special consideration from other law enforcement officers.

## S.O.P NUMBER 8-14

### Hate Crimes Policy

#### 1. PURPOSE

This policy is designed to assist employees in identifying crimes motivated by bias toward an individual's race, religion, ethnic background and/or sexual orientation and to define appropriate steps for assisting victims and apprehending suspects.

#### 2. POLICY

It is the policy of this agency to safeguard the state and federal rights of all individuals irrespective of their race, religion, ethnic background or sexual orientation. Any acts or threats of violence, property damage, harassment, intimidation or other crimes designed to infringe upon these rights are viewed very seriously by this agency and will be given high priority. This agency will use every necessary resource to identify the perpetrators, arrest them and take vigorous prosecution action.

#### 3. DEFINITIONS

- A. **HATE CRIME:** Any unlawful action designed to frighten, harm, injure, intimidate or harass an individual in whole or in part, because of a bias motivation against the actual or perceived race, religion, ethnic background or sexual orientation of the victim.
- B. **RACE:** A group of persons who possess common physical characteristics (e.g., color of skin, eyes and/or hair, facial features; etc.) genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites, etc.).
- C. **Ethnic Group:** A group of individuals of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arab, Hispanics, etc.).
- D. **Religious Group:** Any persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g, Catholics, Jews, Protestants, atheists, etc.).

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- E. **Sexual Orientation:** A sexual attraction toward, and responsiveness to, members of one's own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals, etc.).

#### 4. INITIAL RESPONSE PROCEDURES

When a deputy at the scene of an incident believes it may have been motivated by racial, religious, ethnic or sexual orientation bias, the deputy shall take any preliminary actions necessary, such as:

1. Determining whether any perpetrators are present and, if so, taking appropriate enforcement measures;
2. Restoring order to the crime scene and taking any necessary actions to gain control of the situation;
3. Identifying any injured parties and taking steps to provide medical assistance;
4. Identifying any witnesses or others who have knowledge of the crime;
5. Protecting the crime scene; and
6. Summoning a field supervisor to the scene.

#### 5. SUPERVISOR'S RESPONSIBILITIES

The supervisor shall confer with the initial responding deputy, take measures to ensure all necessary preliminary actions have been taken and inform an immediate supervisor of the criminal act. The supervisor shall request any appropriate additional personnel necessary to accomplish the following:

1. Ensure a standard investigation, to include preliminary interviews of the victim and any witnesses to the incident is accomplished.
2. Ensure all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a Hate Crime.

#### 6. INVESTIGATOR'S RESPONSIBILITIES

Investigative personnel assigned to alleged Hate Crime incidents shall be responsible for the following:

- A. When responding to the scene of an alleged Hate Crime, investigators shall assume control of the follow-up investigation. This includes:

1. Assuring the scene is properly protected, preserved and processed and all physical evidence of the incident is collected as soon as possible. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall), the owner of the property shall be contacted to remove such material as soon as possible and the deputy shall follow-up to ensure this is accomplished in a timely manner;
2. Conduct a comprehensive interview with all victims and witnesses at the scene, or as soon as possible thereafter, canvassing the neighborhood for additional personal sources of information;
3. Notifying other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense, and its potential inflammatory and related impact on the community;
4. Working closely with the District Attorney's Office to ensure a legally adequate case is developed for prosecution;
5. Coordinating the investigation with agency, state and regional intelligence operations. These sources shall provide the investigative officer with an analysis of any patterns, organized groups and suspects potentially involved in the offense;
6. Coordinating the investigation with the identification and other units of the agency and with outside agencies where appropriate,
7. Maintaining contact with the initial responding deputy and keeping him/her apprised of the status of the case;
8. Making a final determination as to whether the incident should be classified as a Hate Crime; and
9. Completing any reports necessary to comply with statistical reporting requirements for Hate Crimes.

- B. Investigative deputies shall also take the lead role in providing ongoing assistance to the crime victim to include:

1. Contact the victim periodically to determine whether he/she is receiving adequate and appropriate assistance; and

2. Provide ongoing information to the victim about the status of the criminal investigation.

## 7. COMMUNITY RELATIONS/ CRIME PREVENTION

Hate Crimes are viewed in the community not only as crimes against the targeted victim, but also as a crime against the victim's racial, religious, ethnic or sexual orientation group as a whole. Working constructively with segments of this larger audience after such incidents is essential to help reduce fears, stem possible retaliation, help prevent additional Hate Crime incidents and encourage any other previously victimized individuals to step forward and report those crimes. Toward this end, this agency's community relations function, or deputies so assigned, shall:

1. Meet with neighborhood groups, residents in target communities and other identified groups to alleviate fears, relay this agency's concern over and respond to this and related incidents, reduce the potential for counter-violence and provide safety, security and crime prevention information;
2. Provide direct and referral assistance to the victim and his/her family;
3. Conduct public meetings on Hate Crime threats and violence in general, and as it relates to specific incidents;
4. Establish liaison with formal organizations and leaders; and
5. Expand, where appropriate, existing preventive programs such as anti-hate seminars for school children.

## S.O.P NUMBER 8-15 Missing Persons

### 1. PURPOSE

The purpose of this standard operating procedure is to establish responsibilities and guidelines for the investigation of missing persons.

### 2. POLICY

Many missing persons reports involve individuals who have voluntarily left home for personal reasons, while other reports are often unfounded or quickly resolved. However, there are many instances in which persons disappear for unexplained reasons

and under circumstances where they may be considered at risk. The roles of the complaint taker and initial responding deputy are critical in identifying the circumstances surrounding missing persons and in identifying those persons at risk. Therefore, it is the policy of this agency to ensure the following: (1) all reports of missing persons shall be given full consideration and attention by members of this agency to include recording and investigation of factual circumstances surrounding the disappearance in accordance with this policy, and (2) particular care be exercised in instances involving missing children and those who may be mentally or physically impaired or others who are insufficiently prepared to take care of themselves.

## 3. PROCEDURES

### A. Reporting/Classification of Missing Persons

1. There is no waiting period for reporting a missing person. Missing person reports shall be taken in person in conformance with the criteria of this policy and the criticality of the incident.
2. A person may be declared "missing" when his/her whereabouts is unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans or routines.
3. An individual may be considered "missing-critical" who meets the foregoing criteria and who, among other possible circumstances,:
  - a. May be the subject of foul play,
  - b. Because of age (young or old), may be unable to properly safeguard or care for himself/herself,
  - c. Suffers from diminished mental capacity or medical conditions that are potentially life threatening if left untreated/unattended;
  - d. Is a patient of a mental institution and is considered potentially dangerous to himself or other;
  - e. Has demonstrated the potential for suicide; or

- f. May have been involved in a boating, swimming or other sporting accident or natural disaster.
- 4. Reports of juveniles who have voluntarily left home (i.e., “runaways”) should be classified as such only after thorough investigation.
- 5. Based on the outcome of initial inquires, a decision may be made concerning the potential danger posed to the missing person and the urgency of police response.

**B. Initial Report Taking**

- 1. The initial report taker must gather as much pertinent information as possible in order to properly classify a missing person report and initiate proper response. This includes the following information:
  - a. Name, age and physical description of the subject and relationship of the reporting party to the missing person.
  - b. Time and place of last known location and the identity of anyone accompanying the subject.
  - c. The extent of any search for the subject.
  - d. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits or plans.
  - e. Whether the subject has been involved recently in domestic incidents; suffered emotional trauma or life crises; demonstrated unusual, uncharacteristic or bizarre behavior; is dependent on drugs or alcohol or has a history of mental illness.
  - f. The current physical condition of the subject and whether the person is currently on prescription medication.
- 2. If the missing person is a child, inquiry should also determine if the child:
  - a. is or may be the subject of a parental abduction;
  - b. is or may be with any adult who could cause him/her harm;

- c. has previously run away from home, has threatened to do so or has a history of explainable or unexplainable absences for extended periods of time.

- 3. A supervisor shall be notified immediately upon classification of a report as “missing-critical.”

**C. Preliminary Investigation**

The preliminary investigation is intended to gather additional information and to take the necessary steps which will aid in the search for and location of a missing person. This includes gathering the following types of information and materials:

- 1. Complete description of the subject and a recent photograph.
- 2. Details of any physical or emotional problems identified above.
- 3. Identity of the last person(s) to have seen the subject as well as friends, relatives, coworkers or associates who were or may have been in contact with the subject prior to disappearance.
- 4. Plans, habits, routines and personal interests of the subject including places frequented or locations of particular personal significance.
- 5. Indications of missing personal belongings, particularly money and other valuables.
- 6. Any suggestion of foul play or accident.
- 7. In the case of missing children, deputies shall be particularly cognizant of information which may suggest the potential for parental abduction or the possibility of stranger abduction, as well as:
  - a. the presence of behavioral problems;
  - b. past instances of running away;
  - c. signs of an abusive home environment or dysfunctional family situation;
  - d. whether the child is believed to be with adults who may pose a danger; and
  - e. the name and location of the school attended by the child and any persons who may be responsible for private transportation to and from the location.

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8. When possible, deputies should gain permission to search a missing child's home and school locker, as appropriate.
9. Upon verification of a missing person, a missing person report shall be completed and appropriate entries made in state and national information databases in accordance with established procedures (e.g.: NCIC and the National Center for Missing and Exploited Children).
10. In the case of persons designated as "missing-critical", a supervisory officer may direct that:
  - a. the dispatcher broadcast to all persons on duty all information necessary to identify the missing person, and
  - b. request the shift commander authorize mobilization of resources necessary for an area search.
6. Decisions to use the local media to help the missing person shall be made with the approval of the Sheriff and the missing person's family.
7. The lead investigator shall maintain routine on-going contact with the missing person's closest relative concerning progress of the investigation. These and other relevant individuals shall be informed they must notify the lead investigator as soon as any contact is made with the missing person.

#### **E . Activation of the Amber Alert System**

1. Criteria for use:
  - a. There must be evidence of a non-familial abduction;
  - b. The child must be under 18 year of age;
  - c. There should be no doubt that the child is in immediate danger of serious bodily harm or death; and
  - d. There must be specific, detailed description of the child and the abductor.
2. Authorized requestors to activate Amber Alert:
  - a. Sheriff, Undersheriff, Major and Captain
  - b. Criminal Investigation-Commanders
3. Procedures for activating an Amber Alert:
  - a. An authorized requestor will notify KKOB-AM radio to activate the Amber Alert abduction information, via the New Mexico Emergency Alert system;
  - b. A statement (30 seconds or less) will be recorded for broadcast. An Amber Alert broadcast form will be prepared and utilized for every activation.
  - c. KKOB-AM receiving staff will ask the requestor for their appropriate code and information.
  - d. The alert will be authorized only if the requestor's identity and code is verified and only if the information provided meets the above required criteria listed in number 1.
  - e. No one other than authorized requestors may activate the Amber Alert. Violation of this procedure can result in

#### **D. Ongoing Investigation**

Ongoing investigations of missing persons should include but should not be limited to the following actions and activities:

1. Request release of dental records and any fingerprints available.
2. Contact hospitals and the Office of the Medical Investigator as appropriate for injured or deceased persons fitting the description of the missing person.
3. Thoroughly check the location at which the missing person was last seen and conduct interviews as appropriate with persons who were with the individual or who may work in or frequent the area.
4. Conduct interviews with any additional family, friends, work associates, school-mates and teachers as well as school counselors and social case workers, as appropriate, to explore the potential for foul play, voluntary flight, or, in the case of juveniles, parental kidnapping or running away.
5. Provide identification and related information to all elements of this agency, the state police, neighboring police agencies and, if parental or stranger abduction is suspected, the FBI.

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the Santa Fe County Sheriff's Office participation being withdrawn.

- f. All other cases shall be relayed to the media through normal press release procedures via the Public Information Officer.

#### **F. Missing Persons Recovery/Case Closure**

1. Competent adults, having left home for personal reasons, cannot be forced to return home. Deputies locating such individuals shall:
  - a. advise them they are the subject of a missing person investigation;
  - b. ask if they desire the reporting party or next-of-kin to be notified of their whereabouts; and
  - c. make provisions to transmit this information to the reporting party or next-of-kin if permitted by the missing person.
2. In all cases, reporting parties shall be informed of the well-being of located missing persons. Unless criminal matters necessitate other action, desires of missing persons not to reveal their whereabouts shall be honored.
3. Missing persons shall be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.
4. In cases involving juveniles, deputies shall ensure:
  - a. the juvenile receives medical attention if necessary and in a timely manner;
  - b. initial questioning of the youth reveals the circumstances surrounding the child's disappearance, any individuals who may be criminally responsible and/or whether an abusive or negligent home environment was a contributory factor, and
  - c. the parents, guardians and/or the person reporting the missing youth are notified in a timely manner.
5. Upon location of a missing person, all agencies and information systems previously contacted for assistance will be notified or updated.

6. Where indicated, follow-up action shall include filing of an abuse and neglect report with the State Children, Youth and Families Dept.
7. The case report shall include a complete report on the whereabouts, actions and activities of children while missing.
8. Where indicated, criminal charges shall be filed with the District Attorney's Office.

### **S.O.P NUMBER 8-16**

#### **Field Interviews & Pat-Down Searches**

##### **1. PURPOSE**

The purpose of this policy is to assist deputies in determining when field interviews and pat-down searches are warranted and the manner in which they must be conducted.

##### **2. POLICY**

The field interview is an important point of contact for deputies in preventing and investigating criminal activity. But even when conducted with respect to involved citizens and in strict conformance with the law, it can be perceived by some as a means of police harassment or intimidation conducted in a discriminatory manner against groups or individuals. In order to maintain the effectiveness and legitimacy of this practice and to protect the safety of deputies in approaching suspicious individuals, law enforcement officers shall conduct field interviews and perform pat-down searches in conformance with procedures set forth in the standard operating procedure.

##### **3. DEFINITIONS**

- A. Field Interview: The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the deputy's suspicions.
- B. Pat-Down Search: A "frisk" or external feeling of the outer garments of an individual for weapons only.
- C. Reasonable Suspicion: Articulating facts that, within the totality of the circumstances, lead a deputy to reasonably suspect criminal activity has been, is being or is about to be committed.

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## 4. PROCEDURES FIELD INTERVIEW

### A. Field Interview Justification:

Deputies may stop individuals for the purpose of conducting a field interview only where reasonable suspicion is present. Reasonable suspicion must be more than a hunch or feeling, but need not meet the test for probable cause sufficient to make an arrest. In justifying the stop, the deputy must be able to point out specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to the following:

1. The appearance or demeanor of an individual suggests he/she is part of a criminal enterprise or is engaged in a criminal act.
2. The actions of the suspect suggest he/she is engaged in criminal activity.
3. The hour of the day or night is inappropriate for the suspect's presence in the area.
4. The suspect's presence in a neighborhood or location is inappropriate.
5. The suspect is carrying a suspicious object.
6. The suspect's clothing bulges in a manner suggesting he/she is carrying a weapon.
7. The suspect is located in proximate time and location to the alleged crime.
8. The deputy has knowledge of the suspect's prior criminal record or involvement in criminal activity.

### B. Initiating a Field Interview

Based on observance of suspicious circumstances or upon information from investigation, a deputy may initiate the stop of a suspect if he/she has particularly, reasonable suspicion to do so. The following guidelines shall be followed when making an authorized stop to conduct a field interview:

1. When approaching the suspect, the deputy shall clearly identify him/herself as a law enforcement officer and if the Deputy is not in uniform, by announcing his/her identity and displaying official identification (i.e. badge, commission, etc).
2. Deputies shall be courteous at all times during the contact but maintain caution and vigilance for cautious movements to retrieve

weapons, conceal or discard contraband, or other suspicious actions.

3. Before approaching more than one suspect, individual deputies should determine whether the circumstances warrant a request for backup assistance and whether the contact can and should be delayed until such assistance arrives.
4. Deputies shall confine their questions to those concerning the suspect's identity, place of residence and other inquiries necessary to resolve the deputy's suspicions. However, in no instance shall a deputy detain a suspect longer than necessary to make these limited inquiries.
5. Deputies are not required to give suspects *Miranda* warnings in order to conduct field interviews unless the person is in custody and about to be interrogated.
6. Suspects are not required, nor can they be compelled, to answer any questions posed during a field interview. Failure to respond to a deputy's inquiries is not, in and of itself, sufficient grounds to make an arrest, although it may provide sufficient justification for additional observation and investigation.

## 5. PROCEDURES PAT-DOWN SEARCHES

### A. Pat-down Search Justification.

A law enforcement officer has the right to perform a pat-down search of the outer garments of a suspect for weapons if, he/she has been legitimately stopped with reasonable suspicion and only when the deputy has a reasonable fear for his/her own safety or another person's safety. Clearly, not every field interview poses sufficient justification for conducting a pat-down search. Following are some criteria that may form the basis for establishing justification for performing a pat-down search. Deputies should note these factors are not all-inclusive; there are other factors that could or should be considered. The existence of more than one of these factors may be required in order to support reasonable suspicion for the search.

1. The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.

2. Where more than one suspect must be handled by a single deputy.
3. The hour of the day and the location or neighborhood where the stop takes place.
4. Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.
5. The appearance and demeanor of the suspect.
6. Visual indications which suggest the suspect is carrying a firearm or other deadly weapon.
7. The age and gender of the suspect. Whenever possible, pat-down searches should be performed by deputies of the same sex.

**B. Pat-Down Search Procedures**

When reasonable suspicion exists to perform a pat-down search, it should be performed with due caution, restraint and sensitivity. These searches are only justifiable and may only be performed to protect the safety of the deputies and others and may never be used to shake down individuals or groups of individuals or as an alleged reason for obtaining evidence. Under these circumstances, pat-down searches should be conducted in the following manner:

1. Whenever possible, pat-down searches should be conducted by at least two deputies, one of whom should be of the same sex as the person being searched if possible. One deputy performs the search while the other provides protective cover.
2. Because pat-down searches are cursory in nature, they should be performed with the suspect in a standing position or with hands placed against a stationary object and feet spread apart. Should a weapon be visually observed; however, a more secure position may be used, such as the prone position.
3. In a pat-down search, deputies are permitted only to externally feel the outer garments of the suspect. Deputies may not place their hands in pockets unless they feel an object could reasonably be a weapon, such as a firearm, knife, club or other item.
4. If the suspect is carrying an object such as a handbag, suitcase, briefcase, sack or other item that may conceal a weapon, the deputy

should not open the item but instead place it out of reach of the suspect.

5. If the external feeling of the suspect's clothing fails to disclose evidence of a weapon, no further search may be made. If evidence of a weapon is present, a deputy may retrieve that item only. If the item is a weapon the possession of which is a crime, the deputy may make an arrest of the suspect and complete a full-custody search of the suspect.

**S.O.P NUMBER 8-17  
Surveillance Operations**

**1. PURPOSE**

The purpose of this standard operating procedure is to provide guidelines for conducting surveillance of businesses that will maximize enforcement effectiveness in the safest possible manner.

**2. POLICY**

Surveillance operations are an important Office activity used in anticipation of enforcement actions against criminal suspects who are possibly armed. Because these assignments are inherently dangerous, deputies assigned to these duties shall follow Office policy and procedures designed to ensure operational effectiveness. If enforcement action is taken, it should be done so as to minimize potential harm to both civilians and deputies.

**3. DEFINITION**

Surveillance: The tactical deployment of law enforcement officers in anticipation of the commission of a crime at a specific location or the apprehension of a fugitive.

**4. PROCEDURES**

**A. Preparation**

1. Deputies assigned to surveillance duty shall review this standard operating procedure and the Use of Force standard operating procedure.
2. The officer in charge (OIC) and/or the detail supervisor of the surveillance operation shall "advance" the designated location if necessary to:

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- a. interview appropriate parties to ascertain their level of cooperation, to inform them of the nature of the operation and their individual responsibilities related to deportment and safety, and impress upon them the importance of keeping the operation strictly confidential;
  - b. survey the establishment to determine manpower, equipment and logistical requirements and prepare a floor plan for the tactical briefing; and
  - c. prepare a tactical plan.
3. Prior to deployment, the detail supervisor shall assemble the surveillance team from a detailed briefing of the tactical plan of operation, to include:
- a. all available intelligence on the suspects, their MOs, photographs or composites, armament used and potential for violence, tactics and routines, use of drugs, method of approach and escape, and other relevant information;
  - b. a detailed assessment of the surveillance location as developed by the advance team, to include all entry and exit locations, work stations, positions of cover and surveillance and information on building construction and other matters relating to unsafe fields of fire;
  - c. weapons and other equipment needs and requirements to include the mandatory use of soft body armor and the use of videotape to record the operation whenever possible;
  - d. individual and team assignments and responsibilities, for inside and outside personnel and manpower rotation and relief procedures; and
  - e. review of contingency plans in cases relating to the use of force, injury of deputies or civilians, taking of hostages, barricaded suspects, threatened use of explosives or other unexpected events, as well as potential logistical problems such as communication or vehicle failure.

## B. Deployment

1. Surveillance operations will normally consist of an inside and outside team. Enforcement action should not be initiated by the inside team unless circumstances dictate such action for the safety of deputies or others, or the tactical plan has designated such action. The inside team shall be used primarily to relay information to the outside team for purposes of arrest.
2. The inside team shall be responsible for final briefings of the establishment employees, instructing them in the actions they should take in the event of an armed encounter and informing them that they are not to initiate any enforcement actions on their own.
3. Surveillance teams are designated for enforcement actions only with regard to the tactical plan and shall not be used to enforce less serious infractions such as shoplifting while on assignment. Such infractions shall be handled on a routine basis by uniform deputies.
4. Uniform deputies on patrol in the immediate vicinity of a surveillance operation shall be informed of the operation just prior to beginning their shift.
5. Inside team deputies who are not in concealed positions shall assume roles and attire similar to that of others in the establishment. Outside team members shall observe good surveillance and concealment tactics at all times and maintain positions that provide easy and rapid access to the establishment.
6. In order to conceal their equipment and identity, deputies shall exercise particular caution when entering and exiting surveillance locations. Deputies shall not enter or exit as a group.
7. Weapons shall be readily available to team members at all times but shall not be hidden next to cash registers or in other common hiding places. All weapons shall be maintained in a ready condition.
8. Surveillance operation deputies should be assigned a dedicated radio channel for pur-

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poses of the operation and radios should be equipped with earplugs for security purposes.

9. Outside surveillance deputies shall be alert to the following types of situations and keep inside deputies informed of the following suspicious persons or events:
  - a. Persons loitering around the premises
  - b. Automobiles that drive by the establishment slowly and frequently
  - c. Persons wearing inappropriate, out-of-season clothing such as overcoats, raincoats and ski caps
  - d. Suspicious persons carrying shopping bags, duffle bags or coats
10. Uniformed deputies shall be summoned as soon as possible following a crime. All plainclothes deputies at the scene shall ensure that they are properly and easily identifiable as law enforcement officers to the responding deputies.

## S.O.P NUMBER 8-18 Interrogations & Admissions

### 1. PURPOSE

The purpose of this standard operating procedure is to provide deputies with legally sound procedures for conducting custodial interrogations.

### 2. POLICY

Custodial interrogations of suspects and the statements and admissions that are elicited are vitally important in the preparation of criminal cases. However, to be admissible as evidence, statements and admissions must be given freely and voluntarily and with due consideration for the suspect's right to silence and right to counsel. Therefore, it is the policy of this Office that all deputies understand and follow this standard operating procedure in order to observe due process rights of suspects and to guard against any charges of police coercion or intimidation during interrogation.

### 3. DEFINITIONS

- A. **Custody:** A custodial situation exists when a deputy tells a suspect that he/she is under arrest. A functionally equivalent situation exists when

a "reasonable person" in the suspect's position would feel that his/her freedom of action has been restricted to the same degree as a formal arrest.

- B. **Interrogation:** Interrogation includes direct questioning of a suspect about a crime or suspected crime, as well as any words, statements or actions made by deputies, where the deputies should know may reasonably be likely to elicit an incriminating response from the suspect.

## 4. PROCEDURES

### A. Custodial Statements and Admissions

1. *Miranda* warnings are required and shall be administered prior to "custodial interrogation," as defined above.
2. The following represent examples of situations that are not "custodial" and do not require issuance of *Miranda* warnings.
  - a. Investigatory stop and frisk.
  - b. Questioning during a routine traffic stop or for a minor violation; to include driving a motor vehicle while under the influence of alcohol and/or drugs until a custodial interrogation begins.
  - c. During routine questioning at the scene of an incident or crime when the questions are not intended to elicit incriminating responses.
  - d. During voluntary appearances at the Sheriff facility.
  - e. When information or statements are made spontaneously, voluntarily and without prompting by deputies.
  - f. Questioning done via telephone

### B. Administering *Miranda*.

1. *Miranda* warnings shall be read by deputies from the card containing this information to all persons subjected to custodial interrogation. Freelancing, recitation from memory or paraphrasing the warnings is prohibited as it precludes deputies from testifying in court as to the precise wording used.
2. Deputies shall ensure the suspect(s) understand their right to remain silent and their right to an attorney. Suspects may be interrogated only when they have knowingly and intelligently waived their rights.



Threats, false promises or coercion to induce suspect statements is prohibited.

- a. Waivers of one or both of the *Miranda* rights must be performed affirmatively.
  - b. Oral waivers are often sufficient but written waivers particularly in felony charges, are preferred and should be obtained whenever possible on the appropriate agency form.
3. Deputies arresting deaf suspects shall notify their immediate supervisor and make arrangements to procure the assistance of an interpreter in accordance with this agency's policy and state and federal law. Interpreters should also be obtained for suspects that do not understand English.

### C. Invoking the right to silence

1. When a suspect invokes his/her right to remain silent, all interrogation shall terminate immediately.
2. Suspects who are not represented by an attorney may not be interrogated for at least 90 minutes after invoking their right to silence and then, only after deputies have re-administered *Miranda* warnings and obtained a waiver.
3. Deputies may interrogate a suspect who has previously invoked his/her right to silence, if, after the passage of time, the suspect initiates communication with the deputies; However, prior to questioning *Miranda* warnings shall be re-administered and a waiver obtained.

### D. Invoking the right to counsel

1. If a suspect waives his/her right to counsel, a waiver shall be obtained prior to questioning. When a suspect makes reference to counsel but his/her intentions are unclear, deputies may question the suspect further to clarify his/her intentions.
2. When a suspect invokes his/her right to counsel, all interrogation shall cease immediately. The suspect may not again be interrogated about the crime for which he/she is charged, other crimes, or by other deputies (from this or any other agencies) unless
  - a. the suspect initiates new contact with the deputy. In this later case, *Miranda*

rights must again be administered and a waiver obtained before any questioning may take place. Deputies shall also document and, if possible, obtain written verification that the suspect initiated the communication.

- b. the suspect's attorney is present at the questioning.
3. Upon the suspect's request, Deputies shall cooperate in any reasonable way with efforts by counsel to contact or meet with suspects in custody

### E. Documenting statements and admissions

1. The circumstances surrounding the conduct of interrogations and recording of admissions shall be fully documented. This includes but is not limited to:
  - a. location, date, time of day and duration of interrogation;
  - b. the identities of deputies or others present;
  - c. *Miranda* warnings given, suspect responses and waivers provided, if any; and
  - d. the nature and duration of breaks in questioning to provide the suspect with food, drink, use of lavatories or for other purposes.
2. Investigating deputies are encouraged to use this agency's video and audio taping capabilities for the purposes of recording statements and admissions in an overt or covert manner consistent with state law.
3. The lead investigative deputy may decide in which cases audio or video tape recordings may be appropriate and whether covert or overt procedures may be used. Tape recordings designated as evidence shall be handled in the following manner:
  - a. Original tape recordings shall be duplicated and each copy stored separately.
  - b. The tab on the tape housing of both the original and duplicate copies shall be removed to preclude the possibility of erasure or tampering.
  - c. Tape recordings shall be turned over to the evidence/property officer after being properly tagged as evidence.

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4. Interrogation or Questioning of Juvenile Offenders
  - a. Deputies shall refrain from leaving anyone under the age of 18, unattended in the interview/interrogation room.
  - b. If at any time a juvenile is secured or detained unattended in the interview/interrogation room, the deputy must fill out the New Mexico Juvenile Holding log.
  - c. The log must be filled out completely
  - d. The Criminal Investigations Supervisor is responsible for the maintenance of the New Mexico Secure Juvenile Holding Log and shall submit the log at a time designated by the New Mexico Compliance Monitor for the Juvenile Justice Advisory Committee.

**F. Complying with State Statues 29-1-16 (Electronic Recordings of Custodial Interrogation)**

1. All Deputies and criminal investigation will comply with State Statute 29-1-16, which is "Electronic Recording of Custodial Interrogation". When reasonably able to do so while conducting a custodial interrogation.
2. The custodial interrogation shall be electronically recorded in its entirety.
3. If the custodial interrogation is conducted at the office, it shall be electronically recorded by a method that includes audio, visual or both, if available.
4. The electronic recording shall include the advice of constitutional rights required by law.
5. Deputies shall comply with this State Statute unless the Deputy has good cause not to electronically recording the entire custodial interrogation and make a contemporaneous written or electronic recording of the reasons for not doing so.

Good cause includes:

- a. The electronic recording equipment was not reasonably available.
- b. The electronic equipment failed and obtaining replacement equipment was not feasible.
- c. The individual refused to be recorded.

- d. The statement was made in a court proceeding or a grand jury proceeding.
5. Statements that are spontaneously volunteered and not the result of custodial interrogation are not subject to this Statute.
  6. This Statute shall only apply to custodial interrogations when, at the time of the interrogation, the person is suspected of committing a **FELONY** offense.
  7. This statute does not apply to anyone within a correctional facility.

Definitions:

- a. "Custodial Interrogation" means questioning by law enforcement officers that requires the advice of constitutional rights.
- b. "Electronic Recording" means a complete and authentic electronic recording created by visual or audio media, including by motion picture, videotape, and video tape or digital media.

**S.O.P NUMBER 8-19  
Showups, Photographic Identification & Lineups**

**1. PURPOSE**

It is the purpose of this standard operating procedure to establish guidelines for the use of eyewitness identifications involving showups, photographic identifications and lineups.

**2. POLICY**

Eyewitness identification is a frequently used investigative tool. As such, deputies shall strictly adhere to the procedures set forth here in order to maximize the reliability of identifications, minimize unjust accusations of innocent persons and to establish evidence that is reliable and conforms with established legal procedure.

**3. DEFINITIONS**

- A. *Showup*: The presentation of one suspect to an eyewitness in a short time-frame following commission of a crime.
- B. *Photo Array*: The showing of several photographs to an eyewitness for the purpose of obtaining identification.

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- C. *Lineup*: The presentation of a number of individuals, including the suspect, simultaneously before an eyewitness.

## 4. PROCEDURES

### A. Showups

Many courts have suppressed identification evidence based on the use of showups because of the inherent suggestiveness of the practice. Therefore, the use of showups should be avoided whenever possible in preference for the use of a lineup; However, when exigent circumstances require the use of showups, the following guidelines shall be followed:

1. Showups shall not be conducted when the suspect is in a cell, manacled or dressed in jail clothing.
2. Showups shall not be conducted with more than one witness present at a time. If the showup is conducted separately for more than one witness, the witnesses should not be permitted to communicate before or after the showup regarding the identification of the suspect.
3. The same suspect shall not be presented to the same witness more than once.
4. Showup suspects shall not be required to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
  5. Words or conduct of any type by deputies that may suggest to the witness that the individual is or may be the perpetrator shall be scrupulously avoided.

### B. Photographic Identifications

In conducting photographic identifications deputies shall adhere to the following guidelines:

1. Photographic identifications must use multiple photographs shown individually to a witness or simultaneously in a book or array.
2. Principles for conducting lineups generally apply to photo identifications. In particular, deputies shall:
  - a. use at least six photographs of individuals who are reasonably similar in age, height, weight and general appearance and of the same sex and race;

- b. whenever possible, avoid mixing color and black and white photos, use photos of the same size and basic composition, and never mix mug shots with other snapshots or include more than one photo of the same suspect;
- c. cover any portions of mug shots or other photographs that provide identifying information on the subject, and similarly cover those used in the array;
- d. show the photo array to only one witness at a time;
- e. never make suggestive statements that may influence the judgement of the witness, and
- f. preserve the photo array, together with full information about the identification process, for future reference.

### C. Lineups

1. The assigned detective shall be responsible for:
  - a. scheduling the lineup on a date and time convenient for all concerned parties, to include: the prosecuting attorney, defense counsel and all witnesses,
  - b. fulfill the necessary legal requirements for transfer of the subject to the lineup location should he/she be incarcerated at a detention center, make timely notice to the detention center concerning the pickup and make arrangements for picking up the prisoner; and
  - c. make arrangements to have four to six other persons act as “fill ins” at the lineup who are of the same race, sex and physical appearance and who are similarly clothed.
2. The detective in charge of conducting the lineup shall:
  - a. ensure the prisoner has been informed of his right to counsel if formal charges have been made against him/her, and also ensure that he/she has the opportunity to retain counsel or request that one be provided;
  - b. obtain a written waiver on the prescribed Official form should the prisoner waive the right to counsel;

- c. allow counsel representing the accused sufficient time to confer with the client prior to the lineup and observe the manner in which the lineup is conducted;
- d. ensure all persons in the lineup are numbered consecutively and are referred to only by number;
- e. ensure a complete written record and videotape recording of the lineup proceedings is made and retained;
- f. ensure witnesses are not permitted to see nor are they shown any photographs of the accused immediately prior to the lineup;
- g. ensure not more than one witness views the lineup at a time and that they are not permitted to speak with one another during lineup proceedings; and
- h. scrupulously avoid using statements, clues, casual comments or providing unnecessary or irrelevant information that in any manner may influence the witnesses' decision-making process or perception.

- B. **Unreliable Informant File:** A file containing information pertaining to individuals determined generally unfit to perform as informants.

## 4. PROCEDURES

### A. Establishment of an Informant File System

1. The commanding deputy in charge of the criminal investigation division shall be responsible for developing and maintaining master informant files and an indexing system.
2. A file shall be maintained on each CI used by deputies. Each file shall be coded with an assigned informant control number and shall contain the following information:
  - a. Informant's name;
  - b. Name of the deputy initiating use of the informant;
  - c. Informant's photograph, fingerprints and criminal history record;
  - d. Briefs of information provided by the CI and its subsequent reliability. If an informant is determined to be unreliable, the informant's file shall be placed in the unreliable informant file;
  - e. Signed informant agreement; and
  - f. Update on active or inactive status of informant.
3. The confidential and unreliable informant files shall include an indexing system. An informant history summary, coded with the informant control number, shall be prepared to correspond to each informant file and include the following information:
  - a. Special skills, avocations;
  - b. Date of birth;
  - c. Height, weight, hair color, eye color, race, sex, scars, tattoos or other distinguishing features;
  - d. Aliases;
  - e. Current home address and telephone number;
  - f. Residential addresses utilized over the last five years;
  - g. Current employer, position, address and telephone number;
  - h. Marital status and number of children;

## S.O.P NUMBER 8-20 Confidential Informants

### 1. PURPOSE

The purpose of this standard operating procedure is to provide regulations for the control and use of confidential informants (CI).

### 2. POLICY

In many instances, a successful investigation cannot be conducted without the use of CIs. While the use of CIs is an effective tool in investigations, it can be undermined by the misconduct of either the CI or the deputy utilizing the informant. Therefore, it shall be the policy of this agency to take necessary informant control procedures.

### 3. DEFINITIONS

A. **Confidential Informant File:** A file maintained in order to document all information that pertains to confidential informants.

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- i. Vehicles owned and their registration numbers;
  - j. Places frequented.
4. Informant files shall be maintained in a secured area within the Criminal Investigations Division.
  5. The two informant files shall be utilized in order to:
    - a. Provide a source of background information about the informant;
    - b. Provide a complete history of the information received from the informant;
    - c. Enable review and evaluation by the appropriate supervisor of information given by the informant; and
    - d. Minimize incidents that could be used to question the integrity of investigators or the reliability of the CI.
  6. Access to the informant files shall be restricted to the Sheriff, the commander of the Criminal Investigation Division or their designees.
  7. Sworn personnel may only review an individual's informant file upon the approval of the commander of criminal investigations. The requesting deputy shall submit a written request explaining the need for review. A copy of this request, with the deputy's name shall be maintained in the CI's file.

**B. Use of Informants**

1. Before using an individual as a CI a deputy must receive initial approval from a supervisor authorized to make this approval.
2. The deputy shall compile sufficient information through a background investigation in order to determine the reliability and credibility of the individual.
3. After the deputy receives initial approval to use an individual as a CI, an informant file shall be opened.
4. All persons determined to be unsuitable for use as a CI shall be referenced in the Juvenile Informant File.
5. A deputy wishing to utilize an unreliable informant shall receive prior approval from the Sheriff or his/her designee.

**C. General Guidelines for Handling C.I.'s**

1. All CIs are required to sign and abide by the provisions of the Official informant agreement. The deputy utilizing the CI shall discuss each of the provisions of the agreement with the CI, with particular attention given to the following:
  - a. Informants are not law enforcement officers. They have no arrest powers, are not permitted to conduct searches and seizures and may not carry a weapon;
  - b. Informants will be arrested if found engaging in any illegal activity. They will receive no special legal considerations; and
  - c. Informants are not to take, and the Office will not condone, any actions that may be considered entrapment. Entrapment occurs where the informant encourages, persuades or otherwise motivates a person to engage in criminal activity.
2. No member of this agency shall knowingly maintain a social relationship with CIs while off duty, or otherwise become personally involved with CIs. Members of this Office shall not solicit, accept gratuities or engage in any private business transaction with a CI.
3. Whenever possible, a deputy shall always be accompanied by another deputy when meeting with a CI.
4. Juveniles shall only be utilized as CIs in accordance with Official regulations and state laws pertaining to juveniles.

**S.O.P NUMBER 8-21  
Post-Shooting Incident Procedures**

**1. PURPOSE**

The purpose of this standard operating procedure is to provide guidelines that shall be uniformly applied following any deputy-involved shooting incident that has resulted in death or serious injury, in order to minimize the chances that involved personnel will develop or suffer from post-traumatic stress disorder.

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## 2. POLICY

Law enforcement duties can often expose deputies and support personnel to mentally painful and highly stressful situations that cannot be resolved through normal stress coping mechanisms. Unless adequately treated, these situations can cause disabling emotional and physical problems. It has been found that deputy-involved shootings resulting in death or serious bodily injury to a citizen or a fellow deputy may precipitate such stress disorders. It is the responsibility of this Office to provide personnel with information on stress disorders and to guide and assist in their deterrence. Therefore, it shall be the policy of this Office to take immediate action after such incidents to safeguard the continued good mental health of all involved personnel.

## 3. DEFINITIONS

- A. *Post-traumatic Stress Disorder:* An anxiety disorder that can result from exposure to short-term stress, or long-term buildup of repetitive and prolonged milder stress.
- B. *Deputy-Involved Shooting Incidents:* A line-of-duty incident where shooting causes death or serious bodily injury to a deputy or other person.

## 4. PROCEDURE

### A. Protocol for Deputies involved in a Shooting

1. A supervisor shall be dispatched to the scene of the scene of the incident, and shall assume primary responsibility in caring for involved personnel.
2. The supervisor shall make appropriate arrangements for all necessary medical treatment.
3. During any period where the involved deputy is required to remain on the scene, but has no immediate duties to fulfill, the deputy should be taken to a quiet area away from the scene of the incident. A peer counselor or other supportive friend or deputy should remain with the deputies, but should be advised not to discuss details of the incident.
4. The supervisor should arrange for the deputies directly involved in the incident to leave the scene as soon as possible, and be taken to a quiet, secure setting.

5. Wherever possible, the supervisor shall briefly meet with the involved deputies.
    - a. No caffeine or other stimulants or depressants should be given to the deputies unless administered by medical personnel.
    - b. Only minimal, preliminary questions should be asked about the incident. The deputies should be advised that a more detailed debriefing will be conducted at a later time.
    - c. Any standard investigations that will occur concerning the incident should be discussed with the deputies.
    - d. The deputies should be advised they may seek legal counsel.
    - e. The deputies should be advised not to discuss the incident with anyone except a personal attorney, an agency attorney, or Official investigator until the conclusion of the preliminary investigation.
  6. The supervisor shall determine whether the circumstances of the incident require that the deputy's duty weapon be taken for laboratory analysis. Where the duty weapon is taken, the supervisor shall:
    - a. Take custody of the deputy's weapon in a discrete manner; and
    - b. Replace it with another weapon, or advise the deputy that it will be replaced or returned at a later time, as appropriate.
  7. Involved deputies should notify their families about the incident as soon as possible. Where a deputy is unable to do so, an Office official shall personally notify the family, and arrange for their transportation to the hospital.
  8. At all times, when at the scene of the incident, the supervisor should handle the deputy and all involved personnel in a manner that acknowledges the stress caused by the incident.
- B. Post-Incident Procedures**
1. Involved personnel shall be removed from line duties pending evaluation but shall re-

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main available for any necessary administrative investigations.

2. All deputies directly involved in a shooting incident shall be required to contact an agency designated specialist for counseling and evaluation as soon as possible after the incident. Involved support staff should also be encouraged to contact such specialists after a shooting incident. After counseling sessions, the specialist shall advise the agency:
  - a. Whether it would be in the deputy's best interest to be placed on administrative leave or light duty, and for how long;
  - b. Where the deputies were relieved of their duty weapons after an incident, at what point they should be returned;
  - c. What will be the best-continued course of counseling.
3. The agency strongly encourages the families of the involved deputies to take advantage of available counseling services.
4. Any agency investigation of the incident shall be conducted as soon as and as quickly as practical.
5. The agency should brief other agency members concerning the incident so that rumors are kept to a minimum. Agency members are encouraged to show the involved deputies their concern.
6. All personnel involved in a shooting incident should be advised they are not permitted to speak with the media about the incident. Deputies shall refer inquires from the media to a designated agency spokesperson, unless otherwise authorized to release a statement pertaining to the incident.
7. In order to protect against prank or abusive calls, deputies should be advised to have phone calls answered by another person for several days if their names are released to the public.
8. Deputies directly involved in the shooting incident shall be required to re-qualify with their duty weapons as soon as practical.

### C. Daily Stress Recognition

1. As post-traumatic stress disorders may not arise immediately, or the deputies may attempt to hide the problem, each supervisor is responsible for monitoring the behavior of unit members for symptoms of the disorder.
2. A supervisor may order a deputy to seek assistance or counseling from a mental health specialist upon a reasonable belief that stress may be disrupting the deputy's job performance.

DOCUMENT UNDER REVISION 2022