

 <b>CD-052900</b>	<b>NEW MEXICO CORRECTIONS DEPARTMENT</b>	<b>ISSUE DATE: 06/10/99</b> <b>EFFECTIVE DATE: 06/10/99</b> <b>REVIEW/REVISED: 09/28/11</b>
	<b>TITLE: PPD Community Response Teams</b>	

**AUTHORITY:**

- A. Statute 30-7-2, 33-1-10, 31 -21 -7, 33 - I - 10, 29-7-6, 29-7-5 (B), 29-7-7 (B), 29-7-10, 29-7-10- (B), and 29-7-12, NMSA, 1978,
- B. Policy CD 130600, CD 050200

**REFERENCES:**

- A. ACA Standards 4-APPFS-3G-01 and 4-APPFS-3G-02, *Performance Based Standards for Adult Probation and Parole Field Services*, 4<sup>th</sup> Edition.
- B. Memorandum of Understanding between the Corrections Department / Probation and Parole Division and local law enforcement.

**PURPOSE:**

The purpose of this policy is to provide guidelines and procedures for Probation and Parole Officers who participate in Community Response Teams.

**APPLICABILITY:**

This policy applies to all Probation/Parole Officers who participate in Community Response Teams.

**FORMS:**

None

**ATTACHMENTS:**

None

**DEFINITIONS:**

- A. CRT: Community Response Team
- B. Deadly Force: Any use of force that is likely to cause death or serious physical injury. The use of deadly force is limited to defensive situations.

- C. *Non-Deadly Force*: Force that will likely not create a substantial risk of death or great bodily injury to another.
- D. *Operational Control*: The command authority in a field operation by the Community Response Team at the time of deployment.
- E. *Physical Force*: The exercise of physical strength used to compel another to act or refrain from acting in a particular way and which will not create a substantial risk of death or great bodily injury to another.
- F. *Restraint Equipment*: Authorized equipment which is used to control or restrain offenders (i.e., handcuffs, leg irons, and belly chains).
- G. *Safety Equipment*: Authorized equipment which is used to control or restrain offenders as a means to protect officers during field calls or when working in dangerous situations involving offenders (i.e. body armor and mace).
- H. *Serious Physical Injury*: A bodily injury that creates a substantial risk of death; causes serious permanent disfigurement; or, results in long-term loss or impairment of the functioning of any bodily member or organ.
- I. *SID*: Special Investigations Division, Albuquerque Police Department

**POLICY: [4-APPFS-3G-01] [4-APPFS-3G-02]**

- A. It is the policy of the Probation and Parole Division that selected Probation and Parole Officers (PPO's) will collaborate with local law enforcement authorities to target high-risk felony offenders who are in violation of the conditions of supervision. PPOs assigned to the CRT will conduct investigations, surveillance and other active investigative efforts to locate and apprehend high-risk suspects who are under Probation and Parole Division supervision.
  - 1. Local law enforcement will have operational control of PPOs assigned to the program. PPOs will serve in a supporting role in said operations. NMCD will have administrative control of the PPOs. All offender target groups will be initiated by PPOs within the Probation and Parole Division.
  - 2. PPOs will be required to wear body armor, will be armed and will use assigned safety equipment as required by local law enforcement for any joint operation.

3. PPOs will supervise caseloads as assigned. It will be the responsibility of each PPO to adhere to Probation and Parole Division and New Mexico Corrections Department policies and procedures.
  4. An officer may use a firearm only to defend himself or herself, or a fellow officer from what the officer perceives to be a threat of serious bodily injury or death and retreat is not a safe alternative.
- B. All PPOs who wish to participate in CRT shall:
1. Apply for the assignment with the Region Manager within their Region;
  2. Pass a psychological exam conducted by the New Mexico Corrections Department;
  3. Be selected by a joint panel that includes members of local law enforcement and Division management;
  4. Pass all training and obtain all qualifications and certifications required by State law regarding weapons and attend all liability training. Officers will attend all training required by State law to maintain certification and will complete all PPO Basic Training; and,
  5. Maintain handguns that meet inspection and safety requirements recognized by the Department of Public Safety. State issued handguns will be .22 caliber Glock.
- C. The Probation and Parole Division will follow any Memorandum of Understanding signed by the Department and local law enforcement authorities.
- D. The Department shall seek to receive a portion of any assets that are jointly seized by local law enforcement and Probation and Parole Division when working on a project and will split the seized assets as agreed upon in the Memorandum of Understanding.
- E. Acts outside the scope of employment:
1. PPOs for the New Mexico Corrections Department are not authorized to pursue arrest or detain any person for violation of traffic laws.
  2. PPOs are not authorized to conduct criminal investigations of persons not under the supervision of the Corrections Department.

- 3. PPOs are not authorized to take any actions that fall outside their scope of employment. PPOs that are off-duty are not authorized to act as Peace Officers on behalf of the Corrections Department.
  
- F. Any PPO who participates in CRT with non-concealed firearms must pass a physical exam and physical agility test similar to correctional officers in basic training.
  
- G. PPOs who participate in CRT with non-concealed firearms must successfully complete weapons certification by the Corrections Department or through a certified law enforcement agency.



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Alfonso Solis, Interim Secretary of Corrections  
New Mexico Corrections Department

09/28/11  
Date

 <b>CD-052901</b>	<b>NEW MEXICO CORRECTIONS DEPARTMENT</b>	<b>ISSUE DATE: 06/10/99</b> <b>EFFECTIVE DATE: 06/10/99</b> <b>REVIEW/REVISED: 09/28/11</b>
	<b>TITLE: PPD Community Response Teams</b>	

**AUTHORITY:**

Policy *CD-052900*

**PROCEDURE:**

**A. Memorandum of Understanding:**

1. The Corrections Department/ Probation and Parole Division shall enter into a Memorandum of Understanding (MOU) with the local law enforcement entity where joint Community Response Teams are expected to become operational. The memorandum of understanding shall clearly spell out the operational and administrative control of the project, liability, training/certification requirements and scope of the program.
2. The MOU must be signed by the Secretary of Corrections and the responsible authority for the local law enforcement agency.

**B. Selection of Probation and Parole Division Participants:**

1. The Region Manager will ask for interested employees for participation in this CRT and explain the scope of the program to them.
2. All employees who wish to participate will undergo psychological testing at the Corrections Academy and receive clearance prior to being interviewed for the assignment.
3. The Region Manager will coordinate with the local law enforcement agency to assign a panel to select participants from the interested PPOs.
4. The Region Manager will forward the names of the selected participants to the Division Director for final approval.
5. Prior to the assignment of any PPO to CRT, the Secretary of Corrections must approve in writing the approval for the PPO to carry handguns and be assigned to CRT.

**C. Training: [4-APPFS-3G-01] [4-APPFS-3G-02]**

1. PPOs who participate in Community Response Teams must pass all certification requirements of the Corrections Academy. Officers carrying unconcealed weapons must pass all training and obtain all certification required by State law. All officers, whether they carry concealed or non-concealed weapons, will be required to meet all training requirements deemed necessary by the Corrections Academy and affiliated local law enforcement agency. Those training requirements shall include but not be limited to:
  - a. Use of Deadly Force (including defusing volatile situations);
  - b. Weapons certification;
  - c. Care and safety of weapons; and/or,
  - d. Liability Issues training.

Regardless of the scope of their assigned duties, each Probation and Parole Officer will attend required Probation and Probation Officer Refresher Training, and any other training required by the Correction's Department and the local law enforcement agency.

2. All training must meet certification and re-certification requirements as required by state statute for concealed weapons.
3. Copies of any and all certification and re-certification must be obtained by the participant and maintained in his/her personnel file and at the Corrections Academy.
4. PPOs will be issued a weapon if it has been approved by the Secretary of Corrections and passes all required inspections of either the Armory Officer or the Corrections Department.

**D. Firearms:**

1. The PPO shall, in some situations, carry the firearm concealed on his or her person in an approved holster; firearms will not be carried in purses or briefcases. The officer shall carry credentials and wear a badge on the belt when armed. The firearm is only to be carried while the PPO is on duty for deployment of the CRT. The officer shall carry pepper spray when armed.

For Safety Purposes:

- a. Always treat firearms as though they are loaded.
  - b. Never point a firearm at any person unless justified.
  - c. Keep fingers off the trigger until the decision to fire has been made.
2. Any discharge of the firearm by a PPO other than during training shall be treated as a use of force incident and shall be immediately reported to the officer's supervisor. A Use of Force Report form must be completed by the officer and turned in to the officer's supervisor prior to leaving his or her shift. The supervisor will then notify the Region Manager, who will then notify the Division Director.
- a. If a PPO is involved in the use of a weapon which results in injury of death of an offender, he/she will be immediately placed on administrative leave pending investigation.
  - b. In cases where a PPO firearm is discharged, the investigation will be conducted jointly by the Corrections Department's Office of Special Investigations and Internal Affairs (SIIA) and the local law enforcement agency.
  - c. Any incident that a PPO is involved in where there is any injury to an offender or injury to the Probation and Parole Officer shall be referred for Critical Incident debriefing. A Department psychologist must clear the Officer prior to the resumption of duties for the Community Response Team.
  - d. All CRT-assigned PPOs must strictly adhere to the all NMCD Use of Force policies.
3. Firearm and ammunition storage: During work hours (while not in use), the firearm and ammunition should be stored in a locked container or desk away from offender access.
- a. In a car: It is acceptable to lock the weapon in the vehicle trunk or other attached locked storage container (other than glove compartments) in vehicles such as trucks and vans when commuting to or from work. Otherwise, it should be secured in a holster on the officer.

- b. In a residence: The weapon and ammunition shall be safely secured at home to minimize the possibility of any unauthorized use. Particular attention to security must be given to residences where children may have access to the weapon. Safety trigger devices must be on at all times when the weapon is not in use and children may be present.
4. All PPOs participating in Community Response Teams shall ensure that they utilize proper safety/restraint equipment for any and all operations. Officer safety is the top priority. All security and reporting procedures for proper storage and handling of weapons required in Policy CD-050200 and PPD 226.1 must be followed. Officers shall always wear proper body armor during a field operation.

**E. Operational Control:**

Operational control of all Community Response efforts resides with the local law enforcement agency and Probation/Parole Officers must follow their direction during any Community Response Team deployment.

1. Any perceived conflicts of interest or problems that arise during an operation that causes a PPO to question his/her role in the situation shall be reported to the Region Manager so that clarification can be made.
2. Any operation that requires any use of force (other than routine cuffing) by any PPO in the joint operation must be reported verbally and in writing immediately to the officer's supervisor, Region Manager and Division Director. A Use of Force Report Form must be completed prior to the officer leaving his or her shift.
3. A PPO may use a firearm only to defend himself or herself, or a fellow officer and only when the officer reasonably perceives that he or she is being threatened with serious bodily injury or death and retreat is not a safe alternative.
4. PPOs involved in CRT activities will be responsible for providing any reports required by the law enforcement agency in proper format and in a timely manner.

**F. Administrative Control:**

1. Scheduling of officers, management of overtime, maintaining inventory of weapons and ammunition, deployment of officers and record keeping of activities are the responsibility of the of the Probation and Parole Division of the Corrections Department.
  - a. Supervisory staff will be responsible for maintaining copies of documents that verify that proper training certification on the participating officers are in their soft files and are submitted to the Division Personnel File in a timely manner. The participants will have this portion of their duties reflected in their performance evaluations.
  - b. Officers' involved in Community Response Team deployment will be responsible for verifying hours spent in CRT activity and reporting this to their supervisor to assure proper time sheet preparation. Schedule adjustments and overtime will be pre-approved by the Supervisor whenever possible and will be reflected accurately on the Officer's time sheet. The overtime accrual reports shall be submitted to the Director as requested.
  - c. Employee evaluations will be prepared by the immediate Probation and Parole Supervisor per policy and with input from the law enforcement agency or agencies involved.
  - d. Records of CRT activities will be maintained by the Community Response Team and will include, but will not be limited to, Special Incident Report, when applicable, amount of overtime hours worked and a monthly record of cases handled. Monthly reporting of activities for Probation and Parole Division records will include information regarding the date of the operation, names of offenders and non-offenders involved, offender case number, number and types of arrests and information regarding any new charges and their dispositions. Any additions or changes to periodic reporting required in this policy by local law enforcement and Probation and Parole Division shall be reviewed in advance at the Division level prior to implementation.
2. In order to accommodate CRT activity Officers may be allowed reduced caseloads. Officers assigned to Region II's Intensive Community Policing Project will be assigned to work full-time on CRT activities and not be assigned a caseload, unless the volume of program referrals justifies assignment of cases. Caseload management activities, changes and reductions will be monitored and approved by the District Supervisor and Region Manager.

**G. Search and Seizure:**

1. PPOs may exercise their search authority when there is reasonable suspicion to believe that the offender is in possession of prohibited items or that there is reasonable suspicion that a violation of their conditions of probation or parole has occurred, as per policy PPD-214. Information received from law enforcement may be used; however, the PPOs involved must seek corroborating evidence before conducting the actual search. The corroborating evidence must be included in a written justification as a part of the resulting violation report. Any seized items must be properly tagged and turned over to law enforcement authorities. The PPO will give a receipt to the offender for any items confiscated.
2. Corroborating evidence may include but is not limited to:
  - positive urinalysis;
  - other incriminating information received by officer from reliable informant sources;
  - offender is living beyond his means;
  - offender observed in suspicious areas of the target location; and,
  - offender is associating with another offender who is involved in the target activity.

**H. Reporting of Investigative Results:**

1. CRT officers involved in a deployment will be required to provide the Offender's supervising PPO with a detailed account of their investigation and its results. This reporting may take the form of an offense report, special incident report and/or informal summary.
2. CRT Officers will make themselves available for any hearings or other legal actions that relate to their investigation.

**I. Inter Agency Oversight:**

1. The MOU shall spell out that the program may be terminated by either agency at any time.

2. Periodic meetings shall be scheduled to review results of operations, procedural and program changes, and clarification of policy. Minutes will be kept so that both agencies are kept informed on the progress of the program.

**J. Intensive Community Policing:**

1. Intensive Community Policing (ICP) Officers are PPOs with full-time assignments to local law enforcement to address Probation/Parole offenders who fit the general criteria for Community Response Team involvement.
2. ICP will provide supervision assistance for Officers that have reason to believe that an offender poses a risk to the community and/or are fugitives from Division supervision.
3. ICP Offices deployed full-time to local law enforcement will remain current on PPD activities, policies and procedures. They will be required to attend regular staff meetings and to maintain scheduled office hours to review cases, receive referrals, and address administrative matters.
4. Operation and administrative control of ICP Officers will be addressed in Memorandums of understanding between the Department and the local law enforcement agencies that are involved.
5. Records will be maintained by the Community Policing team and will include:
  - a. Log entries for projects and work schedule;
  - b. Special Incidents;
  - c. Numbers and types of arrests;
  - d. Overtime accrued; and,
  - e. Monthly record of cases handled, including:
    - 1) Date;
    - 2) Offender and other offenders involved;
    - 3) Charge and disposition; and,
    - 4) Case number.



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Alfonso Solis, Interim Secretary of Corrections  
New Mexico Corrections Department

09/28/11  
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 <p><b>CD-052902</b></p>	<p><b>NEW MEXICO CORRECTIONS DEPARTMENT</b></p>	<p><b>ISSUE DATE: 06/10/99</b>  <b>EFFECTIVE DATE: 06/10/99</b>  <b>REVIEW/REVISED: 09/28/11</b></p>
	<p><b>TITLE: Region II Community Response Teams</b></p>	

**AUTHORITY:**

Policy *CD-052900*

**PROCEDURE: [4-APPFS-3G-01] [4-APPFS-3G-02]**

- A. The Albuquerque Police Department (APD) Special Investigations Division (SID) will be working with selected Probation and Parole Officers on a joint Community Policing Team that targets groups as per Community Response Team (CRT) policy.
- B. PPOs shall not participate in operations that require concealed weapons without Department of Public Safety certification for carrying concealed weapons. They may participate in operations that include weapons that are not concealed. Training provided by Albuquerque Police Department (APD) and the Corrections Department Training Academy will be sufficient for this activity.
- C. The Region Manager shall maintain a log recording overtime accrued for each deployment and provide a monthly report of overtime earned. The report shall be submitted to the Director.
- D. Any additions or changes to periodic reporting required in this policy by APD and Probation and Parole Division shall be reviewed in advance at the Division level prior to implementation.
- E. Caseload management: Officers carrying regular cases for Intensive Supervision will adjust their caseload when new target offenders are referred.
  - 1. When a referral of an offender outside the Intensive Supervision or Community Corrections Unit is made, the designated supervisor shall screen the case for the intensive community policing followed by a review with the Intensive Community Policing team.
  - 2. The review will result in an assignment to regular ISP, a referral to Community Corrections, an assignment to the Intensive Community Policing program or other appropriate action.

3. Since the caseload for ISP is regulated by statute and Community Corrections by Division policy, the number of assignments to those caseloads under Intensive Community Policing shall not exceed those requirements.
  - a. Of the total assignments to Intensive Community Policing, the goal will be for 75% of that population assigned to ISP and 25% to Community Corrections.
  - b. The assignment of Community Policing referrals will be made according to their level of risk and need.
  - c. Any changes in percentage of assignment shall be reviewed by the Region Manager with the Director prior to implementation.



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Alfonso Solis, Interim Secretary of Corrections  
New Mexico Corrections Department

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