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1 any sworn or non-sworn individual employed by or acting under the authority  
2 and direction of the Albuquerque Police Department.

3 (1) For the purpose of this Ordinance, APD personnel subject to CPOA  
4 jurisdiction includes individuals who:

5 (a) engage in direct interaction with members of the public;

6 (b) exercise enforcement, regulatory, or public safety related authority;

7 (c) perform duties historically or operationally associated with law

8 enforcement, including responding to calls for service, conducting traffic or  
9 crash-related functions, preparing reports, or participating in investigations;

10 (d) wear uniforms, operate marked vehicles, or otherwise present as public  
11 safety or law enforcement personnel; or

12 (e) utilize on-body recording devices or other recording systems in the  
13 course of official duties.

14 (2) This definition shall be interpreted broadly to ensure civilian oversight  
15 of all APD personnel whose duties involve public interaction or the exercise of  
16 governmental authority.

17 (3) The jurisdiction of the CPOA shall not be limited or avoided by job title,  
18 classification, employment status, contractual arrangement, or the creation of  
19 new units, programs, or positions within APD where such personnel perform  
20 functions described in this Ordinance.]

21 **SECTION 2. SEVERABILITY.** If any section, paragraph, sentence, clause,  
22 word or phrase of this Ordinance is for any reason held to be invalid or  
23 unenforceable by any court of competent jurisdiction, such decision shall not  
24 affect the validity of the remaining provisions of this Ordinance. The Council  
25 hereby declares that it would have passed this Ordinance and each section,  
26 paragraph, sentence, clause, word or phrase thereof irrespective of any  
27 provision being declared unconstitutional or otherwise invalid.

28 **SECTION 3. COMPILATION.** SECTION 1 of this Ordinance amends, is  
29 incorporated in, and is to be compiled as part of the Revised Ordinances of  
30 Albuquerque, New Mexico, 1994.

31 **SECTION 4. EFFECTIVE DATE.** This Ordinance takes effect five days after  
32 publication by title and general summary.

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