



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-86

Effective: 11/22/19 Review: 11/22/20 Replaces: 12/21/15

2-86 INVESTIGATION OF PROPERTY CRIMES

Related SOP(s):

- [1-16 Auto Theft Unit \(Formerly 5-11\)](#)
- [5-1 Special Investigations Division \(SID\)](#)
- [2-8 Use of On-Body Recording Devices](#)
- [2-60 Preliminary and Follow Up Criminal Investigations](#)

2-86-1 Purpose

It is the purpose of this policy to provide guidance and procedures to Department personnel involved in investigations of property crimes.

2-86-2 Policy

It is the policy of the Department to have Field Services officers investigate property crimes to take the initial reports and conduct follow-up investigations on all property crime cases unless otherwise indicated in the Department's Standard Operating Procedures manuals. This policy also serves as procedures for other Department personnel who investigate property crimes.

2-86-3 Procedures

7 A. Unlawful Taking of Motor Vehicles (Auto Theft)

1. Officers taking initial auto theft reports shall verify license numbers and Vehicle Identification Numbers (VIN) before submitting a written offense report.
 - a. Verification can be made through the Motor Vehicle Division (MVD) checks.
 - b. Out-of-state licenses and vehicle identification numbers can be verified on the Mobile Data Terminal (MDT) in most cases and by the National Crime Information Center (NCIC) terminal operator via teletype in exceptional cases.
2. If information cannot be verified, the report will be submitted with the reasons for lack of verification included in the narrative of the report.
3. All victim, witness, and offender statements will be captured on On-Body Recording Device (OBRD) and tagged.
4. For NCIC entry, all auto thefts and stolen license plates will be called into the Report Review Unit as soon as the license plate, vehicle and/or VIN have been verified. Officers will note in their report the time Report Review was contacted for NCIC entry and the identity of the clerk to whom the information was given.



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5. Recovery of Stolen Vehicles and/or License Plates

- a. When recovering a stolen vehicle that was reported by the Department, officers will do the following:
 - i. Confirm through NCIC the status of the vehicle.
 - ii. Submit a supplemental report.
 - All header information from the original auto theft report will be used in the supplemental report.
 - The supplemental report will list the vehicle recovery information only.
 - iii. Call Report Review and have the vehicle removed from NCIC using the proper NIC number before the vehicle is turned over to the owner or being towed from the scene (unless further investigation by an auto theft detective is necessary).
- b. When recovering a stolen license plate that was reported stolen by the Department, officers will:
 - i. Submit a supplemental report.
 - All header information from the original larceny report will be used in the supplemental report.
 - The supplemental report will list the license plate in the property section of the report and the vehicle the license plate was on in the vehicle section of the report.
- c. If officers have an offender in custody:
 - i. A supplemental report will be written to take the vehicle or license plate out of NCIC.
 - ii. Additional charges will be included in the supplemental report (unless a recovery is from an outside agency report).
- d. All recovered vehicles and/or stolen license plates that had been reported stolen by an outside agency will require the following:
 - i. An original offense/incident report be generated and filed, Officers cannot write a supplemental to a different agency's original report.
 - ii. Officer must request that NCIC notifies the original agency via teletype and complete a 10-minute confirmation.

6. The theft of motor vehicles in which the victim signs a waiver of prosecution will not be entered into NCIC.

7. Embezzled motor vehicles will only be entered into NCIC at the request of the investigating officer with a notation in the NCIC entry to hold the vehicle and I.D. the subject only. When possible, a warrant should be obtained for the offender. When a warrant is obtained, a copy will be attached to the vehicle supplement



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requesting entry into NCIC. The victim's request to prosecute shall be captured on OBRD.

8. Cases involving motor vehicles obtained through fraudulent means will follow the same guidelines as used for embezzled vehicles.
9. The Auto Theft Unit will have investigative responsibilities and may be called out on the following types of cases:
 - a. In-custody investigations involving auto theft, which require additional follow-up investigation;
 - b. Receiving and transferring a stolen motor vehicle;
 - c. The altering or removing of a VIN; and before towing any vehicle with an altered or removed VIN.

10. Vehicles in Dispute of Ownership

- a. If it is determined that a dispute exists concerning the ownership of vehicles, officers/detectives will:
 - i. Obtain the paper copy of the MVD registration for the vehicle from the party(s) involved and title if available.
 - ii. Contact NCIC to determine:
 - The registered owner; verification of the paper copy of the vehicle registration and title;
 - If the vehicle is reported stolen; and
 - If the vehicle was reported embezzled.
 - iii. If there are discrepancies concerning the validity of documents, and/or the N.C.I.C. inquiry and the documents provided by the party(s) involved, officers may, for guidance and advice, contact:
 - Auto theft detectives, or the on-call auto theft detective;
 - The Department's Legal Advisor; or
 - On-call ADA.
 - iv. If it is determined beyond a reasonable doubt that the true owner can be identified by verification of documents and/or other means, officers should allow the vehicle to be released to the proper owner.
- b. If the discrepancies cannot be resolved, officers should:
 - i. Not take the vehicle away from one party and give it to the other.
 - ii. Advise the parties to seek legal advice and, if necessary, have the courts determine their respective rights to the property.



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7 c. An Offense/Incident report will be completed, detailing the facts concerning incidents of this nature. All statements will be recorded on OBRD and tagged into evidence.

7 B. White Collar Crimes

1. The Organized Crime Unit will have investigative responsibility for all felony white collar crimes over \$10,000.
2. The Area Command Impact Team will have investigative responsibility for all felony white-collar crimes under \$10,000.
3. This does not exclude field officers from taking case responsibility when appropriate.

7 C. Burglaries

1. In all burglaries, the appropriate Impact Team will have responsibility for the investigation of the case when:
 - a. A warrant is needed;
 - b. Multiple victims have been identified;
 - c. Multiple offenders are on-scene; or
 - d. The complexity of the case is time-intensive.
2. The on-call detective will be notified when an offender is in custody, and the detective will determine if they will respond and/or assume case responsibility.
3. Conflicts regarding case responsibility will be resolved by the Impact unit supervisor.
4. Field Services personnel or Crime Scene Specialists (CSS) will be responsible for initiating the original offense report and forwarding these reports.
5. Personnel will note in their reports who is taking case responsibility for the case.

7 D. Arson

1. In cases of arson or suspected arson, Field Services officers will be dispatched and Field Services officers will:



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- a. Initiate the original offense report.
 - b. Assist Albuquerque Fire Rescue (AFR) personnel with securing and controlling the scene.
2. If the crime is determined to be a misdemeanor, the officer will take any appropriate enforcement action and will be responsible for any follow-up investigation.
 3. If the crime is determined to be a felony, the AFR Arson Unit will conduct all follow-up investigations. If arson is used incidental to a crime which results in death, great bodily harm or permanent disfigurement, Field Services officers will call out Violent Crime Investigations and Criminalistics.
 4. In the event an officer is dispatched or discovers a fire and extinguishes it without assistance, the AFR must still be notified.
- E. Other Department personnel for the purposes of this policy include police service aides, property crimes technicians, telephone report unit personnel, public information unit, and substation administration personnel.