



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-22

Effective: 01/15/16 Review Due: 01/15/17 Replaces: 04/29/15

3-22 CONTRACTS/MOUs FOR LAW ENFORCEMENT SERVICES

3-22-1 Policy

It is Department policy that a contract or a Memorandum of Understanding is generated whenever a law enforcement service is rendered to an outside entity(s). This section does not include Memorandums of Understanding (MOUs) entered into by the City and/or APOA concerning collective bargaining issues.

3.22.2 Rules

[5] A. Approval

Personnel must have prior written approval from the Chief of Police when it becomes necessary to enter into an agreement to provide a law enforcement service.

[7] B. Contract/MOU Requirements

When drafting a contract or M.O.U., the following requirements must be addressed to include but not limited to:

1. A list of specific services to be provided.
2. Specific language addressing financial agreements.
3. Specific records maintained by provider agency concerning the services.
4. Specific language that addresses the duration, modification and termination of the agreement.
5. Specific language addressing any legal contingencies.
6. The stipulation that the provider maintains control over its personnel.
7. Arrangements for the use of equipment and facilities; and
8. A procedure for review and revision of the agreement, if needed.
9. Employment rights of personnel assigned under a contract for law enforcement services are not abridged by the provider agency.



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[7] C. Review by the Legal Advisor

After the contract/M.O.U. is drafted, it will be sent to the Department Legal Advisor for review to ensure the following:

1. Proper formatting.
2. The requirements noted in the above section have been met.
3. Any other legal issues are addressed.
4. Legal Advisor will then present the agreement to the Chief of Police for final approval and signature.

[7] D. File Maintenance of Contracts/MOUs

Once the concerned parties sign the agreement, copies will be distributed to the affected unit/section/division, the Inspections Unit and the Legal Advisor. The original agreement will be filed with the Chief's Administrative Assistant.