



ALBUQUERQUE POLICE DEPARTMENT
GENERAL ORDERS

SOP 1-19

Effective: 01/23/2023 Review: 01/23/2024 Replaces: 11/19/2021

1-19 SHIELD UNIT

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

[2-73 Collection, Submission, and Disposition of Evidence and Property
\(Formerly 2-08\)](#)

B. Form(s)

[PD 3028 Discovery Cover Sheet](#)
[PD 4230 Photo Request Form](#)
[PD 4427 Chain of Custody](#)

C. Other Resource(s)

Evidence.com
Health Insurance Portability and Accountability Act (HIPAA) of 1996

D. Rescinded Special Order(s)

SO 19-46 Felony Reports to Shield Unit on Adult Arrests, Arrest Warrants and Non-Arrests

1-19-1 Purpose

The purpose of this policy is to outline the responsibilities of the Albuquerque Police Department's (Department) Shield Unit when facilitating the delivery of discovery to prosecuting agencies. Furthermore, the purpose of this policy is to recognize the Shield Unit as the central point of contact for discovery on felony cases involving adult individuals charged with committing a crime other than homicides and fatal crashes.

1-19-2 Policy

It is the policy of the Department to provide complete discovery to prosecuting agencies in a reliable and trackable manner.

N/A 1-19-3 Definitions

A. Additional Discovery

All items needed for the prosecution that were not initially provided by Shield Unit personnel because they had not been approved or obtained. Additional discovery items are provided to the prosecuting agencies when they become available after the initial discovery is provided.



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B. Complete Discovery

On a case by case basis all items needed for prosecution to include, but are not limited to: a Uniform Incident Report, Supplemental Reports, documents that are either referenced in the Uniform Incident Report that have been tagged into evidence, or attached in the Department's records management system, Computer-Aided Dispatch (CAD) entries, Evidence.com records, printed CAD entries, photographs, digital media, and any evidence with a Department case number.

C. Computer-Aided Dispatch (CAD) Entry

A digital record or audio recording created through the interaction of Emergency Communications Center (ECC) personnel and Department personnel responding to calls for service or documenting calls for service and investigations.

D. Full Non-Arrest Discovery

Complete discovery that is provided on non-arrest cases either requested by the District Attorney's (DA)'s Office by Sworn Personnel to Shield Unit personnel.

E. Initial Discovery

The initial packet of discovery that is sent to the DA's Office for prosecution with all available Uniform Incident Reports, Supplemental Reports, documents, CAD entries or audio recording, photographs, digital media, and any Evidence.com records with a Department case number that are initially available.

F. Preventative Discovery

Discovery provided to the DA's Office necessary to prepare for the preventative detention hearing, including all approved Uniform Incident Reports, Supplemental Reports, accompanying documents that are available on the first day of request from the DA's office.

G. Prosecuting Agency

Any governmental agency which prosecutes or investigates criminal offenses, such as the DA's Office, Attorney General (AG), Federal Bureau of Investigation (FBI), Office of Superintendent of Insurance, United States Attorney's Office (USAO), or other state or local law enforcement agencies.

7 1-19-4 General Responsibilities

A. The Shield Unit Supervisor shall:



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1. Ensure that a final review is completed of all applicable discovery before Shield Unit personnel send it to the prosecuting agency;
2. Act as liaison to prosecuting agencies on discovery issues to facilitate the prosecution of felony cases;
3. Review declination notices from prosecuting agencies, including:
 - a. Forwarding notices to Department personnel as appropriate; and
 - b. Advising the Case Preparation Specialist (CPS) of areas of concern for future case preparation.
4. Contact supervisory personnel within the various bureaus and divisions, as necessary, to meet the Shield Unit case requirements; and
5. Ensure Shield Unit personnel log all requests sent to APDShield@cabq.gov from prosecuting agencies in the Shield Unit's internal tracking system.
 - a. The Shield Unit Supervisor shall follow-up on requests that are assigned to the CPS.
 - b. The Shield Unit Supervisor shall identify trends that the Shield Unit needs to address in the preparation of cases.

B. The CPS shall:

1. Be responsible for preparing and completing all discovery and any follow-up requests on a weekly basis when feasible, and providing it to prosecuting agencies in a timely manner;
2. Document the contents of each case file on a Discovery Cover Sheet;
3. Contact businesses to request availability videos or documents that Department personnel have not already obtained;
4. Request copies of digital media, photos, and items from the Department's Evidence Unit that they will send to the prosecuting agencies;
5. Identify, prepare, and send Evidence.com data to prosecuting agencies;
6. Follow-up on all discovery and Evidence.com for one (1) month;
7. Upload copies of all discovery to the DA's Office case sharing system;
8. Retrieve copies of documents that were emailed to the Shield Unit and include them in the discovery;



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9. Retrieve CAD audio recordings from APDParalegals@cabq.gov email account and forward them to the prosecuting agency;
10. On a daily basis, deliver discovery to the DA's Office and arrange for other prosecuting agencies to collect discovery;
11. Make copies of all documents brought from Evidence by Department personnel; and

N/A

- a. Department personnel may bring documents to the Shield Unit to be copied by Shield Unit personnel when there is an excessive amount of documents needed for a case.

12. When notified by Shield Unit personnel, Department personnel shall retrieve and return the documents to the Evidence Unit.

N/A

- a. Department personnel shall tag any videos they obtain into evidence as outlined in SOP Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence and Property for sanction classifications and additional duties).

- C. The CPS shall not contact community members, witnesses, or victims on a case unless directed to do so by the Shield Unit Supervisor.

- D. Shield Unit personnel shall:

1. Assist federal agencies with information and document requests for investigations and prosecutions as appropriate; and
2. Complete additional duties as assigned by the Shield Unit Supervisor and based on the needs of the Department.

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Procedures for Discovery

- A. Felony First Appearance List

The Shield Unit Supervisor or their designee shall assign cases that are received from the DA's Office Felony First Appearance list that they provide to a CPS.

- B. Follow-up Discovery

1. The CPS shall follow up on Uniform Incident Reports and on-body recording device (OBRD) footage from Evidence.com for one (1) month to ensure that all items have been provided to the DA's office.



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- a. Sworn personnel who complete investigations beyond one (1) month shall inform Shield Unit personnel when they complete a Uniform Incident Report, Supplemental Reports, upload or create documents or videos.

C. Full Non-Arrest Discovery

Shield Unit personnel shall submit full non-arrest discovery to the DA's Office for review and possible prosecution when requested and submitted to the APDfelonyarrest@cabq.gov email by sworn personnel.

D. Initial Discovery

1. The CPS shall:

- a. When possible, provide initial discovery to the DA's Office within four (4) business days from when an individual is arrested, including the initial day, except when the Uniform Incident Report has not been approved;
 - i. The CPS shall provide complete discovery to the DA's Office for Crimes Against Children Unit (CACU) cases, Sex Crimes Unit cases, and cases requested by a prosecuting agency or sworn personnel.
- b. Document the contents of each case file to facilitate accurate documentation and accountability with prosecuting agencies;
 - i. The CPS shall list items missing from the initial discovery on the Discovery Cover Sheet as pending, and to be provided when additional discovery becomes available.
 1. If missing items cannot be obtained, the CPS shall send written notice to the prosecuting agency noting the inability to obtain the item.
- c. Identify errors in the case file, and notify the appropriate supervisor that corrections are needed;
- d. Contact businesses to inquire about videos or documents when sworn personnel document on the Uniform Incident Report that they exist but were not obtained;
 - i. The CPS shall complete a Chain of Custody form when they obtain videos from businesses.
 - ii. The CPS shall send the Chain of Custody form to the prosecuting agency once they tag the video into evidence.
- e. Order copies of photographs and digital media that were tagged into evidence from the Evidence Unit to provide to the prosecuting agency;
- f. Review videos that Department personnel have uploaded to Evidence.com for discovery; and
 - i. The CPS shall not provide interviews conducted pursuant to internal affairs reviews with discovery.
 - ii. The CPS shall provide all remaining videos that were uploaded to Evidence.com to the prosecuting agency.
- g. Search Evidence.com to locate videos that were not automatically labeled with the relevant case or CAD entry number as necessary.



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- i. When possible, the CPS shall label such videos as evidence for retention purposes with the appropriate case number.

C. Preventative Discovery

1. Shield Unit personnel shall:

- a. Provide preventative discovery by the end of the business day when a prosecuting agency indicates that they have filed a preventative detention motion; and
- b. When discovery is available and obtainable from victims, honor requests from prosecuting agencies to obtain additional information in time for the preventative detention hearing.