



ALBUQUERQUE POLICE DEPARTMENT  
GENERAL ORDERS

SOP 1-19

Effective: 11/19/2021

Review: 05/19/2022

Replaces: N/A

**1-19 SHIELD UNIT**

**Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

A. Related SOP(s)

[2-73 Submission of Evidence, Confiscated Property, and Found Items](#)

B. Form(s)

Discovery Cover Sheet

C. Other Resource(s)

Evidence.com

Health Insurance Portability and Accountability Act (HIPAA) of 1996

Shield Unit Case Preparation Manual

D. Rescinded Special Order(s)

SO 18-17 Felony Arrests By Field Officers

SO 18-135 Felony Arrest - II

SO 18-136 Shield Unit (Formerly Paralegal Project)

SO 18-137 Surveillance Video Copy for Discovery

SO 18-138 Copies of Items Tagged Into Evidence

SO 19-36 Copies of Items Tagged Into Evidence for Adult Felony Cases

SO 19-42 Units Assisted By Shield Unit

SO 20-44 Felony Discovery Cover Sheet

**1-19-1 Purpose**

The purpose of this policy is to establish the Shield Unit to facilitate 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 offenders for charges other than homicide or fatal crashes.

**1-19-2 Policy**

It is the policy of the Albuquerque Police Department (Department) Shield Unit to provide complete discovery to prosecuting agencies in a reliable and trackable manner.

N/A

**1-19-3 Definitions**

A. Abbreviated Discovery



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Non-arrest cases that are sent to the District Attorney (DA)'s Office for review and possible prosecution, including Uniform Incident Reports, Supplemental Reports, and any documents that are provided to the Shield Unit.

B. Additional Discovery

All items needed for prosecution that were not initially provided because they had not been approved, or obtained. Additional discovery items are provided when they become available after initial discovery was provided.

C. Complete Discovery

All items needed for prosecution to include, but are not limited to: a Uniform Incident Report, Supplemental Reports, documents, Computer-Aided Dispatch (CAD) audio recordings, photographs, digital media, and any Evidence.com records with a Department case number.

D. Computer-Aided Dispatch (CAD)

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

E. Discovery

A combination of the written and digital media which need to be provided to a prosecuting agency, including Uniform Incident Reports, Supplemental Reports, documents, photos, and videos.

F. Felony First Appearance

The initial court hearing following the arrest of an individual for a felony charge.

G. Full Non-arrest Discovery

Complete discovery that is provided on non-arrest cases requested by the DA's Office.

H. Initial discovery

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

I. Preventative Discovery



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Discovery provide to the DA's Office necessary to prepare for the preventative detention hearing. Including all approved reports, accompanying documents and Evidence.com access that is available on the first day of request.

J. 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, US Attorney's Office (USAO), or other state or local law enforcement agency.

**7** 1-19-4 **General Responsibilities**

A. The Shield Unit Sergeant shall:

1. Ensure a final review is completed of the discovery that is to be sent 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;
  - a. Forward notices to Department personnel as appropriate; and
  - b. Advise the Case Preparation Specialist (CPS) of areas of concern for future case preparation;
4. Contact supervisory personnel within the Field Services Bureau (FSB) and other bureaus and divisions, as necessary, to achieve Shield Unit requirements;
5. Ensure that all requests sent to [APDShield@cabq.gov](mailto:APDShield@cabq.gov) from prosecuting agencies are logged; and
  - a. Follow-up requests are assigned to CPS personnel as necessary; and
  - b. Determine trends, which need to be addressed in the preparation of cases.

**N/A**

6. Tag videos into Evidence, which were obtained by CPS personnel pursuant to request of the Shield Unit (refer to SOP Submission of Evidence, Confiscated Property, and Found Items for sanction classifications and additional duties).

B. The Shield Unit Sergeant may review and approve reports by Department personnel, if necessary, in order to facilitate the production of discovery to prosecuting agencies.

C. The Case Preparation Specialist (CPS) shall:

1. Be responsible for preparing and completing discovery and providing it to prosecuting agencies in a timely manner, including but not limited to:



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- a. Preventative discovery;
- b. Initial discovery;
- c. Additional discovery; and
- d. Follow-up requests.

2. Document the contents of each case file on a Discovery Cover Sheet;

3. Assess cases to ensure internal consistency;

4. Contact businesses to inquire about video or documents that have not already been obtained;

N/A

5. Request copies of digital media and photos from the Department Evidence Unit consistent with SOP Submission of Evidence, Confiscated Property, and Found Items to be sent to the prosecuting agencies (refer to SOP Submission of Evidence, Confiscated Property, and Found Items for sanction classifications and additional duties);

6. Identify, prepare, and send Evidence.com data to prosecuting agencies;

7. Follow-up on reports and Evidence.com for one (1) month;

8. Upload copies of discovery to OnBase;

9. Retrieve copies of documents that were emailed to the Shield Unit;

10. Retrieve CAD audio recordings and forward them to the prosecution agency;

11. On a daily basis, deliver discovery to the DA's Office and arrange for other prosecuting agencies to collect discovery; and

12. Make copies of all documents brought from evidence by sworn personnel.

- a. Department personnel are responsible for bringing the documents to be copied to the Shield Unit, and then retrieving, and returning the items to evidence upon notification.

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 supervisor and based on the needs of the Department.

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**Procedures for Discovery**



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A. Felony First Appearance

The Shield Unit Sergeant or their designee shall assign cases to a CPS that are on the Felony First Appearance list that is provided by the DA's Office.

B. Initial Discovery

1. The CPS shall:

- a. When possible, provide initial discovery to the DA's Office within four (4) business days from the arrest, including the initial day except when the original reports have not been approved;
  - i. Full non-arrest discovery shall be prepared and complete discovery shall be provided on Crimes Against Children Unit (CACU) cases, Sex Crimes Unit cases, those 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. Items missing from the initial discovery packet shall be listed on the Discovery Cover Sheet as pending, and shall be provided as additional discovery when available;
  - ii. If missing items cannot be obtained, CPS shall send written notice to the prosecuting agency noting the inability to obtain the item;
- c. When errors are identified, notify the supervisors of the need to make corrections;
- d. Contact businesses to inquire about video or documents in which the officer's Uniform Incident Report indicates they exist but were not already obtained;
  - i. A chain of custody form shall be prepared for videos which are obtained through efforts of the Shield Unit;
  - ii. The chain of custody form shall be sent to the prosecuting agency once the item is tagged into evidence;
- e. Order copies of photographs and digital media that were tagged as evidence to be provided to the prosecuting agency, consistent with SOP Submission of Evidence, Confiscated Property, and Found Items;
- f. Review and evaluate items uploaded to Evidence.com for discovery;
  - i. Interviews conducted pursuant to Internal Affairs reviews shall not be provided with discovery;
  - ii. All remaining items uploaded to Evidence.com shall be provided to the prosecuting agency;
- g. Search Evidence.com to locate videos which were not automatically labeled with the relevant case or CAD number as necessary; and
  - i. Such videos shall be labeled as "evidence" for retention purposes with the appropriate case number, when possible.

C. Follow-up Discovery



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1. The CPS shall follow-up on Uniform Incident Reports and items in Evidence.com for one (1) month to ensure that all items have been provided.
2. Sworn personnel completing investigation beyond that time frame shall be responsible for informing Shield Unit personnel of Uniform Incident Reports, Supplemental Reports, documents, or videos completed, created, or uploaded after that time.

D. Preventative Discovery

1. When a prosecuting agency indicates that they have filed a Preventative Detention motion, Shield Unit personnel shall provide preventative discovery by the end of the day.
2. Requests from the prosecuting agency to assist in obtaining additional information in time for the Preventative Detention hearing shall be honored by Shield Unit personnel when possible.

E. Abbreviated Discovery

Non-arrest cases requested to be sent to the DA's Office for review and possible prosecution submitted by sworn personnel shall be sent as an abbreviated case to the DA's Office.