



ALBUQUERQUE POLICE DEPARTMENT
GENERAL ORDERS

SOP 1-26 (Formerly 5-4)

Effective: 04/12/2022 Review: 04/12/2023 Replaces: 10/25/2017

1-26 SPECIAL VICTIMS SECTION

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s):

- [2-92 Crimes Against Children Investigations](#)
- [2-93 Child Abduction and Missing Child Investigations](#)
- [3-41 Complaints Involving Department Personnel](#)
- [3-42 Criminal Investigation of Department Personnel](#)

B. Form(s)

None

C. Other Resource(s)

- City of Albuquerque and Albuquerque Police Officers' Association Collective Bargaining Agreement (CBA)
- NMSA 1978, §§ 29-11A-1 to 29-11A-10 Sex Offender Registration and Notification Act (SORNA)
- NMSA 1978, § 30-3-11 Definitions
- NMSA 1978, § 32A-2-32 Confidentiality; Records
- ROA 1994, §§ 11-12-2-1 to 11-12-2-99 Albuquerque Sex Offender Registration and Notification Act (ASORNA)

D. Rescinded Special Order(s)

- SO 20-37 Creation of Special Victims Section
- SO 20-103 Sexual Assaults Reported by Prisoners

1-26-1 Purpose

The purpose of this policy is to outline the duties and responsibilities of detectives and personnel assigned to the Special Victims Section.

1-26-2 Policy

It is the policy of the Albuquerque Police Department (Department) to investigate allegations of felony child abuse and child neglect; to develop and participate in programs designed to prevent or reduce juvenile delinquency; and to enhance the overall safety and welfare of the youth in the community.

N/A 1-26-3 Definitions

A. Attempted Criminal Sexual Penetration



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An overt act in furtherance of and with the intent to commit a felony, criminal sexual penetration, and tending but failing to effect its commission.

B. Cold Sexual Assault Case

A case where a sexual assault evidence kit has been obtained and DNA has identified an individual within the Combined DNA Index System (CODIS), or other leads have surfaced that can provide additional evidence for prosecution.

C. Combined DNA Index System

Combined DNA Index System (CODIS) is the generic term used to describe the FBI's program of support for criminal justice DNA databases as well as the software used to run these databases.

D. Criminal Sexual Penetration

The unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio or anal intercourse or the causing of penetration, to any extent and with any object, of the genital or anal openings of another, whether or not there is any emission.

E. Household Member

Consistent with the Crimes Against Household Members Act, "household member" means a spouse, former spouse, parent, present or former step-parent, present or former parent-in-law, grandparent, grandparent-in-law, a co-parent of a child or a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for the purposes of the Crimes Against Household Members Act.

F. Intimate Parts

The primary genital area, groin, buttocks, anus, or breast.

G. Sexual Assault Exam Kit (SAEK)

A kit that is often times referred to as a "rape kit", which refers to the kit itself. A SAEK is a container that includes a checklist, materials, and instructions, along with envelopes and containers to package any specimens collected during the exam.

H. Victim Advocate (Victim Assistant)

A Department employee trained to support victims of crime. A Victim Advocate offers victims information, emotional support, and help finding resources and filling out paperwork.



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N/A 1-26-4 Special Victims Section Generally

A. The Special Victims Section consists of the:

1. Advocacy Unit;
2. Child Abuse Response Evaluators (CARE);
3. Child Exploitation Detail (CED);
4. Crimes Against Children Unit (CACU);
5. Sex Crimes Unit; and
6. Sex Offender Registration Detail (SORD).

6 1-26-5 Advocacy Unit (Sex Crimes, Domestic Violence Advocacy, and Stalking)

A. Chain of Command

1. Victim Advocates shall report to the Victim Advocate Unit Supervisor.
2. The Victim Advocate Unit Supervisor shall report to the Special Victims Section Lieutenant.

B. The Advocacy Unit shall:

1. Provide the Department with a team of civilians to assist in connecting victims of domestic violence, stalking, and sexual assault, who are thirteen (13) years of age and older, with resources to promote safety and healing; and
2. Connect victims to their investigation and law enforcement.

6 1-26-6 CARE

A. CARE sworn personnel shall:

1. Be assigned to the Field Services Bureau (FSB);
2. Be responsible for responding to calls for service involving children, and volunteer as primary sworn personnel on such calls when available. This will include referrals from the New Mexico Children, Youth, and Families Department that are reported to the Emergency Communications Center (ECC);
3. Conduct preliminary investigations according to CARE training. CARE sworn personnel shall generate a Uniform Incident Report on all child-related investigations;



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- a. CARE sworn personnel shall forward the Uniform Incident Reports to the CARE Sergeant Coordinator and the CACU Sergeant for review.
 4. Be allowed to take child related calls in other area commands upon approval from the CARE Sergeant Coordinator;
 5. Submit a monthly activity report to the CARE Sergeant Coordinator and the CACU Sergeant on the first day of each month;
 6. Be responsible for notifying Payroll Section personnel and the CACU Sergeant Coordinator in the event of promotion or when transferring from FSB or the Special Victims Section;
 7. Attend all refresher training to include quarterly meetings; and
 8. Adhere to the rules and responsibilities set forth in this Standard Operating Procedure (SOP). Failure to abide by the rules and responsibilities shall be grounds for removal from the CARE program and loss of CARE special skills pay as outlined in the current CBA.
- B. The CARE Sergeant Coordinator shall:
1. Be responsible for collecting monthly reports from CARE sworn personnel;
 2. Submit a CARE Sergeant Coordinator monthly report to the CACU Sergeant by the first of every month;
 3. Be responsible for reviewing all Uniform Incident Reports generated by CARE sworn personnel;
 4. Be available for questions and guidance for CARE sworn personnel during their assigned shift;
 5. Meet with CARE sworn personnel under their supervision on a quarterly basis;
 6. Be responsible for identifying training issues and deficiencies with CARE sworn personnel;
 7. If available, assist with serious calls for service involving children, regardless of area command, over the telephone;
 8. Attend all refresher training; and
 9. Adhere to the rules and responsibilities set forth in this SOP. Failure to abide by the rules and responsibilities shall be grounds for removal from the CARE program and loss of CARE special skills pay as outlined in the current CBA.



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6 1-26-7 **Child Exploitation Detail (CED)**

A. Child Exploitation Detail (CED) detectives shall:

1. Investigate sexual crimes against children perpetrated by preferential offenders that target children.
2. Take case responsibility in cases involving multiple child victims of sexual offenses by serial offender.
3. Assist the Department in completing Amber Alerts in missing/abducted child cases.
4. Be on an on-call rotation.
5. Assist in training Department personnel, public groups, organizations, and other law enforcement agencies.

B. The CED Sergeant shall maintain all necessary training and certification of CED detectives.

C. Investigations

1. CED will provide assistance to the field in child abduction cases.
 - a. CED Detectives shall not take case responsibility for the criminal investigation, unless the criminal charges fall under the crimes listed above.
 - b. The appropriate investigative unit (e.g., Impact Team, Armed Robbery Unit, Homicide Unit, etc.) shall take case responsibility for the criminal investigation in relation to the abduction.

6 1-26-8 **Crimes Against Children Unit (CACU)**

A. A CACU Detective shall:

1. Prioritize, coordinate, and investigate felony crimes against children that relate to child abuse and neglect;
2. Provide all sworn personnel with assistance and training in the investigation and documentation of crimes against children; and

N/A

3. Adhere to the procedures outlined in SOP Crimes Against Children Investigations (refer to SOP Crimes Against Children Investigations for sanction classifications and additional duties).

6 1-26-9 **Sex Crimes Unit**



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A. Sex Crimes Unit personnel shall:

1. Be responsible for investigating the following cases:
 - a. Criminal sexual penetration cases, including attempted criminal sexual penetration, and criminal sexual contacts as follows:
 - i. Criminal sexual penetration cases where the victim is between thirteen (13) to eighteen (18) years of age and the offender is not a household member;
 - ii. All criminal sexual penetration cases where the victim is at least eighteen (18) years of age, regardless of victim/offender relationship;
 - iii. Criminal sexual contacts where the victim is between thirteen (13) to eighteen (18) years of age and the offender is NOT a household member; and
 - iv. Felony criminal sexual contacts where the victim is at least eighteen years of age and all criminal sexual contact is perpetrated:
 1. By the use of force or coercion that results in personal injury to the victim;
 2. By the use of force or coercion when the perpetrator is aided or abetted by one or more persons; or
 3. When the perpetrator is armed with a deadly weapon.
 - v. Criminal sexual assault investigations when individuals are identified through a DNA match in CODIS, or other investigative efforts in current and cold cases.
 - b. All felony criminal sexual penetrations and criminal sexual contact cases involving sworn personnel.
 - i. Consistent with SOP Criminal Investigation of Department Personnel, the arresting officer shall call an FSB supervisor to assist with a preliminary investigation.
 1. An acting sergeant shall not conduct investigations of sworn personnel.
 2. The FSB supervisor shall conduct a thorough investigation of the allegations. If there is probable cause to support the allegation, the FSB supervisor shall contact the Sex Crimes Unit Sergeant to assume case responsibility.
 - A. The FSB supervisor shall complete an Internal Affairs Request (IAR) through the IA database web application no later than twenty-four (24) hours after notification, consistent with SOP Complaints Involving Department Personnel.
 3. Following a thorough investigation of the allegations, if the allegations are unfounded or the alleged physical contact was within policy or training, the FSB supervisor shall complete an IAR through the IA database web application no later than twenty-four (24) hours after notification, consistent with SOP Complaints Involving Department Personnel.
 4. If during the review process the Internal Affairs Professional Standards (IAPS) Division Detective/Investigator determines that there may have been criminal conduct by an officer, the IAPS Division



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Detective/Investigator shall immediately notify the IAPS Division Commander.

- A. The IAPS Division Commander shall immediately notify the Chief of Police regarding a referral for a criminal investigation.
- B. If it is determined that Sex Crimes Unit personnel shall investigate the criminal offense, the IAPS Division Detective/Investigator shall proceed with the administrative investigation, consistent with SOP Criminal Investigation of Department personnel.

B. The Sex Crimes Unit Sergeant or their designee shall review and then assign all cases to Sex Crimes Unit Detectives.

C. Sex Crimes Unit Call-Out Criteria and Procedures

1. The Sex Crimes Unit shall be on-call twenty-four (24) hours a day, seven (7) days per week.
 - a. The Sex Crimes Unit Sergeant shall organize the on-call schedule.
2. FSB sworn personnel shall conduct a preliminary investigation and determine the following facts before they notify their supervisor to determine if a Sex Crimes Unit Detective is needed:
 - a. The victim wants to prosecute case;
 - b. The victim wants to be evaluated by a SANE;
 - c. The victim is injured;
 - d. The individual is in custody;
 - i. Is the offender law enforcement?
 - ii. Has the officers' lapel been reviewed for confirmation/elimination of allegation?
 - e. Whether any weapons were used. If so, what kind;
 - f. Whether a crime scene has been identified;
 - g. Whether a search warrant is needed; and
 - h. Whether the victim or individual are intoxicated.
3. After FSB sworn personnel conduct a preliminary investigation, FSB supervisors shall contact the Sex Crimes Unit Sergeant or their designee and advise them of the facts collected.
4. The Sex Crimes Unit Sergeant or their designee shall then determine whether the call meets the call-out criteria based on:
 - a. The complexity of the case;
 - b. If a warrant is required; and
 - c. If an individual is in custody.



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5. The Sex Crimes Unit Sergeant or their designee shall then request for the on-call Sex Crimes Unit Detective to respond to the call-out.
 - a. The secondary on-call Sex Crimes Unit Detective may also be activated if necessary.
6. The Sex Crimes Unit Detective who responded to the call-out shall have one (1) hour to respond to the location.
7. When necessary, the Sex Crimes Unit Detective shall complete the following:
 - a. Trauma-informed interview with the victim;
 - b. Identify and interview potential witnesses;
 - c. Obtain surveillance/recording videos (if available);
 - d. Prepare and execute search and/or arrest warrants;
 - e. Conduct interrogations of the offender(s);
 - f. Review and articulate in a Supplemental Report all evidence of the offense;
 - g. Obtain probable cause for any arrests; and
 - h. Complete felony supplemental cases to submit to the District Attorney's Office.

D. Cold Sexual Assault Case

1. A Sex Crimes Unit Detective shall:
 - a. Investigate cold sexual assault cases for possible prosecution;
 - b. Work with Advocacy Unit personnel to notify victims of all case closures; and
 - c. Communicate with the District Attorney's Office for guidance.
2. Once a case is completed and approved by the Sex Crimes Unit Sergeant, a Sex Crimes Unit Detective shall send it to the DA's Office for prosecution.

E. Sexual Assault Nurse Examiner (SANE)

1. Sworn personnel should be aware of the process and benefit of a sexual assault evidence examination and should explain its importance to the victim.
 - a. Sworn personnel shall not pressure victims to receive a SANE, nor does participating in a SANE obligate the victim to pursue a criminal complaint.
2. When a prisoner reports they were raped, and the incident took place within twelve (12) hours of the officer's initial contact, then the prisoner shall be advised of the option of SANE. If the prisoner requests a SANE, and is not intoxicated, a flight risk or combative, the primary officer shall transport the prisoner to SANE at the Family Advocacy Center (FAC).
3. If the sexual assault took place more than twelve (12) hours before initial contact, then the prisoner shall be booked on their charges. The officer shall inform



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Bernalillo County Metropolitan Detention Center (BCMDC) of the case number, the allegation of the sexual assault, and BCMDC will request a SANE examination after the booking procedures.

4. It is the responsibility of the primary officer to contact SANE (505 884-7263) on behalf of the victim wanting a SANE, and transport the victim to the FAC.

6 1-26-10 **Sex Offender Registration Detail (SORD)**

- A. SORD personnel shall be responsible for the registration of sex offenders, consistent with SORNA and ASORNA, and applicable Memorandums of Understanding (MOU), including:
1. Obtaining all pertinent information from those sex offenders who comply with SORNA and ASORNA by registering with the Department;
 2. Properly maintaining all registrant information, which includes the data entry and upkeep of the Bernalillo County Sheriff's Office Sex Offender Registration website;
 3. Conducting a background search on sex offenders who register under the provisions of ASORNA as deemed necessary by the SORD supervisor;
 4. Conduct address verifications by making contact with sex offenders in the field in order to determine their compliance with ASORNA laws;
 5. Verifying that registered sex offenders have not acquired, mortgaged or newly occupied any real property, occupied or acquired any real property by lease or otherwise or established a place of lodging within one-thousand (1,000) feet of a school after the effective date of the SORNA;
 6. Forwarding registration information to the Bernalillo County Sheriff's Office and the New Mexico Department of Public Safety within ninety (90) consecutive days of the registration of an offender;
 7. Ensure that persons in violation of the ASORNA ordinance are processed through the judicial system;
 8. Answer questions from the community in reference to the ASORNA ordinance;
 9. Work as a liaison between the Bernalillo County Sheriff's Office (BCSO) personnel and the Department; and
 10. Assist BCSO with the tracking and monitoring of sex offenders that fall under SORNA laws pursuant to NMSA 1978, Section 29-11A-4.

N/A 1-26-11 **Behavioral Sciences Section Semi-annual Psychological Wellness Checks**



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- A. Due to the possibility of significant mental trauma caused by investigations handled by Special Victims Section personnel, all Special Victims Section personnel will be mandated to attend a behavioral health appointment conducted by the Behavioral Sciences Section semi-annually.
- B. Additionally, CED Detectives may use the Internet Crimes Against Children Task Force (ICACTF) Behavioral Health Provider as needed.

1 1-26-12 **Confidentiality of Records**

- A. Department personnel, namely Special Victims Section personnel, shall be responsible for the confidentiality of records involving all juveniles aged seventeen (17) and below, consistent with NMSA 1978, § 32A-2-32.