



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

## 2-60 PRELIMINARY AND FOLLOW-UP CRIMINAL INVESTIGATIONS

### Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

#### A. Related SOP(s)

- [1-13 Armed Robbery Unit \(Formerly 3-6 and 5-3\)](#)
- [1-26 Special Victims Section \(Formerly 5-4\)](#)
- [1-27 Cold Case Unit \(Formerly 5-3\)](#)
- [1-50 Gun Violence Reduction Unit \(GVRU\)](#)
- [1-53 Homicide Unit \(Formerly 5-3\)](#)
- [1-59 Impact Teams \(Formerly 4-1 and 4-4\)](#)
- [1-66 Missing Persons Unit \(Formerly 5-3\)](#)
- [1-90 Investigative Services Division \(ISD\) \(Formerly 5-1\)](#)
- [2-16 Reports \(Formerly 1-05\)](#)
- [2-29 Child Exploitation Detail \(CED\) \(Formerly 5-4\)](#)
- [2-68 Interviews and Interrogations \(Formerly 2-23\)](#)
- [2-70 Execution of Search Warrants \(Formerly 2-16\)](#)
- [2-71 Search and Seizure without a Warrant \(Formerly 2-17\)](#)
- [2-73 Collection, Submission, and Disposition of Evidence and Property \(Formerly 2-08\)](#)
- [2-74 Submission of Cases to the District Attorney \(Formerly 2-39\)](#)
- [2-80 Arrests, Arrest Warrants, and Booking Procedures \(Formerly 2-14\)](#)
- [2-92 Crimes Against Children Investigations \(Formerly 2-33\)](#)
- [2-103 Trespass Notifications \(Formerly 4-23\)](#)

#### B. Form(s)

[PD 4201 Request for Forensic Service](#)

#### C. Other Resource(s)

*McClendon v. City of Albuquerque*, 95-cv-00024 (Doc. 1320, September 11, 2017)  
NMSA 1978, § 31-26-8 Procedures for Providing Victims with Preliminary Information;  
Law Enforcement Agencies

#### D. Rescinded Special Order(s)

SO 20-16 Incidents Requiring an After-Action Review (AAR) – Except Special  
Operations Division  
SO 18-117 Call-Out Procedure

### 2-60-1 Purpose

The purpose of this policy is to outline the necessary procedures needed for every criminal investigation to ensure that the Albuquerque Police Department (Department) is actively working on and solving as many criminal investigations as resources allow.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

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**2-60-2 Policy**

It is the policy of the Department to quickly and effectively investigate crimes and, in some cases, make referrals to specialized investigative units for their continued investigation. Given limited resources, decisions about continued follow-up investigations will consider solvability factors and identify, investigate, and prioritize violent crimes, cases for individuals who repeatedly commit the same types of crimes, and cases of high financial loss or dangerousness to the community.

An effective and ethical investigation combines quick and thorough identification of a crime, capturing physical and testimonial evidence, including evidence exculpatory to any person. Investigations require the preservation of evidence by protecting the integrity of witness statements, physical evidence, and any identification of an individual.

**N/A 2-60-3 Definitions**

A. Automated Fingerprint Identification System (AFIS)

A biometric identification (ID) methodology that uses digital imaging technology to obtain, store, and analyze known and unknown fingerprint data.

B. Call-Out

A specialized investigative unit's response to the scene of a situation where specialized skills, knowledge, or training may be required to investigate based on available personnel and caseload considerations.

C. Exculpatory Evidence

Evidence favorable to the defendant in a criminal trial that exonerates or tends to exonerate the defendant of guilt. It is the opposite of inculpatory evidence, which tends to present guilt.

D. Follow-up Investigation

An extension of the preliminary investigation to gather additional evidence and information to prove the elements of the particular crime to make or support an arrest and prosecution of an individual.

E. Inculpatory Evidence

Evidence that shows or tends to show a person's involvement in an act or evidence that can establish guilt. In criminal law, the prosecution has a duty to provide all evidence to the defense, whether it favors the prosecution's case or the defendant's case.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

F. Individual

A person believed by law enforcement personnel to be the possible suspect of a crime.

G. Interview

The questioning of a person who may or does possess information relevant to the matter under investigation.

H. Investigative Action

Steps that are taken during an investigation include, but are not limited to, conducting interviews, interrogating individuals, gathering documents and correspondence, conducting searches, collecting real evidence, presenting individuals and objects for identification, forensic analysis, conducting investigative experiments, and documenting the progress of an investigation.

I. Lead

1. Any information or source which may help discover unknown facts about the situation or confirm information that was previously collected, including, but not limited to:
  - a. A person who may have knowledge about or access to information related to the investigation; and
  - b. Any source of information that would describe the individual(s) suspected of committing a crime, including any forensic data, such as:
    - i. Visible impression(s);
    - ii. Latent prints and trace evidence;
    - iii. Researching of available databases and files; and
    - iv. Anything that can be accomplished which might logically lead to case resolution.

J. *Modus Operandi*

The operating method of an individual in a distinct pattern or particular way of behaving that comes to be associated with a particular individual.

K. National Integrated Ballistics Information Network (NIBIN) Program

The program in which the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) partners with other federal, state, and local law enforcement agencies for the purpose of identifying, targeting, and prosecuting individuals who committed a crime with a firearm and their sources of firearms.

L. Next of Kin



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

The nearest relative, spouse, child, parent, or sibling of the person who is under investigation.

M. Outer Perimeter

The area that extends beyond the inner perimeter and is far enough to allow all support personnel room to establish needed equipment and privacy to work on the inner perimeter.

N. Preliminary Investigation

1. The first response to a report that a crime has occurred focuses on determining whether a crime has been committed and who committed the crime, and the apprehension of the individual. The preliminary investigation includes the preservation of a crime scene, the collection of evidence, the identification of the individual who committed the offense, and the arrest of the individual identified.
2. The framework of a preliminary investigation is based on the following major tasks:
  - a. Verification that an offense has occurred;
  - b. Identification of the victim, the place of the crime, and the time of the crime;
  - c. Identification of solvability factors;
  - d. Communication of the circumstances of the crime; and
  - e. The identification of those investigative tasks completed and those yet to be done.

O. Specialized Investigative Unit

A group of Department personnel who specialize in specific areas of investigation.

P. Warrant

A legal document issued by a judge authorizing an arrest of an individual or a search of an individual, place, or object.

**6** 2-60-4 **Preliminary Investigations**

A. The first officer(s) who arrives on the scene shall:

1. Establish control of the scene by:
  - a. Considering the safety of responding Department personnel by:
    - i. Ensuring adequate personnel are present to control the scene; and
    - ii. Assessing risks by verifying there is no active threat.
  - b. Ensuring the safety of other persons at the scene;
  - c. Rendering medical aide if it can be done safely and request medical support;



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

- d. Communicating with additional responding sworn personnel and the Emergency Communications Center (ECC); and
  - e. Prioritizing the preservation of physical evidence, the identification of witnesses, and overall scene management.
2. Determine the initial investigative factors, which include:
- a. Determining whether a crime occurred;
  - b. Determining the size of the outer perimeter and whether additional crime scenes exist;
  - c. Identifying involved victims, individuals, and/or witnesses;
  - d. Identifying involved vehicles;
  - e. Identifying physical evidence; and
  - f. Identifying available video and/or audio recordings.
3. Preserve the crime scene by:
- a. Taking all reasonable necessary steps to maintain the integrity of the crime scene and to ensure that a fair and thorough investigation is completed;
  - b. Considering how large the outer and inner perimeters need to be, and recognizing that it is easier to reduce the size of a perimeter than it is to expand it; and
    - i. Depending on the complexity and nature of the crime scene, the first responding supervisor shall determine the need for an outer and inner perimeter.
    - ii. Department personnel may use their Department-issued vehicle, the assistance of other Department personnel, and crime scene tape to establish and secure crime scene perimeters.
  - c. Protecting and preserving short-lived evidence and any potential evidence that could be damaged or destroyed by environmental factors, or by foot or vehicle traffic.
    - i. On-scene Department personnel shall attempt to prevent animals from entering the outer and inner perimeters.
4. Control all persons present at the scene by:
- a. Preventing anyone from altering or destroying evidence;
  - b. Verifying the identities and contact information of everyone present and separating all involved people, consistent with SOP Interviews and Interrogations (refer to SOP Interviews and Interrogations for sanction classifications and additional duties);
  - c. Preventing all unauthorized persons from entering the outer and inner perimeters, such as Department personnel who are not assigned to the case, media, bystanders, etc.;
  - d. Removing all persons to an area away from the inner perimeter; and

N/A

N/A



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

- e. Establishing and designating Department personnel to maintain a log of all persons who enter the inner perimeter of a crime scene involving death or great bodily harm.
  - i. The primary officer shall document the information from the log in a Supplemental Report within the Department's records management system.
- B. The Field Services Bureau (FSB) supervisor shall contact the appropriate specialized investigative unit supervisor to determine whether a call-out is needed or if the case should be referred to the specialized investigative unit as described in the specialized investigative unit's Standard Operating Procedure (SOP).
  - 1. When specialized investigative unit personnel take case responsibility and respond to the scene, responding sworn personnel shall:
    - a. Continue securing the scene; and
    - b. Keep witnesses separated until specialized investigative unit personnel arrive.
  - 2. When specialized investigative unit personnel take case responsibility but do not respond to the scene, responding sworn personnel shall:
    - a. Send the initial Uniform Incident Report to the appropriate specialized investigative unit investigator before the end of their shift unless otherwise outlined by the specialized investigative unit's SOP;
    - b. Attach supporting documents from their preliminary investigation, such as copies of warrants or outside agency reports, to their Uniform Incident Report in the Department's records management system;
    - b. Copy and attach the original documents, such as photo lineups, to the case number record in the Department's records management system; and
    - c. Tag the original documents into evidence within seven (7) days of receiving the documents.
- C. Conducting the Preliminary Investigation
  - 1. The primary officer shall:
    - a. Ensure physical evidence is identified and secured as soon as possible;
      - i. The primary officer shall ensure that the physical evidence is collected, consistent with 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).
      - ii. When appropriate, the primary officer shall ensure that the physical evidence is submitted in a timely manner for forensic analysis.
      - iii. If necessary, the primary officer shall request a Crime Scene Specialist (CSS) to assist with gathering, securing, and documenting evidence.
      - iv. If a warrant is needed, the primary officer shall follow the procedures outlined in SOP Execution of Search Warrants (refer to SOP Execution of Search Warrants for sanction classifications and additional duties).

N/A

N/A



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

N/A

b. Identify the involved persons and witnesses to coordinate interviews, consistent with SOP Interviews and Interrogations (refer to SOP Interviews and Interrogations for sanction classifications and additional duties);

N/A

c. Determine whether an on-scene arrest is appropriate, consistent with SOP Arrests, Arrest Warrants, and Booking Procedures (refer to SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classifications and additional duties), or if an arrest warrant is needed, consistent with SOP Search and Seizure without a Warrant (refer to SOP Search and Seizure without a Warrant for sanction classifications and additional duties);

d. Complete any related documentation including, but not limited to:

- i. Uniform Incident Report;
- ii. Criminal Complaint; and
- iii. Pre-Booking Worksheet.

e. Ensure all tasks necessary to complete the preliminary investigation are complete; and

f. Ensure the scene is clear by:

- i. Ensuring that any Department property is removed, including, but not limited to, traffic cones, crime scene tape, and barricades;
- ii. Notifying persons who were displaced due to the investigation that the preliminary investigation has been concluded and the scene is cleared;
- iii. Providing victims or witnesses with the case number, the name of the primary officer, and who the victims may contact for follow-up questions; and
- iv. Following the provisions outlined in NMSA 1978, § 31-26-8 procedures for providing victims with preliminary information; law enforcement agencies.

D. Concluding the Preliminary Investigation

1. At the conclusion of a preliminary investigation, the primary officer shall consider whether there is additional information that may supplement the prosecution or if the case should be referred to a specialized investigative unit for follow-up investigation.

a. If the primary officer transfers the case to a specialized investigative unit for follow-up, they shall refer the initial Uniform Incident Report to the specialized investigative unit sergeant before the end of the primary officer's shift unless otherwise outlined in one (1) of the following specialized investigative unit SOPs:

- i. Armed Robbery Unit;
- ii. Homicide Unit;
- iii. Crimes Against Children Investigations;
- iv. Child Exploitation Detail (CED);
- v. Missing Persons Unit;
- vi. Cold Case Unit;
- vii. Gun Violence Reduction Unit (GVRU);
- viii. Investigative Services Division; and
- ix. Impact Teams.





ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

- b. If the case remains with the primary officer, they shall continue as the case agent.
  - i. The case agent shall be responsible for any necessary follow-up investigation unless directed otherwise by their immediate supervisor.

**7** 2-60-5 **Investigation Types**

A. Arson Investigations

- 1. For cases involving arson or suspected arson, sworn personnel shall assist Albuquerque Fire Rescue (AFR) personnel with securing and controlling the scene.
- 2. If sworn personnel determine that the arson is a misdemeanor, they shall:
  - a. Take the appropriate law enforcement action; and
  - b. Be responsible for any follow-up investigation.
- 3. If sworn personnel determine that the arson is a felony, AFR Arson Unit personnel will conduct all follow-up investigations.
- 4. If sworn personnel determine that the arson is committed incident to a crime that results in death or a life-threatening injury, they shall request Violent Crimes Section and Criminalistics Section personnel to respond to the scene.
- 5. When Department personnel are dispatched to or discover a fire that they extinguish, they shall notify AFR personnel.

N/A

B. Burglary Investigations

- 1. An Impact Teams Detective shall be responsible for investigating a burglary when:
  - a. A warrant is needed;
  - b. Multiple victims have been identified;
  - c. Multiple individuals are on-scene; or
  - d. The complexity of the case is time-intensive.
- 2. Sworn personnel shall notify the on-call Impact Teams Detective when an individual is in custody.
  - a. The Impact Teams Detective shall determine whether they will respond and assume case responsibility.
  - b. If the Impact Teams Detective assumes case responsibility, sworn personnel shall document in their Uniform Incident Report who took responsibility for the case.
- 3. The Impact Teams supervisor shall resolve conflicts regarding case responsibility.





ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

4. FSB personnel or a Crime Scene Specialist (CSS) shall be responsible for completing and forwarding the initial Uniform Incident Report to the Impact Teams Detective.

C. Shoplifting Investigations

N/A

1. The DA's Office accepts the business employee/security officer's work address and work phone number instead of their residence information for the Uniform Incident Report, provided the merchant agrees to the following:

N/A

- a. The merchant maintains an up-to-date home address and home phone number on the employee/security officer in case sworn personnel needs their contact information.

N/A

- b. The merchant ensures that the employee/security officer is notified to attend court.
  - i. If the merchant does not agree to a. and b., sworn personnel shall include the employee/security officer's home address and phone number in their Uniform Incident Report.

N/A

2. Sworn personnel may arrest an individual suspected of misdemeanor shoplifting without exigent circumstances or an arrest warrant when they have probable cause to believe the individual has shoplifted.

3. Sworn personnel shall abide by the provisions of the *McClendon* Settlement Agreement when a warrantless arrest for an individual who has committed misdemeanor shoplifting is required.

4. Sworn personnel shall leave stolen merchandise for a misdemeanor or felony crime with the merchant.

N/A

- a. The merchant may take photographs of recovered merchandise and place the merchandise back in stock for sale.
  - i. Sworn personnel shall recommend that the employee/security officer take a photograph to maintain the evidence's chain of custody.

N/A

- b. If the merchant takes a photograph, they will maintain the photograph(s) and price tag(s) from the merchandise as evidence to be used in the court hearing.

5. Sworn personnel shall forward shoplifting cases involving the same suspected individual(s), vehicle(s), or similar patterns to Organized Crime Unit personnel.

N/A

6. Sworn personnel investigating a shoplifting case shall complete a Criminal Trespass Notification-Order Not to Return form, consistent with SOP Trespass Notification (refer to SOP Trespass Notification for sanction classifications and additional duties).

D. White-Collar Crime Investigations



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

1. Organized Crime Unit personnel shall investigate all felony white-collar crimes over \$10,000.
2. Impact Teams Detectives shall investigate all felony white-collar crimes under \$10,000.

**6** 2-60-6 **Follow-up Investigations**

A. The specialized investigative unit supervisor shall:

1. Review all Uniform Incident Reports that FSB sworn personnel have submitted;
2. Assign cases to the appropriate specialized investigative unit detective;
3. Consider the case solvability factors and the likelihood of prosecution. Solvability factors include:
  - a. The identification of witnesses to the crime;
  - b. The identification, location, and description of the individual suspected of committing a crime;
  - c. Significant *Modus Operandi*, meaning that solving one (1) incident may close multiple cases;
  - d. Vehicle identifiers, including the make, model, license plate number, or Vehicle Identification Number (VIN);
  - e. When sworn personnel collect traceable evidence, such as items with serial numbers;
  - f. If sworn personnel seize significant physical evidence, such as biological evidence; and
  - g. If social media, cell phones, or video surveillance is available.
4. Stay apprised of the status of all investigations from their subordinates by regularly reviewing reports in the Department's records management system; and
5. Ensure the progress of the investigation follows the procedures outlined in the specialized investigative unit's SOP.

B. The specialized investigative unit detective shall:

1. Thoroughly review all existing Uniform Incident Reports, videos, and collected evidence to prepare an investigative plan.
  - a. The specialized investigative detective shall determine whether they need to interview additional individuals, further evidence needs to be collected, or if evidence needs to be forensically processed.
  - b. The specialized investigative unit detective shall conduct interviews with all identified witnesses and individuals suspected of committing the crime as quickly as possible, preferably in person.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

- c. The specialized investigative unit detective shall follow the procedures outlined in each specialized investigative unit's SOP.
- 2. Update their report, including new person information and narrative, in the Department's record management system for any investigative action taken by the end of their next work shift;
- 3. Review the preliminary investigation for situations that involve witness statements or physical evidence based on the solvability factors and a likelihood of prosecution with follow-up investigation;
- 4. Complete a Supplemental Report that documents the following leads and any action the specialized investigative unit detective takes by the end of their next work shift:
  - a. Crime Stoppers tips that provide previously unknown information to the case;
  - b. NIBIN presumptive matches;
  - c. AFIS presumptive matches on an individual suspected of committing a crime;
  - d. Deoxyribonucleic acid (DNA) presumptive matches on an individual suspected of committing a crime;
  - e. When they submit a Request for Forensic Service form to compare or analyze discovered evidence;
  - f. When they write warrants for cellular devices or social media accounts of any individuals of interest or material witnesses; or
  - g. When another law enforcement representative provides information that identifies a person of interest or material evidence they gained from their knowledge or actions.
- 5. Restrict reports in the Department's record management system that are actively being investigated and deemed to contain sensitive information at the discretion of their supervisor;
- 6. Prepare cases for prosecution, consistent with SOP Submission of Cases to the District Attorney (refer to SOP Submission of Cases to the District Attorney for sanction classifications and additional duties).

N/A

5

- C. When the case agent changes divisions or specialized investigative units, they shall not maintain their cases without written approval from the Investigative Bureau Deputy Chief of Police.

N/A 2-60-7

**Investigative Tools**

- A. Sworn personnel are encouraged to consult with a prosecutor early and often during the investigation for guidance to make a case prosecutable.
- B. At the start of a follow-up investigation, sworn personnel shall document their investigative plan in a Supplemental Report, including:

7



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

1. Necessary interviews;
  - a. Sworn personnel shall determine which witnesses and individuals shall be interviewed.
  - b. Sworn personnel shall review the initial interviews to determine whether additional interviews are needed.
2. Evidence review; and
  - a. Sworn personnel shall determine whether all evidence necessary for the case has been collected.
  - b. When needed, sworn personnel shall initiate analysis of the evidence.
3. Determine whether warrants are needed.
- C. Sworn personnel are encouraged to use all available resources, such as the Real-Time Crime Center (RTCC), to retrieve a thorough background history on persons involved in the investigation, to check for available video surveillance, and any other evidence or information.
- D. Sworn personnel may consider the following steps when conducting follow-up investigations:
  1. Review and analyze all previous Uniform Incident Reports and reports from other agencies;
  2. Conduct additional interviews and interrogations as described in SOP Interviews and Interrogations when necessary (refer to SOP Interviews and Interrogations for sanction classifications and additional duties);
  3. Review Department identification records;
  4. Seek additional information from other officers, informants, etc.;
  5. Review any available forensic analysis results from the Scientific Evidence Division (SED);
  6. Arrange for dissemination of information to other law enforcement agencies or media as appropriate;
  7. Plan, organize, and conduct searches when necessary;
  8. Collect physical evidence;
  9. Identify and apprehend the individuals suspected of committing a crime;

N/A



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-60 (Formerly 2-24)

Effective: 12/29/2022 Review: 12/29/2023 Replaces: 06/29/2016

10. Check criminal background and histories;
11. Determine the involvement of the individuals who are suspected of committing a crime in other crimes; and
12. Prepare cases for court presentations and assist in the prosecutions.