



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-74 (Formerly 2-39)

Effective: 11/22/2022 Review: 11/22/2023 Replaces: 01/15/2016

**2-74 SUBMISSION OF FELONY CASES TO THE DISTRICT ATTORNEY**

**Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

A. Related SOP(s)

- [1-19 Shield Unit](#)
- [1-53 Homicide Unit \(Formerly 5-3\)](#)
- [2-16 Reports \(Formerly 1-05\)](#)
- [2-46 Response to Traffic Crashes](#)
- [2-111 Records Division Units \(Formerly 1-86, 8-5, 8-6, 8-8, 8-8, 8-9, 8-10, and 8-13\)](#)

B. Form(s)

None

C. Other Resource(s)

[Evidence.com](#)

D. Rescinded Special Order(s)

FSB SO 18-10 Paper Copies of Evidence for Felony Cases  
SO 19-46 Felony Reports to Shield Unit on Adult Arrests, Arrest Warrants and Non-Arrests

**2-74-1 Purpose**

The purpose of this policy is to ensure that complete felony cases are submitted to the District Attorney's (DA) Office in a timely manner.

**2-74-2 Policy**

It is the policy of the Albuquerque Police Department (Department) to present the DA's Office with cases that are complete and legible, and that contain all necessary documentation for prosecution.

**N/A 2-74-3 Definitions**

None

**6 2-74-4 Cases Involving Adult Defendants**

A. For cases involving adult defendants suspected of committing a felony crime, excluding cases for homicides and fatal traffic crashes:



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N/A

1. A supervisor shall review and approve Uniform Incident Report(s) for such cases before the end of the officer's shift, consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties).

2. Sworn personnel shall:

N/A

a. Complete a Uniform Incident Report(s), consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties);

N/A

b. Upon completion of the case, upload and attach all documents to the Uniform Incident Report(s) in the Department's records management system, consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties);

7

c. Make a copy of any related item or document that they tagged into evidence and attach those copies to the Uniform Incident Report(s) in the Department's records management system;

i. Sworn personnel shall copy any item that can be copied regardless of perceived evidentiary value, including, but not limited to checks, identification cards, automatic teller machine (ATM) cards, debit/credit cards, stolen mail, temporary license plates, etc.

N/A

ii. If an excessive number of documents require copying, sworn personnel may take the documents to Shield Unit personnel, who may assist with copying the documents any time between Monday to Friday from 0800 to 1700 hours.

d. Copy the backside of any item, if applicable;

f. Ensure that the information is legible, including items tagged as "return to owner"; and

i. Sworn personnel shall be responsible for checking tagged items back into evidence after copies are made.

g. Email notifications for cases involving an individual who was not arrested to the Shield Unit at [apdfelonyarrest@cabq.gov](mailto:apdfelonyarrest@cabq.gov).

ii. The format for the email subject line shall include:

1. Non-arrest;
2. Department case number;
3. Individual's name;
4. Officer's name; and
5. Man number.

iii. If the investigation is ongoing, the last line of the officer's Uniform Incident Report shall state, "Investigation is ongoing. The completed case will be forwarded upon completion."

iv. When the investigation is complete, sworn personnel shall notify Shield Unit personnel that the Uniform Incident Report has been completed and provide a copy of all documents and Uniform Incident Reports not previously provided.

N/A

3. Shield Unit personnel shall send all items to the DA's Office, consistent with SOP Shield Unit (refer to SOP Shield Unit for sanction classifications and additional duties).



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B. After a case has been submitted to Shield Unit personnel:

1. Sworn personnel shall:

- a. Respond in a timely manner to any requests for additional information from prosecuting agencies or Shield Unit personnel;
- b. Be responsible for following up with community member witnesses or victims for any items that were not collected on the date of the incident or as requested by Shield Unit personnel;
- c. Obtain estimated damages from community member witnesses or victims; and
  - i. If sworn personnel charge an individual for felony criminal damage to property, the prosecuting agency will need proof of the amount of damage for damage over one thousand (\$1,000) dollars.
    - 1. Proof of documentation includes written or printed receipts for any damaged items or any damage estimate obtained.
- d. Obtain videos from community member witnesses/victims.
  - i. If the Uniform Incident Report indicates that there is a video available, sworn personnel shall be responsible for obtaining the video either through the Digital Image Video Recovery Team (DIVRT), or obtaining video that has been uploaded to evidence.com, or by personally collecting the video and tagging it into evidence.

N/A

N/A

N/A

7

- 2. Shield Unit personnel shall not contact community member witnesses or victims on any case unless directed to do so by their supervisor, consistent with SOP Shield Unit (refer to SOP Shield Unit for sanction classifications and additional duties).
- 3. Department personnel shall notify Shield Unit personnel if they are contacted by the DA's Office for any missing discovery.

6 2-74-5

**Cases Involving Juvenile Defendants**

A. For cases involving juvenile defendants who were not involved in a homicide or a fatal traffic crash, sworn personnel shall:

- 1. By the end of their shift, send copies of the following documents to the Juvenile Probation Office and the Juvenile District Attorney's Office at [da2ndjuvdiscovery@da2nd.state.nm.us](mailto:da2ndjuvdiscovery@da2nd.state.nm.us):
  - a. Juvenile Statement of Probable Cause for arrests;
  - b. Juvenile Detention Center Pre-booking Worksheet for arrests;
  - c. Completed Uniform Incident Report(s); and
  - d. Any additional supporting documentation.

N/A

- 2. Upload and attach all documents to the Uniform Incident Report in the Department's records management system upon the completion of the case,



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consistent with SOP Reports (refer to SOP Reports for sanction classifications and additional duties).

**6** 2-74-6 **Discovery for Homicides and Fatal Crashes**

**N/A** A. Submission of Homicide Cases

Sworn personnel shall follow the procedures outlined in SOP Homicide Unit for homicide cases (refer to SOP Homicide Unit for sanction classifications and additional duties).

**N/A** B. Submission of Fatal Crash Cases

Sworn personnel shall follow the procedures outlined in SOP Response to Traffic Crashes for fatal crashes (refer to SOP Response to Traffic Crashes for sanction classification and additional duties).

C. Detective Responsibilities

1. A Detective shall:

- a. Submit discovery to prosecuting agencies as outlined in the Standard Operating Procedure (SOP) for their division;
- b. Upon completion of their discovery for felony fatal crash investigations and homicide investigations, email a copy to the DA's Office intake personnel at [FelonyIntake@da2nd.state.nm.us](mailto:FelonyIntake@da2nd.state.nm.us);
  - i. The email subject line shall include:
    - 1. Department case number;
    - 2. Individual's name;
    - 3. Officer's name;
    - 4. Man number; and
    - 5. Arrest or non-arrest.
  - ii. The Detective may hand-deliver a copy of the file if their email is not working, and they may scan documents as separate files as necessary.
- c. Order and provide Computer-Aided Dispatch (CAD) records, and dispatch and 911 audio recordings for all related calls for service when requested by the DA;
- d. Order and provide copies of all digital media and photographs that have been tagged into evidence upon request by the DA; and
- e. Provide access to all items tagged into evidence.com for related cases by requesting access from Evidence Unit personnel when requested by the DA's Office.

**N/A**

- D. A supervisor shall approve their employee's discovery prior to it being submitted to the DA's Office.