

ALBUQUERQUE POLICE DEPARTMENT
* PROCEDURAL ORDERS*

Effective: 03/01/90; Still In Effect 10/01/95

2-03 HABITUAL/SERIOUS OFFENDERS

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POLICY:

Department policy is to identify cases involving habitual or serious offenders, and establish criteria for handling such cases. All cases in which habitual or serious offenders are involved will be designated as such and referred to the District Attorney's office. Investigators are encouraged to request assistance from the District Attorney's office in the preparation of these cases when appropriate.

RULES AND PROCEDURES:

2-03-1 CASE/INCIDENT REFERRAL CRITERIA

A case/incident shall be referred to the District Attorney's office when the suspect is under arrest for the commission or attempted commission of the following offenses:

- A. Robbery - for three or more separate robbery offenses not arising out of the same action.
- B. Robbery, and if, during the past ten years, exclusive of any time spent in prison, the suspect has been tried and convicted of any one of the following:

- Robbery, armed with a deadly weapon
- Burglary, (residential, commercial or aggravated)
- Arson
- Criminal Sexual Penetration
- Kidnapping for robbery or ransom
- Murder

or, any combination of two of the following:

- 2. Grand Larceny
- Auto Theft
- Receiving stolen property
- Robbery
- Burglary
- Kidnapping
- Aggravated assault - Aggravated Battery
- Possession with intent to distribute controlled substance
- Trafficking controlled substance

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- C. Residential or commercial burglary, when, during the past ten years, exclusive of any time spent in prison, the suspect has two convictions of any of the following felonies. The convictions must be the result of separate proceedings.

Robbery	Burglary
Arson	Grand theft
Auto theft	Kidnap
Murder	
Criminal sexual penetration	
Receiving stolen property	
Assault with a deadly weapon	
Sale or possession for sale of a controlled substance	

- D. Residential or commercial burglary when the defendant has served a prior prison term or he/she is presently charged with three or more burglaries.