



2-98 **RESERVED FOR FUTURE USE METHADONE DISTRIBUTION CENTERS**

2-98-1 Rules and Procedures

A. Surveillance

New Mexico state law, Section 26-2-13D, prohibits police officers from conducting a surveillance of drug abuse rehabilitation (or Methadone) centers for the purpose of identifying the center's clients.

B. Entering the Center

Officers may enter the center after obtaining an arrest warrant and/or search warrant. The only exception to entering the center without an arrest warrant and a search warrant is if the officer is in "fresh pursuit" of a suspected felon or on a call for service.

DRAFT



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-98

Effective: 01/17/16 Review Due: 01/17/17 Replaces: 07/02/15

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Policy Development Form
Office of Policy Analysis



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SOP:2-98 Methadone Distribution Centers

Date Completed: 07/23/2018

In order to gain a clear understanding of the reason for the policy change, please answer the questions below with as much detail as possible as this information will be shared with internal and external stakeholders interested in participating in APD's policy development process.

Explain the rationale or purpose for the new policy or amended policy? Example: Best practices, case law, liability, conflicts with other policies or regulations, CASA related.

Current Standard Operating Procedure 2-98 (SOP) describes, "fresh pursuit," of a, "suspected felon," as an exception for entering a methadone distribution center without an arrest or search warrant. Law enforcement officers can be in, "fresh pursuit," of criminals who have committed both felony and misdemeanor crimes; and, SOP should reflect this aspect of criminal apprehension and levels of crime. Furthermore, the phrase, "suspected felon," is ambiguous and does not address the immediacy of the criminal act causing the, "fresh pursuit." The change to the policy will describe being a, "suspect of a crime," instead of limiting the exception to suspected felons.

What is the policy intended to accomplish? Explain the general intent with respect to the specific topic of the policy.

This specifically policy (2-98) addresses procedures regarding surveillance and entry to a methadone distribution center while performing law enforcement duties.

How will the policy be measured to determine its effectiveness? (Example: Will data be collected, if so, in what format and who will maintain the information?)

NA

Please list any references used to draft the policy such as policies from other agencies, case law, directives from the CASA, research papers, etc.

NA

Please submit this form to OPA@cabq.gov

If you need assistance completing this form, and for any questions or concerns please contact your SOP liaison @ adgarcia@cabq.gov.

Updated 06/20/2018