



1-19 SHIELD UNIT

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

2-73 Collection, Submission, and Disposition of Evidence and Property
(Formerly 2-08)

B. Form(s)

Discovery Cover Sheet
Photo Request Form
PD 4427 Chain of Custody

C. Other Resource(s)

Evidence.com
Health Insurance Portability and Accountability Act (HIPAA) of 1996

D. Rescinded Special Order(s)

SO 19-46 Felony Reports to Shield Unit on Adult Arrests, Arrest Warrants and Non-Arrests

1-19-1 Purpose

The purpose of this policy is to outline the responsibilities of the Albuquerque Police Department's (Department) Shield Unit when facilitating the delivery of discovery to prosecuting agencies. Furthermore, the purpose of this policy is to recognize the Shield Unit as the central point of contact for discovery on felony cases involving adult individuals charged with committing a crime other than homicides and fatal crashes.

1-19-2 Policy

It is the policy of the Department to provide complete discovery to prosecuting agencies in a reliable and trackable manner.

N/A

1-19-3 Definitions

A. Additional Discovery

All items needed for the prosecution that were not initially provided by Shield Unit personnel because they had not been approved or obtained. Additional discovery items are provided to the prosecuting agencies when they become available after the initial discovery is provided.



B. Complete Discovery

All items needed for prosecution to include, but are not limited to: a Uniform Incident Report, Supplemental Reports, documents that are either referenced in the Uniform Incident Report that have been tagged into evidence, or attached in the Department's records management system, Computer-Aided Dispatch (CAD) entries, Evidence.com records, printed CAD entries, photographs, digital media, and any evidence with a Department case number.

C. Computer-Aided Dispatch (CAD) Entry

A digital record or audio recording created through the interaction of Emergency Communications Center (ECC) personnel and Department personnel responding to calls for service or documenting calls for service and investigations.

D. Initial Discovery

The initial packet of discovery that is sent to the DA's Office for prosecution with all available Uniform Incident Reports, Supplemental Reports, documents, CAD entries or audio recording, photographs, digital media, and any Evidence.com records with a Department case number that are initially available.

E. Preventative Discovery

Discovery provided to the DA's Office necessary to prepare for the preventative detention hearing, including all approved Uniform Incident Reports, Supplemental Reports, accompanying documents that are available on the first day of request.

F. Prosecuting Agency

Any governmental agency which prosecutes or investigates criminal offenses, such as the DA's Office, Attorney General (AG), Federal Bureau of Investigation (FBI), Office of Superintendent of Insurance, United States Attorney's Office (USAO), or other state or local law enforcement agencies.

7 1-19-4 General Responsibilities

A. The Shield Unit Supervisor shall:

1. Ensure that a final review is completed of all discovery before Shield Unit personnel send it to the prosecuting agency;
2. Act as liaison to prosecuting agencies on discovery issues to facilitate the prosecution of felony cases;
3. Review declination notices from prosecuting agencies, including:



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- a. Forwarding notices to Department personnel as appropriate; and
 - b. Advising the Case Preparation Specialist (CPS) of areas of concern for future case preparation.
4. Contact supervisory personnel within the various bureaus and divisions, as necessary, to meet the Shield Unit case requirements; and
 5. Ensure Shield Unit personnel log all requests sent to APDShield@cabq.gov from prosecuting agencies in the Shield Unit's internal tracking system.
 - a. The Shield Unit Supervisor shall follow-up on requests that are assigned to the CPS.
 - b. The Shield Unit Supervisor shall identify trends that the Shield Unit needs to address in the preparation of cases.
- B. The CPS shall:
1. Be responsible for preparing and completing all discovery and any follow-up requests, and providing it to prosecuting agencies in a timely manner;
 2. Document the contents of each case file on a Discovery Cover Sheet;
 3. Assess cases to ensure internal consistency;
 4. Contact businesses to inquire about videos or documents that Department personnel have not already obtained;
 5. Request copies of digital media, photos, and items from the Department's Evidence Unit that they shall send to the prosecuting agencies;
 6. Identify, prepare, and send Evidence.com data to prosecuting agencies;
 7. Follow-up on all discovery and Evidence.com for one (1) month;
 8. Upload copies of all discovery to the DA's Office case sharing system;
 9. Retrieve copies of documents that were emailed to the Shield Unit and include them in the discovery;
 10. Retrieve CAD audio recordings from APDParalegals@cabq.gov email account and forward them to the prosecuting agency;
 11. On a daily basis, deliver discovery to the DA's Office and arrange for other prosecuting agencies to collect discovery;
 12. Make copies of all documents brought from Evidence by Department personnel; and



N/A

- a. Department personnel may bring documents to the Shield Unit to be copied by Shield Unit personnel when there is an excessive amount of documents needed for a case.
- b. When notified by Shield Unit personnel, Department personnel shall retrieve and return the documents to the Evidence Unit.

N/A

13. Tag any videos they obtain into evidence as outlined in 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).
- C. The CPS shall not contact community members, witnesses, or victims on a case unless directed to do so by the Shield Unit Supervisor.
- D. Shield Unit personnel shall:
 1. Assist federal agencies with information and document requests for investigations and prosecutions as appropriate; and
 2. Complete additional duties as assigned by the Shield Unit Supervisor and based on the needs of the Department.

7 1-19-5 Procedures for Discovery

A. Felony First Appearance List

The Shield Unit Supervisor or their designee shall assign cases on the DA's Office Felony First Appearance list that they provide to the CPS.

B. Follow-up Discovery

1. The CPS shall follow up on Uniform Incident Reports and on-body recording device (OBRD) footage from Evidence.com for one (1) month to ensure that all items have been provided to the DA's office.
 - a. Sworn personnel who complete investigations beyond one (1) month shall inform Shield Unit personnel when they complete a Uniform Incident Report, Supplemental Reports, upload or create documents or videos.

C. Full Non-Arrest Discovery

Shield Unit personnel shall submit full non-arrest discovery to the DA's Office for review and possible prosecution when requested and submitted to the APDfelonyarrest@cabq.gov email by sworn personnel.

D. Initial Discovery



1. The CPS shall:

- a. When possible, provide initial discovery to the DA's Office within four (4) business days from when an individual is arrested, including the initial day, except when the Uniform Incident Report has not been approved;
 - i. The CPS shall provide complete discovery to the DA's Office for Crimes Against Children Unit (CACU) cases, Sex Crimes Unit cases, and cases requested by a prosecuting agency or sworn personnel.
- b. Document the contents of each case file to facilitate accurate documentation and accountability with prosecuting agencies;
 - i. The CPS shall list items missing from the initial discovery on the Discovery Cover Sheet as pending, and to be provided when additional discovery becomes available.
 1. If missing the items cannot be obtained, the CPS shall send written notice to the prosecuting agency noting the inability to obtain the item.
- c. Identify errors in the case file, and notify the appropriate supervisor that corrections are needed;
- d. Contact businesses to inquire about videos or documents when sworn personnel document on the Uniform Incident Report that they exist but were not obtained;
 - i. The CPS shall complete a Chain of Custody form when they obtain videos from businesses.
 - ii. The CPS shall send the Chain of Custody form to the prosecuting agency once they tag the video into evidence.
- e. Order copies of photographs and digital media that were tagged into evidence from the Evidence Unit to provide to the prosecuting agency;
- f. Review and evaluate videos that Department personnel have uploaded to Evidence.com for discovery; and
 - i. The CPS shall not provide interviews conducted pursuant to internal affairs reviews with discovery.
 - ii. The CPS shall provide all remaining videos that were uploaded to Evidence.com to the prosecuting agency.
- g. Search Evidence.com to locate videos that were not automatically labeled with the relevant case or CAD entry number as necessary.
 - i. When possible, the CPS shall label such videos as evidence for retention purposes with the appropriate case number.

C. Preventative Discovery

1. Shield Unit personnel shall:

- a. Provide preventative discovery by the end of the business day when a prosecuting agency indicates that they have filed a preventative detention motion; and
- b. When possible, honor requests from prosecuting agencies to obtain additional information in time for the preventative detention hearing.



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

A. Related SOP(s)

2-73 Collection, Submission, and Disposition of Evidence, Confiscated and Property
(Formerly 2-08), and Found Items

B. Form(s)

Discovery Cover Sheet
Photo Request Form
PD 4427 Chain of Custody~~From~~

C. Other Resource(s)

Evidence.com
Health Insurance Portability and Accountability Act (HIPAA) of 1996
~~Onbase~~
~~Shield Unit Case Preparation Manual~~

D. Rescinded Special Order(s)

~~SO 18 17 Felony Arrests By Field Officers~~
~~SO 18 135 Felony Arrest II~~
~~SO 18 136 Shield Unit (Formerly Paralegal Project)~~
~~SO 18 137 Surveillance Video Copy for Discovery~~
~~SO 18 138 Copies of Items Tagged Into Evidence~~
~~SO 19 36 Copies of Items Tagged Into Evidence for Adult Felony Cases~~
~~SO 19 42 Units Assisted By Shield Unit~~
~~SO 20 44 Felony Discovery Cover Sheet~~
None SO 19-46 Felony Reports to Shield Unit on Adult Arrests, Arrest Warrants and Non-Arrests

1-19-1 — Purpose

The purpose of this policy is to ~~establish the~~ outline the responsibilities of the Albuquerque Police Department's (Department) Shield Unit to ~~when~~ facilitating the delivery of discovery to prosecuting agencies. Furthermore, the purpose of this policy is to recognize the Shield Unit as the central point of contact for discovery on felony cases involving adult individuals charged with committing a crime other than ~~offenders for charges other than~~ homicides and ~~or~~ fatal crashes.

1-19-2 — Policy

It is the policy of the ~~Albuquerque Police Department (Department's) Shield Unit~~ to provide complete discovery to prosecuting agencies in a reliable and trackable manner.



N/A 1-19-3. Definitions

~~A. Abbreviated Discovery~~

~~Non-arrest cases that are sent to the District Attorney (DA)'s Office by Shield Unit personnel for review and possible prosecution; this includes Uniform Incident Reports, Supplemental Reports, and any documents that have been provided to the Shield Unit.~~

~~B.A. Additional Discovery~~

All items needed for the prosecution that were not initially provided by Shield Unit personnel because they had not been approved, or obtained. Additional discovery items are provided to the prosecuting agencies when they become available after the initial discovery ~~was~~ is provided.

~~C.B. Complete Discovery~~

All items needed for prosecution to include, but are not limited to: a Uniform Incident Report, Supplemental Reports, documents that are either referenced in the Uniform Incident Report that have been tagged, into evidence, or attached in the Department's Records Management system, Computer-Aided Dispatch (CAD) entries, audio recordings, and printed CAD, photographs, digital media, and any Evidence.com records w/ printed CAD entries, photographs, digital media, and any evidence with a Department case number.

~~D.C. Computer-Aided Dispatch (CAD) Entry~~

~~The~~ A digital record or audio recording created through the interaction of ~~the~~ Emergency Communications Center (ECC) personnel and Department personnel responding to calls for service or documenting calls for service and investigations.

~~E. Discovery~~

~~A combination of the written and digital media which need to be provided to a prosecuting agency, including Uniform Incident Reports, Supplemental Reports, documents, photos, and videos.~~

~~F. Felony First Appearance~~

~~The initial court hearing following the arrest of an individual for a felony charge.~~

~~G. Full Non-Arrest Discovery~~

~~Complete discovery that is provided on non-arrest cases either requested by the District Attorney's (DA)'s Office by Sworn Personnel to Shield Unit personnel.~~



~~H~~D. Initial ~~D~~eiscovery

The initial packet of discovery that is sent to the DA's Office for prosecution with all available Uniform Incident Reports, Supplemental Reports, documents, ~~Computer Aided Dispatch (CAD)~~ entries or audio recording, photographs, digital media, and any Evidence.com records with a Department case number that are initially available.

~~H~~E. Preventative Discovery

Discovery provided to the DA's Office necessary to prepare for the preventative detention hearing, i including all approved Uniform Incident Reports, Supplemental ~~R~~Reports, accompanying documents, ~~and Evidence.com access that~~ are available on the first day of request.

~~H~~F. Prosecuting Agency

Any governmental agency which prosecutes or investigates criminal offenses, such as the DA's Office, Attorney General (AG), Federal Bureau of Investigation (FBI), Office of Superintendent of Insurance, United States Attorney's Office (USAO), or other state or local law enforcement agencies.

7 1-19-4. **General Responsibilities**

A. The Shield Unit ~~Sergeant~~ Supervisor shall:

1. Ensure that a final review is completed of all the discovery ~~that is to~~ before Shield Unit personnel ~~be send it~~ to the prosecuting agency;
2. Act as liaison to prosecuting agencies, on discovery issues, to facilitate the prosecution of felony cases;
3. Review declination notices from prosecuting agencies, including:
 - a. Forwarding notices to Department personnel as appropriate; and
 - b. Advising the Case Preparation Specialist (CPS) of areas of concern for future case preparation.
4. Contact supervisory personnel within the ~~Field Services Bureau (FSB)~~ and ~~the~~ various bureaus and divisions, as necessary, to meet ~~achieve~~ the Shield Unit case requirements; and
5. Ensure Shield Unit personnel ~~log~~ that all requests sent to APDShield@cabq.gov from prosecuting agencies ~~are logged~~ in the Shield Unit's internal tracking system; and



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a. ~~The Shield Unit Supervisor shall follow-up on requests that are assigned to the CPS personnel as necessary; and~~

b. ~~Determine The Shield Unit Supervisor shall identify trends, which that the Shield Unit needs to be addressed in the preparation of cases.~~

b.

N/A

6. ~~Tag videos into Evidence, which were obtained by CPS personnel pursuant to a request of from the Shield Unit consistent with Collection, Submission, and Disposition of Evidence and Property (refer to SOP Collection, Submission, and Disposition of Evidence and Property Submission of Evidence, Confiscated Property, and Found Items for sanction classifications and additional duties).~~

N/A

~~The Shield Unit Sergeant may review and approve reports by Department personnel, if necessary, in order to facilitate the production of discovery to prosecuting agencies.~~

C.B. ~~The Case Preparation Specialist (CPS) shall:~~

4. ~~Be responsible for preparing and completing all discovery and any follow-up requests, and providing it to prosecuting agencies in a timely manner; including Discovery types this includes, but is are not limited to:~~

- ~~a. Preventative discovery;~~
- ~~b. Initial discovery;~~
- ~~c. Additional discovery; and~~
- ~~d. Any Follow-up requests.~~

1.

2. Document the contents of each case file on a Discovery Cover Sheet;

3. Assess cases to ensure internal consistency;

4. Contact businesses to inquire about videos or documents that Department personnel have not already been obtained;

N/A

5. Request copies of digital media, and photos, and items from the Department's Evidence Unit that they shall to be send to the prosecuting agencies; ~~from the Department Evidence Unit, consistent with SOP Collection, Submission, and Disposition of Evidence and Property Submission of Evidence, Confiscated Property, and Found (refer to SOP Collection, Submission, and Disposition of Evidence for sanction classification and additional duties) and Items to be sent to the prosecuting agencies (refer to SOP Submission of Evidence, Confiscated Property, and Found Items for sanction classifications and additional duties);~~

6. Identify, prepare, and send Evidence.com data to prosecuting agencies;

7. Follow-up on reports all discovery and Evidence.com for one (1) month;



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- 8. Upload copies of all discovery to the DA's Office case sharing management system OnBase;
- 9. Retrieve copies of documents that were emailed to the Shield Unit and include them in the discovery packet;
- 10. Retrieve CAD audio recordings from APDParalegals@cabq.gov email account address and forward them to the prosecuting en agency;
- 11. On a daily basis, ~~On a daily basis, do~~ deliver discovery to the DA's Office daily and arrange for other prosecuting agencies to collect discovery; ~~and~~
- 12. Make copies of all documents brought from Evidence by sworn Department personnel; ~~and~~

N/A

- a. Department personnel ~~are responsible for~~ may shall bringing the documents to the Shield Unit to be copied by to the Shield Unit, personnel when there is an excessive amount of documents needed for a case.
- b. When notified by Shield Unit personnel, Department personnel shall and then retrieving, and returning the items documents to the Evidence Unit, upon when notification notified from by Shield Unit personnel.

N/A

- 13. ~~Tag any videos into Evidence, which were they obtained by CPS personnel into Evidence as outlined in SOP pursuant to a request from the Shield Unit (refer to SOP Collection, Submission, and Disposition of Evidence and Property (-refer to SOP Collection, Submission, and Disposition of Evidence and Property Submission of Evidence, Confiscated Property, and Found Items for sanction classifications and additional duties).~~
- a.C. ~~The CPSCase Preparation Specialist shall not contact community members, witnesses, or victims on a case unless directed to do so by the Shield Unit Supervisor.~~
- D. Shield Unit personnel shall:
 - 1. Assist federal agencies with information and document requests for investigations and prosecutions as appropriate; and
 - 2. Complete additional duties as assigned by the Shield Unit sSupervisor and based on the needs of the Department.

7 1-19-51-19-5 Procedures for Discovery

Full Non Arrest Abbreviated Discovery

The Shield Unit shall submit a full non arrest discovery n abbreviated case to the DA's office for review and possible prosecution on non arrest cases when requested and submitted to the by sworn personnel or the DA's office when submitted to the.



A. Felony First Appearance List

The Shield Unit ~~Sergeant~~ Supervisor or their designee shall assign cases on the DA's Office Felony First Appearance list that the DA's Office provides to the CPS that are on the Felony First Appearance list that is provided by the DA's Office.

B. Follow-up Discovery

1. The CPS shall follow up on Uniform Incident Reports and on-body recording device (OBRD) footage from items in Evidence.com for one (1) month to ensure that all items have been provided to the DA's office.

a. Sworn personnel who completing investigations beyond that time frame one (1) month shall be responsible for informing Shield Unit personnel of when they complete a Uniform Incident Reports, Supplemental Reports, upload or create documents, or videos completed, created, or uploaded after that time.

C. Full Non-Arrest Discovery

Shield Unit personnel shall submit a full non-arrest discovery case to the DA's Office for review and possible prosecution when requested and submitted to the APDfelonyarrest@cabq.gov email by sworn personnel or the DA's Office.

~~B.D.~~ D. Initial Discovery

1. The CPS shall:

a. When possible, provide initial discovery to the DA's Office within four (4) business days from when an individual is the arrested, this includes using the initial day, except when the original Uniform Incident Reports have not been approved;

i. The CPS shall prepare Full non-arrest discovery shall be prepared, and provide complete discovery shall be provided to the DA's Office for Crimes Against Children Unit (CACU) cases, Sex Crimes Unit cases, and those cases requested by a prosecuting agency or sworn personnel.

b. Document the contents of each case file to facilitate accurate documentation and accountability with prosecuting agencies;

i. The CPS shall list items missing from the initial discovery packet shall be listed on the Discovery Cover Sheet as pending, and shall to be provided as when additional discovery when becomes available.

1. If missing the items cannot be obtained, the CPS shall send written notice to the prosecuting agency noting the inability to obtain the item.

c. When identify errors are identified in the case file, and notify the appropriate supervisors of the that corrections are needed to make corrections;



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- d. Contact businesses to inquire about videos or documents in which when the officer's sworn personnel document on the Uniform Incident Report that indicates they exist but were not already obtained;
 - i. The CPS shall complete A chain of Custody form shall be prepared for videos which are when they obtain ed videos from businesses through efforts of the Shield Unit;
 - ii. The CPS shall send the Chain of Custody form shall be sent to the prosecuting agency once they tag item is tagged the video into into evidence;
- e. Order copies from the Evidence Unit of photographs and digital media that were as tagged into evidence from the Evidence Unit that were tagged as evidence to be provided to the prosecuting agency, consistent with SOP Submission of Evidence, Confiscated Property, and Found Items;
- f. Review and evaluate items videos that Department personnel have been uploaded to Evidence.com for discovery; and
 - i. The CPS shall not provide interviews conducted pursuant to Internal Affairs reviews shall not be provided with discovery;
 - ii. The CPS shall provide All remaining items videos that were uploaded to Evidence.com shall be provided to the prosecuting agency;
- g. Search Evidence.com to locate any videos which that were not automatically labeled with the relevant case or CAD entry number as necessary; and
 - i. When possible, the CPS shall label When possible, SSS such videos shall be labeled as "evidence" for retention purposes with the appropriate case number when possible, when possible.

~~C. Follow up Discovery~~

- ~~1. The CPS shall follow up on Uniform Incident Reports and items in Evidence.com for one (1) month to ensure that all items have been provided.~~
- ~~2. Sworn personnel completing investigation beyond that time frame shall be responsible for informing Shield Unit personnel of Uniform Incident Reports, Supplemental Reports, documents, or videos completed, created, or uploaded after that time.~~

~~D.C. Preventative Discovery~~

1. Shield Unit personnel shall:

- ~~1.a. Provide preventative discovery by the end of the business day W when a prosecuting agency indicates that they have filed a p Preventative d Detention motion, Shield Unit personnel shall provide preventative discovery by the end of the day; and~~
When possible, h
- ~~2. Shield Unit personnel shall honor R requests from the prosecuting agencies to assist in obtaining additional information in time for the P preventative D detention hearing shall be honored by Shield Unit personnel when possible.~~



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~~E. Abbreviated Discovery~~

~~====~~

~~The Shield Unit shall submit an abbreviated case to the DA's office for review and possible prosecution on Non-arrest cases requested to be sent to the DA's Office for review and possible prosecution when requested and submitted by sworn personnel, shall be sent as an abbreviated case to the DA's Office.~~

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~~====~~

~~b.~~

REDLINED