



1-72 ORGANIZED CRIME UNIT (OCU)

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):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

PD 1312 Pawn Shop/Secondhand Retailers Property Receipt

C. Other Resource(s)

ROA 1994, §§ 13-6-1 to 13-6-14 Pawnbrokers, Precious Material Dealers, Secondhand Retailers, and Automated Kiosks

D. Rescinded Special Order(s)

SO 23-59 Amendment to SOP 1-72 Organized Crime Unit

1-72-1 Purpose

The purpose of the Organized Crime Unit (OCU) is to complete investigations of crimes involving white-collar crimes over \$10,000, pawnshops, secondhand retailers, metal theft, repeat offenders of retail-related crime, and other assigned criminal investigations which are a result of recovered property discovered by the OCU.

1-72-2 Policy

It is the policy of the Albuquerque Police Department (Department) to recover stolen property, identify, investigate, apprehend, and seek prosecution of individuals who commit crimes that impact private sector partnerships by using the law enforcement investigative online databases.

N/A 1-72-3 Definitions

A. Albuquerque Retail Assets Protection Association (ARAPA)

A group of local retail asset protection professionals who work in partnership with law enforcement to address crime in retail buildings/properties.

B. Construction Industry Crime Alliance (CICA)

A source for plain language explanations of environmental rules for the construction industry.



C. Financial Institution Security Officers Association (FISOA)

A group that informs local financial institutions, law enforcement agencies, and consumers of financial fraud and identity theft trends and information developments.

D. Hospitality (Hotel/Motel) Partnership

A collaboration between the Department and area hotels/motels to address public safety issues that impact Albuquerque's retail community.

E. Notice of Violation

A written notice that is issued to an individual when they violate one (1) or more provisions of ROA 1994, §§ 13-6-1 to 13-6-14.

F. Property Unit Enforcement Official

OCU personnel, sworn or professional staff within the Department's OCU Unit, Property Crimes Section or any Department personnel specifically assigned to the enforcement or administration of ROA 1994, §§ 13-6-1 to 13-6-14.

G. Private Sector Partnership

An agreement between the Department, private agencies, and associations that communicate information relating to active criminal investigations. Private sector partners provide any known information of repeat individuals to the OCU through an online database.

H. Repeat Offender

Individuals who have been identified and are determined to be repeat offenders under certain circumstances, which may include, but are not limited to, *modus operandi*, value/amount of the theft, the type of merchandise that was taken, and the frequency of the thefts. All repeat retail theft investigations will be determined by the OCU Sergeant.

6 1-72-4 **Rules and Responsibilities**

A. OCU personnel shall:

1. Coordinate meetings and manage any information provided by ARAPA, CICA, Hospitality Partnership, and FISOA;
2. Act as liaisons between the Department, private sector partners, and other government agencies;



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3. Identify, investigate, apprehend, and seek prosecution of individuals who repeatedly commit retail-related crimes which negatively impact private sector partnerships. These crimes include, but are not limited to:
 - a. Destruction of property;
 - b. Loss of revenue; and
 - c. Incidents that may result in injury or death.
 - i. The OCU Sergeant shall determine all repeat offenders, and if the offender(s) meet OCU case responsibility.
4. Attend private sector partnership meetings, conduct presentations, and relay information to the Department and other law enforcement agencies as needed;
5. Provide training to Department personnel on various economic crimes and other forms of organized theft;
6. Investigate metal thefts as outlined in ROA 1994, §§ 13-6-1 to 13-6-14 and copper thefts;
 - a. OCU detectives shall only take primary on metal theft investigations where the primary charge is metal theft.
 - i. Felony criminal damage cases do not meet this criteria, unless the theft of metal is of a felony amount.
7. Investigate all felony white-collar crimes over ten thousand dollars (\$10,000);
8. Be responsible for placing holds on any alleged stolen property by either tagging the item, retrieving the property for the owner, or removing any property that was previously entered into the National Crime Information Center (NCIC) by Department personnel;
 - a. If there is a dispute over property and there is no clear proof of ownership, OCU personnel shall notify all parties involved that it is a civil issue.
 - b. OCU personnel shall document the dispute in a Uniform Incident Report.
 - c. OCU personnel shall take the property in dispute and tag it into Evidence until the rightful owner is determined consistent with ROA 1994, §§ 13-6-1 to 13-6-14 Pawnbrokers, Precious Material Dealers, Secondhand Retailers, and Automated Kiosks.
9. Investigate and determine whether the recovered property may be returned to the owner;
10. Enter case information into the Department's case management database;



11. Assist other law enforcement agencies with investigative operations including, but not limited to:

- a. White-collar crimes;
- b. Shoplifting;
- c. Metal theft;
- d. Pawnshop/secondhand retail crimes;
- e. Fraud;
- f. Identity theft;
- g. Forgery;
- h. The issuing of worthless checks; and

12. Investigate cases that are charged as a robbery when it is determined the crime is premised upon a shoplifting inside of a store. The Lieutenant of OCU may reassign the investigation to any other teams within Investigative Enhancement Division at their discretion.

B. An OCU Detective shall:

1. On a rotating basis, be on-call to assist with requests for assistance from Field Services Bureau (FSB) personnel; and
2. Participate in undercover investigative tactical operations conducted by the Unit.

C. FSB sworn personnel who, during their investigation, determine that property needs to be placed on a pawnshop, secondhand retailer, or metal/scrap recycling hold shall contact the Property Unit Enforcement Official.

FSB sworn personnel who contact the Property Unit Enforcement Officer for assistance are not excluded from taking case responsibility.

D. Specialized unit personnel who recover property shall have case responsibility.

If a hit or confirmed match in the law enforcement investigative online database arises, the Property Unit Enforcement Official shall track the case in the Department's case management database.

6 1-72-5 Pawnshop and Secondhand Dealers Detail

A. The designated OCU Property Unit Enforcement Official(s) shall:

1. Complete inspections as required by the corresponding ordinance;
2. Conduct and document inspections in the OCU's records management system consistent with ROA 1994, §§ 13-6-1 to 13-6-14 Pawnbrokers, Precious Material Dealers, Secondhand Retailers, and Automated Kiosks;



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3. Keep files on the places of business that qualify under ROA 1994, §§ 13-6-1 to 13-6-14 Pawnbrokers, Precious Material Dealers, Secondhand Retailers, and Automated Kiosks for record management in the OCU;
4. Maintain up-to-date applications, forms, notices, and final notices in accordance with the Department, the City of Albuquerque Zoning Department, Treasury Department, and Office of the City Clerk;
5. Have access to the current OCU tracking database to ensure transactions made by vendors with a City-issued permit have been uploaded accurately;
6. Maintain contact with all vendors who have a City-issued permit under the ROA 1994, §§ 13-6-1 to 13-6-14 Pawnbrokers, Precious Material Dealers, Secondhand Retailers, and Automated Kiosks;
7. Continuously follow-up with any leads, receipts for the release or receipt of items, and/or notices of violation;
8. Conduct pawnshop and secondhand dealer inspections for those dealers within the Department's jurisdiction;
9. Ensure that the transaction monitor records are uploaded by the City-issued permitted vendor accurately and meet all guidelines pursuant to ROA 1994, §§ 13-6-1 to 13-6-14;
10. Attend all pawnbroker/secondhand dealer meetings to keep up with any changes the City of Albuquerque makes to the corresponding ordinance;
11. Safely handle firearms and follow Department guidelines in the event they retrieve a firearm from a pawn shop or secondhand retailer; and
12. Tag any confiscated items as evidence as outlined in SOP Submission of Evidence, Confiscated Property, and Found Items (refer to SOP Submission of Evidence, Confiscated Property, and Found Items for sanction classifications and additional duties).

N/A

B. Notices of Violations/City Hearings

1. OCU personnel shall submit a case to the City Hearing Monitor if violations of the City of Albuquerque's Pawn Shop Ordinance and state laws are found during an inspection.
 - a. OCU personnel shall write Notices of Violations clearly to reflect each alleged violation.
 - b. OCU personnel shall serve Notices of Violations in person or posted in a conspicuous place of the business.



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2. The Property Unit Enforcement Official shall issue written Notices of Violations to City-permitted vendors when they are in violation of ROA 1994, §§ 13-6-1 to 13-6-14.
 - a. The Property Unit Enforcement Official shall:
 - i. Prepare the Notice of Violation and issue the notice to the pawn broker and/or dealers at their place of business;
 - ii. Email copies to the City of Albuquerque Office of Administrative Hearings at summonsandappeals@cabq.gov and the City Hearing Monitor to ensure that they are notified; and
 - iii. Provide a copy of the Notice of Violation to the City Clerk within three (3) business days of being served.

REDLINED



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