



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Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):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 Submission of Evidence, Confiscated Property, and Found Items

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D. Rescinded Special Order(s)

None

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, retail-related crime, and any other assigned criminal investigation which are a result of the 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 that occurs in retail buildings/properties.

B. Construction Industry Compliance Assistance (CICA)

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



C. Cryptocurrency

Digital currency such as Bitcoin can be used to purchase goods or services using an online ledger with cryptography to secure online transactions.

D. 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.

E. Hospitality (Hotel/Motel) Partnership

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

F. Notice of Violation

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

G. Property Unit Enforcement Official

Any sworn officer within the Department's Pawn Unit or Property Crimes Division, or any person specifically assigned to the enforcement or administration of ROA 1994, §§ 13-6-1 to 13-6-14.

H. Private Sector Partnership

An agreement between the Department and 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.

7 1-72-4 **Rules and Responsibilities**

A. OCU personnel shall:

1. Coordinate efforts with the Albuquerque Retail Assets Protection Association (ARAPA), Construction Industry Compliance Assistance (CICA), Hospitality Partnership, and Financial Institution Security Officers Association (FISOA);
2. Act as liaisons between the Department, private sector partners, and other government agencies;
3. Identify, investigate, apprehend, and seek prosecution of repeat individuals who commit retail-related crimes which negatively impact private sector partnerships;



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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;
7. Investigate all felony white-collar crimes over ten thousand dollars (\$10,000);
8. Be responsible for placing holds on alleged stolen property by either tagging the item, retrieving the property for the owner, or removing any property that was entered into the National Crime Information Center (NCIC);
 - a. If there is a dispute over property and there is no clear proof of ownership, OCU personnel shall notify all parties involved that this is a civil issue and document the incident in a Uniform Incident Report.
9. Investigate and determine whether the recovered property may be returned to the owner;
 - a. If there is a dispute over property and there is no clear proof of ownership, the designated Property Unit Enforcement Official shall notify the parties that the issue is a civil matter and document the incident in a Uniform Incident Report.
10. Enter case information into the Department's case management database; and
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; and
 - h. The issuing of worthless checks.

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 operations.



- C. FSB sworn personnel who need to place property on a pawnshop, second-hand retailer, or metal/scrap recycling hold shall contact the Property Unit Enforcement Official.
 - 1. This does not exclude FSB sworn personnel from taking case responsibility.
- D. Specialized unit personnel who recover property shall have case responsibility.
 - 1. If a hit in the law enforcement investigative online database arises, the designated 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. Document inspections in the OCU's records management system;
 - 3. Keep files on each place of business for records 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;
 - 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 inventory is uploaded by the City-issued permitted vendor accurately and meets 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. Receive formal firearms training offered through the Department;
 - 12. In the event, a designated official retrieves a firearm from a pawn shop or second hand retailer, safely handle firearms following Department guidelines;



13. Have the proper training required to use the Departments' Property Evidence Management System (PEMS).

N/A

B. The Property Unit Enforcement Official shall 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).

C. 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 shall be served in person or posted in a conspicuous place of the business.

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 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 the notice being served.
 - 1. The Property Unit Enforcement Official shall mail a notice of hearing via certified mail.
 - 2. The Property Unit Enforcement Official shall attend the City hearing.

6 1-72-6

Training

A. Department personnel shall use OCU specialized training and tactics while working in the OCU.

1. The OCU detective's immediate supervisor shall:

- a. Ensure that the OCU detective completes the City's new employee orientation within thirty (30) days of transferring into OCU; and



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- b. Ensure that the OCU detective completes the required training as deemed necessary by the OCU supervisor and Investigative Services Division (ISD) Commander and as outlined in the OCU Handbook.
2. The Property Unit Enforcement Official shall:
- a. Complete new employee orientation within thirty (30) days of transferring to OCU; and
 - b. Complete and maintain all required training as deemed necessary by the OCU supervisor and as outlined in the OCU Handbook.
- B. OCU personnel may provide training to Department personnel, other law enforcement agencies, and the public in the areas of investigation that OCU is responsible for.

REDLINED



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

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B. Form(s)

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D. Rescinded Special Order(s)

None

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B. Construction Industry Compliance Assistance (CICA)

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



~~C. Criminal Solicitation Bust~~

~~An operation in which an undercover detective is solicited to commit a felony crime with the intent of causing the immediate arrest of the suspect at the time the agreement is reached.~~

~~D. Cryptocurrency~~

Digital currency such as Bitcoin ~~that~~ can be used to purchase goods or services using an online ledger with cryptography to secure online transactions.

~~E. 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.

~~F. Hospitality (Hotel/Motel) Partnership~~

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

~~G. Notice of Violation~~

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

~~H. Property Unit Enforcement Official~~

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A. OCU personnel shall:

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2. Act as liaisons between the Department, private sector partners, and other government agencies;
3. Identify, investigate, apprehend, and seek prosecution of repeat individuals who commit retail-related crimes which negatively impact private sector partnerships;
4. Attend private sector partnership meetings, conduct presentations, and relay information to the Department and other law enforcement agencies as needed;
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8. Be responsible for placing holds on alleged stolen property by either tagging the item ~~into~~, retrieving the property for the owner, ~~and~~ or removing any property that was entered into the National Crime Information Center (NCIC);
 - ~~a. In the event~~ if there is a dispute over property and there is no clear proof of ownership, OCU personnel shall notify all parties involved that this is a civil issue and document the incident in a Uniform Incident Report.
 - a.
~~Have case responsibility for recovered property;~~
 - ~~In the event a hit in the law enforcement investigative online database arises, the designated official shall track the case in the Department's case management database.~~
9. Investigate and determine whether the recovered property may be returned to the owner;
 - a. If there is a dispute over property and there is no clear proof of ownership, the designated Property Unit Enforcement Official shall notify the parties that the issue is a civil matter and document the incident in a Uniform Incident Report.
10. Enter case information into the Department's case management database; and
11. Assist other law enforcement agencies with investigative operations including, but not limited to:
 - a. White-collar crimes;
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 - d. Pawnshop/secondhand retail crimes;



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- h. The issuing of worthless checks.

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 operations.

C. FSB sworn personnel who need to place property on a pawnshop, or second-hand retailer, or metal/scrap recycling hold shall contact the on-call OCU detective Property Unit Enforcement Official.

- 1. This does not exclude FSB sworn personnel from taking case responsibility. when appropriate.

~~C.~~

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

~~a.~~ If a hit in the law enforcement investigative online database arises, the designated official shall track the case in the Department's case management database.

~~b.~~ In the event a hit in the Law Enforcement Assisted Diversion (LEAD) Program arises, the designated official shall track the case in the Department's case management database.

1.

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1-72-5 Pawnshop and Secondhand Dealers Detail

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- 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;



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- 7. Continuously follow-up with any leads, receipts for the release or receipt of items, and/or notices of violation;
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- 9. Ensure that the transaction inventory is uploaded by the City-issued permitted vendor accurately and meets 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. Receive formal firearms training offered through the Department;
- 12. In the event, a designated official retrieves a firearm from a pawn shop or second hand retailer, safely handle firearms following Department guidelines;
- Have the proper training required to use the Departments' Property Evidence Management System (PEMS).

13.

~~Have case responsibility for property recovered during an investigation;~~

~~a. If a hit in the law enforcement investigative online database arises, the designated official shall track the case in the Department's case management database.~~

N/A

~~A.B.~~ The Property Unit Enforcement Official shall 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).

~~B.C.~~ Notices of Violations/City Hearings

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 - iii. Provide a copy of the Notice of Violation to the City Clerk within three (3) business days of the notice being served.
 1. The Property Unit Enforcement Official shall mail a notice of hearing ~~will~~ ~~to the Property Unit Enforcement Official~~ via certified mail.
 2. The Property Unit Enforcement Official shall attend the City hearing.

6

1-72-6 Training

- A. Department personnel shall ~~only~~ use OCU specialized training and tactics while working in the OCU.
 1. The OCU detective's immediate supervisor shall ~~ensure they~~:
 - a. Ensure that the OCU detective completes the City's new employee orientation within thirty (30) days of transferring into OCU; and
 - b. Ensure that the OCU detective completes the required training as deemed necessary by the OCU supervisor, and Investigative Services Division (ISD) Commander, ~~and~~ and as outlined in the OCU Handbook.
 2. The Property Unit Enforcement Official shall:
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 - b. Complete and maintain all required training, as deemed necessary by the OCU supervisor and as outlined in the OCU Handbook.
- B. OCU personnel may provide training to Department personnel, other law enforcement agencies, and the public in the areas of investigation that OCU is responsible for.