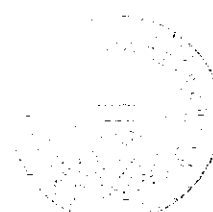


Albuquerque Police Department



Gorden E. Eden, Jr., Chief of Police



May 10, 2017

DEPARTMENT SPECIAL ORDER 17-53

TO: ALL SWORN PERSONNEL

SUBJECT: COURT ORDER IN *McCLENDON* AND ARREST PROCEDURES

Officers shall issue citations when appropriate in lieu of arrest on non-violent misdemeanor offenses (not to include DWIs) when there are no circumstances necessitating an arrest. Whether or not the person has a permanent address may not be the sole factor in determining to arrest the person rather than issuing a citation. If the officer issues a non-traffic citation the officer must complete an incident report. If an arrest is necessary, the officer will include the reason in the narrative of the corresponding incident report.

A list of applicable non-violent misdemeanor offenses is attached and will be provided to officers in pocket cards for quick reference.

In addition, officers will use the bonding window at Metropolitan Court located at 401 Lomas Blvd. NW to post a bond, pay a fine, or to resolve or quash a warrant and won't take the person to the Prisoner Transport Unit or the Metropolitan Detention Center when feasible. The outdoor walk-up bonding window is located on the building's south side. The bonding window closes briefly at the end of each shift (6-7 a.m., 2-3 p.m., 10-12 p.m.).

Officers can take people to the bonding window whenever they are arresting individuals for lower-level warrants such as for traffic or petty misdemeanor charges. The person can pay their fines or bonds without having to be booked into MDC. The window will accept all misdemeanor warrants including out-of-county. They will not accept any felonies.

The bonding window accepts cash only. They will not take credit cards, debit cards or checks. If the person has a cash or surety bond, they must pay the full amount at the window. They cannot go through a bonding agency to pay 10-percent of the bond. Officers should check to see if the person has cash before taking them to the bonding window. Officers should not wait for the person to get money from a friend, relative or acquaintance. Metropolitan Court requests officers to have their agencies fax the warrant to the bonding window prior to arriving with the person. Once the person completes the transaction the officer can take them to their previous location if time or the situation permits.

BY ORDER OF:

GORDEN E. EDEN JR.

Chief of Police

GEE: jat

400 Roma NW

Albuquerque

New Mexico 87102

www.abq.gov

Non-Violent Citable State Misdemeanors

<u>Code</u>	<u>Description</u>
58-110	Alcohol Not Permitted/Open Space Lands
72-1-8	Camping Near A Water Hole
30-22-3	Concealing Identity
30-15-1 (M)	Criminal Damage Under \$1000
30-14-1	Criminal Trespass
30-9-14A	Indecent Exposure
30-16-1 (M)	Larceny Under \$500
30-8-4	Littering
30-20-10	Loitering of Minors
60-7B-1C	Minor in Poss of Alcohol
30-9-3	Patronizing Prostitute 2nd Conv/Sub
30-31-23B2	Poss of Marijuana-Ov 1 oz Under 8 oz
30-31-23(M)	Possession Cntrl Substance (M)
30-31-25.1D	Possession Drug Paraph Ovr 18yos
30-31-25.1	Possession Drug Paraphernalia
30-9-2	Prostitution
30-9-3	Prostitution/Patronizing
30-9-2	Prostitution-2nd Convict/Subsequent
30-8-1	Public Nuisance
30-16-11 (M)	Rec/Poss Stolen Property <\$100
30-16-20B	Shoplifting Less \$500
30-16-20 (M)	Shoplifting Under \$250

McClendon Pocket Card

The offenses listed on this card are the most common non-violent misdemeanors encountered by APD officers. A complete list of offenses characterized as non-violent misdemeanors can be found on POWER DMS

Non-Violent Citable City Ordinances

<u>Code</u>	<u>Description</u>
12-2-3	Criminal Trespass
5-8-6A	Criminal Trespass Open Space
12-1-4-9A	Drinking Alcohol in City Park
12-4-8	Drinking in Public
9-3-13	Excessive False Alarms Excess service fees
8-2-1-10	Open Container - Possession
12-2-7	Panhandling (Obstruct Movement)
9-2-2-3	Restraint of Animal