



ALBUQUERQUE POLICE DEPARTMENT  
ADMINISTRATIVE ORDERS

SOP 3-16

Effective: 01/15/16 Expires: 01/15/17 Replaces: 04/29/15

## 3-16 CONTRACTS/MOUs FOR LAW ENFORCEMENT SERVICES

### 3-16-1 Policy

It is Department policy that a contract or a Memorandum of Understanding is generated whenever a law enforcement service is rendered to an outside entity(s). This section does not include Memorandums of Understanding (MOUs) entered into by the City and/or APOA concerning collective bargaining issues.

### 3-16-2 Rules

[5] A. Approval

Personnel must have prior written approval from the Chief of Police when it becomes necessary to enter into an agreement to provide a law enforcement service.

[7] B. Contract/MOU Requirements

When drafting a contract or M.O.U., the following requirements must be addressed to include but not limited to:

- a. A list of specific services to be provided.
- b. Specific language addressing financial agreements.
- c. Specific records maintained by provider agency concerning the services.
- d. Specific language that addresses the duration, modification and termination of the agreement.
- e. Specific language addressing any legal contingencies.
- f. The stipulation that the provider maintains control over its personnel.
- g. Arrangements for the use of equipment and facilities; and
- h. A procedure for review and revision of the agreement, if needed.
- i. Employment rights of personnel assigned under a contract for law enforcement services are not abridged by the provider agency.

[7] C. Review by the Legal Advisor

After the contract/M.O.U. is drafted, it will be sent to the Department Legal Advisor for review to ensure the following:

- a. Proper formatting.
- b. The requirements noted in the above section have been met.
- c. Any other legal issues are addressed.
- d. Legal Advisor will then present the agreement to the Chief of Police for final approval and signature.



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[7] D. File Maintenance of Contracts/MOUs

Once the concerned parties sign the agreement, copies will be distributed to the affected unit/section/division, the Inspections Unit and the Legal Advisor. The original agreement will be filed with the Chief's Administrative Assistant.