Subject: NM Sex Offender Apprehension Program (SOAP)		Policy Number: ADM: 39
Revision Number: 02	Effective Date: 11/17/2025	Original Issue Date: 08/06/2002

1) PURPOSE

a) The purpose of this policy is to proactively work to identify those sex offenders that are required to register or renew their annual registration, but have not. The Department of Public Safety will also identify the sex offenders who have willingly not complied with the Sex Offender Registration Notification Act (SORNA).

2) POLICY

a) It is the policy of the DPS Law Enforcement Records Bureau to use available resources, and coordinate with the AOC, AODA, DOC, and LLEA to identify those sex offenders, that are required to register, but have not.

3) APPLICABILITY

a) This policy applies to the Department of Public Safety's Records Bureau personnel and all commissioned officers of the Department of Public Safety.

4) REFERENCES

a) NMSA 29-11a-1 dated July 1, 1995

5) DEFINITIONS

a) **Absconders** – Those individuals that have not renewed their registration or their current address cannot be verified and individuals who have been brought to the attention of the DPS and/or a law enforcement agency that have willfully non-complied with the SORNA; those individuals that have been identified by the SORC and/or law enforcement agencies as a sex offender required to register, but have not.
b) **AOC** – Administrative Office of the Courts.
c) **AODA** – Administrative Office of the District Attorneys.
d) **DOC** – Department of Corrections.
e) **J&S** – Judgment and Sentence.
f) **DPS** – Department of Public Safety.

g) **NMPD** – New Mexico Police Departments.
h) **NMSO** – New Mexico Sheriffs Departments.
i) **NMSP** – New Mexico State Police.
j) **NMSPCIS** – New Mexico Police Criminal Investigation Section.
k) **SOR** – Sex Offender Registration.
l) **SORC** – Sex Offender Registration Coordinator.
m) **SORNA** – Sex Offender Registration and Notification Act.

6) OPERATIONAL PROCEDURES

The DPS will follow up on information received from the public.

a) **Identification of Offenders**

i) Records Bureau personnel entering criminal fingerprint cards are required to make copies of the fingerprint card where a sex offense has been identified and provide these copies to the SORC:

(1) The fingerprint cards from local law enforcement agencies (i.e. NMSP, NMPD, NMSO, etc.) will be filed by month of arrest. These will be researched periodically by the SORC awaiting final disposition.

(2) The fingerprint cards received from the Probation and Parole Division will be provided within three (3) days of receipt to the SORC who will contact the Probation and Parole Officer assigned to the convicted sex offender.

(3) The SORC will inform the Probation and Parole Officer that the sex offender is required to register and is in violation of the Sex Offender Registration and Notification Act.

ii) Where the identified sex offender has absconded from probation and parole (parole/probation violation), probation and parole will work with the assigned law enforcement agency to obtain a warrant for failure to comply with the Sex Offender Registration Act in conjunction with an arrest order in place with probation and parole for parole violation, which are two (2) separate charges.

iii) The SORC will work with the DOC, AOC, AODA, and the local law enforcement agencies to identify those sex offenders that fall in the category of sex offenders that are required to register but have not (absconders):

(1) These sex offenders will be identified at the end of each year via a report generated by the SORC. A sex offender that does not register

by December 31 or each subsequent year (following the initial registration) will be in violation of the law.

(2) Through an address verification process, the SORC will work with available resources (participating law enforcement agencies) to identify sex offenders that have moved and failed to notify the sheriff's department of their new address.

iv) The SORC will work with information obtained from other states to identify and locate those sex offenders that have reported that they will be moving to New Mexico and pursuant to the SORNA are required to register in this state:

(1) A letter is sent by the SORC to the New Mexico address of the sex offender, which was provided to the DPS by the state where the sex offender is leaving.

(2) A fax is sent by the SORC to the NMSO that will contain the notification from the other state and a copy of the letter sent by the SORC to the sex offender.

b) **Apprehension of Offenders**

i) The SORC will contact the sheriff's department to notify them of the sex offender that is not in compliance with the law. If the sheriff's department is unable to proceed with the case a NMSPCIS sergeant in the zone of the county that the sex offender resides in will be contacted, who will distribute the case to an NMSPCIS agent.

ii) The SORC will provide the local sheriff's department or the NMSPCIS agent the necessary documentation in order to draw up an arrest warrant which will include, but not be limited to:

(1) J&S, actual conviction and conviction date.

(2) Dates of probation and parole, satisfactory or dissatisfactory release, name of probation and parole officer.

(3) Documents on any out of state notification sent to DPS and DPS notifications to the sex offender.

(4) Prior address validations on address that were given to the NMSO upon registration and subsequent updates or new registration information maintained by the DPS within the registration year (special queries and other investigatory tools may have to be used by the investigating agency in order to obtain a current and true address for the sex offender).

iii) If the absconder information is generated from a source with other than the DPS, the investigating agency will contact the DOS to inform the SORC of the outcome. If necessary, the investigating agency will request assistance to obtain the documentation necessary to affect an arrest warrant. The documentation may include:
(1) J&S, actual conviction and conviction date.
(2) Dates of probation and parole, satisfactory or dissatisfactory release, name of probation and parole officer.

7) ATTACHMENTS

a) **NONE**

8) APPROVAL

APPROVED BY: _____ **DATE:** 11/17/25

DPS Cabinet Secretary