

INCLUDED IN THIS REPORT:

POLICE OVERSIGHT COMMISSION OVERVIEW

Update on appointed and newly elected commissioners; their duties; and subcommittees created

INDEPENDENT REVIEW OFFICE About the IRO; and the duties of the IRO

COMPLAINT PROCEDURE Process the IRO uses to address citizen concerns and inquiries on APD officers

DATA/STATISTICAL HIGHLIGHTS Available information extracted from MRIAD database for cases received by the IRO

EXECUTIVE SUMMARY IRO Robin S. Hammer addresses the upcoming plans, policy changes, and recommendations made

Independent Review Office

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CITY OF ALBUQUERQUE

Richard J. Berry
Mayor

Robert J. Perry
Chief Administrative Officer



Independent Review Office of the Police Oversight Commission 2013 Third Quarter Report (July – September)

David Cameron
Chair

Jonathan Siegel
Vice Chair

Robin S. Hammer
Independent Review Officer

Mission Statement

The mission of the Police Oversight Commission (POC) is to provide a means for prompt, impartial, and fair investigation of all citizen complaints brought by individuals against the Albuquerque Police Department (APD), and to provide for community participation in setting and reviewing police department policies, practices, and procedures.

POLICE OVERSIGHT COMMISSION MEMBERS

DISTRICT ONE:

RICHARD SHINE

Appointed: 08/20/12

Term Ends: 02/01/15

DISTRICT TWO:

JONATHAN SIEGEL

Appointed: 05/21/12

Term Ends: 02/01/15

DISTRICT THREE:

JENNIFER BARELA

Appointed: 03/18/13

Term Ends: 02/01/16

DISTRICT FOUR:

JEFFREY PETERSON

Appointed: 01/23/13

Term Ends: 02/01/16

DISTRICT FIVE:

VACANT

DISTRICT SIX:

DAVID M. CAMERON

Appointed: 04/16/12

Term Ends: 02/01/14

DISTRICT SEVEN:

VACANT

DISTRICT EIGHT:

DR. CARL FOSTER

Appointed: 01/23/13

Term Ends: 02/01/15

DISTRICT NINE:

WILLIAM BARKER

Appointed: 01/23/13

Term Ends: 02/01/16

INDEPENDENT REVIEW OFFICE STAFF

ROBIN S. HAMMER

(Assumed office: September 5, 2012)

Independent Review Officer

Chearie J. Alipat

Independent Review Office Analyst

Diane L. McDermott

Independent Review Office Investigator

Francisca M. Garcia

Independent Review Office

Executive Administrative Assistant

Paul A. Skotchdopole

Independent Review Office Investigator

Chris Davidson

Independent Review Office Investigator

POLICE OVERSIGHT COMMISSION & INDEPENDENT REVIEW OFFICE

The Police Oversight Commission is tasked with the following functions:

1. Promote a spirit of accountability and communication between the citizens and APD while improving community relations and enhancing public confidence;
2. Oversee the full investigation and/or mediation of all citizen complaints; audit and monitor all investigations and/or police shootings under investigation by APD's Internal Affairs;
3. Continue the cooperation of APD and solicit public input by holding regularly scheduled public meetings;
4. Review all work of the Independent Review Office with respect to quality, thoroughness, and impartiality of investigations;
5. Submit periodic reports to the Mayor and City Council;
6. Submit all findings to the Chief of Police;
7. Engage in a long-term planning process through which it identifies major problems and establishes a program of policy suggestions and studies each year.

The Independent Review Officer manages the staff of the Independent Review Office. The Independent Review Officer (IRO) is given autonomy and performs the following duties under the supervision of the POC:

1. The IRO receives all citizen complaints directed against APD and any of its officers. The IRO reviews the citizen complaints and assigns them to be investigated by the IRO independent investigators or APD Internal Affairs.
2. The IRO oversees, monitors, and reviews all of those investigations and makes findings for each case.
3. The IRO makes recommendations and gives advice regarding APD policies and procedures to the POC, City Council, APD, and the Mayor.
4. The IRO uses an impartial system of mediation for certain complaints.
5. The IRO monitors all claims of excessive force and police shootings and is an ex-officio member of the City of Albuquerque Claims Review Board.
6. The IRO ensures that all investigations are thorough, objective, fair, impartial, and free from political influence.
7. The IRO maintains and compiles information sufficient to satisfy the POC's reporting requirements.

POC MEETINGS ARE HELD MONTHLY AND ARE OPEN TO THE PUBLIC

During the Third Quarter, the POC met on
July 11, 2013
August 8, 2013
September 12, 2013

2013 LONG-TERM PLANNING COMMITTEE (LTPC)

MEMBERS

RICHARD SHINE (CHAIR)
JEFFREY PETERSON (VICE-CHAIR)
WILLIAM BARKER
JONATHAN SIEGEL

The LTPC reviewed trends and analysis to make policy recommendations to the full POC. The LTPC also reviewed and made recommendations on the IRO/POC regarding budget.

LTPC MEETINGS ARE HELD MONTHLY AND ARE OPEN TO THE PUBLIC

The LTPC held meetings during the Third Quarter 2013 on

July 25, 2013
August 22, 2013
September 18, 2013

2013 PUBLIC OUTREACH COMMITTEE

The POC Ordinance requires the IRO and the staff play an active public role in the community and provide appropriate outreach to the community publicizing the citizen complaint process and the locations within the community that are suitable for citizens to file complaints in a non-police environment.

MEMBERS

JONATHAN SIEGEL (CHAIR)
DAVID CAMERON
CARL FOSTER
RICHARD SHINE

The Committee on Outreach Program held meetings during the Third Quarter 2013 on:

July 11, 2013
August 8, 2013
September 12, 2013

MEETINGS ARE HELD MONTHLY AND OPEN TO THE PUBLIC

The Committee on Outreach Programs reviewed brochures, pamphlets, power point presentations for use in public outreach efforts.

EXECUTIVE SUMMARY

As Independent Review Officer, during the Third Quarter 2013, I continued to make improvements to the Independent Review Office (IRO) practices and transparency of the office. During the Third Quarter the City Council's Police Oversight Task Force was formed to review the current Police Oversight Ordinance.

In early August 2013, Albuquerque Police Department (APD) Chief Raymond Schultz retired after more than 30 years of law enforcement service. Mayor Richard Berry promoted Deputy Chief Allen Banks to Acting Chief. The Mayor began a national search for a new Chief.

During the Third Quarter, I met with the Chief of Police to discuss APD policy and procedures. During July, Chief Schultz and I discussed changes in the Use-of-Force policy and the Witness Detention policy. We also continued our review of the Officer-Involved Shooting SOP, including formalizing the role of the IRO at Officer-Involved Shooting scenes. Chief Banks continued the discussion of the Officer-Involved Shooting SOP.

The POC's Outreach Committee and I created and reviewed Outreach materials for use at public presentations to explain the Police Oversight system. This included revisions of a brochure, creation of a PowerPoint presentation of process, and the writing of FAQs. I placed the FAQs on the IRO website.

On May 20, 2013, the City Council passed an ordinance creating the Police Oversight Commission Task Force (POTF). On August 5, 2013, the Council passed a second bill which named the members of the POTF. The POTF held its first meeting on August 20, 2013. The POTF met several times each month and also held a series of town hall meetings. I attended nearly all of the numerous POTF meetings and town hall meetings. During meetings, members of the POTF questioned me about the current practice of civilian oversight in Albuquerque. I also assisted the POTF by providing documents which explained the IRO and POC's processes and procedures.

Typically, I present my findings of one Officer-Involved Shooting (OIS) case at each monthly POC meeting. In the Third Quarter, I reviewed OIS cases at the August and September POC meetings. Because of the uncertainty of City Council's bill to suspend the POC, which was not resolved until late June 2013, there was not enough time to prepare an OIS case to present at the July 2013 POC meeting.

From September 21 through 24, 2013, I, along with my staff, attended the National Association of Civilian Oversight of Law Enforcement (NACOLE) conference in Salt Lake City. There we attended numerous lectures on the current practices of Civilian Oversight from practitioners across the nation.

The IRO and POC were very busy during the Third Quarter 2013. I continue to assist to make continued progress in police accountability and transparency at the Albuquerque Police Department.

OFFICER-INVOLVED SHOOTINGS

In the Third Quarter of 2013, the Independent Review Officer reviewed and presented on two officer-involved shootings during the monthly Police Oversight Commission meetings.

POLICE SHOOTING CASE – I-79-12 (reviewed by POC on August 8, 2013)

IRO Hammer gave a summary of the case in which three individuals planned to drive from Ruidoso to Albuquerque to rob the Catholic Center. This case was received in the Independent Review Office on February 15, 2012. The shooting occurred on January 4, 2012. The Multi-Jurisdictional Officer-Involved Police Shooting Team completed their investigation on April 27, 2012. The Albuquerque Police Department (APD) Internal Affairs Unit completed their review on July 16, 2012. The District Attorney's Office completed their criminal review on March 18, 2013.

On January 1, 2012, Mr. B., Ms. B., and Mr. K. were in Ruidoso, New Mexico, and discussed traveling to Albuquerque to rob the Catholic Center at 4000 St. Joseph's Place, Northwest, near St. Pius High School. According to Ms. B., Mr. B. wanted to rob the Catholic Church because Mr. B. was a Christian and "believed the Catholics were evil." On January 2, 2012, Mr. B., Ms. B. and Mr. K. drove together from Ruidoso to Albuquerque and checked into the Red Roof Inn at 1635 Candelaria Road, Northeast, Albuquerque. Mr. K. was initially part of the plan to rob the Catholic Center, but later "chickened out" and was not present. On January 4, 2012, Ms. B. and Mr. B. went to the Home Depot and Wal-Mart on Coors, Northwest, to purchase duct tape, pillow cases, ear plugs, zip-ties, and travel toiletries. Ms. B. dropped Mr. B. near a housing development off Coors near the Catholic Center. Mr. B. had a backpack which contained duct tape, zip-ties, a ski mask, gloves, a pillow case and his gun, a .357 Taurus. The suspect kidnapped a security guard at the Catholic Center, held him hostage, and stole a safe from the Center. As he was leaving the Catholic Center, two APD officers chased him across the Center's grounds. The suspect pulled his revolver and pointed it at the officer. The officer discharged his weapon at the suspect, who also fired his weapon at the officer. The suspect was subsequently struck and killed.

Officer P. was qualified on the weapon he used on January 4, 2012. The Independent Review Officer reviewed Albuquerque Police Department Procedural Order 2-52-3(B)(1) regarding Officer P.'s conduct. The available evidence indicates that Officer P. used deadly force to protect himself. Officer P. was in fear that Mr. B. intended to shoot and kill him. Mr. B. pointed his revolver at Officer P. and then fired shots toward him. Officer P.'s belief that he was in immediate threat of death or serious physical injury was reasonable. IRO recommends that Officer P. complied with the Albuquerque Police Department Procedural Order 2-52-3(B)(1) and found that Officer P.'s actions are **EXONERATED**, meaning that his actions as applied to this SOP were lawful and proper.

Officer P. stated in his interview that he was not wearing his bullet-proof vest, as required by SOP, at the time of the shooting. The Independent Review Officer also reviewed Albuquerque Police Department's Administrative Order 3-74-4(A) regarding Officer P.'s conduct. Officer P.

failed to wear his body armor while on duty. There is no exception for having an upset stomach as a reason to fail to wear body armor. The IRO found that Officer P. failed to comply with Albuquerque Police Department Administrative Order 3-74-4(A) and recommended that Officer P.'s action is **SUSTAINED**, meaning that there is sufficient evidence to prove that he violated this SOP.

The IRO found that the officer followed the SOP and was justified in the use of deadly force, and found that the officer violated the SOP which required all Field Officers to wear body armor while on duty.

POLICE SHOOTING CASE I-62-13 (reviewed by POC on September 12, 2013)

IRO Hammer presented a summary of the case which occurred on August 6, 2012, there was an undercover operation. This case was received in the Independent Review Office on May 15, 2013. The shooting occurred on August 6, 2012. The Multi-Jurisdictional Officer-Involved Police Shooting Team completed their investigation on February 8, 2013. The Albuquerque Police Department (APD) Internal Affairs Unit completed their review on May 15, 2013. The District Attorney's Office completed their criminal review on May 2, 2013.

On August 6, 2012, Albuquerque Police Department (APD) Westside Narcotic Detective S. texted his Confidential Informant to request the Confidential Informant assist in locating a drug dealer to sell heroin to Detective S. The Confidential Informant told Detective S. that two persons, Legit and Loca, would be able to sell him heroin. The Confidential Informant gave Detective S. Legit's cell phone number. Detective S. sent a text to Legit. Legit agreed to sell drugs to Detective S. in the parking lot of Furr's Cafeteria at the intersection of Iliff Rd. NW and Coors Blvd. NW. Later that day, Detective S. met with Albuquerque Police Department (APD) Vice Unit and Westside Narcotic Unit Detectives to discuss and plan a "buy-bust" drug operation to be conducted later that day, in which Detectives from both Units would participate. A "buy-bust" operation involves a controlled purchase of illegal drugs from a suspect and officers immediately arresting those involved in the sale of illegal drugs. During the operation, the undercover detective asked the suspect, later identified as Mr. MS, why he brought a gun. After the transaction, APD detective gave the signal to the arrest team. Mr. MS saw an APD Sergeant through his side-view mirror and aimed the gun at the officer. The detective then grabbed Mr. MS' wrist and a struggle ensued. Mr. MS did not comply with commands given by APD to drop the gun. The APD Sergeant discharged his APD-issued weapon, striking the suspect, who survived the gunshot wound.

Albuquerque Police Department Standard Operating Procedures did not require Sergeant P. or Detective S. to record this incident as they were working in an undercover operation. Sergeant P. was qualified and authorized to use the weapon he discharged in this incident. The Independent Review Officer reviewed Albuquerque Police Department Procedural Order 2-52-3(B)(1) regarding Officer P.'s conduct. The available evidence indicates that Sergeant P. used deadly force to protect Detective S. and himself. Sergeant P. was in fear that the suspect intended to shoot and kill Detective S. and Sergeant P. Mr. MS pointed his semi-automatic pistol first at Sergeant P. and then at Detective S. Mr. MS refused to obey commands to drop his gun. Sergeant P.'s belief that he and Detective S. were in immediate threat of death or serious

physical injury was reasonable. IRO found that Sergeant P. complied with the Albuquerque Police Department Procedural Order 2-52-3(B)(1) and found that Sergeant P.'s actions are **EXONERATED**, meaning that his actions as applied to this SOP were lawful and proper. IRO Hammer found that the APD Sergeant followed the SOP and was justified in the use of deadly force. The allegation against APD Sergeant was exonerated.

CITIZEN POLICE COMPLAINTS (CPCs)

Any person may file a written complaint against APD officers or any of its employees. All complaints must be signed. The IRO website contains an electronic complaint form. Written forms may be obtained at the IRO office and all APD substations or facilities.

Written Complaints may be sent to:

IRO's website: www.cabq.gov/iro

IRO office at Room 813, Plaza del Sol, 600 2nd Street NW (8th Floor)

- Mail completed complaint forms to: PO Box 1293, Albuquerque, NM 87103; or
- Any APD substation or facility

COMPLAINT PROCESS

1. When the Independent Review Officer (IRO) receives a written complaint, the complaint is entered into the IRO's case management database and assigned a Citizen Police Complaint (CPC) number.
2. The IRO reviews the complaint for jurisdiction and then assigns the case to an IRO investigator or APD Internal Affairs Division to investigate.
3. Upon completion of the investigation, the Independent Review Officer reviews the investigation for thoroughness, impartiality, and fairness.
4. The Independent Review Officer makes findings and conclusions based on the evidence developed in the investigation as to whether the alleged misconduct violates the rules governing APD employees' conduct called Standard Operating Procedures (SOPs). The Independent Review Officer writes a draft letter to the person who filed the complaint, outlining her findings and conclusions.
5. The Albuquerque Police Department's administration, including the officer's supervisors and the Chief of Police, review the IRO's letter containing the findings and conclusions.
6. The Police Oversight Commission then reviews the IRO's letter containing the findings and conclusions.

- If Chief of Police and the IRO agree on the findings and the POC concurs, the letter is sent by certified mail to the person who filed the complaint.
 - If Chief of Police disagrees, the POC decides the matter after hearing both sides.
 -
7. If the person who filed the complaint is dissatisfied with the findings, they may appeal the decision to the Police Oversight Commission. Appeals are to be heard during POC’s monthly meetings, which are open to the public.
8. The Chief of Police has sole disciplinary authority over APD personnel for findings of misconduct, including findings of misconduct made by the IRO.

COMPLAINT DISPOSITION STANDARDS

The IRO makes findings regarding alleged misconduct based upon APD's Standard Operating Procedures (SOPs). The Independent Review Officer bases her findings on a preponderance of the evidence. A preponderance of the evidence means that one side has a greater weight of evidence that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained. The IRO makes the following types of findings:

- Sustained** – It was determined that an APD employee committed the alleged violation.
- Not Sustained** – It cannot be determined if an APD employee committed the alleged violation.
- Exonerated** – The APD employee was justified in taking the course of action alleged and/or was operating within the guidelines of the law or SOPs.
- Unfounded** – The APD employee did not commit the alleged violation.
- Inactivated** – The complaint was closed for lack of jurisdiction or a satisfactory informal resolution.

CITIZEN POLICE COMPLAINTS DURING THIRD QUARTER

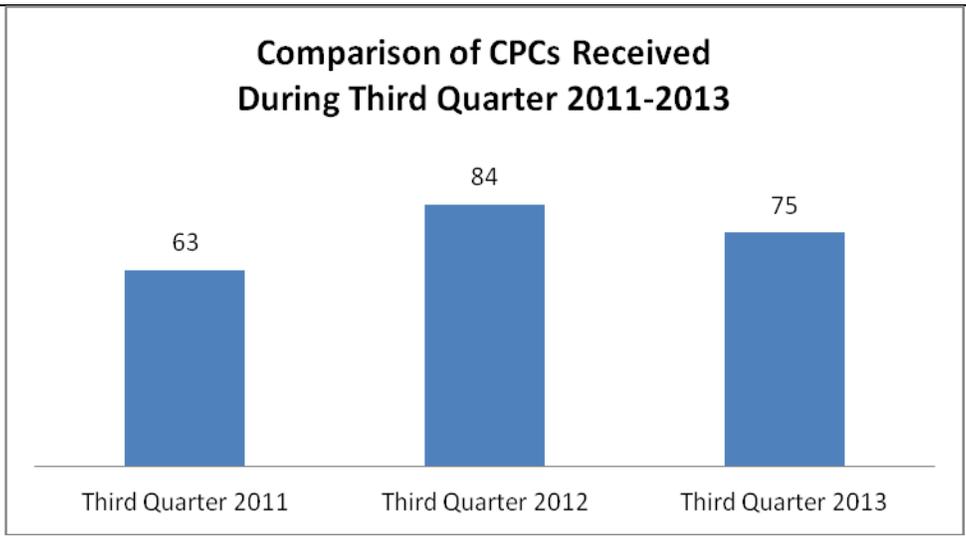


Figure 1: During Third Quarter 2013, 75 Citizen Police Complaints were received by the office. This reflects a 10% decrease in complaints on APD and its officers compared to 2012. The IRO received an average of 73 complaints during the Third Quarter.

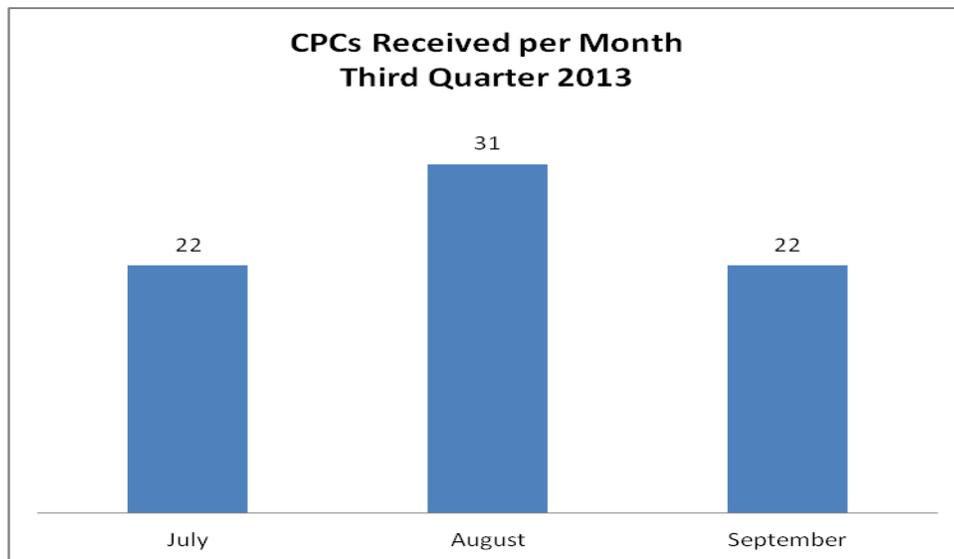


Figure 2: The IRO received the highest number of complaints in August during the Third Quarter 2013.

Complaints Received this Quarter: 75
 Complaints Inactivated this Quarter: 32
 Complaints Closed after a full investigation: 27

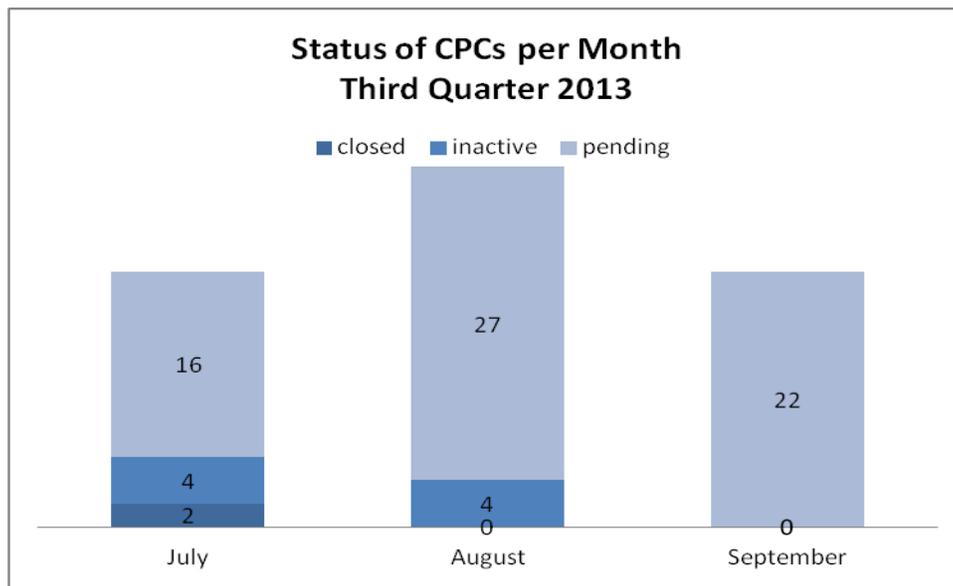


Figure 3: During the Third Quarter 2013, 75 CPCs were received and assigned to investigators.

Each IRO Investigator received an average of 19 CPCs per month between July-September 2013. APD Internal Affairs was assigned a total of 18 CPCs for investigations averaging approximately 6 CPCs per month assigned to Internal Affairs Investigators.

See page 16 for Findings and Disposition during the Third Quarter. The POC reviewed a total of 59 CPCs in the Third Quarter. The IRO inactivated 31 CPCs and made

findings in 28 CPCs after a full investigation. At the end of the Third Quarter there were 60 CPCs pending.

ALLEGED MISCONDUCT IN COMPLAINTS

Most complaints contain allegations of misconduct occurring prior to the date of complaint.

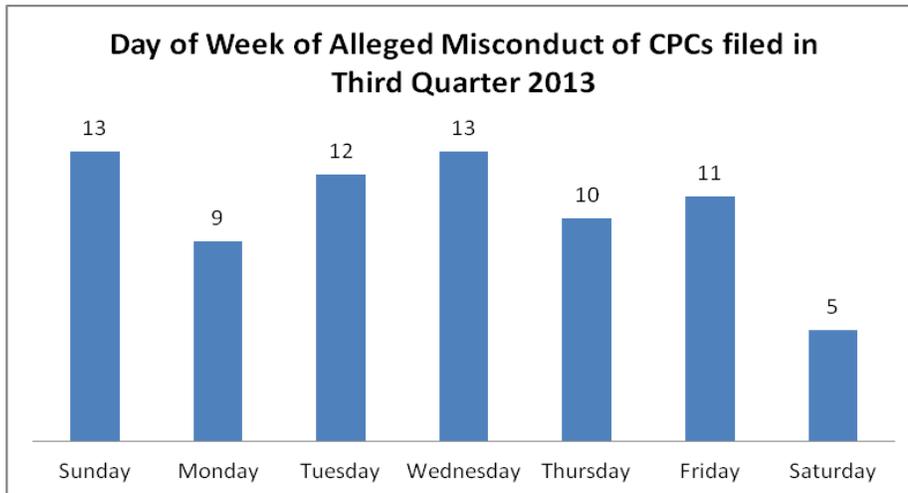


Figure 4: During the Third Quarter, incidents resulting in complaints occurred least frequently on Saturday and most frequently on Sunday and Wednesday.

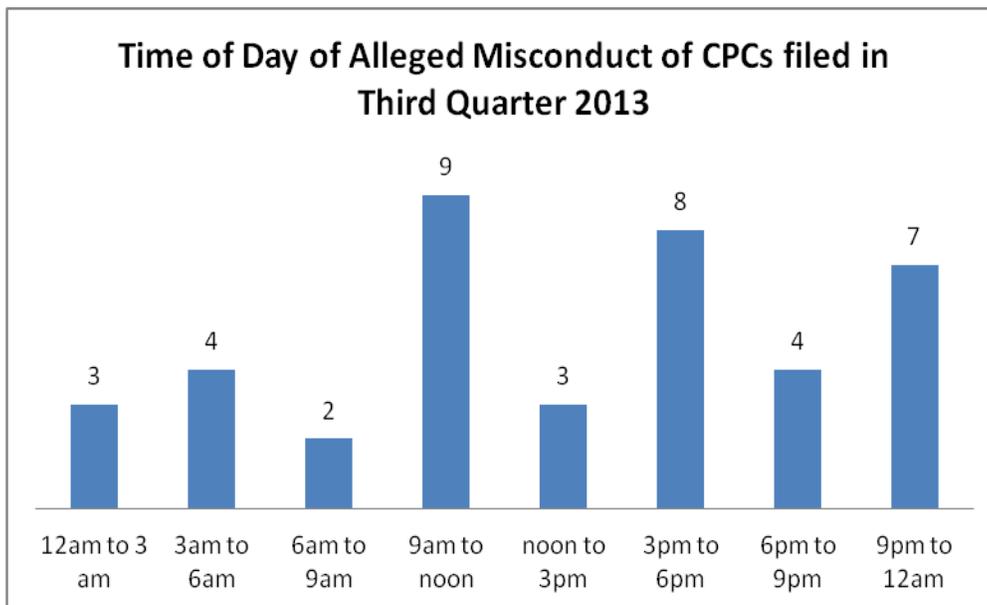


Figure 5: The highest number of complaints reported during the Third Quarter 2013 was alleged misconduct between the hours of 9 am to noon. There were 34 incidents that did not provide the time of occurrence.

GEOGRAPHIC DISTRIBUTION OF COMPLAINTS

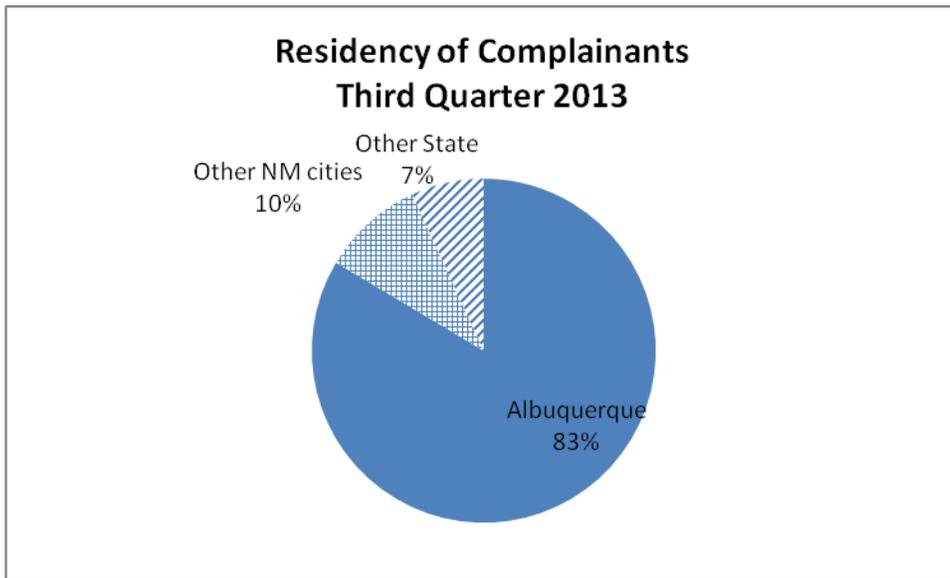


Figure 6: The IRO office received 73 complaints with addresses in Third Quarter 2013: 61 complainants were from Albuquerque residents; 7 complainants were residents of cities outside Albuquerque (Corrales-1; Espanola-1; Las Cruces-1; Los Lunas-1; Rio Rancho-1; Santa Fe-1; and Tucumcari-1); and 5 complainants reside out of state (Missouri; Nevada; Texas; California; New York).

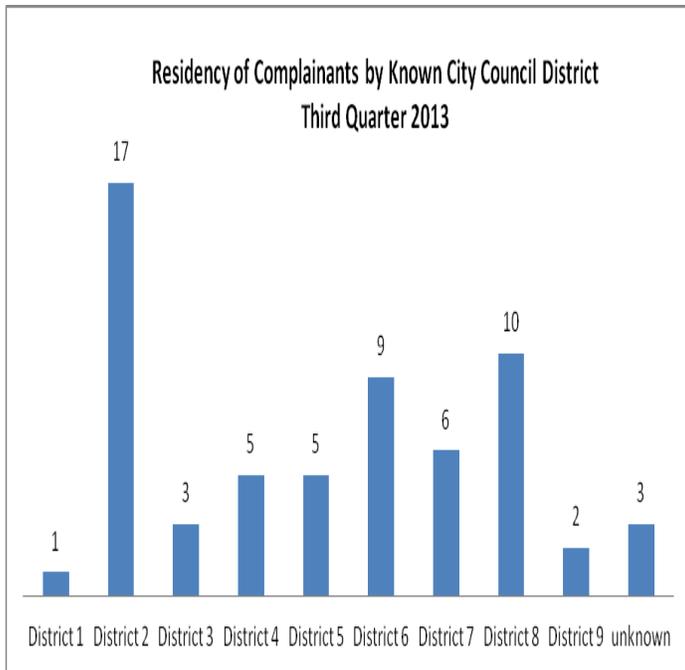


Figure 7: The IRO office received 61 complaints with addresses received from Albuquerque residents, two complainants gave PO Boxes for addresses. The highest number of complaints received was from residents in District 2.

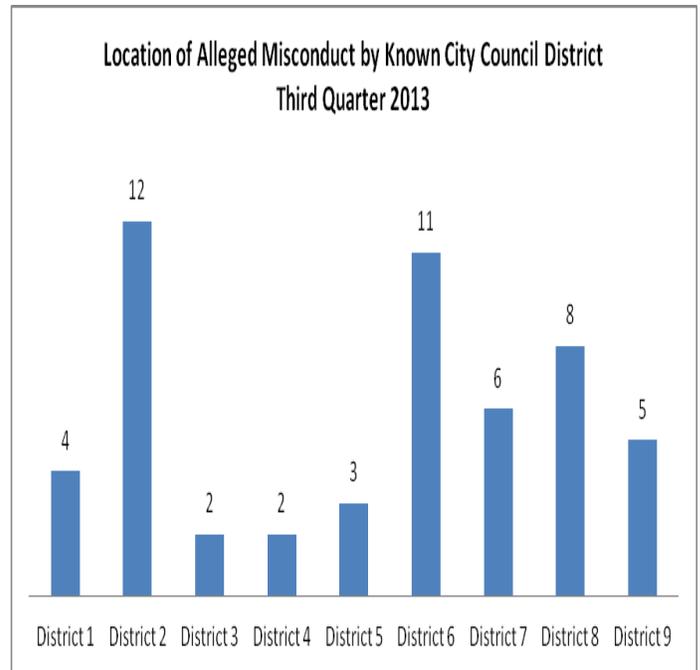


Figure 8: There were 53 known complaints with location of alleged misconduct during the Third Quarter 2013. A majority of incident occurred in the areas of District 2 (Downtown Albuquerque) and District 6 (University area).

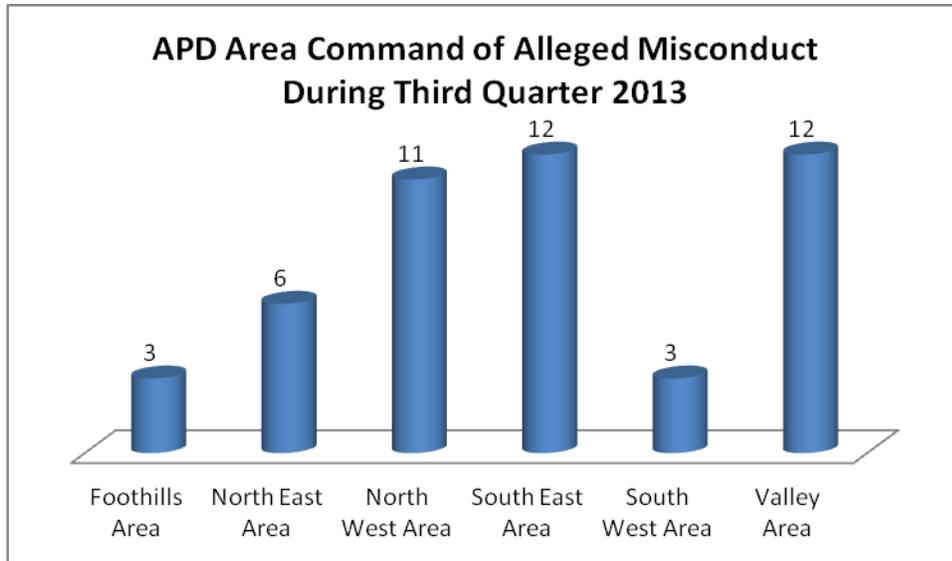


Figure 9: The IRO office received 47 complaints with identified APD Area command during the Third Quarter 2013. The highest number of alleged misconduct occurred in the areas of the South East and Valley APD area command.

COUNCIL DISTRICTS AND NEIGHBORHOOD ASSOCIATIONS OF COMPLAINT INCIDENT LOCATIONS DURING THIRD QUARTER

<i>District 1:</i>	Neighborhood Associations: Coors/Ellison Business area; North Valley Area North Plan; Cottonwood Mall; Sanchez R & J
<i>District 2:</i>	Neighborhood Associations: Downtown Albuquerque; Los Griegos; Sawmill Area; Greater Gardner; South Broadway; Nob Hill
<i>District 3:</i>	Neighborhood Associations: Westside; Copperwind
<i>District 4:</i>	Neighborhood Association: Del Norte
<i>District 5:</i>	Neighborhood Associations.: Paradise Hills Civic Association
<i>District 6:</i>	Neighborhood Associations: South San Pedro; Southeast Heights Locations: Highland Business area, Cesar Chavez Community Center, University Heights
<i>District 7:</i>	Neighborhood Associations: Alta Monte, Bel-Air NHA Location: Uptown, Stardust Skies Park, Altura Addition
<i>District 8:</i>	Neighborhood Associations: Glenwood Hills, South Casa Grande Locations: Enchanted Park, Snow Heights
<i>District 9:</i>	Neighborhood Associations: Los Campos, Royal Heights, Singing Arrow, Canyon Acres

Figure 10: The IRO office received 47 complaints with identified Neighborhood Associations and locations of alleged misconduct during the Third Quarter 2013.

COMPLAINANT DEMOGRAPHICS

Of the 75 Citizen Police Complaints (CPCs) filed, a majority of complainants declared some or all of their demographic information during the Third Quarter 2013. The following graphs contain information regarding complainant demographics.

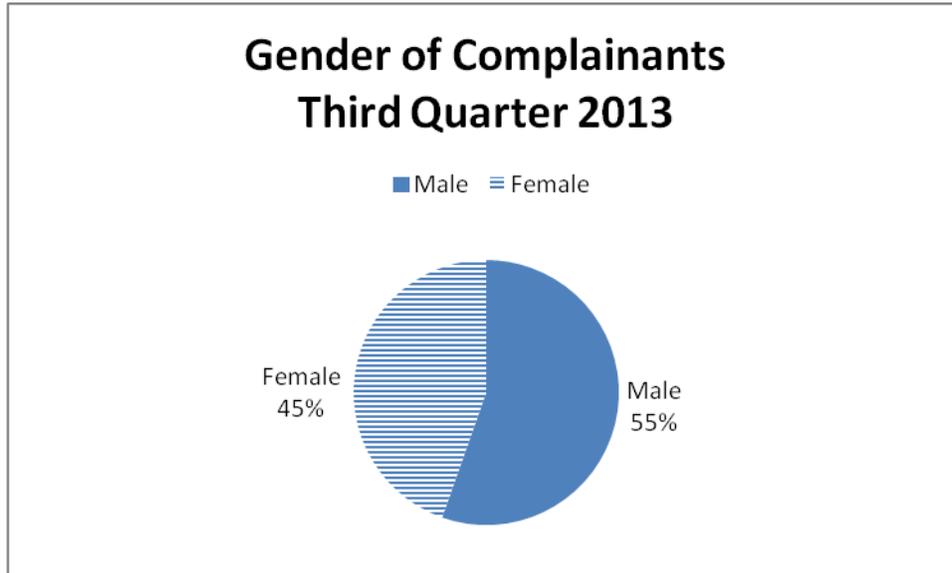


Figure 11: The IRO received complaints from 42 Males and 33 Females.

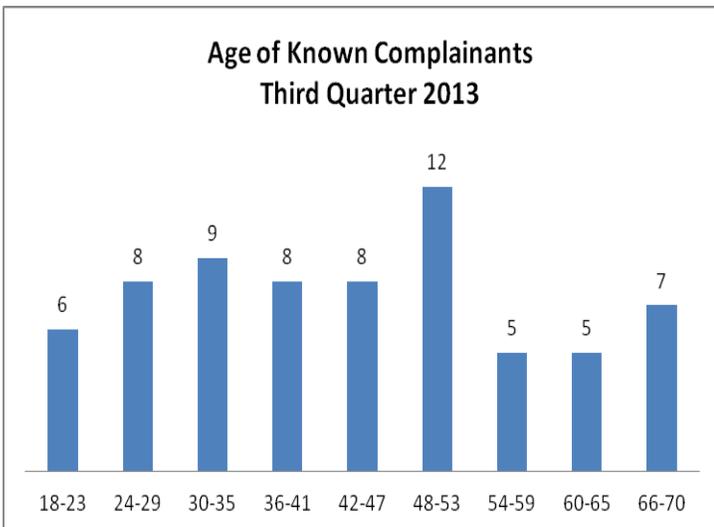


Figure 12: There were 68 complainants who provided their date of birth and age. During Third Quarter 2013, most complaints were made by complainants between the ages of 48-53.

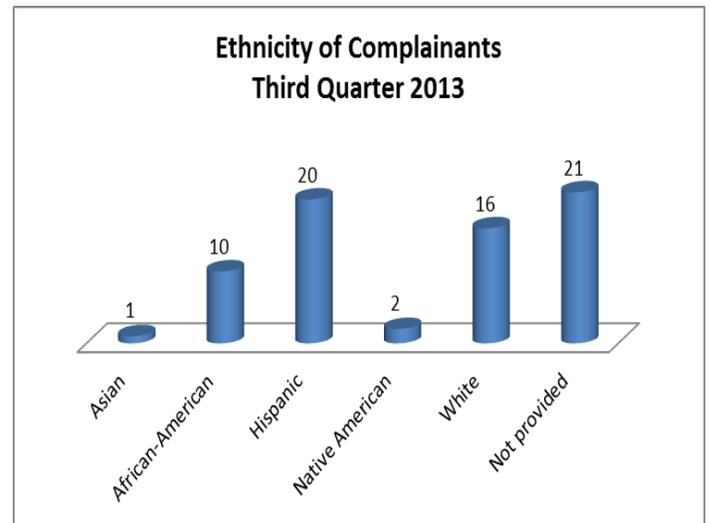


Figure 13: Fifty three complainants provided ethnicity information during the Third Quarter.

APD OFFICER DEMOGRAPHICS

During the Third Quarter 2013, 43 APD officers and personnel were identified in closed cases. Some cases contained more than one officer. The graphs do not represent APD demographics as a whole, but rather data about APD employees about whom persons complained.

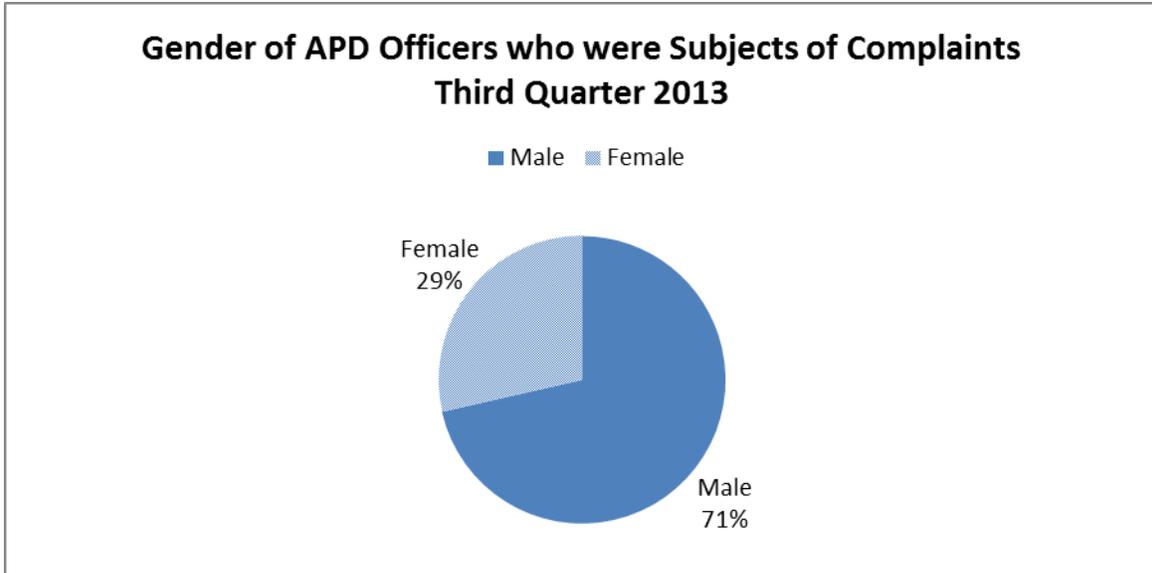


Figure 14: During the months of July-September, complainants were much more likely to make a complaint against male officers. The IRO received complaints on 30 male APD officers, and 12 female APD officers.

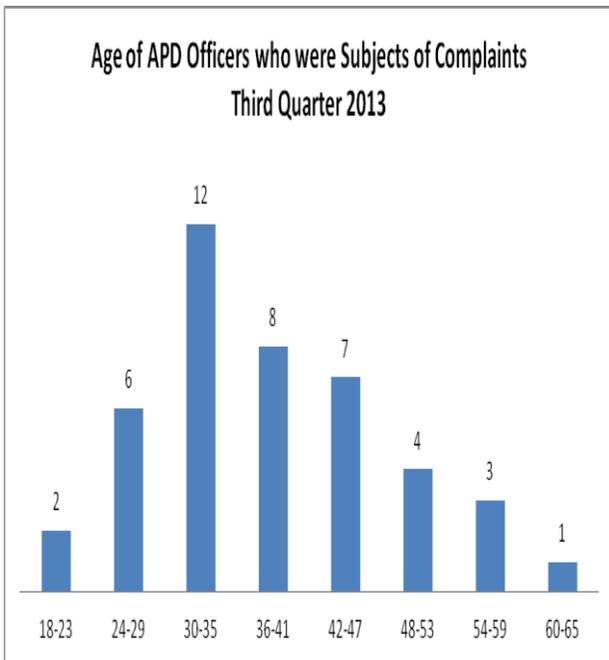


Figure 15: The most number of complaints were against officers who were between 30 and 35 years old during the Third Quarter 2013.

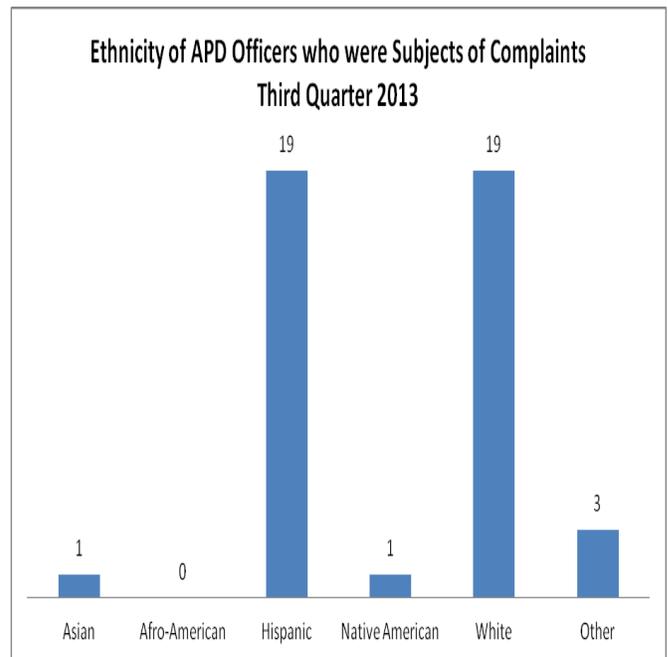


Figure 16: The majority number of complaints were the Third Quarter 2013 against officers who are Hispanic and White during

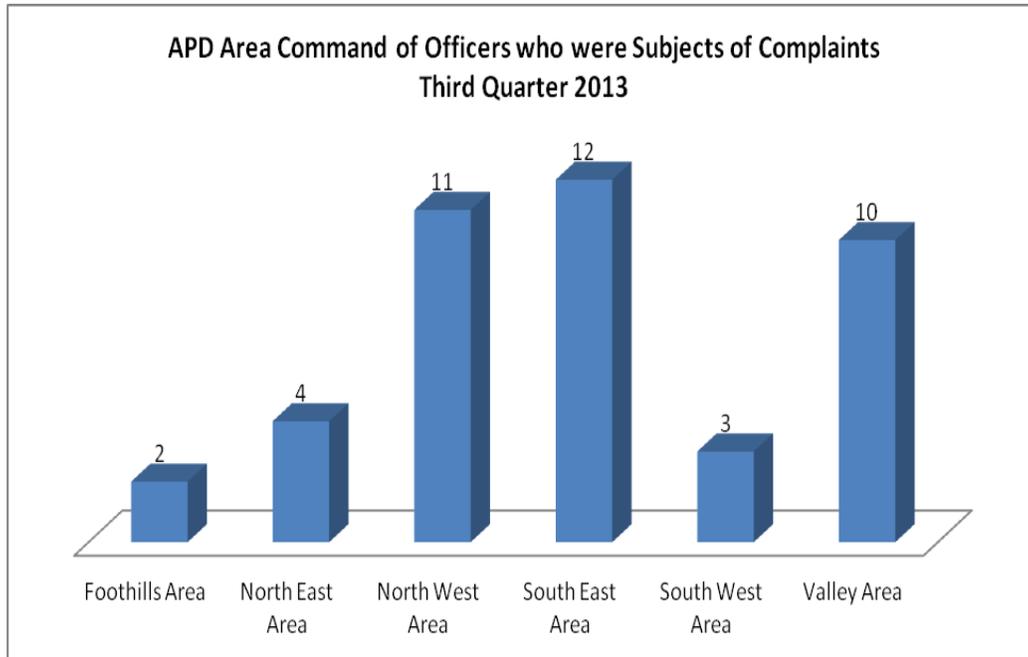


Figure 17: During the Third Quarter 2013, complaints were most likely against officers in the South East area command, and least likely against officers in the Foothills Area command.

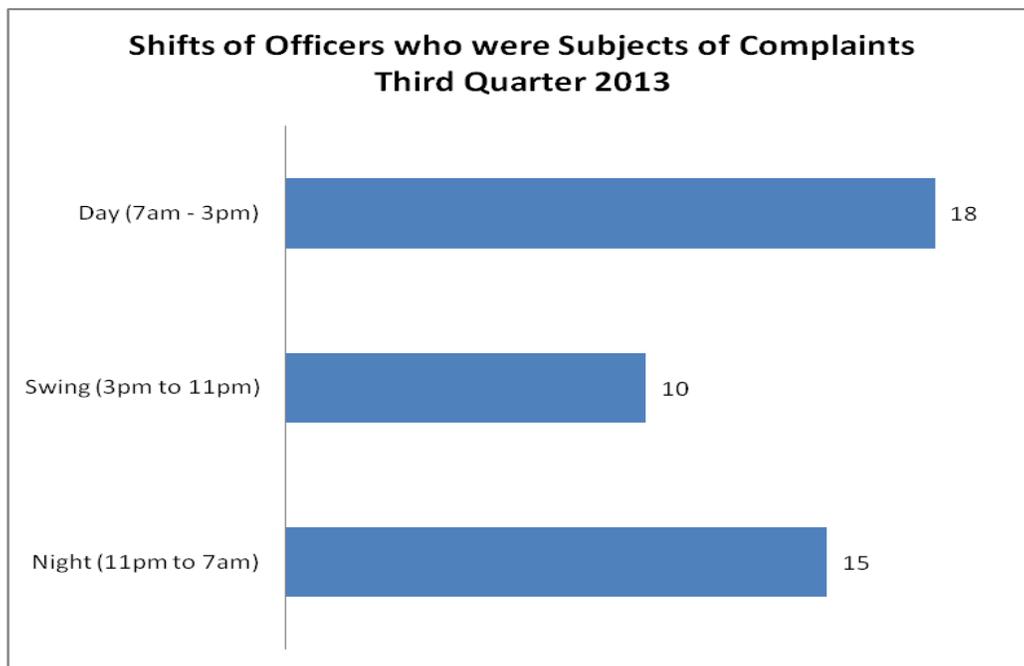


Figure 18: During the Third Quarter 2013, complaints were most likely filed against officers responding to incidents occurring during the day shift (7am to 3pm).

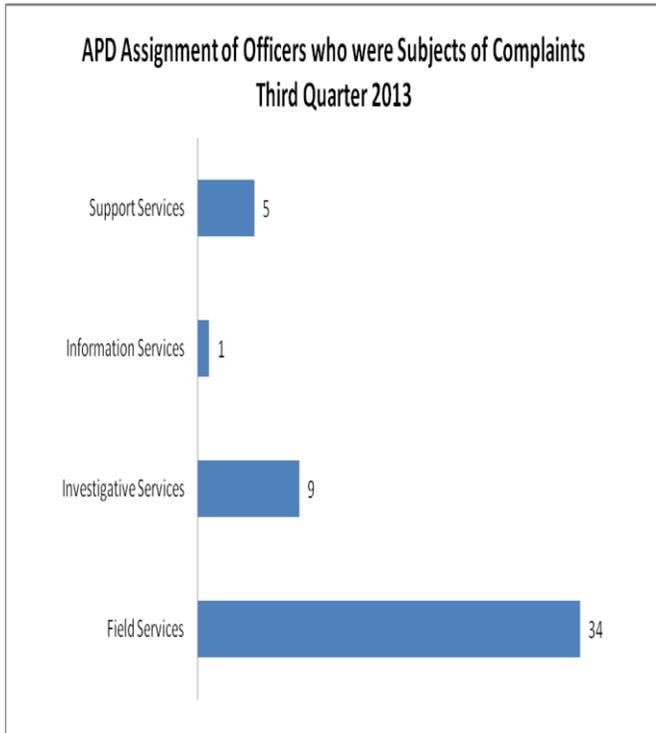


Figure 19: During the months of July-September, complainants were much more likely to file a complaint against officers in Field Services.

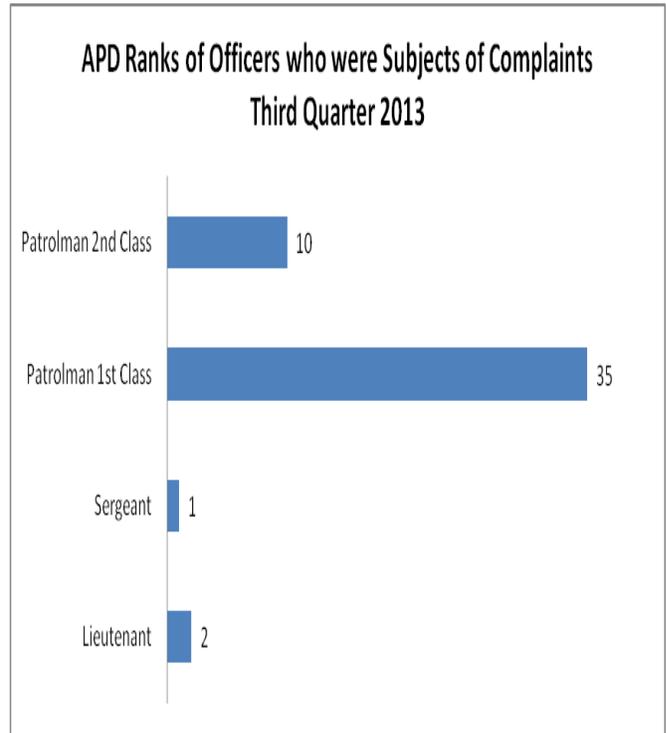


Figure 20: During the months of July-September, complainants were much more likely to file a complaint against a Patrolman First Class.

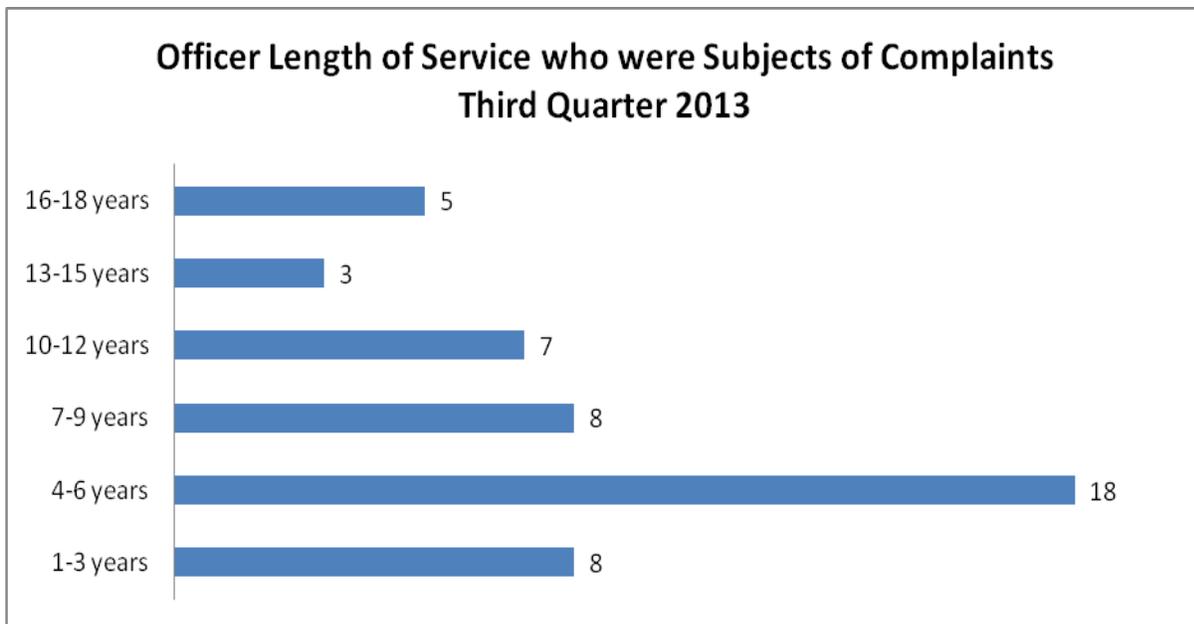


Figure 21: During the Third Quarter 2013, complaints were most likely against officers in the South East area command, and least likely against officers in the Foothills Area command.

FINDINGS AND DISPOSITIONS

The IRO office received 75 Citizen Police Complaints (CPCs) during the Third Quarter 2013. Each IRO Investigator had a caseload average of 21 CPCs per month between July-September 2013.

During the Third Quarter 2013, the Police Oversight Commission (POC) at its monthly meetings heard and reviewed a total of 62 CPCs, which included complaints filed in 2012. The IRO submitted an average of 20 CPCs per month to the POC.

In addition, two (2) Officer-Involved Shootings were reviewed by the POC during the Third Quarter 2013.

The Police Oversight Commission approved and reviewed 28 CPCs closed with findings and approved inactivation of 31 CPCs for a total of 59 CPCs heard and reviewed during the Third Quarter 2013. Of the 59 CPCs heard and reviewed during the Third Quarter 2013, 28 CPCs were closed with findings. Of the 28 CPCs closed, there were 97 allegations of Standard Operating Procedures (SOPs) reviewed by the POC.

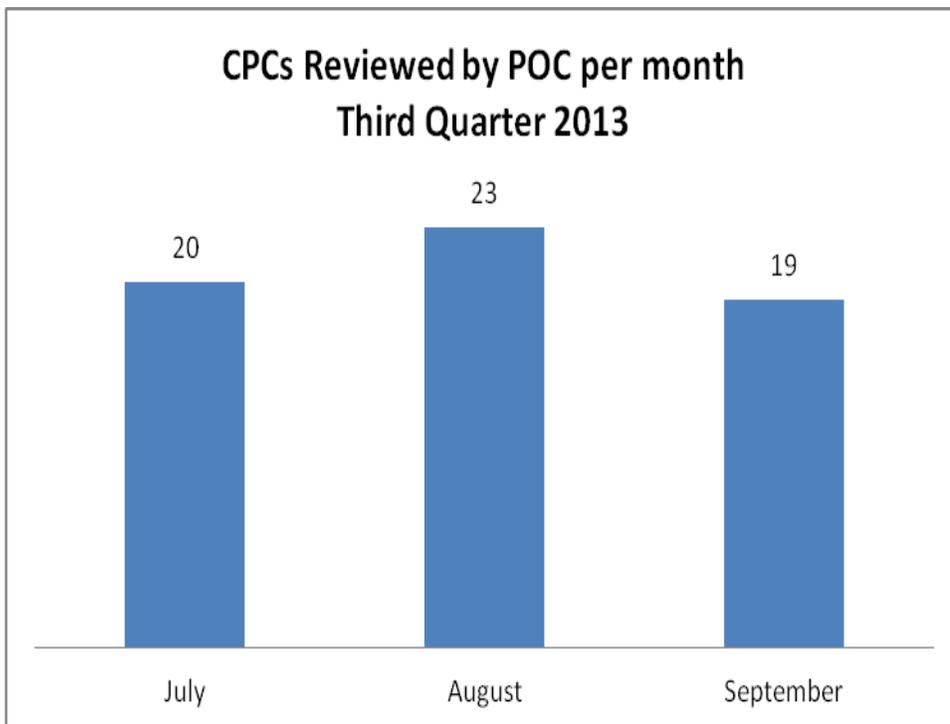


Figure 22: During the Third Quarter, the highest number of CPCs heard by the Police Oversight Commission was in August.

Of the 59 CPCs heard and reviewed during the Third Quarter 2013, 31 CPCs were inactivated, which means the case was resolved or closed without a full investigation. There were various reasons the IRO inactivated complaints after a preliminary investigation. These reasons included:

- **Mediation (supervisor solution)**, where the complaint against the officer had been satisfactorily resolved in an informal manner with the help of the officer’s supervisor;
- **Complaints filed over 90 days**, the IRO did not have legal authority to investigate into a complaint filed more than 90 days after the date of the incident;
- **Complaints without signature**, any complaints received must be signed in order to be considered “valid.” Without the signature, the IRO office cannot proceed with the investigation;
- **No SOP allegation**, where the complaint did not allege any unprofessional behavior on the part of the officer(s);
- **Complaints withdrawn**, where the citizen did not wish to proceed with any further investigations;
- **Preliminary investigation did not find any SOP violation**, where after IRO reviews the officers' actions and evidence indicated that the officers followed APD Standard Operating Procedures;
- **Complaints of unidentified officer**, because the IRO cannot determine if the complaint mentioned any officers or identifiers to further investigate the case or cannot determine if the officers complained about are employed by the Albuquerque Police Department;
- **Complaints filed without IRO jurisdiction to investigate**, the IRO did not have legal authority to investigate into the complaint;
- **Complaint referring to another agency**, the IRO determined Albuquerque Police Department did not employ an officer with the name provided in the complaint;
- **Frivolous complaint**, the allegations were neither a violation of SOP nor a criminal act, and the complaint was frivolous or filed for purposes of harassment ;
- **General complaints**, the IRO received generalized complaints about police, did not have a specific complaint of an officer(s), and what specific allegation complained about;
- **Criminal referral to Internal Affairs of APD**, the IRO received a complaint to conduct investigations into allegations of criminal actions by officers. These complaints were forwarded to the Albuquerque Police Department’s Internal Affairs Unit for further investigation and possible referral to the Criminal Investigations Division for criminal investigation.



Figure 23: There were 31 complaints which were inactivated between July-September 2013.

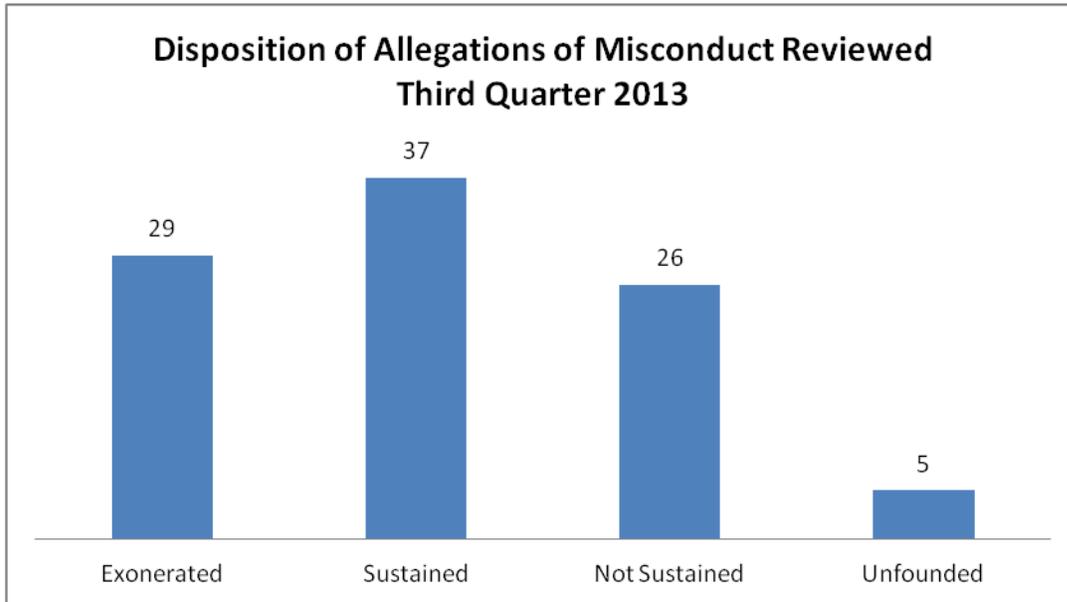


Figure 24: From July-September, there were a total of 97 allegations of violations of Standard Operating Procedures (SOPs) with findings reviewed by the POC.

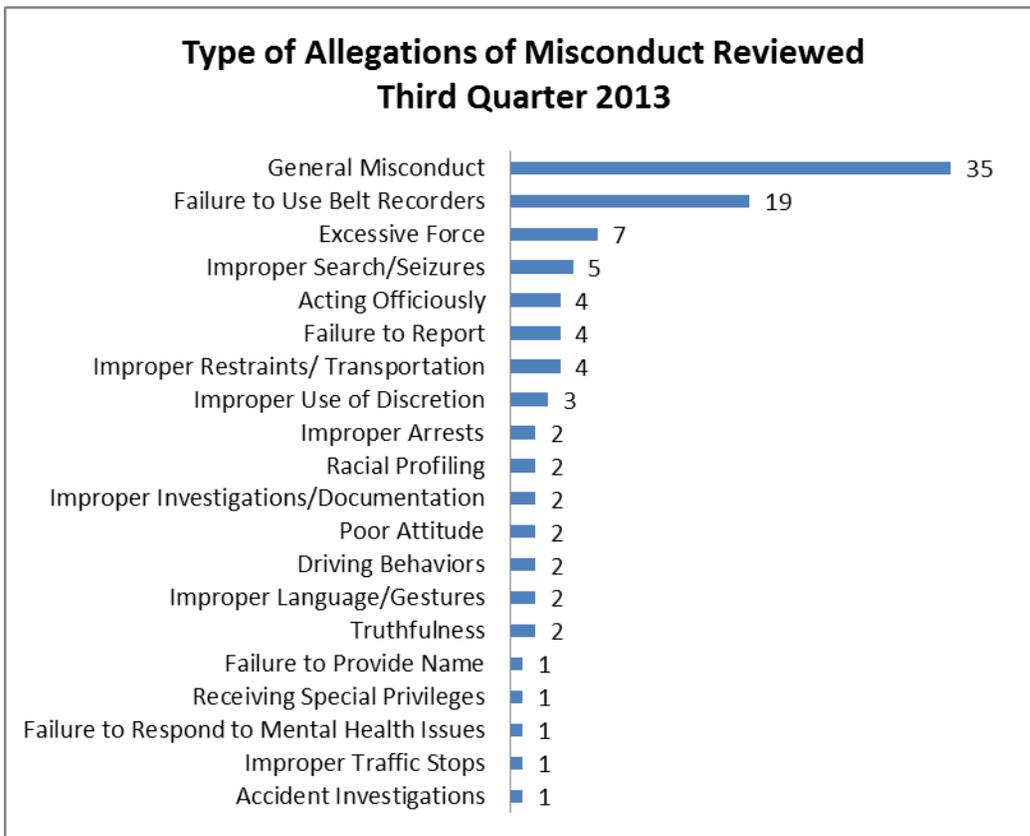
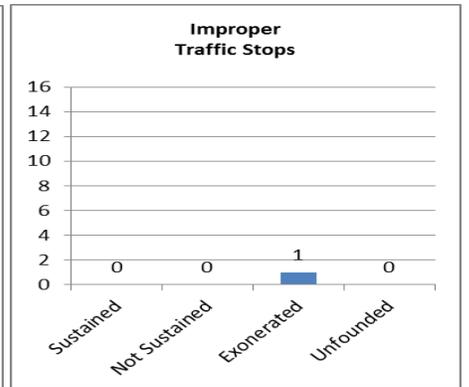
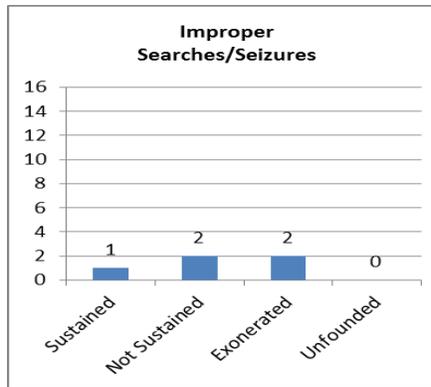
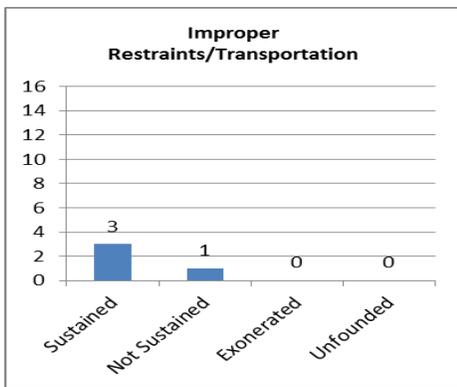
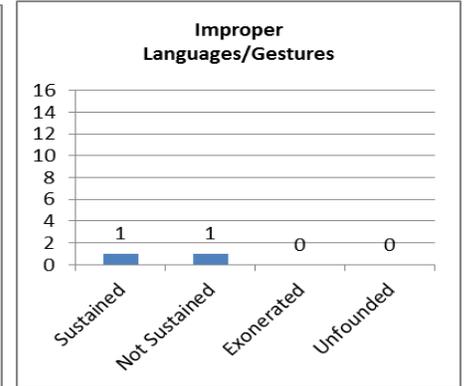
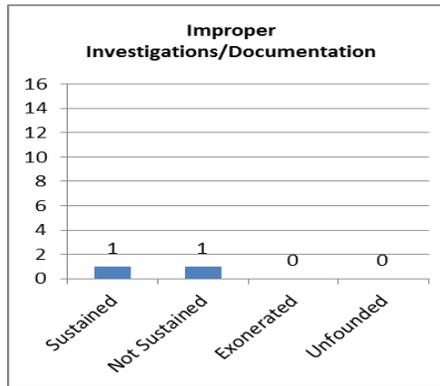
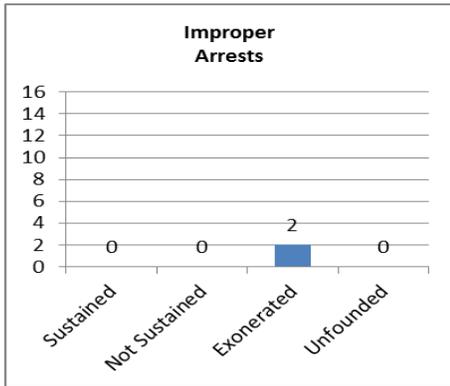
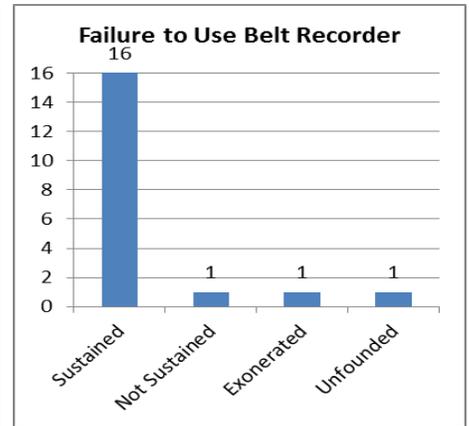
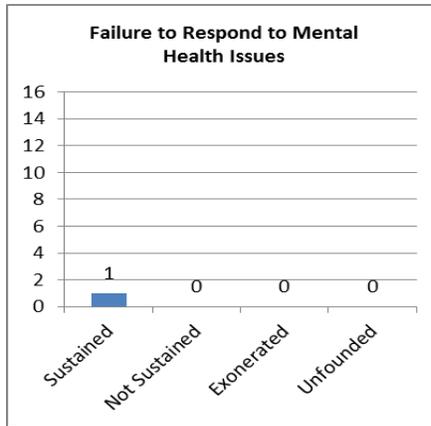
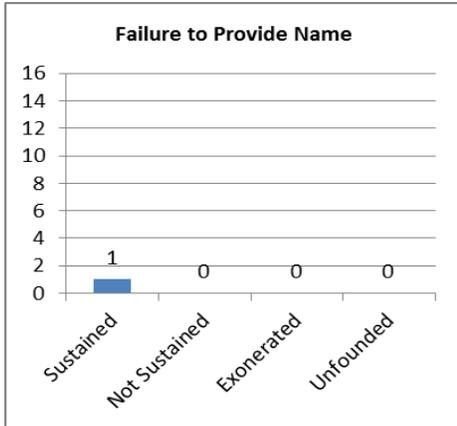
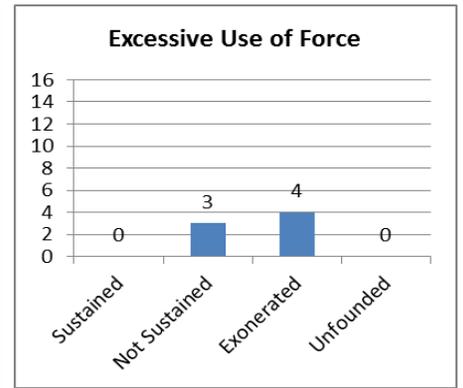
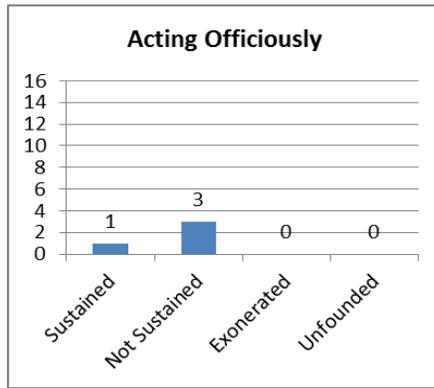
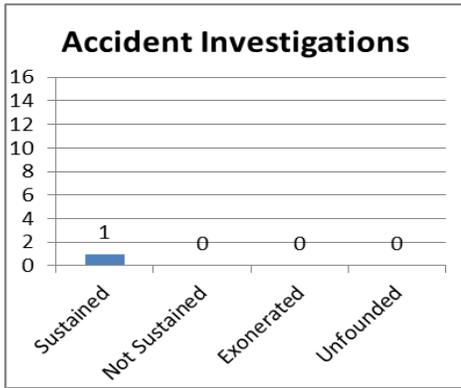
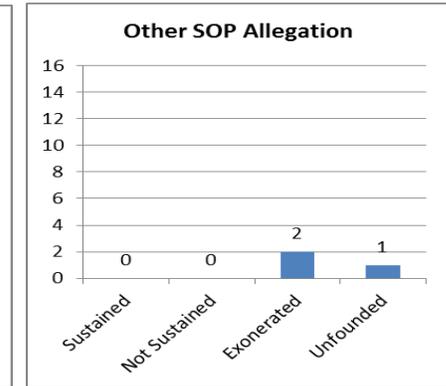
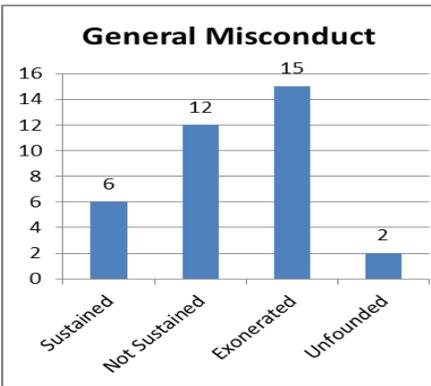
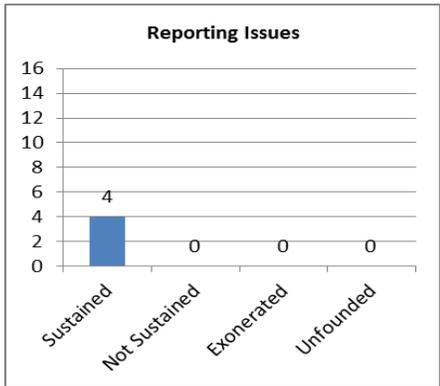
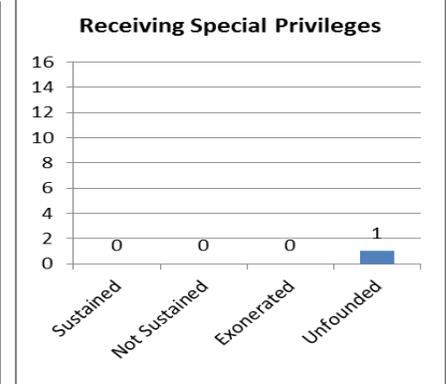
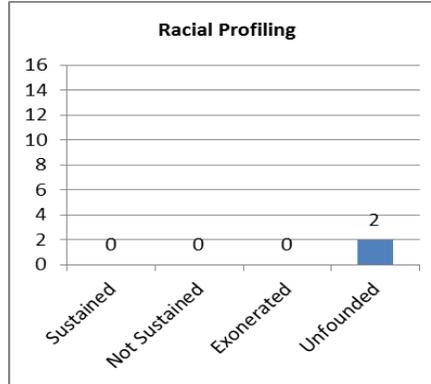
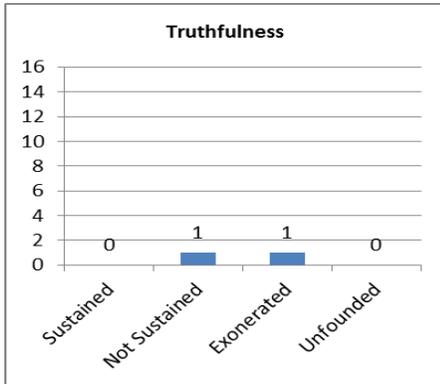
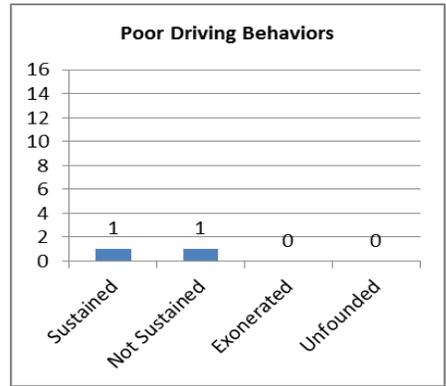
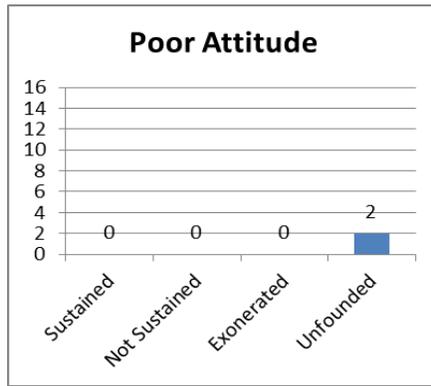
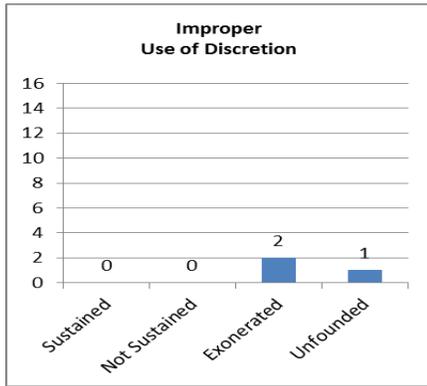


Figure 25: There were 103 Standard Operating Procedures reviewed by the POC during the Third Quarter 2013.





Standard Operating Procedures reviewed and applied in Citizen Police Complaints during the Third Quarter 2013.

3-17-2A	Accident/ Traffic Crash Investigations	Superior Officer's Duties/ Responsibilities	In all crashes, the first responding officer shall: A. Protect the scene of the crash as much as possible.
1-04-4N	Acting Officially	Personnel Code of Conduct	Personnel will not act officiously or permit personal feelings, animosities, or friendship to influence their decisions.
1-02-2B2; 2-14-17-A4	Arrests, Arrest Warrants, and Booking Procedures	Officer's Duties	1-02-2B2: Officers shall familiarize themselves with and have working knowledge of all laws of the State of New Mexico and the Ordinances of the City of Albuquerque which they are required to enforce. 2-14-17: Photographs will be taken of all persons, the officer, suspect, and arrested person(s) involved in an incident
1-04-4O	Attitude	Personnel Code of	In the performance of their duties, personnel shall maintain a neutral and detached attitude without indicating disinterest or that a matter is

		Conduct	petty or insignificant.
1-04-6N	Driving Behaviors	Officer's Conduct	Personnel shall operate official vehicles in a careful and prudent manner and shall obey all laws and all department orders pertaining to such operation.
1-04-1F 1-04-4A 1-04-4D 1-04-4F	General Conduct	Personnel Code of Conduct	<p>1(F): Personnel shall conduct themselves both on and off-duty in such a manner as to reflect most favorably on the department.</p> <p>4(A): Personnel shall constantly direct their best efforts to accomplish the functions of the department intelligently and efficiently.</p> <p>4(D): Personnel shall perform their duties in a manner that will maintain the established standard of efficiency in carrying out the functions and objectives of the department.</p> <p>4(F): Personnel shall be permitted to suspend their assigned duties, for the purpose of having meals during their tour of duty, but only for such a period of time and at such time and place as directed by their activity commander.</p> <p>1(F): Department policy is to provide confidential psychological counseling when an employee voluntarily requests such service. The BSD will also be responsible for psychologically evaluating all police applicants, providing on-site consultation at SWAT activations involving barricaded individuals, psychological support for employees involved in duty-related shootings, crisis intervention and critical incident debriefings in non-shooting incidents, Academy and on-going Advanced Training in the behavioral sciences, supervisory and special unit consultation, and counseling mandated by supervisors.</p>
2-24-3F2, 5	Investigations Documentation	Preliminary and Follow up Criminal Investigations	Department policy is to investigate misdemeanor and felonious criminal activity. It is the responsibility of both uniformed officers, and officers assigned to specialized units to carry out investigations in a thorough, efficient, and timely manner. Department personnel will assure compliance with any and all constitutional requirements during criminal investigations which include guarding against coercion or involuntary confessions and admission, failure to inform defendants of their rights, deprivation of counsel, pretrial publicity, et cetera.
1-04-4P	Language/Gestures	Personnel Code of Conduct	Personnel shall not use coarse, violent, profane, or insolent language or gestures.
1-02-3A	Providing Name	Officer's Duties	Officers shall cordially furnish their name and employee number to any person requesting such information when they are on duty or while acting in an official capacity.
1-03-2C	Racial Profiling	Biased Based Policing	Department personnel will provide the same level of police service to every citizen regardless of their race, color, national origin or ancestry, citizenship status, language spoken, religion, gender, gender identity, sexual orientation, age, disability, or economic status.
1-04-2A	Receiving Special Privileges	Personnel Code of Conduct	Albuquerque Police Department personnel will not give special consideration, privilege, or professional courtesy to other Albuquerque Police Department personnel or to personnel from other law enforcement agencies when such personnel are alleged to be involved in a violation of any law.

1-05-6D; 1-05-6I4 1-05-8D	Report Writing Issues	Reports and Records	<p>6(D): Any incident that is of great importance where the officer is at the scene, at the scene of a crime, or any incident where a citizen/victim requests a report. The calling party WILL NOT be referred to the Telephone Reporting Unit.</p> <p>6(I): Personnel of the department will write reports on:</p> <ol style="list-style-type: none"> 1. Discharge a firearm other than training or recreation. 2. Takes an action that results in or is alleged to have resulted in injury or death of another person. 3. Applies force through the use of lethal or less-lethal weapons; or 4. Applies weaponless physical force at a level as defined by the agency. 5. Points his/her firearm directly at a subject to de-escalate a situation (this does not include the use of the "low-ready" position). A <i>use-of-force</i> form is not required.
2-13-16C7&9	Response to Mentally Ill and People in Crisis	Response to Mentally Ill and People in Crisis	Department policy is to provide an effective response to situations involving subjects who are suspected and/or verifiably mentally ill, and/or people in crisis in order to avoid unnecessary violence and potential civil litigation, and to ensure that proper medical attention is provided. This policy is to serve as a guideline to enable officers to identify behavior indicative of a mental illness or crisis, and to utilize Department and other resources to bring incidents involving the mentally ill and people in crisis to a desirable resolution.
70-4-1-G7A	Restraints/ Transportation	Prisoner Transport Unit	<p>Managing Disorderly Prisoners: All APD Transport Officers and Police Officers working at the Prisoner Transport Center will follow procedures under the departmental Use of Force SOP 2-52 including the following section specific to the Prisoner Transport Center:</p> <p><i>G7a: Use of Protective Head Gear</i></p> <p>Prisoners exhibiting behaviors and actions that would be harmful to themselves through a head injury will require that a helmet or protective head gear are used. Head gear will not be used as a punitive or corrective measure to manage any verbally disorderly or belligerent prisoner.</p>
2-26-9B1D	Search/ Seizures	Pawn Shop Detail	<p>It is the policy of the Albuquerque Police Department to recover stolen property and prosecute offenders through the enforcement of the state statutes and city ordinances regulating pawnshops, secondhand dealers, junk dealers, and recycle centers.</p> <p>B(1)D: When property is seized, the hold will be removed from the hold book and the article will be removed from NCIC. Before seizing the property the detective will verify all possible description (make, brand, colors, styles, serial numbers, caliber, model numbers, markings, and owner applied numbers). Items seized will also include property that has been identified as evidence pertaining to the prosecution of a criminal case, and items which have been identified through investigation as having been stolen.</p>
1-04-4W	Truthfulness	Officer's Duties	Personnel shall truthfully answer all questions specifically directed to them which are related to the scope of employment and operations of the department.

<p>1-39-1A 1-39-2A, 1-39-2B, 70-04-1F4 70-04-1F5</p>	<p>Use of Belt Recorders</p>	<p>1-39: Use of Tape/ Digital Recorder</p> <p>70-04: Prisoner Transport Unit</p>	<p>1(A): Personnel will use issued tape/digital recorders to document the incidents 2(A): All recordings listed, and/or contacts where an arrest was made will be tagged into Evidence, and will be listed on the report as being tagged. 2(B): All sworn department personnel will record each and every contact with a citizen during their contact that is the result of a dispatched call for service, arrest warrant, search warrant service or traffic stop. Personnel will activate the recorder prior to arriving at the call or prior to citizen contact on non-dispatched events (within the safety parameters of 1-39-1B) and will record the entirety of citizen contact. Uniformed civilian personnel issued digital recorders will also comply with this section. The recordings will be saved for no less than 120 days. 1(F): Procedures for use of the hand held video recorder: 4. The video recorder will be used to record all instances where a planned use of force or a planned physical management of a prisoner is necessary. 5. The video camera will also be used when additional restraints, a spit sock, or protective head gear is applied to a prisoner.</p>
<p>1-02-2B1 1-02-2D 1-02-2D1</p>	<p>Use of Discretion</p>	<p>Officer's Duties</p>	<p>2(B)1: Officers shall familiarize themselves with and have working knowledge of all laws of the State of New Mexico and the Ordinances of the City of Albuquerque which they are required to enforce. Officers shall take appropriate action and render assistance in any instance coming to their attention whether on or off duty. 2(D): Officers shall use discretion during the performance of their law enforcement duties.</p>
<p>2-52-2A, 2-52-8E2</p>	<p>Use of Force</p>	<p>Use of Force (Deadly and Non Deadly Force)</p>	<p>2(A): Where force is warranted, officers should assess the incident in order to determine which technique or weapon will reasonable de-escalate the incident and bring it under control safely. Officers shall use only that force which is reasonably necessary to effect lawful objectives. 8(E)2: Horse Mounted Unit only: Officers assigned to the Horse Mounted Unit will carry the 40-inch wooden bokken baton while mounted. Under the guidelines of the Reactive Control Model Force Continuum, the bokken baton will be considered equal to the expandable baton.</p>
<p>2-17-10; 2-17-12B</p>	<p>Other SOP</p>	<p>Search and Seizure without a Warrant</p>	<p>Department policy is to provide officers with guidelines to conduct warrantless searches and seizures in order to uphold individual civil rights, protect officers and others, and govern the collection of evidence. 10: Community Caretaker -- An officer may stop a vehicle or enter a premises without a warrant or reasonable suspicion when the officer has specific articulable safety concern, that an individual might be in physical difficulty or need assistance. Such encounters must be done in good faith without the intent of coercion or detention. 12B: A pat down is to be conducted in accordance with the officer's training and experience and is no more extensive than what is necessary to remove the immediate danger to the officer(s) and others.</p>

STANDARD OPERATING PROCEDURES (SOP) UPDATES

In an effort to continue the commitment to improve and to make changes in the Standard Operating Procedures of the Albuquerque Police Department (APD), the Independent Review Office participates in periodic meetings to discuss and to address amendments. Assistant Lead Investigator Paul Skotchdopole attended the meetings and reported to the Police Oversight Commission the following changes:

SOP 3-49 was published which focuses on training and counseling. There were minor changes to the policy.

For the July 17, 2013, SOP meeting, five SOPs were addressed. Grooming SOP was tabled for changes. An SOP was changed to require officers to use their sirens while driving code, with a few exceptions. It will be published soon. New language was added to the DWI investigation policy. There was language change to the Roadblock policy. The modification of the SOP addressing Detention of Witnesses was tabled.

ACKNOWLEDGEMENTS OF AN APD JOB WELL DONE

City of Albuquerque residents also contact the Independent Review Office to express gratitude or commend APD employees for acts of service or response to a particular incident. These commendations were received in the form of phone calls, letters, e-mail messages and numerous face-to-face comments of appreciation. Beginning January 2013, the IRO initiated a form via the website for citizens to express praises and acknowledgements to APD officers and the department.

During the Third Quarter 2013, the Independent Review Officer received 42 Job-Well-Done responses.

All forms were submitted to APD Administration to pass along to the employee's supervisors, including the Chief of Police for acknowledgement, and a letter of recommendation is sent to the officer.

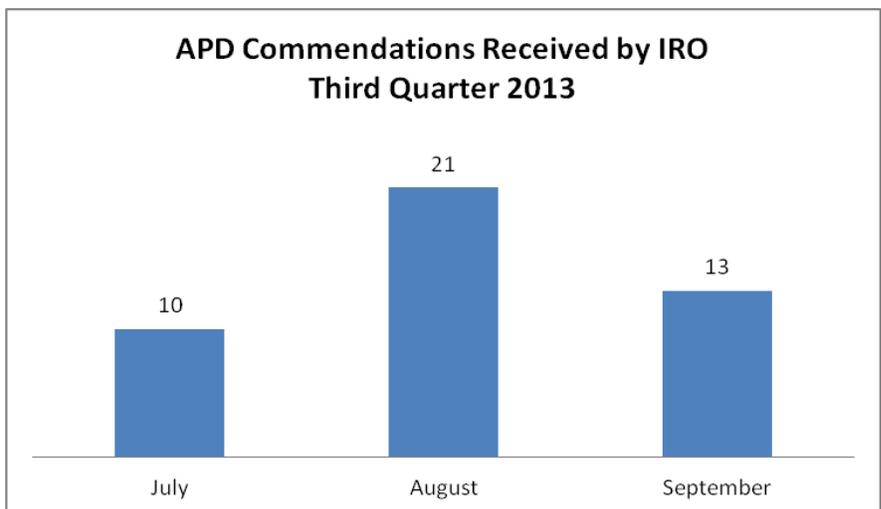


Figure 26: There were 42 praises and acknowledgements received from citizens during the Third Quarter 2013.

APD DISCIPLINARY ACTIONS

Once the IRO makes a finding that an Albuquerque Police Department Officer has violated an SOP and the Chief of Police agrees with the finding, then the Chief of Police determines the appropriate discipline to impose. The Chief of Police has sole disciplinary authority over APD personnel for findings of SOP violations, including findings of SOP violations made by the IRO and the POC.

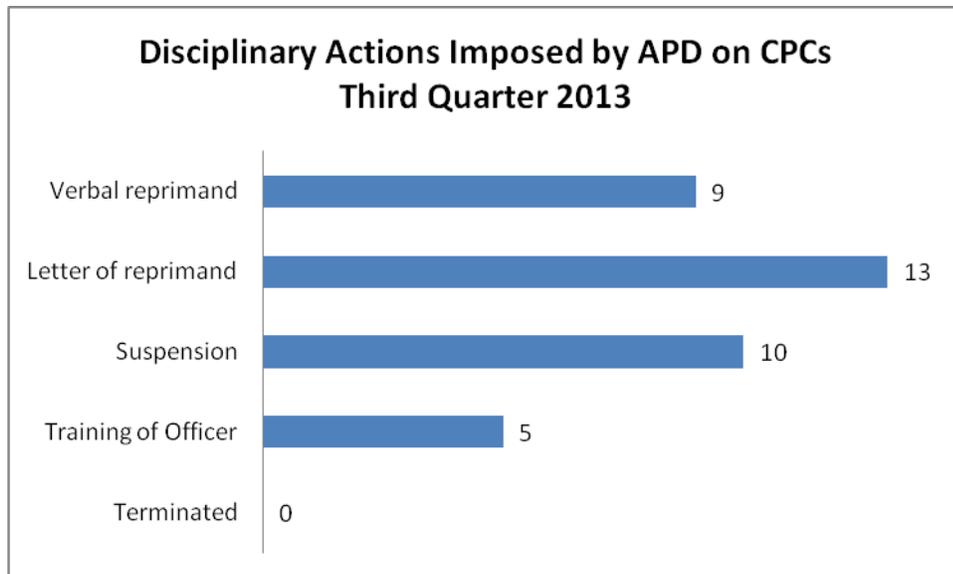


Figure 27: For the 37 SOP violations found to be sustained CPCs in the Third Quarter 2013, the APD Chief of Police imposed the disciplinary actions per officer and per SOP violation.

APD Internal Affairs Department Report to the POC, Including All Discipline Imposed Against APD Employees in Third Quarter

The Internal Affairs Division of the Albuquerque Police Department investigated cases within the department. Internal Affairs of Albuquerque Police Department attends Police Oversight Commission meetings and reported Internal Affairs cases as follows:

July 2013: Inactivated 0; Mediated 0; Completed 39; Sustained Cases 38; Pending 20.

Discipline Imposed (Letters of Reprimand 23; Verbal Reprimand 0; 4 8-hour Suspension; 1 16-hour Suspension; 2 32-hour Suspension; 1 60-hour Suspension; 1 80-hour Suspension; 1 200-hour Suspension; 2 Termination)

August 2013: 44,277 dispatched calls for service; Received 17 Internal Complaints; Completed 21;

Sustained 21; Pending 12 Discipline Imposed (Letters of Reprimand 14; 4 8-hour Suspension; 1 16-hour Suspension; 1 24-hour Suspension; 1-32 hour Suspension; 1 Termination)

September 2013: 44,428 dispatched calls for service; Received 6 Internal Complaints; Completed 11; Sustained 10; Inactivated 1; Pending 5
Discipline Imposed (Verbal Reprimand 1; Letters of Reprimand 4; 2 16-hour Suspension; 1 40-hour Suspension; 1 80-hour Suspension; 1 Termination; 1 Exonerated)

Citizen Police Complaints Reviewed Third Quarter 2013

The Albuquerque Police Department provides for police protection, law enforcement, investigation, crime prevention, and maintenance of order in the community. In order to carry out their duties and responsibilities, the police are empowered with legal authority. To achieve success, the Department must win and retain the confidence and respect of the citizens it serves. Police officers do not act for themselves, but for the public. To that end, it is necessary to create and maintain a system through which the Department can be effectively directed and controlled. Written directives have been incorporated into Standard Operating Procedures (SOPs) to guide and direct department personnel in the performance of their duties. Violations of these provisions may result in disciplinary charges against personnel.

Standard Operating Procedures are defined as written orders by the Chief of Police or a bureau, division, or section commander to define policy and direct procedures for specific situations or events.

The following section lists each of the Citizen Police Complaints (CPCs) reviewed by the POC during the Third Quarter.

Each CPC entry is formatted with the CPC number, the Complainant's City Council District and Neighborhood Association (NHA), the investigating organization (Independent Review Office or Internal Affairs), a brief synopsis of the complaint, the current case status, followed by each of the officers involved in the complaint, including their assigned APD area. The officers' actual names have been omitted, and for any given complaint, are referred to using alphabetic letters (A-Z). Within each officer listing is the SOP number involved, the SOP's general category, the case finding, the Chief/IRO Decision, and the case disposition. For any SOP non-concurrence between the Chief and IRO, additional levels of commentary relative to the POC, Chief, and CAO are listed.

CPC-2012-106 District: 8, NHA: Glenwood Hills South Casa Grande - Investigator: IRO
Complainant called APD concerned for the welfare of her 21-year-old son. They noticed that their son's personal appearance had changed. Their son was experiencing delusions, hallucinations, and exhibiting signs consistent with Paranoid Schizophrenia. An APD officer went to the apartment and made contact with Complainant's son. Complainant relayed her concerns about her son to the officer and the officer told her that the police report will be forwarded to the COAST unit for follow-up. Later that evening, the Complainant and her husband went to their son's apartment because their son had agreed to go to the ER to undergo a psychological evaluation, but later changed his mind. Complainant called 911 and two officers arrived at the apartment and had placed their son in handcuffs. The officer announced that their son is going to jail for Domestic Violence against a family member. The Complainant and her

husband told the officer that he needed medical help and the officer only seemed interested in taking her son to jail. The officer told her that they have the best psychiatrists in the jail and that her son would get the treatment that he needed, he would be drug-tested and have a psychiatric evaluation while he was in jail. Her son was not drug-tested in jail nor did he undergo an evaluation. He was booked and later released downtown. On March 27, 2012, a member of APD's Crisis Outreach and Support Team (COAST) called the Complainant and spoke about all of her concerns about her son. The member of the support team told Complainant that he would set up an appointment to meet with a Psychiatrist to see how they could get help for their son. The Complainant alleges that the system failed them and that the police and the COAST Team Member failed to intervene as they should have and could have prevented her son from taking his own life.

Findings:

Officer: A **APD Area: FH**

SOP: 1-04-4O (Attitude)

IRO/Chief's Decision: Agreed

SOP: 1-02-2B1 (Use of Discretion)

IRO/Chief's Decision: Agreed

Finding: Unfounded

Disposition: None

Finding: Unfounded

Disposition: None

CPC-2012-119 District: 2 NHA: Downtown

Investigator: IRO

Complainant reported that he was in an altercation with some other men when the officers ran up to them. He alleges that the officer handcuffed him and kicked him twice while he laid on the ground. He was later arrested and transported to Albuquerque Metropolitan Detention Center.

Findings:

Officer: A **APD Area: SE**

SOP: 2-52-2A (Use of Force)

IRO/Chief's Decision: Agreed

SOP: 1-39-1 (Use of Belt Recorders)

IRO/Chief's Decision: Agreed

Finding: Not Sustained

Disposition: None

Finding: Sustained

Disposition: Verbal Reprimand

CPC-2012-124 District: 3 NHA: Westside

Investigator: IRO

Complainant's daughter was involved in a domestic violence situation with her partner. Complainant alleges that the Sergeant threatened to arrest her if she chose to pursue charges against one of the parties for pushing her son, who was there to help. Complainant claims that the officer disapproved of the daughter being in a homosexual relationship and treated her unprofessionally.

Findings:

Officer: A **APD Area: SW**

SOP: 1-39-1A6 (Use of Belt Recorders)

IRO/Chief's Decision: Agreed

SOP: 1-04-4N (Acting Officially)

IRO/Chief's Decision: Agreed

Finding: Sustained

Disposition: Letter of Reprimand

Finding: Not Sustained

Disposition: None

Officer: B **APD Area: SW**

SOP: 1-04-4N (Acting Officially)

Finding: Not Sustained

IRO/Chief's Decision: Agreed
SOP: 1-39-1A6 (Use of Belt Recorders)
IRO/Chief's Decision: Agreed

Disposition: None
Finding: Sustained
Disposition: Verbal Reprimand

CPC-2012-136 District: 2 NHA: Downtown Investigator: IRO
Complainant alleged that while he was on his motorcycle, he was pulled over by an APD officer. He claims that the officer was rude and aggressive towards him. The motorcycle was towed for lack of insurance and Complainant requested to be picked up by his brother. Complainant claims the officer attempted to intimidate his brother, who was a NM state trooper.

Findings:

Officer: A **APD Area: VA**

SOP: 1-04-1F (General Conduct)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

CPC-2012-137 District: 2 NHA: Downtown Investigator: IRO
Complainant and his brother were involved in a disturbance at St. Martin's shelter. They left the area and confronted the man who had started the disturbance at First and Lomas Blvd. After the scuffle, two APD officers confronted them. The Complainant alleges that the officer handcuffed them and did not tell them why they were being detained. Complainant reported that the one officer slammed his brother to the ground. They were not arrested but were told that the men could not be in the downtown area, and to not frequent any shelters. He claims that the officer threatened to arrest them for criminal trespassing.

Findings:

Officer: A **APD Area: VA**

SOP: 1-04-1F (General Conduct)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 2-52-2A (Use of Force)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 1-05-06 I 4 (Report Writing Issues)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Suspension

SOP: 1-39-2 B (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Suspension

SOP: 1-04-4P (Language/Gestures)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Suspension

Officer: B **APD Area: VA**

SOP: 1-04-1F (General Conduct)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 2-52-2 A (Use of Force)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 1-05-06 I 4 (Report Writing Issues)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Suspension

SOP: 1-39-2 B (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Agreed
SOP: 3-17-2 A (Accident Investigations)
IRO/Chief's Decision: Agreed

Disposition: Suspension
Finding: Sustained
Disposition: Suspension

CPC-2012-138 District: 6 NHA: South San Pedro Investigator: IRO
Complainant alleges that after numerous encounters with his wife, he provided proof of wife's perjury on restraining order to an officer assigned to his case. Complainant was frustrated at the detective's failure to return phone calls and claims that the officer failed to file a case with the District Attorney's office. He also claims that a Sergeant contacted him and threatened to bring criminal charges against him and coerced him for charges to be dropped against the wife.

Findings:

Officer: A **APD Area: VA**
SOP: 1-04-4A (General Conduct)
IRO/Chief's Decision: Agreed

Finding: Exonerated
Disposition: None

Officer: B **APD Area: NW**
SOP: 1-04-1F (General Conduct)
IRO/Chief's Decision: Agreed

Finding: Exonerated
Disposition: None

CPC-2012-140 District: 2 NHA: Downtown Investigator: IRO
Complainant reported that she was arrested for panhandling. The officer was working undercover when the Complainant was observed to be receiving money from a passerby. Complainant alleged that the arrest was not proper because she did not violate nor meet all the criteria for violating the panhandling ordinances of the city. Complainant also claims that officer should have recorded the incident due to prior encounters with her.

Findings:

Officer: A **APD Area: VA**
SOP: 1-39-1 (Use of Belt Recorders)
IRO/Chief's Decision: Agreed
SOP: 1-02-2B2 (Searches/Seizures)
IRO/Chief's Decision: Agreed

Finding: Unfounded
Disposition: None
Finding: Exonerated
Disposition: None

CPC-2012-142 District: 4 NHA: Walgreens intersection Investigator: IRO
Complainant was involved in a car accident and left the scene to pick up his granddaughter. Complainant reported an officer arrived at his home and made irrelevant comments. He felt the officer made an improper investigation of the accident. Complainant believed that the officer was biased and the police report reflected inaccurate information (i.e. listing an incorrect ethnicity).

Findings

Officer: A **APD Area: NE**
SOP: 1-02-2D (Use of Discretion)
IRO/Chief's Decision: Agreed
SOP: 1-04-1F (Truthfulness)
IRO/Chief's Decision: Agreed

Finding: Exonerated
Disposition: Unknown
Finding: Exonerated
Disposition: Unknown

SOP: 1-03-2C (Racial Profiling)
IRO/Chief's Decision: Agreed

Finding: Unfounded
Disposition: Unknown

CPC-2012-157 District: U NHA: traffic intersection

Investigator: IRO

Complainant reported that his wife was involved in a traffic accident and that the officer failed to properly investigate the crash and document necessary information. Complainant claimed the officer's report contained inaccurate statements and was based only on opinion without facts. Complainant detailed several items he claimed were in error in the diagram drawn by the officer, which included wrong number of lanes drawn and lane assignments were incorrect. The report had several errors and listed driver inattention and disregard for a traffic signal against his wife. The report did not have detailed witness statements or witness contact information. Complainant contacted one of the witnesses whose statement did not agree with what the officer wrote in the narrative report. Based on his research, Complainant wrote his version of what should have been in the police report and what he believed to have happened in the accident.

Findings:

Officer: A **APD Area: VA**

SOP: 2-18-8C1-4 (Traffic Enforcement Stops)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 1-39-2B (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Letter of Reprimand

CPC-2012-165 District: 9 NHA: Los Campos

Investigator: IRO

Complainant claims that he was poorly treated at the Prisoner Transport Unit. He alleges that when he was at the substation he asked to use the restroom. He was handcuffed in front. He had a bowel movement and asked for his handcuffs to be removed so he could properly clean himself. He alleges that the officers laughed and one of them said in a laughing manner to "figure it out." He was unable to clean himself for several hours until he arrived at jail.

Findings:

Officer: A **APD Area: NE**

SOP: 1-02-2B2 (Arrests)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: Unknown

SOP: 1-04-4A (General Conduct)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: Unknown

SOP: 1-04-1F (General Conduct)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: Unknown

Officer: B **APD Area: FH**

SOP: 1-04-4A (General Conduct)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: Unknown

SOP: 1-04-4F (General Conduct)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: Unknown

CPC-2012-182 District: 2 NHA: Los Griegos

Investigator: IA

Complainant reported that while she was involved in a vehicle crash, the APD officer who wrote in the accident report made a statement that she was daydreaming and drove into the intersection and location of the incident. She did not agree with the report and alleges that the officer made inaccurate statements in the report.

Findings:

Officer: A **APD Area: NE**

SOP: 2-24-3F2&5(Investigations/Documentation) **Finding: Not Sustained**

IRO/Chief's Decision: Agreed **Disposition: None**

CPC-2012-198 District: 6 NHA: Traffic intersection Investigator: IRO
Complainants reported a car accident involving their daughter. Officer who responded to the scene was described as rude and abrupt. They also alleged that officer did not allow the daughter to talk to them on the phone and threatened to arrest her.

Findings:

Officer: A **APD Area: SE**

SOP: 1-04-1F (General Conduct) **Finding: Exonerated**

IRO/Chief's Decision: Agreed **Disposition: Unknown**

CPC-2012-225 District: 6 NHA: Cesar Chavez Community Center Investigator: IRO
Complainant received a parking ticket while parked at the Cesar Chavez Community Center. He claims that he was legally parked and should not have been issued a ticket. This will be determined by a Court and IRO does not have an SOP violation to investigate.

Case Inactivated **Inactivation Reason: Preliminary Investigation--No SOP**

CPC-2012-228 District: 9 NHA: Royal Heights Investigator: IA
Complainant wrote that he arrived at a residence of his fiancée's friend and when he attempted to make contact with his fiancée, the friend contacted police to enforce a restraining order. He claims that the responding officers arrived to intimidate and intended to "rough up" the Complainant. He also alleges that an officer while on duty had a relationship with his fiancée and abused his power as an APD officer to threaten him and cause his family to split.

Findings:

Officer: A **APD Area: SE**

SOP: 1-04-1G1 (General Conduct) **Finding: Not Sustained**

IRO/Chief's Decision: Agreed **Disposition: None**

Officer: B **APD Area: NE**

SOP: 1-04-1G1 (General Conduct) **Finding: Exonerated**

IRO/Chief's Decision: Agreed **Disposition: None**

Officer: C **APD Area: SW**

SOP: 2-17-12B (Other) **Finding: Exonerated**

IRO/Chief's Decision: Agreed **Disposition: None**

CPC-2012-247 District: 7 NHA: highway intersection Investigator: IRO

Complainant alleged misconduct by an APD officer during a traffic stop. He reported that while riding his motorcycle, he alleged that an officer cut him off and slammed on his brakes, almost causing him to wreck. Instead, the officer pulled him over and cited the Complainant for speeding.

Findings:

Officer: A **APD Area: VA**

SOP: 1-04-06N (Driving Behaviors)

IRO/Chief's Decision: Agreed

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

Finding: Not Sustained

Disposition: Unknown

Finding: Exonerated

Disposition: Unknown

CPC-2012-251 District: 7 NHA: Altamont Addition Unit

Investigator: IRO

Complainant reported that she was stopped by an APD officer for speeding. She alleged that the officer was dismissive of her being deaf. Complainant described the officer being angry and threatened to put her in his car.

Findings:

Officer: A **APD Area: SE**

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

SOP: 1-39-2B (Use of Belt Recorders)

IRO/Chief's Decision: Agreed

Finding: Not Sustained

Disposition: None

Finding: Sustained

Disposition: Verbal Reprimand

CPC-2013-008 District: 6 NHA: South San Pedro

Investigator: IRO

Complainant reported that he called the police department and requested an officer be sent to his home so that he could file a police report. Complainant claims he had been having problems with his apartment manager and wanted to document those problems. Two APD officers arrived and one of them searched his apartment for guns, weapons, or drugs. He believed he was treated like a criminal and the officers refused to take a report.

Findings:

Officer: A **APD Area: VA**

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

SOP: 1-02-2B2 (Searches/Seizures)

IRO/Chief's Decision: Agreed

SOP: 1-05-6D (Report Writing Issues)

IRO/Chief's Decision: Agreed

SOP: 1-39-1A (Use of Belt Recorders)

IRO/Chief's Decision: Agreed

Finding: Not Sustained

Disposition: None

Finding: Not Sustained

Disposition: None

Finding: Sustained

Disposition: Letter of Reprimand

Finding: Sustained

Disposition: Letter of Reprimand

Officer: B **APD Area:**

SOP: 1-02-2B2 (Searches/Seizures)

IRO/Chief's Decision: Agreed

Finding: Not Sustained

Disposition: None

CPC-2013-009 District: 2 NHA: Sawmill Area

Investigator: IA

Complainant alleges an officer has been harassing him since 01/17/13 through 01/18/13 after a neighbor moved in. He alleges that a neighbor was watching his family with binoculars. He claims that APD has been called to his home several times and accused him of criminal behavior. IRO Investigator attempted to contact Complainant on numerous occasions and received no response. Complaint appears to be a possible neighbor dispute and does not have any SOP violations or misconduct from APD employees.

Inactivated

Inactivation Reason: No Allegation of SOP

CPC-2013-010 District: 2 NHA: Prisoner Transport Center

Investigator: IRO

Complainant reported that he was arrested and booked at the Prisoner Transport Center in a group cell. He claims he made comments to the officer and brought his handcuffs to the front. Other prisoners followed suit, and officers at the center did not approve. Officer told Complainant to move the handcuffs to the back and one of the PTC officers moved the Complainant to a cell by himself. According to Complainant, PTC officers refused to allow Complainant to speak to a supervisor and ordered him to kneel. Complainant claims that he was pushed against the bench, kned by one of the officers, and the officers were rough with him.

Findings:

Officer: A **APD Area: NW**

SOP: 1-04-1F (General Conduct)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 2-52-2A (Use of Force)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 70-04-1-F4&5 (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Letter of Reprimand

SOP: 70-4-1-G7A (Restraints and Transportation)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Training

Officer: B **APD Area: NW**

SOP: 2-52-2A (Use of Force)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 70-04-1-F4&5 (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Letter of Reprimand

SOP: 70-4-1-G7A (Restraints and Transportation)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Training

Officer: C **APD Area: FH**

SOP: 2-552-2A (Use of Force)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 70-04-1-F4&5 (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Letter of Reprimand

SOP: 70-4-1-G7A (Restraints and Transportation)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Training

Officer: D **APD Area: NW**

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

SOP: 70-4-1G7A (Restraints and Transportation)

IRO/Chief's Decision: Agreed

Finding: Not Sustained

Disposition: None

Finding: Not Sustained

Disposition: None

CPC-2013-018 District: 6 NHA: Larry Miller Auto Dealership Investigator: IA

Complainant reported she witnessed a car hit a child on a scooter and she pulled over to the corner close to auto dealership waiting for an officer to respond. Two officers responded, one officer noticed the Complainant's expiring sticker, and another officer made a rude remark calling the Complainant a "felon." Complainant was upset and filed a complaint. During the investigation, the officer was contacted and discussed his conduct towards the Complainant. Complainant was satisfied, agreed for supervisor resolution, and was satisfied with the action and did not wish to continue with the complaint further.

Case Status: Inactivated

Inactivation Reason: Mediation--Supervisor Resolution

CPC-2013-035 District: 2 NHA: Greater Gardner Investigator: IRO

Complainant alleged that when he went to pick up a copy of an accident report at the Valley Area Command Substation, he was treated rudely and disrespectfully by APD Court Services Specialist. He states that she did not provide good customer service, was defensive and argumentative and she did not handle herself professionally.

Case Status: Closed

Officer: A **APD Area: SW**

SOP: 1-14-1F (General Conduct)

IRO/Chief's Decision: Agreed

Finding: Sustained

Disposition: Verbal Reprimand

CPC-2013-039 District: U NHA: Unknown Investigator: IA

Complainant claims that an APD officer drove like a drunk driver swerving in and out of lanes. He also claimed that the officer appeared to be reading the computer. He assumed that the officer is not going to an emergency because the officer was driving slowly. The complaint was against an unnamed officer who drives that specific APD vehicle number. The officer's Sergeant counseled the officer assigned to the vehicle named about using the computer while the vehicle is in motion and advised that failing to do so could result in discipline. The IRO requested the case be inactivated for informal resolution.

Case Status: Inactivated

Inactivation Reason: Mediation--Supervisor Resolution

CPC-2013-040 District: 1 NHA: Coors / Ellison business Investigator: IRO

Complainant alleged that one officer removed her and her daughter from her business, which she owns, based on false information relayed to police by her brother-in-law. Complainant alleged that the officer did not give her a chance to prove her side of the story and to provide evidence that she in fact owned the business. Complainant alleged that officer was a friend of her brother-in-law and alleged that the officer permitted his friendship to influence his judgment. Complainant said that because of the officer's bias in favor of her brother-in-law, the officer took the action of evicting her from her business, which should have never taken place.

Case Status: Closed

Officer: A APD Area: NE

SOP: 1-04-4N (Acting Officially)

Finding: Sustained

IRO/Chief's Decision: Disagreed

Disposition: Suspension

SOP: 1-04-4W (Truthfulness)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 1-05-8D (Report Writing Issues)

Finding: Sustained

IRO/Chief's Decision: Disagreed

Disposition: Suspension

SOP: 1-39-2B (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Disagreed

Disposition: Suspension

CPC-2013-046 District: 2 NHA: Sawmill Area

Investigator: IRO

Complainant wrote that during an altercation, an officer was rude and discouraged the Complainant to press charges against the other group he was in a fight with. According to the Complainant, the two officers who responded failed to ensure their safety and accused them of being the aggressors with the other group.

Case Status: Closed

Officer: A APD Area: NE

SOP: 1-04-1F (General Conduct)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 1-04-4A (General Conduct)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Verbal Reprimand

Officer: B APD Area: NE

SOP: 1-02-2D1 (Use of Discretion)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 1-04-2A(Receiving Special Privileges)

Finding: Unfounded

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 1-04-4A (General Conduct)

Finding: Exonerated

IRO/Chief's Decision: Agreed

Disposition: None

CPC-2013-050 District: 1 NHA: North Valley Area North Plan

Investigator: IRO

Complainant alleges that two officers arrived at her home and ordered her to get out of the house due to possible probation violation and for harboring a man she used to date. Complainant claims that her probation officer was not aware of APD coming, and was upset for being harassed. No CADs history or calls for APD to this location found. Complainant lives within Bernalillo County limits and officers may possibly be from BCSO.

Case Status: Inactivated

Inactivation Reason: No Officer Identified

CPC-2013-059 District: 2 NHA: South Broadway

Investigator: IRO

Complainant reported she went over to the home of her son's aunt and grandmother in response to a hysterical phone call received from her son. When she entered the house to get her son, she was attacked with a knife, cut, punched and kicked. She alleged that when the officers came,

they refused to arrest the woman that attacked her. She said that the officers accused her of attacking the woman with a blue stick. She also claimed that an officer used cuss words and was rude to her. She also complained that the officers did not take photos of her injuries.

Case Status: Closed

Officer: A APD Area:

SOP: 2-14-17A4 (Arrests)

IRO/Chief's Decision: Agreed

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

SOP: 1-39-2B (Use of Belt Recorders)

IRO/Chief's Decision: Agreed

Finding: Exonerated

Disposition: None

Finding: Not Sustained

Disposition: None

Finding: Sustained

Disposition: Verbal Reprimand

Officer: B APD Area: NE

SOP: 1-04-4P (Language/Gestures)

IRO/Chief's Decision: Agreed

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

SOP: 1-39-2B (Use of Belt Recorders)

IRO/Chief's Decision: Agreed

Finding: Not Sustained

Disposition: None

Finding: Sustained

Disposition: Verbal Reprimand

Finding: Not Sustained

Disposition: None

Officer: C APD Area: NE

SOP: 2-52-8E2 (Use of Force)

IRO/Chief's Decision: Agreed

Finding: Exonerated

Disposition: None

CPC-2013-061 District: 1 NHA: Cottonwood Mall area Investigator: IRO
Complainant reported being involved in a traffic crash. Complainant stated that the officer who responded to the scene was aggressive, harsh, demanding, and unwilling to listen to her or her son, a passenger during the incident. Complainant alleged the officer had put his hand in her son's face and told her son to hush. Complainant felt the officer was disrespectful and uncaring and walked away from the scene leaving the PSA to do all the work.

Case Status: Closed

Officer: A APD Area: SW

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

SOP: 1-04-4N (Acting Officiously)

IRO/Chief's Decision: Agreed

SOP: 2-24-3F2&5 (Investigations/Documentation)

IRO/Chief's Decision: Agreed

Finding: Sustained

Disposition: Letter of Reprimand

Finding: Not Sustained

Disposition: None

Finding: Sustained

Disposition: Letter of Reprimand

CPC-2013-085 District: 7 NHA: Stardust Skies Park Investigator: IRO
Complainant alleges that an APD Police Service Aide (PSA) red-tagged and cited his wife's non-operative vehicle which was parked in front of his house. He complained that the PSA wrote incorrect and untruthful information on the parking citation. He also alleged that the PSA failed

to locate the owner before red-tagging the vehicle. He asked why his vehicle was red-tagged without giving him an opportunity to move the vehicle. IRO Investigator contacted the PSA and was informed that PSA had contacted the Complainant and informed him of her last day of employment with APD due to resigning from her position and would not be able to attend the court dates regarding the citation. However, the Complainant insisted on going to court.

Case Status: Inactivated

Inactivation Reason: Preliminary Investigation--No SOP

CPC-2013-092 District: 7 NHA: Classic Uptown

Investigator: IRO

Complainant wrote that the detective entered the business and demanded to be helped before other customers he was assisting then. Other customers told him to be patient, but the detective accused him of selling stolen merchandise. The detective showed him on a slip of paper the information for a stolen laptop and the detective accused him of doing business with the person that sold it to him all the time. The detective told him he should have known it was stolen because it had a password. Citizen explained that he added additional memory to the computer, but the detective refused to listen to his explanation or allow him to remove it. He told the detective he did not need to be so rude. His business partner left a message for the detective to return the extra memory and they also realized they changed the hard drive. He told the detective he needed to apologize. He had a conversation with the detective reiterating that he needed to return the memory and hard drive and apologize.

Case Status: Closed

Officer: A **APD Area: NE**

SOP: 1-04-1F (General Conduct)

Finding: Not Sustained

IRO/Chief's Decision: Agreed

Disposition: None

SOP: 2-26-9B1D (Searches/Seizures)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Letter of Reprimand

SOP: 1-39-2B (Use of Belt Recorders)

Finding: Sustained

IRO/Chief's Decision: Agreed

Disposition: Letter of Reprimand

CPC-2013-098 District: U NHA: Unknown

Investigator: IA

Complainant alleged that she observed an officer driving a police vehicle erratically down Central Avenue. She wrote that it is unacceptable behavior for an officer to abuse police vehicles. Complaint was forwarded to the officer's Sergeant and informed him of complaint. The IRO requested that this case be inactivated as informally resolved.

Case Status: Inactivated

Inactivation Reason: Mediation--Supervisor Resolution

CPC-2013-101 District: 2 NHA: Nob Hill

Investigator: IRO

Complainant alleged that on March 31, 2013, at about 12:30 a.m., her boyfriend was stopped by an APD officer for an alleged traffic violation. She was a passenger in the car that her boyfriend was driving. She complained that there was no reason for the stop. She complained that the officer used sexually offensive vocabulary; that the officer was argumentative and badgering; that the officer searched her boyfriend without probable cause; and that the officer refused to cordially provide his name and man number when asked. She also complained about the length of time that they were detained by the officer while he wrote out two citations.

Case Status: Closed

Officer: A **APD Area: SE**

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

SOP: 1-02-2B2 (Searches/Seizures)

IRO/Chief's Decision: Agreed

SOP: 1-02-3A (Providing Name)

IRO/Chief's Decision: Agreed

Finding: Sustained

Disposition: Letter of Reprimand

Finding: Exonerated

Disposition: None

Finding: Sustained

Disposition: Letter of Reprimand

CPC-2013-103 District: 6 NHA: University Heights

Investigator: IA

Complainant alleges that the parking citation he was issued was inaccurate and claims to generate revenue for the city to meet a quota. Complainant claims that the officer wrote the improper time on the traffic ticket. Officer patrolled the area and observed three vehicles that were parked with expired meters. After investigator contact, Complainant understood the situation and issuance of parking citation and appreciated the resolution and did not wish to pursue further.

Case Status: Inactivated

Inactivation Reason: No Allegation of SOP

CPC-2013-105 District: 5 NHA: Paradise Hills Civic Association

Investigator: IA

Complainant alleges that officer used his marked police car to drop off his children at Sunset Elementary School and observed him to make an illegal left-hand turn from the parking lot and speed at 15 mph over the speed limit. The IA Lieutenant assigned to investigate this matter reviewed the Computer Aided Dispatch report at the time and date of the allegations. The IA Lieutenant found that the officer had been dispatched to a call involving a mother and students at Sunset Elementary School. When Complainant observed the officer, he was dropping off the elementary school students at the school after completing his investigation on the call for service. The IA Lieutenant went to Sunset Elementary School and observed that there were signs indicating no left turn out of the school parking lot. The signs were not Department of Transportation signs, but non-official signs meant to control the flow of traffic during peak drop-off and pick-up times at the school. While it is not against APD policy to transport family members in a police car, the officer explained that the children were not his children, but persons involved in a police investigation.

Case Status: Inactivated

Inactivation Reason: Preliminary Investigation--No SOP

CPC-2013-108 District: U NHA: Unknown

Investigator: IRO

Complainant wrote of an accident which occurred on May 5, 2013, at an unknown location. She claimed one of the officers who responded was unprofessional and profiled her based of her ethnic background. Officer made reference to Native Americans and alcoholics, according to the Complainant. Further investigation showed that incident may have referred to an officer employed with Bernalillo County Sheriff. Complaint was referred to BCSO Internal Affairs, Complainant was informed and this case is inactivated.

Case Status: Inactivated

Inactivation Reason: Other Agency

CPC-2013-113 District: 8 NHA: Unknown

Investigator: IA

Complainant alleges that an APD officer was driving 50 mph in a 40 mph zone without using his emergency equipment. She claims that officer was tailgating and changing lanes in an unsafe manner. She also added that she saw the officer unbuckle his seatbelt at a stoplight. Investigation revealed the officer was responding and en route to a burglary in progress during the incident. The officer's Sergeant spoke to the Complainant to explain the result of the call the officer was responding to. The officer turned off his emergency equipment and unbuckled his seat belt needing to be ready at the scene of the crime.

Case Status: Inactivated

Inactivation Reason: No Allegation of SOP

CPC-2013-114 District: 7 NHA: Alta Monte

Investigator: IRO

Complainant reports that she received a summons for a crime she did not commit. She believed that she was the victim of identity theft and someone had used her information. She conducted her own investigation and found that the APD officer wrongfully named her as the suspect. The officer simply ran the name through the APD database and the Complainant's name was the first one to come up. The officer then used the information he obtained from the computer to fill out his report and he had the Complainant summonsed to court for a crime she did not commit. The officer did not verify that the person who committed the crime was the same as the Complainant. She appeared for arraignment and charges were dismissed. She complained that officer's actions caused her denial for employment. She complained that since the officer incorrectly charged her she has been denied employment at several businesses because they discover the charges during a background check. Complainant filed her complaint well beyond the 90-day time limit. By ordinance, the IRO can only investigate and address complaints that are filed within 90 days of the incident.

Case Status: Inactivated

Inactivation Reason: Over 90 Days

CPC-2013-115 District: 8 NHA: Enchanted Park

Investigator: IRO

Complainant reported a loud noise and boom box activity in the neighborhood and was forwarded to Foothills Area command to address this issue. IRO contacted APD Lieutenant of the Foothills Area Command and discussed the complaint with him. The Lieutenant would be addressing his concerns and assured to follow up on the matter. Complaint did not allege any police misconduct and did not find any SOP violation on APD officers alleged.

Case Status: Inactivated

Inactivation Reason: No Jurisdiction

CPC-2013-117 District: 9 NHA: Singing Arrow

Investigator: IRO

Complainant alleged she was arrested at a Circle K a year ago and her backpack was placed in evidence. Her backpack was not returned. The incident happened a year ago and the IRO could not investigate further past the time of jurisdiction.

Case Status: Inactivated

Inactivation Reason: Over 90 Days

CPC-2013-121 District: 7 NHA: Altura Addition

Investigator: IRO

Complainant reported that APD failed to address a fraud against a senior citizen, whom she has durable power of attorney over. The preliminary investigation revealed that the IMPACT team has actively investigated the crimes and assigned an officer. Her complaint did not contain any

allegation of any Standard Operating Procedure by any member of APD, but simply wanted to know if APD was investigating the crimes. No SOP violation alleged and was inactivated.

Case Status: Inactivated

Inactivation Reason: No Allegation of SOP

CPC-2013-123 District: 8 NHA: Snow Heights

Investigator: IRO

Complainant filed five different complaints against APD detectives. Complainant did not specify dates of incident but claimed that a detective responded to a call she made against a neighbor. She claims that the detective called, visited her home, and tried to put her in a mental hospital. She did not want his help and did not want him coming to her house despite calls she made to 911. After a preliminary investigation, the IRO found that no SOPs were violated and was inactivated.

Case Status: Inactivated

Inactivation Reason: Preliminary Investigation--No SOP

CPC-2013-124 District: 8 NHA: Snow Heights

Investigator: IRO

Complainant did not specify dates of incident but stated that a detective responded to a call she made against a neighbor. She felt the detective was taking sides with her neighbor and wanted the detective disciplined. After a preliminary investigation, the IRO found that no SOPs were violated and was inactivated.

Case Status: Inactivated

Inactivation Reason: Preliminary Investigation--No SOP

CPC-2013-125 District: 8 NHA: Snow Heights

Investigator: IRO

Complainant did not specify dates of incident but claimed that a detective responded to a call she made against a neighbor. She felt that the detective blamed her for the problem and wanted the detective disciplined. After a preliminary investigation, the IRO found that no SOPs were violated and was inactivated.

Case Status: Inactivated

Inactivation Reason: Preliminary Investigation--No SOP

CPC-2013-126 District: 8 NHA: Snow Heights

Investigator: IRO

Complainant did not specify dates of incident nor officers but wanted to complain about her neighbor, she claimed that IRO was blaming her for harassment. After a preliminary investigation, the IRO found that no SOPs were violated and was inactivated.

Case Status: Inactivated

Inactivation Reason: Preliminary Investigation--No SOP

CPC-2013-127 District: 8 NHA: Snow Heights

Investigator: IRO

Complainant did not specify dates of incident but claimed that a Sergeant was trying to get her for harassment. She complained that the legal system is not helping her and the officers are not responding to her calls. She claims that the problems she is having with her neighbor has caused her emotional distress and to seek a counselor. She believes that the visits from APD officers (Crisis Intervention Team) are invasion of her privacy. After a preliminary investigation, the IRO found that no SOPs were violated and was inactivated.

Case Status: Inactivated

Inactivation Reason: Preliminary Investigation--No SOP

CPC-2013-128 District: 5 NHA: Paradise Hills Civic Association

Investigator: IRO

Complainant alleges that he observed an officer in an APS squad car using his cellphone. IRO investigator found that the officer was an APS Police Officer and informed the Complainant that

IRO was not able to investigate citizen complaints against APS Police Officers. Complainant was referred to contact Albuquerque Public Schools Police Department.

Case Status: Inactivated **Inactivation Reason:** Other Agency

CPC-2013-130 District: 4 NHA: Del Norte Investigator: IRO

Complainant alleges that an officer completed a police report as a favor to his ex-wife. He wants to know if the call was dispatched as a call for service or a police officer acting in favor of his ex-wife. Investigator reviewed the CAD, police report, and 911 call and found that the officer was dispatched accordingly. After preliminary investigation, the IRO found that no SOPs were violated and revealed that the officer's report was accurate.

Case Status: Inactivated **Inactivation Reason:** Preliminary Investigation--No SOP

CPC-2013-131 District: 3 NHA: Copperwynd 2 Investigator: IRO

Complainant reported that an officer responded to an alleged domestic dispute between the Complainant and his ex-wife. He was not at the scene when the officer arrived and complained that the officer failed to conduct adequate investigation into the matter when he was available at his home. IRO Investigator forwarded the complaint to the officer and his supervisor. Complainant was contacted by the officer and was told that a supplemental report will be filed on the incident documenting the Complainant's side of the story. Complainant was satisfied and pleased with the response and requested to withdraw his complaint. Since the complaint has been informally resolved to his satisfaction, the complaint was inactivated and no further investigation was conducted.

Case Status: Inactivated **Inactivation Reason:** Citizen Withdrew Complaint

CPC-2013-141 District: 6 NHA: University Heights Investigator: IRO

Complainant alleged that two officers came to her home to investigate a call made to the police department. She wrote in the complaint that one officer was wearing helmet and military uniform and another officer with an unkempt APD uniform. Her complaint wanted to inquire on the two officers who were allowed into her home. After further investigation, the investigator did not find an incident involving two officers on the date of incident.

Case Status: Inactivated **Inactivation Reason:** No Officer Identified

CPC-2013-143 District: 6 NHA: Highland Business and NA Investigator: IRO

Complainant reported that while riding his scooter heading East on Highland Street, an APD officer in uniform driving an APD SUV ran a red light which caused the Complainant to slam on the brakes and fall. The driver of the APD vehicle yelled at him, turned on his lights and sirens, and sped off through the intersection.

Case Status: Closed

Officer: A **APD Area:**

SOP: 1-04-6N (Driving Behaviors)

IRO/Chief's Decision: Agreed

SOP: 1-04-1F (General Conduct)

IRO/Chief's Decision: Agreed

Finding: Sustained

Disposition: Verbal Reprimand

Finding: Not Sustained

Disposition: None

CPC-2013-144 District: 9 NHA: Canyon Acres Investigator: IRO
Complainant alleges that an officer unlawfully reported a stolen auto from another citizen which caused their RV to be towed. The property is now impounded and fees will need to be paid by the Complainant which he claims is an undue burden. IRO Investigator conducted a preliminary investigation into this matter before speaking with the Complainants. Based on the report, another citizen reported the vehicle as stolen and was in lawful possession of the vehicle. While the officer was aware that there was a pending sale of the RV to the Complainant, there was no information available to him at the time indicating that this was a civil matter or that the Complainant had picked up the RV. The only information available at the time was that a white tow truck came and towed the RV away. Complainant was contacted and said that this matter had been resolved to their satisfaction and that they wanted to withdraw the complaint they filed. She said that she believed a lack of communication is what precipitated the problem and that has all been addressed. She said that their intention in filing the complaint was to get the RV back and since they filed the complaint they did get the RV back.

Case Status: Inactivated **Inactivation Reason:** Citizen Withdrew Complaint

CPC-2013-146 District: 6 NHA: University Heights Investigator: IRO
Complainant reported that his items were stolen from a dumpster after being arrested by an officer for disorderly conduct. He alleges that personal items worth \$250 cannot be found after his release.

Case Status: Inactivated **Inactivation Reason:** No Allegation of SOP

CPC-2013-154 District: 1 NHA: Sanchez R & J Investigator: IRO
Complainant claimed he met with a man to get his dog back and when the man requested money, he took the dog and did not pay the man. Complainant alleged that two APD officers falsely arrested the Complainant and filed a false police report. Complainant claimed that the officers failed to make the proper assessments and failed to investigate the incident properly which resulted in his arrest. Since the incident occurred more than 90 days after the date of the incident, the case cannot be investigated.

Case Status: Inactivated **Inactivation Reason:** Over 90 Days

CPC-2013-158 District: U NHA: Alameda North Valley Investigator: IRO
Complainant alleged that Corrales Police Department treated him badly and made a general complaint on the lack of speed regulation enforcement in Corrales, NM. Complainant did not list any contact information nor list any APD members to investigate the complaint further. Complaint was forwarded to Corrales Police Department. Case is inactivated as it involved officers of a different agency.

Case Status: Inactivated **Inactivation Reason:** Other Agency

CPC-2013-167 District: 5 NHA: Paradise Hills Civic Association Investigator: IRO
Complainant alleges that a BCSO deputy arrested him at a local convenience store. Complainant claims the deputy was overzealous and used excessive force during the arrest. Complaint did not involve any APD officers and was forwarded to BCSO internal affairs. Case was inactivated for lack of jurisdiction on the officers in question.

Case Status: Inactivated

Inactivation Reason: Other Agency

CPC-2013-181 District: U NHA: Unknown

Investigator: IRO

Complainant alleged that officer has been harassing and made false accusations against him since a traffic incident back in 2012. Complainant claims he has moved from Las Cruces to Deming to avoid the detective. IRO found officer is from LC Police Department and complaint was forwarded to IA with LCPD. Case was inactivated for lack of jurisdiction on the officer in question.

Case Status: Inactivated

Inactivation Reason: Other Agency

CPC-2013-186 District: U NHA: Unknown

Investigator: IRO

Complainant reported that a house was broken into in Southeast Albuquerque and two police officers responded to the break-in. The owner was not home at the time of the police response and the officers attempted to contact the owner by phone. When they did so, the officers called from a blocked phone so the homeowner did not answer the phone. The homeowner was in a meeting at the time and would have answered the phone if their caller ID showed it was the police who were calling. Complainant suggested that when the police are making important calls such as that one, that they send out a proper caller ID so that the party called would know that it is the police calling. He suggested that a person would be much more likely to promptly answer a call from the police. His complaint did not contain any allegations of a violation of any Standard Operating Procedures of the Albuquerque Police Department.

Case Status: Inactivated

Inactivation Reason: No Allegation of SOP

APPEALS FILED AND HEARD DURING THIRD QUARTER

Under Section 9-4-1-9(A), of the POC Ordinance, a citizen who has filed a complaint and who is dissatisfied with the findings of the IRO may appeal that decision to the POC within ten business days of receipt of the public record letter. Upon appeal, the POC may modify or change the findings and/or recommendations of the IRO and may make further recommendations to the Chief regarding the findings and/or recommendations and any discipline imposed by the Chief or proposed by the Chief. Within 20 days of receipt of the appellate decision of the POC, the Chief shall notify the POC and the original citizen complainant of his decision in this matter in writing, by certified mail.

During the Third Quarter, the POC heard no citizen appeal cases.

JOB WELL DONE SUBMISSIONS RECEIVED DURING THIRD QUARTER

At the beginning of 2013, Independent Review Officer Robin Hammer began a program for citizens to report a good act or acts performed by APD officers and employees. Persons may report these good deeds through an on-line form at www.cabq.gov/iro/report-a-job-well-done. During the months of July–September 2013, Independent Review Officer Robin Hammer received 44 **Job-Well-Done (JWD)** Reports. The IRO forwarded all Job-Well-Done Reports to the Albuquerque Police Department Chief of Police for acknowledgment. The Albuquerque Police Department gave a copy of each JWD to the APD employee's supervisor and the employee. Below are summaries of the accommodations and praises citizens provided about APD officers and employees during the Third Quarter.

JWD-2013-055

Received by IRO: July 1, 2013

A citizen was appreciative to Operator A. who assisted with an issue involving a rental house in El Paso, TX. Citizen contacted the El Paso, Texas, Police Department to file a report but immediately advised that since he lived in Albuquerque that a report had to go through the Albuquerque Police Department (APD) and APD will contact El Paso Police Department to investigate the issues that were of concern. The citizen spoke to Operator A. and described the operator as “a professional all the way” and knew exactly what the citizen was talking about. The citizen was appreciative of Operator A. and described her as someone who possesses outstanding customer service attributes, which enhances APD’s image. Citizen wanted to thank Operator A. on his behalf. Operator A. did an outstanding job in putting his mind at ease and is an asset to the Albuquerque Police Department.

JWD-2013-056

Received by IRO: July 8, 2013

A Texas citizen reported a severe blow-out on I-40 westbound, east of the city. The citizen and his family were on the left shoulder just around a blind curve. The tow truck and police were having a really hard time finding them as they weren't sure of where their location was. The citizen wanted to extend his gratitude. The responding APD officer kept calm and calmed his panic, and went out of his way to put on the spare. The citizen was grateful that the officer really just made his day. Thank you for everything!

JWD-2013-057

Received by IRO: July 8, 2013

A citizen reported seeing an APD officer driving a patrol car at 12:20 p.m. The citizen saw the APD officer traveling north on 2nd St. when he stopped to talk to a woman in a power wheelchair traveling in the same direction on the sidewalk. There were many driveway cut-outs in the sidewalk, and before the APD officer stopped her, she looked like she was about to either bounce out of her chair or else the whole wheelchair with her in it would fall over. The citizen saw the officer approach and speak with her briefly. He then got back in his car. She steered her wheelchair down onto the roadway and headed north on the flat pavement. He drove slowly behind her to ensure her safety as she proceeded. The citizen was deeply impressed by this officer's thoughtful and resourceful protection of this woman. This APD officer deserves to be acknowledged.

JWD-2013-059

Received by IRO: July 8, 2013

A citizen contacted the hit-and-run unit with questions about a hit-and-run that happened to his daughter. Citizen had the privilege of speaking to Officer S. who was very friendly and generous with his time in helping with his questions and concerns. Citizen believes that this officer's professionalism, friendliness, and helpfulness is a model for interacting with citizens.

JWD-2013-061

Received by IRO: July 10, 2013

Citizen reported two officers dispatched to his address around 1930 hours in the SE Area. The officers that were dispatched were both professional, willing to help, and above all else empathetic to what was going on. Citizen did not get the officers' names but wanted to express how it was "by far the best interaction I have ever seen or been involved in with the Albuquerque Police Department (not saying other interactions have been bad)."

JWD-2013-062

Received by IRO: August 17, 2013

Citizen reported an APD officer responded to a noise complaint next door. The officer's response took 30 minutes for a non-emergency call and despite the minor incident, the citizen was grateful for the APD officer's quick response and successful effort to maintain their neighborhood at peace.

JWD-2013-063

Received by IRO: August 30, 2013

Citizen is a student reporter and interviewed Officer W. of the K9 Unit for an article. The citizen was impressed for an exemplary representative Officer W. is of APD. The citizen described him as extremely professional and helpful. The citizen was appreciative of the time and understanding of the APD officer to accommodate her.

JWD-2013-064

Received by IRO: September 2, 2013

Citizen reported an intruder in his hotel room. The responding APD officer arrived to take a statement and explained to the citizen the situation. The citizen was appreciative to the APD officers for stopping by and talking to him. The APD officers were polite and kept him calm.

JWD-2013-065

Received by IRO: September 5, 2013

Citizen wanted to express her appreciation to APD Officer A. who was very kind to help her when he ran out of gas at a very busy intersection (Montgomery and Wyoming) during rush hour. The kindness and service he provided is a testament to the officer's strong character. The citizen felt the connection of community that the APD officer created. Please thank him!

JWD-2013-066

Received by IRO: September 7, 2013

A Tijeras resident had been at the Melting Pot having dinner with her prayer group. The citizen discovered her car had been broken into and APD Officer N. came to the mall to take the report. The citizen described the officer to be "most courteous, friendly, yet professional. He was very thorough and made me feel like I was the first person this had ever happened to. He took his time and was so kind. He deserves a big raise for the way he treats citizens. May God bless him and protect him."

JWD-2013-067

Received by IRO: September 10, 2013

The citizen's son was murdered on April 30, 2013, at the Super 8 hotel on University and Menaul NE. Citizen and his wife expresses their sincere gratitude to the Homicide Unit of the Albuquerque Police Department. The couple was grateful that the APD Detectives and officers worked hard to find the persons involved in the killing of their son. The officers kept the couple up to date as much as possible and always assured them that their son would not be another killing that goes unsolved. They expressed their heartfelt gratitude of how the APD officers treated them with respect and compassion.

JWD-2013-068

Received by IRO: September 10, 2013

A citizen reported her car stalled in traffic on September 9, 2013, and would not restart. She was at the corner of Gibson and San Pedro and it was rush hour. Despite her frustration of the honking cars behind her car and that no one stopped to help her push her car, an APD officer stopped and pushed the car out of traffic for her. The citizen was appreciative of the APD officer and happy that APD supports the community.

JWD-2013-069

Received by IRO: September 12, 2013

A citizen reported that an individual initiated a call over a moving issue involving her. The citizen wanted to express how the commanding officer/Sergeant who she spoke to was particularly courteous.

JWD-2013-073

Received by IRO: September 23, 2013

The citizen reported that Officer M. found their son somewhere in the vicinity of Alameda and Guadalupe at 2 p.m. on September 8 after he had been missing since 7 a.m. The family expresses their extreme gratitude to Officer M. and all the other officers who helped to find their son. The citizen felt that the APD officer has made this a safer community for them.

JWD-2013-075

Received by IRO: September 27, 2013

A citizen reported that she was brutally attacked by her son on June 19, 2013. Her son suffers from paranoid schizophrenia. She contacted 911 and an APD officer escorted her back to her apartment. The citizen was grateful that he listened patiently despite her distraught state that night. The APD officer showed so much compassion and so much patience. The officer went to the hospital and followed through on this case. The officer also offered to hand out the updated photo of her son to his fellow officers. Because of the officer's efforts, she reported her son was captured on July 25th, 2013. Officer W. not only kept her updated with the case, he went to the hearing and testified on her behalf. The citizen was appreciative of Officer W. who was professional, kind-hearted and went that extra step to make sure that her son would be captured and kept her informed. The citizen was thankful that Officer W. came to her aid and can go back to her home and feel safe. Thank You.

JWD-2013-076

Received by IRO: September 28, 2013

The citizen described Officer H. as nice and caring about their situation. Thank you.

JWD-2013-133

Received by IRO: July 12, 2013

Citizen is associate head of school at Albuquerque Academy. Citizen reported a situation that unfolded the night before and was concerned of the unstable mental state of a former student at

the school. The citizen felt that it might have led to a potentially significant situation. The citizen contacted Detective R., School Resource Officer, and then through him Detective K. of the Crisis Intervention Team. Due to their remarkably quick work an individual who had recently suffered a psychotic breakdown and was not taking his meds was able to be admitted to the UNM Mental Health Hospital this afternoon. Their actions were a great relief to this individual's parents as well as us, and I was very impressed with their help and their professionalism. Their actions were exemplary and we sincerely appreciate them. This is not my first interaction with Detective R., and he always provides exceptional assistance to us and our students.

JWD-2013-134

Received by IRO: July 14, 2013

A citizen reported that his girlfriend was hit by a vehicle at a crosswalk. The citizen was appreciative that an APD officer was calm, understanding, and fair. When the paramedic and police arrived, the officer kept the citizen up to date and provided the citizen assurance of his girlfriend's whereabouts. As the citizen was in a panic and state of worry, this particular officer maintained his cool and helped the citizen calm down. The citizen is thankful to the APD officers who responded to the call and the empathy of APD Officer F.

JWD-2013-135

Received by IRO: July 24, 2013

A citizen observed an APD officer take the time to remove a large piece of debris in the middle of the road at 10:10 a.m. on 7-24-13. This was in an intersection that can get pretty busy (Paseo del Norte and Golf Course). The citizen was appreciative that this officer's small gesture probably saved a vehicle from damage.

JWD-2013-136

Received by IRO: July 31, 2013

A citizen reported a client who has a warrant for his arrest and wanted to commend the APD officer who he spoke to. The citizen was impressed that he was very polite and professional.

JWD-2013-137

Received by IRO: July 31, 2013

The citizen commends APD Officer S. who was appointed as a Director on the national board of the National Citizens Police Academy Association (NCPAA). Officer S. has been exemplary in his efforts of bringing the community and the police department together in a partnership. His actions in providing and overseeing the Citizens Police Academy, with great results, have been viewed by many other law enforcement agencies over the past several years. His committed work ethic and team-building will be a positive addition to this national organization.

JWD-2013-138

Received by IRO: August 5, 2013

A Rio Rancho resident, who transferred from Chicago, was eating outside at Burger Rush and witnessed an accident. The citizen was impressed with the APD officers' response on the scene. The APD officer went out of his way to help the lady empty the trunk of her damaged car and contacted someone to pick up the people, which included four kids. The citizen also saw another APD officer help all the kids to the awaiting car and walked back to get one of the kid's teddy bear. The citizen also noticed another APD officer, once he was done with the paperwork, helped the people get across the lanes. The APD officers on the scene showed patience,

kindness, and friendliness, in contrast to their previous experiences with Chicago Police Department. This experience changed their perspective on law enforcement officers.

This same citizen also reported a positive interaction with officers on a different occasion while hiking on Pino Trail. Three APD officers came up and talked to him and his family. The officers were described as very kind and personable.

JWD-2013-139

Received by IRO: August 7, 2013

A citizen reported a friend who was struggling with alcoholism and threatening to commit suicide. The citizen was appreciative of Officers H. and D. who responded and helped the citizen find her friend. The APD officers were kind, caring, and great with her friend. The citizen is grateful that her friend was brought to rehab and has been sober for 60 days. The citizen is thankful that their kindness helped her friend see how sick she is.

JWD-2013-140

Received by IRO: August 7, 2013

A citizen wanted to recognize several officers at the substation on Lomas and Chelwood. The citizen was appreciative of the APD officers who always responded and helped out the Asset Protection Unit of their company.

JWD-2013-141

Received by IRO: August 8, 2013

A citizen was grateful to the APD officers and sergeants who attended the annual National Night Out. The citizen is thankful to the officers for being very helpful, and offered information to pass along to them. The question/answer session was valuable to the group. These questions were important and the answers were what the group wanted to know. In addition, the citizen wanted to compliment the department for “a superb job of taking care of their community” and appreciates the time of the officers to sit and talk to them about concerns. “Hats off to APD!”

JWD-2013-142

Received by IRO: August 9, 2013

The citizen lives in the Sawmill district (part of the Valley Command) and reported that there was a meeting on 8-08 that a detective attended. The citizen was grateful to this APD detective for taking time to update her and her neighborhood on the police activity in her area. Officer V. provided their community with great information and was very professional. The citizen appreciated that Officer V. has a passion for what she does. The citizen learned how APD works and how there are different units and reasons why units cannot share information at times. The officer’s explanations helped her understand why things are done the way they are done and why things cannot happen as quickly as they would like; however, the APD officer helped assure them that their area is in APD’s care. The citizen was grateful for her visit and made a huge difference in how the citizen saw things in her area.

JWD-2013-143

Received by IRO: August 9, 2013

The citizen reported that the APD officer was very helpful. The officer assisted her to cross the street with a wheel chair while heading to the heart hospital. The citizen appreciates the officer for being very polite and helpful.

JWD-2013-144

Received by IRO: August 11, 2013

The citizen is a President of the Homeowners Association. The citizen called 911 for a burglar

alarm activated on a neighbor's home (an 80-year-old widow). The responding APD Sergeant cleared the outside of the home to make sure there were no signs of forced entry. The citizen was grateful that the sergeant took the time to again walk around the outside of the house and to check for the homeowner inside the house and found it was a false alarm. Throughout this process, the citizen was appreciative that the sergeant displayed the highest degree of professionalism, concern, and courtesy for his neighbor.

JWD-2013-145

Received by IRO: August 12, 2013

The citizen wanted to extend his compliment to Detective C. of the CIT.

JWD-2013-146

Received by IRO: August 12, 2013

The citizen was at the Rocky Mountain 3 Gun Match from the 1st to the 3rd of August. The citizen expressed his gratitude and was fortunate to have an APD officer on the squad. The citizen described the officer as “a great guy.” He suggested that APD officers like him show up at different events to change the bad opinion of APD.

JWD-2013-147

Received by IRO: August 13, 2013

A citizen reported that APD Officer B responded to an auto break-in. The citizen was thankful that the officer was helpful and professional. Thank You.

JWD-2013-148

Received by IRO: August 14, 2013

The citizen commends APD Chief on his recent appointment. The citizen hopes that this becomes a permanent position and thanks him for his service.

JWD-2013-149

Received by IRO: August 14, 2013

A Rockland County Sheriff wanted to commend APD Officers D., Officer M., Officer O., and Officer G. who represented the Recruitment Team at the match he attended. The sheriff described all of the officers who attended as very professional and polite in their duties at the match and took time to help him and others throughout the competition.

JWD-2013-150

Received by IRO: August 16, 2013

A citizen would like to commend Officer L for his fine police work. The citizen had lost her wallet at the Smith's Store on Central and Tramway. APD Officer L was able to identify the person who picked it up and left with it. The citizen was appreciative that the officer retrieved her wallet with the money. Thank you for a job well done.

JWD-2013-151

Received by IRO: August 14, 2013

A citizen placed a call to 242-COPS regarding a dog left in a car near Coors and Montano around 6:30 p.m. Citizen was impressed that an officer arrived to take care of this matter in less than 10 minutes. Citizen was so appreciative of the quick response by APD and for making it a priority to help the poor animal in the hot car.

JWD-2013-152

Received by IRO: August 20, 2013

A citizen wants to thank APD Officer G. for responding to her daughter's house during a burglary. He is a former student of mine--one of the very good ones! Thank you!

JWD-2013-153

Received by IRO: August 21, 2013

A Pennsylvania resident was grateful that Officer M. did a wonderful job at the APD Museum with his family while visiting Albuquerque. Officer M. made the visit very informative and the citizen was fortunate to have met him.

JWD-2013-154

Received by IRO: August 23, 2013

A citizen reported that her car was vandalized and had property stolen while at the Home Depot on Eubank. Citizen wants to thank the EMT Squad that reported the incident and an APD officer that responded. The citizen was grateful that the responding officers did a thorough investigation by taking a good fingerprint from her vehicle's door. The citizen was also appreciative that the responding EMT and officers were polite, kind, and reassuring.

JWD-2013-155

Received by IRO: August 24, 2013

Citizen was sitting in Jimmy Johns on Central across from UNM bus stop. There was an individual that was picking fights with others waiting at the bus stop. An officer responded within five minutes to address the activity. The citizen was grateful for the very timely response and prevented something serious from happening. Kudos for the fast response time and keeping the peace near the university!

JWD-2013-156

Received by IRO: August 29, 2013

The citizen was appreciative that the officer was very professional during his interview with the police. The citizen wanted to commend APD for treating him with courtesy and for their efforts to make this a safe city.

SUMMARY OF THIRD QUARTER

The Independent Review Office made progress in improving our database management and collection of data. The office took strides to work on closing pending cases from 2012 and 2013.

Data collected from Citizen Police Complaints (CPCs) sought to identify the demographic information of complainants during the initial complaint intake, through voluntary surveys, through written complaint and online. We obtained information on ethnicity, gender, and age for 75 complainants during the Third Quarter 2013. We were not able to capture all demographic information of all complainants because some declined to disclose their information. Not all complainants disclosed incident information, to determine City Council District or Neighborhood Association. We collected 43 officers' information on ethnicity, gender, and age for complaints received during the Third Quarter 2013.

The Independent Review Office received 75 complaints for the Third Quarter from July-September 2013. In the Third Quarter, the IRO received an average of 25 complaints per month, August had the highest number of complaints. Each investigator was assigned about 19 new

Citizen Police Complaints per month. The IRO forwarded 14 cases to Internal Affairs for investigation during the Third Quarter 2013. Most complaints were received online via the website.

Based on data collected, Saturdays showed slightly lower rates of alleged misconduct compared to infractions during Sundays through Fridays. Complainants reported the most alleged misconduct of APD officers as occurring from 9:00 a.m. to 12:00 noon. Complainants reported higher alleged misconduct located in City Council Districts 2 and 6.

During the Third Quarter, the highest number of complaints was received from male Hispanic citizens with the age range of 48-53 years old. The highest number of complaints received was from residents of City Council District 2. Complaints received in the Third Quarter include 61 complaints from Albuquerque residents, seven complaints from non-Albuquerque residents, and five complainants residing from another state. During this quarter, a significant number of complainants did not declare demographic information (i.e. Race/Ethnicity).

Data revealed that complainants were most likely to file a complaint against a male Albuquerque Police Department officer with the age range of 30-35 years old. In this quarter, complainants reported complaints equally on both Hispanic and White APD officers. Most alleged misconduct involved officers in Field Services and Patrolman First Class rank with 4-6 years of service since date of hire. During the Third Quarter 2013, complaints were more likely filed on officers assigned during the Day Shift (7am to 3pm). The Southeast and Northwest Area Commands received the most complaints on officers.

The IRO presented 62 Citizen Police Complaints to the Police Oversight Commission during the Third Quarter 2013. This resulted in 31 inactivated cases and 28 closed cases with findings. The IRO submitted an average of 20 CPCs per month to the POC. Of the 28 CPCs closed after a full investigation, there were 103 allegations of Standard Operating Procedures (SOPs) reviewed by the POC. During the Third Quarter, the common alleged violations of APD SOPs were related to General Conduct (1-04) and Use of Recording (1-39).

We received significant response for APD commendations via the IRO website's Job Well Done Reports during the Third Quarter.

In addition, two (2) Officer-Involved Shootings were reviewed by the POC during the Third Quarter 2013. Overall, the IRO's Office and the POC worked diligently to address the concerns and receive the praises which persons submitted about the Albuquerque Police Department, and used this information to offer policy suggestions to improve APD.