



Timothy M. Keller  
Mayor

# City of Albuquerque

## Albuquerque Police Department



Eric J. Garcia  
Interim Superintendent of Police Reform

August 10, 2022

### Interoffice Memorandum

**To:** Diane McDermott, Lead Investigator, CPOA

**From:** Jimmy Collins, A/Deputy Superintendent of Police Reform

**Subject:** Non-Concurrence Action re: CPC-027-2022

This memorandum serves to convey the articulation for APD's points of non-concurrence in the above captioned administrative investigation conducted by the Civilian Police Oversight Agency.

Policy	CPOA Finding	APD Finding
2-48-2-D-2c	Sustained/Verbal Reprimand	Sustained/NDCA

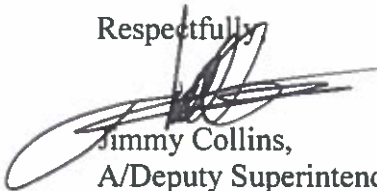
#### Rationale for non-concurrence of action for 2-48-2-D-2c:

I reviewed this investigation and concurred with the CPOA on the sustained finding. I did not concur with the proposed discipline of a verbal reprimand and chose to impose a non-disciplinary corrective action (NDCA). Officer S did attempt to contact the owner and left a voicemail message and also requested NCIC help with the notification to ensure the owner was aware of the situation. He did everything except complete the towed vehicle notification. Officer S also demonstrated some confusion with the new Mark 43 reporting system. Based on this information, this issue of concern can be corrected through guidance from his supervisor.

#### Conclusion:

Based on my assessment of the facts derived from this investigation, I have deemed it appropriate to deviate from the CPOA's discipline recommendation of a verbal reprimand and concur with the decision to impose a NDCA for the Class 7, Performance, 1<sup>st</sup> Offense. An NDCA is appropriate given the aforementioned information as well as falling within the allowable range of the DAP.

Respectfully,

  
Jimmy Collins,  
A/Deputy Superintendent of Reform  
Albuquerque Police Department

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AUG 15 '22 AM 10:13

Cc: Eric Garcia, Interim Superintendent of Police Reform/DCAO