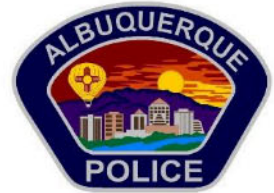




Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Superintendent of Police Reform

August 25, 2025

Interoffice Memorandum

To: Diane McDermott, Executive Director, CPOA

From: Jimmy Collins, Major, Office of the Superintendent

Subject: Non-Concurrence of Finding re: CPC-62-2025

This memorandum articulates APD's points of non-concurrence in the above-captioned administrative investigation conducted by the Civilian Police Oversight Agency.

Policy	CPOA Finding	APD Finding
1-1-5-C-2	Sustained	Not Sustained

Rationale for non-concurrence of action for 1-1-5-C-2:

This memorandum has been written to explain the non-concurrence of findings for PSA C. and PSA G. because the alleged violation and surrounding circumstances are the same.

Professional Integrity Commanders Waite and Landavazo reviewed the investigation and concluded they disagreed with the sustained finding for both PSAs. They both cited the training process handed down through the PSA program, albeit incorrectly, to remove license plates under certain circumstances, so they were only following what they were trained to do and nothing more. Commander Waite stated that, additionally, for an employee to be guilty of acting officiously or abusing their lawful authority, there needs to be some element of bad faith, which did not appear to be the case for either PSA. There is a question of who the actual owner of the plate is, which would have implications for whether or not an unreasonable seizure occurred. Ultimately, this is a Department issue, and no one employee should be held to account for a practice that has been the norm for many years.

On a final note, the practice of PSA's removing license plates is being corrected departmentally.

Conclusion:

I agree with Professional Integrity's conclusions and recommendations to change the finding from sustained to not sustained.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jimmy Collins', with a stylized flourish extending from the end.

Major Jimmy Collins,
Deputy Superintendent of Reform
Albuquerque Police Department

Cc: Eric Garcia, Superintendent of Police Reform