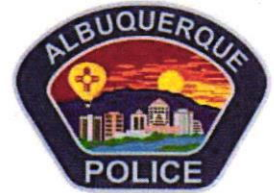




Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Executive Director of Police Reform

October 4, 2023

Interoffice Memorandum

To: Diane McDermott, Interim Executive Director, CPOA
From: Jimmy Collins, Major, Deputy Director of Police Reform
Subject: Non-Concurrence of Finding re: CPC-130-2023

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
2-8-5-A	Exonerated	Sustained

Rationale for non-concurrence of action for 2-8-5-A:

I do not concur with the CPOA finding of exonerated for this violation. Under APD policy 2-8-3-7 which states:

Contact

Any direct interaction with the public during a law enforcement encounter, including phone calls and direct personal interaction. Contact begins with the initial encounter and does not conclude until all intended interactions with the individual terminate. Contact continues through transports until custody is transferred to another entity.

As the policy states, phone calls are defined as a contact and therefore should be recorded which makes the CSS supervisor in violation of 2-8-5-A Mandatory Recording.

Conclusion:

The finding of exonerated was reversed to a sustained finding during the command level review process and the appropriate level of discipline was issued based on the violation.

Respectfully,

Major Jimmy Collins,
Deputy Director of Reform
Albuquerque Police Department

Cc: Eric Garcia, Executive Director of Police Reform