



Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Interim Superintendent of Police Reform

Interoffice Memorandum

January 11, 2022

To: Diane McDermott, Interim Executive Director, CPOA
From: Eric J. Garcia, Interim Superintendent of Police Reform/DCAO
Subject: Non-Concurrence of Findings and/or Discipline re: CPC 140-21

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.

Summary of non-concurrence of finding(s):

Policy	CPOA Finding	APD Finding
All Policies	All Findings	Administratively Closed

Rationale for non-concurrence of all findings in this against Officer D B, Officer M U and Sergeant T J:

I concur with the recommendation provided by Deputy Chief J B as follows:

After receiving CPC 140-21, I conferred with IAPS, Commander C, who confirmed that this incident has already been investigated by IAPS and all discipline imposed. CPC 140-21 is duplicative of I-2021-439 and I am Administratively Closing CPC 140-21 as it has already been investigated by IAPS with no further action required for all officers and Sergeant involved.

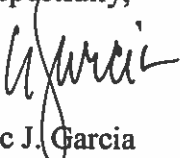
- I B Admin Closed
- M U Admin Closed
- Sergeant T J Admin Closed

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Conclusion:

Based on the aforementioned points of non-concurrence, The CPOA's recommended findings in this case will be nulled and replaced with the disposition of "Administratively Closed" for all involved officers. As a result, no further discipline or other action will be imposed as it relates to these allegations, other than what has been determined in the duplicative Internal Affairs case.

Respectfully,



Eric J. Garcia
Interim Superintendent of Police Reform/DCAO
Albuquerque Police Department, Police Reform Bureau

cc: Harold J. Medina, Chief of Police