



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 149-21

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 Recommended Discipline	APD Recommended Discipline
2-60-4(A)(5)(b)(d)(f)	Verbal Reprimand	NDCA
1-1-6(A)(1)	8 Hour Suspension	Letter of Reprimand

Rationale for non-concurrence of the above listed discipline related to the violation of policy 2-60-4(A)(5)(b)(d)(f) against Officer H C :

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

“This is the Officers first infraction of said offense and does not have a continued pattern nor practice of policy violations. Following the presumptive discipline and the DAP, NDCA is sustained. No further action required.”

Rationale for non-concurrence of the above listed discipline related to the violation of policy 1-1-6(A)(1) against Officer H C -H :

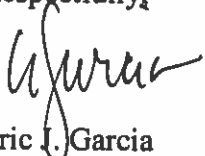
I concur with the recommendation provided by Deputy Chief J B as follows:

“This is the Officers first infraction of said offense and does not have a continued pattern nor practice of policy violations. Following the presumptive discipline and the DAP, Letter of Reprimand is sustained. No further action required.”

Conclusion:

Based on the aforementioned points of non-concurrence, APD is revising the CPOA's recommended discipline in this case as indicated above. The CPOA's recommended discipline in this case is being downgraded due to the Officers' lack of previous history of policy violations, however, all of the revisions remain within the min – max range for each policy violation,

Respectfully,



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

cc: Harold J. Medina, Chief of Police