

CIVILIAN POLICE OVERSIGHT AGENCY

Civilian Police Oversight Agency Board

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October 21, 2022

Harold Medina, Chief of Police
C/O Internal Affairs Unit
Albuquerque Police Department
400 Roma NW
Albuquerque, NM 87102

RE: APD Case #16-003286, IAFD Case #C2016-000002

Dear Chief Medina,

My review of this case included:

- Computer Aided Dispatch Reports
- APD Field Reports
- CIRT Investigation Reports
- Multi-Agency Task Force Reports
- On Body Recording Device Videos
- APD Policy 2-52 Use of Force
- Declination letter dated January 22, 2018
- FRB slideshow

Please note that this is an older case and that the Force Review Board would have been attended by my predecessor, former Executive Director Ed Harness.

My review of the evidence shows that on January 11, 2016, the subject, Mr. S, attempted to rob the Bank of America located at 3101 Carlisle Blvd NE. Responding to and following the directions of the 911 call by a civilian witness, Officers #1 and 2 followed Mr. S into the alley behind a nearby 7-11.

Officer #2 identified herself as police and directed Mr. S to stop. When Mr. S ran, the officers returned to their vehicles and followed him. When they caught up with Mr. S, Officer #1 exited his vehicle and found Mr. S pointing a handgun at him. As Officer #1 tried to stop in his tracks, he slipped and fell. Mr. S took advantage of the situation to run again.

Officer #1 gave chase down Carlisle. As he tried to cross Carlisle, Mr. S tripped and fell to the ground directly in front of Officer #2's patrol car. As he sat back up, Mr. S pointed his gun at Officer #1 again. Perceiving a threat to his life, Officer #1 fired once at Mr. S, striking him in the shoulder.

Mr. S survived his wound.

Finding: The CPOA finds that the use of force in this matter (the shot fired by Officer #1) was, by a preponderance of the evidence, **within policy**. These use of force did not violate APD policies, procedures, or training.

Sincerely,

A handwritten signature in cursive script that reads "Deirdre Ewing".

Deirdre Ewing
Executive Director
Civilian Police Oversight Agency