



Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Executive Director of Police Reform

November 23, 2022

Interoffice Memorandum

To: Deirdre Ewing, Executive Director, CPOA

From: Jimmy Collins, A/Deputy Director of Police Reform

Subject: Non-Concurrence of Action re: CPC-165-2022

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	Sustained NBOOC/ Written Reprimand	Sustained NBOOC/Verbal Reprimand

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

I concur with the recommendation to sustain this violation (Class 6, 1st Misconduct). The evidence shows Officer P did make two phone calls directly related to a call for service and did not record the phone conversations. The definition of a contact under section F in 2-8 clearly includes phone calls.

I noted the following as mitigating circumstances:

Both phone calls were brief (under a minute according to the investigation).

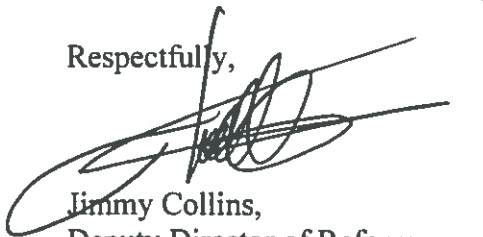
Officer P does not have any prior discipline within allowable timelines.

Officer P does not have a documented history of failing to record citizen contacts based on his employee card.

Conclusion:

Based on these considerations, I believe it is appropriate to deviate from the presumptive level of discipline and issue Officer P a verbal reprimand, which is still within the range of discipline for this class.

Respectfully,



Jimmy Collins,
Deputy Director of Reform
Albuquerque Police Department

RECEIVED CPOA
DEC 7 '22 11:38

Cc:

Eric Garcia, Executive Director of Police Reform