

CIVILIAN POLICE OVERSIGHT AGENCY

Civilian Police Oversight Agency Board

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November 15, 2022

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

RE: APD Case #18-0118590, IAFD Case #C2018-000097

Dear Chief Medina,

My review of this case included:

- Computer Aided Dispatch Reports
- APD Field Reports
- Multi-Agency Task Force Reports
- On Body Recording Device Videos
- APD Policy 2-52 Use of Force
- 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 December 12, 2018, a woman called 911 after the subject, Mr. R, attempted to mug her at gunpoint. Officer #2 contacted the subject at San Pedro and the arroyo. Officer #2 told Mr. R to stop and show his hands. Mr. R, instead, ran. Officer #2 gave chase into the neighborhood.

Mr. R jumped into a backyard and Officer #2 heard multiple gunshots. The homeowner into whose yard Mr. R jumped contacted Officer #4 and told him that Mr. R had jumped into his backyard and shot and killed their dog. Officers #1, 2 and 4 got the family safely out of the house, cleared the house, and found the dog.

Officers #1, 2, and 3 then moved next door and contact the homeowner. They were given permission to enter the backyard to search for Mr. R. Officers #1 and 2 entered the backyard. Officer #1 identified himself as Albuquerque Police and ordered anyone in the

yard to make their presence known. Officers crossed the back yard and came to the side of the house, where Mr. R was hiding behind a wheelbarrow. Mr. R pointed his handgun at Officer #1. Officer #1 responded by firing at Mr. R.

Mr. R died from his wounds.

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

Sincerely,

Deirdre Ewing

Deirdre Ewing
Executive Director
Civilian Police Oversight Agency