

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 #19-0060599, IAFD Case #C2019-000054

Dear Chief Medina,

My review of this case included:

- Computer Aided Dispatch Reports
- APD Field Reports
- IAFD Investigation 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 July 2, 2019, Detective #1 was undercover, conducting surveillance when the subject, Mr. C, pulled up in a black vehicle and parked in front of Detective #1's vehicle. Mr. C exited his vehicle and approached Detective #1's vehicle. Mr. C then struck the windows of Detective #1's vehicle with a firearm.

Within moments, Mr. C stopped striking the vehicle with his firearm and began using the firearm to shoot at Detective #1. Detective #1 returned fire. When the exchange of fire stopped, Mr. C returned to his vehicle and was pulled into the back by two companions.

Mr. C eventually died of a gunshot wound obtained during the exchange of gunfire with Detective #1.

Finding: The CPOA finds that the uses of force in this matter (the shots fired by Detective # 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