CIVILIAN POLICE OVERSIGHT AGENCY

Police Oversight Board *Joanne Fine, Chair* *Valerie St. John, Vice Chair*
Johnny J. Armijo *Eric H. Cruz* *Chelsea Van Deventer*
Chantal M. Galloway *Dr. William J. Kass* *James A. Larson*
Leonard Waites
Edward Harness, Executive Director

POLICE OVERSIGHT BOARD AGENDA

Thursday, February 8, 2018 – 5:00 PM
Vincent E. Griego Chambers

I. **Welcome and call to order.**

II. **Pledge of Allegiance – *Leonard Waites***

III. **Mission Statement – *Joanne Fine***

"Advancing Constitutional policing and accountability for APD and the Albuquerque Community."

IV. **Approval of the Agenda**

V. **Welcome New Board Members**

VI. **Public Comments**

VII. **Review and Approval of Minutes**

VIII. **Discussion**

a. **Selection of New POB Chair and Vice Chair**

b. **Chief's response to POB's submission of SOP 3-41**

c. **Proposal to Create a new POB Coordinating Committee**

IX. **Consent Agenda Cases:**

a. **Administratively Closed Cases**

176-17	190-17	220-17	226-17	227-17	229-17
233-17	235-17	237-17	242-17	243-17	254-17
257-17	258-17	259-17	262-17	004-18	

b. **Cases Investigated**

197-16	130-17	148-17	149-17	154-17	158-17
163-17	197-17	206-17			

X. **Non-Concurrence Cases: 156-17**

XI. **Serious Use of Force/Officer Involved Shooting Cases**

a. **I-172-16 I-23-17**
b. **C2016-23 C2016-69 C2017-1 C2017-6 C2017-8**

XII. POB's Review of Garrity Materials

XIII. Reports from Subcommittees
- **a. Community Outreach Subcommittee – *Johnny J. Armijo***
- **b. Policy and Procedure Review Subcommittee – *Dr. William Kass***
- **c. Case review Subcommittee – *Leonard Waites***
  - **1. Appeals**
- **d. Personnel Subcommittee – *Eric Cruz***

XIV. Reports from City Staff
- **a. APD**
- **b. City Council**
- **c. Mayor's Office**
- **d. City Attorney**
- **e. CPOA – *Edward Harness, Executive Director***

XV. Meeting with Counsel re: Pending Litigation or Personnel Issues:

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues
- **a. Matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1(H)(7); and**
- **b. Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)**

XVI. Other Business
- **a. POB Meeting date for May 2018**

XVII. Adjournment- *Next Regularly scheduled POB meeting will be on March 8, 2018 at 5 p.m. in the Vincent E. Griego Chambers.*

(POB will be taking a dinner break prior to Committee Reports, if possible.)

CITY OF ALBUQUERQUE

January 29, 2018

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

Re: CPC #197-16

Dear Chief Geier:

We concur with the findings of the APD Internal Affairs investigator in this case. This complaint and findings will be presented to the Police Oversight Board for final review on February 8, 2018. If approved, a copy of this letter and the attached findings will be mailed to the citizen. These findings are now considered final. If any changes to these findings are ever contemplated, inform the POB and the CPOA immediately.

The complainant in this case accused the officer of inappropriate touching by a male police officer. Additionally, the complaint stated she had property that was not handled properly.

Please ensure the findings are placed in the officer's retention file.

Please contact me if there are questions or concerns.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Via Certified Mail:

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

FINDINGS

1. **Did Ofc. [redacted] K[redacted] comply with Albuquerque Police Department Procedural Orders 2-82-3B(1), which mandates:**

2-82-3 Procedures.

B. Handcuffing of Prisoners

1. All prisoners will be handcuffed behind their backs and remain so restrained while being transported to a detention medical facility.

After reviewing the facts of this case, we know Officer K[redacted] did not handcuff Ms. [redacted] at first initial contact. He assisted Sergeant T[redacted] while she conducted a pat down of Ms. [redacted] Due to the threats Ms. [redacted] made in reference to wanting to harm herself, it is state law that she be transported for a mental health evaluation. Ms. [redacted] was transported by Albuquerque Ambulance and it was Albuquerque Ambulance staff that restrained Ms. [redacted] to the medical bed due to her being uncooperative with staff. Being that Ms. [redacted] had an outstanding warrant, she was under arrest and not free to leave. Officer K[redacted] followed the ambulance to the hospital and when he made contact with Ms. [redacted], he placed one handcuff around the side of the hospital bed and the other handcuff around the wrist of one of Ms. [redacted] arms. It is the opinion of the Internal Affairs Section that this issue is:

"NOT SUSTAINED" which means the investigation is unable to determine, by a preponderance of the evidence, whether the alleged misconduct occurred.

2. **Did Officer [redacted] K[redacted] comply with Albuquerque Police Department Procedural Orders 2-82-3C(1) which mandates:**

2-82-3 Procedures.

C. Searching Prisoners

1. When making an arrest, an officer shall carefully search the prisoner and take possession of all weapons and evidence prior to placing the prisoner in the police vehicle.

After reviewing the facts of this case, it is known that Officer K[redacted] assisted Sergeant T[redacted] by holding Ms. hands on top of her head, while Sergeant T[redacted] conducted the pat down . We also learned that Officer K[redacted] did not transport Ms. anywhere. The ambulance transported her to the hospital and upon her release form the hospital she was transported to MDC by Officer P[redacted] It is the opinion of the Internal Affairs Section that this issue is:

"UNFOUNDED," where the investigation determines, by clear and convincing evidence, that the alleged misconduct did not occur or did not involve the subject officer.

3. **Did Officer [redacted] K[redacted] comply with Albuquerque Police Department Procedural Orders 2-82-3C(2) which mandates:**

2-82-3 Procedures.

C. Searching Prisoners

2. In the event the prisoner is turned over to another officer for transportation, the transporting officer shall take the same precaution.

After reviewing the facts of this case this issue of concern does not apply to the subject of this investigation. Officer K[redacted] did not transport Ms. [redacted] and only guarded her while at the hospital. It is the opinion of the Internal Affairs Section that this issue is:

"UNFOUNDED," where the investigation determines, by clear and convincing evidence, that the alleged misconduct did not occur or did not involve the subject officer.

4. **Did Officer [redacted] K[redacted] comply with Albuquerque Police Department Procedural Orders 2-82-3C(3) which mandates:**

2-82-3 Procedures.

C. Searching Prisoners

3. If possible, prisoners will be searched by personnel of the same sex. If personnel of the same sex are not immediately available at the arrest scene, officers will search for weapons consistent with approved officer survival techniques.

After reviewing the facts of this case, there does appear to be some inconsistencies with Ms. statement, alleging inappropriate touching and the order of events. Ms. first alleged she was searched by Officer K[redacted] when she was in her hospital room. She stated he searched her person and looked up her bra. She also alleged he told her he would let her go if she displayed good behavior. Then she alleged he told her she had nice breasts. Officer K[redacted] was interviewed and advised he did not search Ms. and once she was at the hospital he handcuffed her to the bed. He was not recording this portion of his contact due to Ms. being a patient at the hospital which was within Department policy. When Ms. was interviewed she failed to state the allegation right off and was more concerned with being arrested. When Sergeant S[redacted] interviewed Ms. she failed to bring up the allegation. She was reminded of her statement, and she still did not state that he looked up her bra or made no reference to her breasts. She only stated he searched her and that he was inappropriate and only a female should search her. When asked when this occurred, she stated right before he placed her in the police car. It was learned that at no time did Officer K[redacted] place Ms. in a police car. She was transported from the hospital to the Prisoner Transport Center by Officer P[redacted]. After reviewing Officer P[redacted] video, no such incident took place and no such conversation was had. It is the opinion of the Internal Affairs Section that this issue is:

"NOT SUSTAINED" which means the investigation is unable to determine, by a preponderance of the evidence, whether the alleged misconduct occurred.

1. **Did Sgt. [redacted] T[redacted] comply with Albuquerque Police Department Procedural Orders 2-73-2M(3)(f) which mandates:**

2-73-2 Rules.

M. Disposition of evidence.

3. Safekeeping Property: submission and Disposition

f. Objects or articles of non-evidentiary nature may be left with the next of kin or secured at the scene at the time of preliminary investigation. Property items that are taken into police custody shall be tagged into evidence for safe keeping. They shall not be released to anyone other than the court or a person authorized to receive them by either a court order or the officer. Prescription drugs belonging to the deceased and seized as part of the preliminary investigation will not be released to a next of kin. Upon completion of the investigation, the drugs will be be destroyed by the evidence unit procedures.

After reviewing the facts of this case it was learned that Sergeant T[redacted] took possession of Ms. purse after she was in police custody. At her request Sergeant T[redacted] attempted to contact Ms. friend, to turn the purse over in an attempt to avoid the purse being tagged into evidence. Sergeant T[redacted] was not successful in her attempt to contact Ms. friend. Sergeant T[redacted] advised she locked the purse up inside her desk located in her office at the Southeast substation. Sergeant T[redacted] advised she had the intention to attempt to contact Ms. friend again, however she did not and forgot about it. Sergeant T[redacted] should have just tagged the purse at that point when she was not able to make contact with the friend. The SOP does allow for a supervisor to make an exception to tagging items as long as evidence is placed in a secure setting within a police building such as a safe, locker or cabinet. The desk would be sufficient, however it states the items will be sealed in a bag and have the officers' initials and date across the seal which was not performed. It is the opinion of the Internal Affairs Section, that this issue is:

"SUSTAINED" where the investigation determines, by a preponderance of the evidence, that the alleged misconduct did occur.

Detective C. DuBois
Internal Affairs Section

CITY OF ALBUQUERQUE

February 9, 2018
Via email

Re: CPC #148-17

Dear Mr. [redacted]

Our office received the complaint you filed on April 19, 2017 against Officer B. of the Albuquerque Police Department (APD) regarding an incident that occurred on April 18, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

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Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

[redacted] said that on April 18, 2017, at approximately 3:40 AM he was traveling westbound on Paseo Del Norte, on his way to work at Riverpoint Sports and Wellness and noticed a car speed up to catch up to him. Mr. [redacted] said he slowed down so the car could pass but the car also slowed down with him, so he sped up, again, and the car sped up with him. He said it was dark out and he couldn't see what type of car was following him, which made him worry so as he neared closer to Coors Blvd he sped up in an attempt to lose the other car. When he got to the light at Coors and Paseo del Norte he realized it was an APD police car following him. The officer turned on his lights and pulled Mr. [redacted] over in front of his workplace at exactly 3:45 AM.

Mr. complained that the officer who stopped him, Officer B. approached his window and shouted at him to produce his license and registration and asked him if he had any idea how fast he was going and told him he was being reckless and endangering his own life and the lives of others around him. He said he was startled by how intense Officer B. was with him and complained Officer B. was being combative towards him and trying to provoke a sassy response. He complained that when he smiled and chuckled at Officer B., Officer B. told him this wasn't a laughing matter and that he needed to stop laughing, which allegedly scared him and made him nervous. He complained Officer B. was bullying him and profiling him when he asked him if he owned the truck. He complained Officer B. didn't introduce himself. He complained that after Officer B. wrote him a ticket for going 28 mph over the speed limit he told him to sign the ticket and if he didn't he would spend the day in jail and see a judge in the morning. He complained Officer B. tried to provoke him, again, by stating, "I thought you were running late to work? Do you need someone to hold your hand while you do this?" He complained that when Officer B. was handing him his license back, Officer B. intentionally dropped it inside his truck and when he asked if he could open his door to retrieve it, Officer B. told him not to open his door until Officer B. was gone.

Mr. complained Officer B.'s behavior was unprofessional made him feel unsafe, scared and violated because of his unnecessary aggressive behavior towards him.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER B.'S CONDUCT

The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable SOPs; the Complaint; the speeding citation; the interview with Officer B., and printouts obtained from www.nmcourts.gov.

A) The CPOA reviewed APD SOP 1-1-4(D)(15), which states:

1-1-4 PERSONNEL CODE OF CONDUCT: RULES OF CONDUCT

D. On-Duty Conduct

15. Personnel will treat the public with respect, courtesy and professionalism at all times.

Mr. complained that Officer B. shouted at him when asking for his license and registration and asking if he knew how fast he was going. He complained Officer B bullied and profiled him because he asked him if the vehicle was registered to him. He complained Officer B didn't introduce himself, and tried to provoke Mr. by asking him about running late for work and asking if he needed someone to hold his hand. He complained Officer B deliberately dropped Mr. driver's license inside his truck when he handed it back to him. He complained that Officer B was unprofessional and inept, and made him feel unsafe, scared and violated because of his unnecessary aggressive behavior towards him.

Mr. was not interviewed as he didn't respond to several attempts to interview him. The following evidence was reviewed: the written complaint, the CADS report, the Traffic Citation, previous speeding cases involving Mr. and the interview with Officer B.. The evidence showed that Officer B. issued a traffic citation for speeding only, when he could have added charges of reckless driving and failure to yield. There was no lapel video available for review due to the 120 day automatic deletion of videos on Evidence.com; therefore, I am unable to corroborate or refute Mr. aforementioned allegations of unprofessionalism; however, his unwillingness to contact me for an interview and his previous driving history calls into question his truthfulness about the aforementioned allegations.

The CPOA finds Officer B.'s conduct **UNFOUNDED** regarding the allegation of a violation of this SOP, which means the investigation determined, by clear and convincing evidence, that the alleged misconduct did not occur or did not involve the subject officer.

Your complaint and these findings are made part of Officer B.'s Internal Affairs records.

You have the right to appeal this decision.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
D) The findings by the POB were not supported by evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the city's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #149-17

Dear Mr.

Our office received the complaint you filed on April 26, 2017 against Officer M. of the Albuquerque Police Department (APD) regarding an incident that occurred on April 16, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

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Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Mr. said that he was arrested by APD Officer M. on April 16, 2017 at approximately 1430 hours. He said his chest was hurting so Emergency Medical Services (EMS) personnel were called and transported him to the hospital. He complained Officer M. assumed he swallowed narcotics but an x-ray showed he hadn't ingested anything. He said he tested positive for opiates because he has many prescriptions for opiates. He said he has a case pending with Children, Youth and Family Department (CYFD) and complained that when CYFD contacted Officer M. about his arrest, Officer M. violated his HIPPA rights by telling CYFD that he tested positive for heroin. He complained that while it is true he tested

positive for opiates, it wasn't up to Officer M. to determine whether it was heroin or another opiate. He complained that CYFD is trying to terminate his parental rights as a result of Officer M.'s uneducated statement. He said the doctor who examined him told CYFD that they would need a release form in order for information regarding the positive opiate test to be disclosed to them.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER M.'S CONDUCT

The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable SOPs, the Complaint, the CADS report, Officer M.'s report and interview, and lapel videos.

A) The CPOA reviewed SOP 2-92-3(D)(2)(e), which states:

2-92-3 CRIMES AGAINST CHILDREN

D. Confidentiality of Records Pursuant to NMSA 1978 32A-4-33

2. The records described in Subsection 1 of this section shall be disclosed only to the parties and:
e. CYFD department personnel.

Mr. complained that after he was arrested by Officer M. he complained of chest pains and was transported to the hospital where Officer M. assumed he swallowed narcotics but an x-ray showed he hadn't ingested anything. He tested positive for opiates and complained that when CYFD contacted Officer M. about his arrest, Officer M. violated his HIPPA rights by telling CYFD that he tested positive for heroin. He complained this is the reason CYFD is trying to terminate his parental rights.

Mr. was not interviewed as he provided an incorrect telephone number and failed to respond repeated attempts to contact him via email. The evidence showed that Officer M. arrested Mr. for domestic violence and cruelty to a child. While being booked at the Prisoner Transport Center (PTC), he complained of chest pains and told Officer M. he had swallowed 4 grams of heroin in plastic wrap prior to his contact with Officer M.. When medical personnel arrived, Mr. also told them he had swallowed 4 grams of heroin in a plastic bag prior to being transported to UNMH for evaluation. UNMH nursing staff told Officer M. that Mr. had tested positive for narcotics and would be evaluated and treated for an overdose. The evidence showed that Mr. made the initial contact with his CYFD caseworker to talk about an upcoming hearing and the caseworker, in turn, contacted Officer M. because she needed information regarding the arrest for a hearing that was taking place the day she called. Officer M. told the caseworker the nature of the call, Mr. arrest, and the reason Mr. had to go to the hospital, which included Mr. statement that he had ingested 4 grams of heroin in a plastic bag. Officer M. was authorized to share this information with the CYFD caseworker as confidentiality of records does not apply to CYFD personnel in cases such as this.

The CPOA finds Officer M.'s conduct **EXONERATED** regarding the allegation of a violation of this SOP, which means the investigation determined, by a preponderance of the evidence that the alleged conduct did occur or did but did not violate APD policies, procedures, or training.

Your complaint and these findings are made part of Officer M.'s Internal Affairs records.

You have the right to appeal this decision.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
D) The findings by the POB were not supported by evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the city's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #154-17

Dear Ms.

A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your Complaint against Officers of the Albuquerque Police Department (APD) on September 12, 2017, regarding an incident that occurred on April 3, 2017. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation, the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation, and findings.

I. THE COMPLAINT AND INVESTIGATION

Ms. wrote an officer, later identified Officer A, followed her for about a block, and then pulled her over. Ms. wrote Officer A asked her if she had anything to drink. Despite her telling him she did not drink, Officer A then asked her to follow his finger with her eyes. Ms. asked Officer A if he was giving her a sobriety test and that, he had a duty to inform her that was his intention. Ms. wrote she believed that was a violation of her rights.

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Ms. wrote Officer A returned with a speeding citation and she informed the officer she wished to go to court for the citation. Ms. claimed Officer A told her she could not fight the citation in court due to his radar and could issue her a second ticket for an unsigned registration. Ms. wrote she felt pressured into paying the citation instead of having options. Ms. , wrote that was unprofessional conduct and a violation of her rights.

The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable SOPs, the complaint, the Computer Aided Dispatch (CAD), and Officer A's interview. Ms. did not participate in the investigative process. Ms. cancelled her set appointment and then did not respond to voicemails or the email asking her to reschedule.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER A'S CONDUCT

A) The CPOA reviewed Standard Operating Procedural Order 2-41-2A2a regarding Officer A's conduct, which states:

If a citation is to be issued, officers will: Explain all options to the driver/violator.

Ms. wrote she wanted to take the ticket to court. Ms. claimed Officer A told her he used a laser beam and that she could not fight the ticket. He also told her he could issue her a second ticket for not signing her registration. Ms. claimed she felt pushed by Officer A just to pay the ticket. She felt the officer's insistence was unprofessional.

Officer A stated he generally does not offer penalty assessment for tickets and instead sets up the violator for traffic arraignment. Officer A denied pressuring Ms. into just paying her ticket. Officer A stated he likely told Ms. how he determined she was speeding, which was by using radar. Officer A mentioned he could have issued her a second citation, but did not issue a second citation. Officer A believed Ms. perceived him as a jerk so he tried to demonstrate he in fact was cutting her a break by not issuing an additional ticket. Officer A believed he was professional in his dealings with her.

Ms. version and Officer A's version differ as to what was discussed about ticket options. Ms. did go to court for her ticket. Ms. , did not cooperate with the investigative process. The lapel video was no longer available for review. It does not appear APD collects data on the number of tickets issued by an officer compared to the number with penalty assessments versus court settings by that officer.

The CPOA finds Officer A's conduct to be **NOT SUSTAINED** where the investigation was unable to determine whether the alleged misconduct occurred.

Other issue:

Ms. complained that Officer A asked her to perform a sobriety test, but did not inform her he was having her complete a sobriety test. Officer A explained the various behaviors that would prompt him to ask if an individual had something to drink and perform a

seated HGN, which is minimally intrusive. Officer A explained he had a duty to rule out possible intoxication. The seated HGN aided Officer A in determining he did not need to go further in a DWI investigation. In reviewing the SOPs there is no duty to inform a person specifically about sobriety tests. There are however, officer responsibilities to investigate potential violations, especially those in the interest of public safety such as DWI.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
D) The findings by the POB were not supported by evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the city's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #156-17

Dear Ms.

A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your Complaint against Officers of the Albuquerque Police Department (APD) on September 12, 2017, regarding an incident that occurred on March 19, 2017. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation, the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation, and findings.

I. THE COMPLAINT AND INVESTIGATION

The CPOA Investigator spoke to in order to set up an appointment for an interview. Ms. did not wish to pursue the complaint and wanted to withdraw, therefore she did not provide an interview. Ms. stated her main concern was the return of her purse, which she did receive back. She did not mention that her mother in fact received the purse from Officer A. The CPOA Director thought it was best to continue with the investigation so the investigation was completed based off the written complaint.

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Ms. wrote she attempted to reach Officer A several times in order to retrieve her purse. Ms. wrote her purse was kept in Officer A's patrol car instead of being tagged into Evidence where she could retrieve it. Ms. finally had a conversation with Officer A and Officer A said he would deliver the purse to her home, but did not follow through.
The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable SOPs, the complaint, the police report, Officer A's interview, and the lapel videos from Officer A and Officer B. Ms. did not participate in the investigative process.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER A'S CONDUCT

A) The CPOA reviewed Standard Operating Procedural Order 2-73-2B2 regarding Officer A's conduct, which states:

All articles of evidence, safekeeping, and found items will be tagged/entered into evidence using OIM and submitted to the Evidence Unit and deposited in substation drop boxes by the end of the officer's tour of duty. Only a supervisor due to exigent or unusual circumstances can authorize exceptions to this; however, the evidence must be placed in a secure setting within a police building such as a safe or a locker or a cabinet that can be secured under the direct control of the supervisor…

Ms. wrote she attempted to reach Officer A several times in order to retrieve her purse. She understood Officer A kept her purse in his patrol car instead of tagging it into Evidence. She eventually received her purse.

Officer A stated he arrested Ms. and took her to the Prisoner Transport Center (PTC). PTC stated Ms. purse was too large to be accepted at the jail so Officer A told her he was going to tag it into Evidence for safekeeping. Officer A had a family emergency sometime around this date and did not make it to Evidence so he agreed he had Ms. purse in his trunk. He also mentioned Ms. had several products such as lotions that would have had to be thrown away if he had tagged the purse into Evidence. Ms. contacted him, but between her work and his family situation, they were unable to connect. He also spoke with Ms. mother and eventually returned the purse to her.

The lapel video showed Ms. purse was rather large. Officer A admitted he did not tag her purse into Evidence because he became side tracked with a family situation. APD payroll did not have record of Officer A taking additional time off to explain why the purse could not have been tagged in a timely fashion; Officer A did not mention he sought a supervisory exception. Officer A mentioned, as an additional reason he did not tag the purse into safekeeping, was that several of her items would have been disposed of such as lotions. SOP 2-73-2B6 does state that liquids will not be tagged as evidence. Officer A should have tagged the purse into Evidence and documented the destruction or removal of any items that were prohibited from being tagged into Evidence.

The CPOA finds Officer A's conduct to be **SUSTAINED** where the investigation determined that the alleged misconduct did occur.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
D) The findings by the POB were not supported by evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the city's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #158-17

Dear Ms.

A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your Complaint against Officers of the Albuquerque Police Department (APD) on September 12, 2017, regarding an incident that occurred on March 26, 2017. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation, the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation, and findings.

I. THE COMPLAINT AND INVESTIGATION

Ms. was pulled over for speeding, but Officer A then asked her if had been drinking. Ms. had not been drinking, but Officer A had her perform sobriety tests. Officer A arrested her for suspicion of DWI and had her vehicle towed. When she took the breath test, her results were zero so Ms. believed the whole thing was unnecessary and the tow caused her an expense.

The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable SOPs, the complaint, the computer

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aided dispatch (CAD), the police report, Officer A's interview, and Ms. Fierro's interview. There was no lapel video to review as it was tagged non-evidentiary and deleted within 120 days.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER A'S CONDUCT

A) The CPOA reviewed Standard Operating Administrative Order 3-19-3B3b regarding Officer A's conduct, which states:

Officers shall abide by the following principles b. Make only those arrests, searches, and seizures, which they know or should know, are lawful and do so in accordance with related departmental procedures.

Ms. stated she was pulled over for speeding, but Officer A asked her if she had anything to drink. She thought his question strange because she had not been swerving. Ms. originally said she had nothing to drink, but then told Officer A she had a sip of something she did not know contained alcohol. Ms. stated Officer A had her complete several sobriety tests, which she believed she performed correctly. Officer A also looked at her eyes and she described a Horizontal Gaze Nystagmus (HGN) test. Officer A placed her under arrest, which she believed was unnecessary since she had not been drinking and he should have used a Portable Breath Test (PBT) instead of taking her to the Prisoner Transport Center (PTC).

Officer A pulled Ms. over for speeding, but upon contact, Officer A stated he smelled alcohol and noticed Ms. eyes were watery. These observations prompted Officer A to ask if Ms. had anything to drink. According to Officer A, Ms. admitted to having one or two drinks with her father earlier. When asked if she admitted to sips versus full drinks he did not recall. He did not think the odor he smelled would have existed with just a sip. Based on his observations and her admission he had Ms. perform a seated HGN. The results of the HGN indicated to him that she likely had a breath score that would be .08 or higher. At that point, he requested Ms. complete the field sobriety tests. She performed poorly on the tests. Officer A believed she was impaired. Officer A placed Ms. under arrest for the suspicion of DWI. He did not carry a PBT device at that time. Officer A transported Ms. to the PTC to have her take a breath test. Officer A received readings of zero. Her breath score was not consistent with what he saw in the HGN or her performance on the sobriety tests. He also could not account for the odor of alcohol other than she might have had such a small amount that her body processed it from the initial contact time to when the breath sample was taken. Officer A explained to Ms. why he arrested her. He explained that she had nystagmus in her eyes, which indicated alcohol consumption most of the time. However, some individuals have a medical condition that can cause nystagmus. He suggested she advise officers in the future if she had a similar situation. She seemed to understand the situation at the time. He was not DRE certified at the time to assess her for other narcotics.

Officer A observed nystagmus in Ms. eyes and Officer A notated the errors in Ms. performance during the field sobriety tests. Ms. believed she performed well, but admitted Officer A had not told her anything about her performance. Officer A had

probable cause to affect the arrest. As to Ms. claim that Officer A should have used a PBT, SOP 2-42-2Ba states that officers must have probable cause a driver is driving while intoxicated before utilizing a PBT. However, SOP 2-42-2Bc states that the carrying and use of a PBT is voluntary. Officer A did not carry one at the time and so his option was to have Ms. provide a breath sample at the PTC when she was under arrest. Officer A stated natural nystagmus is rare, but it does occur. Ms. was unaware she had the condition. Once intoxication was ruled out, she received no charges. She received a warning for the original speeding infraction.

The CPOA finds Officer A's conduct to be **EXONERATED** where the investigation determined that the alleged conduct did occur, but did not violate APD policies, procedures, or training.

B) The CPOA reviewed Standard Operating Procedural Order 2-48-2B1 regarding Officer A's conduct, which states:

Vehicles will be towed when 1. The driver has been incapacitated, hospitalized, arrested, or when the vehicle cannot be released to a responsible party. Officers will not tow if the vehicle is parked at the driver's place of residence, or his/her registered address.

Ms. thought the tow was unnecessary and that caused her an expense. She had asked for the vehicle to be taken to her home since she was just down the street, but Officer A said that was not procedure.

Officer A had Ms. vehicle towed since she was under arrest. Her vehicle was not at her place of residence.

Officer A had her vehicle towed since she was under arrest for the suspicion of DWI. Once she was released without charges she was taken home by a PSA, but her vehicle had already been towed.

The CPOA finds Officer A's conduct to be **EXONERATED** where the investigation determined that the alleged conduct did occur, but did not violate APD policies, procedures, or training.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,

C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
D) The findings by the POB were not supported by evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the city's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #163-17

Dear Ms.

A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your Complaint against Officers of the Albuquerque Police Department (APD) on September 21, 2017, regarding an incident that occurred on April 26, 2017. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation, the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation, and findings.

I. THE COMPLAINT AND INVESTIGATION

Ms. complained she received phone calls from the police that she did not answer. Then two officers came to her home based on false information from a third party, her bank. The officers stood at a distance away from her door, which allowed neighbors to hear her personal and medical information. The officers did not leave when she told them to leave and that she did not need assistance. Ms. stated both officers were very disrespectful.

The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable SOPs, the complaint, the Computer

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Aided Dispatch (CAD), the 911 call from the bank, Ms. interview, Officer B's interview, Officer V's interview, and lapel videos from Officer B and V.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER B'S CONDUCT

A) The CPOA reviewed Standard Operating Administrative Order 3-13-3B3a regarding Officer B's conduct, which states:

Officers shall abide by the following principles: a. Take appropriate action and render assistance in any instance that comes to their attention, whether on duty or off duty.

Ms. was upset that officers came to her home based on hearsay from the bank that she threatened her own life, which she claimed was false. Ms. complained the officers stayed when she wanted them to leave. Ms. also felt if the officers were going to bother someone at their home they should come with more information than these officers did. She complained the officers stayed for "quite some time."

Officer B was dispatched to a welfare check potential suicide call. The 911 call from the bank to the police was reviewed and the bank associate explained their concerns and the threats Ms. allegedly made. Dispatch tried to contact Ms. over the phone first, but Ms. refused to answer the phone. There was no historical information from the Real Time Crime Center (RTCC) to aid in knowing more of the situation. Officers contacted Ms. who answered the door. Ms. insisted she was all right and begged to be left alone. These were potential indicators that Ms was losing control as described in APD SOP 2-19-6. Even though Ms. made it clear she did not want police intervention, it was the officers' duty to try to assess Ms. and offer assistance. The officers offered her psychiatric services as part of their diligence, but there was no discussion about Ms. medical conditions. Officer B remained past Ms. initial requests for police to leave in order to continue to offer help as often individuals in crisis deny the first offer, but sometimes accept help when they feel more comfortable. The officers disengaged since they did not have enough to prolong the contact or continue further action. The lapel video showed the officers had contact with her for less than six minutes.

The CPOA finds Officer B's conduct to be **EXONERATED** where the investigation determined that the alleged conduct did occur, but did not violate APD policies, procedures, or training.

B) The CPOA reviewed Standard Operating General Order 1-1-4D15 regarding Officer B's conduct, which states:

Personnel will treat the public with respect, courtesy, and professionalism at all times.

Ms. complained the officers were disrespectful when they stood so far from her door and shouted so that all the neighbors could hear her business. Ms. stated that Officer B had a "hateful" attitude and told her in a nasty tone, "shut your" and she assumed Officer B

was going to say mouth, but instead shifted her final word to door. Ms. stated Officer B was very rude and had no business telling her to shut anything.

Officer B stood further away from the door because there was mention of a weapon. Standing directly in front of the door would have been unsafe. Ms. refused to come out where officers could see her better and Ms. refused to allow officers entry into her home so they could see her better and discuss things more privately. The distance at which they spoke to Ms. was due to Ms. lack of cooperation, but Officer B did not need to yell as Ms. claimed, as the distance was not that far. Officer B stated she spoke in a normal tone of voice. Officer B stated she treated Ms. professionally and denied that she told her to shut her door or mouth. She rejected Ms. description that she was "hateful."

The lapel videos showed Officer B tried to assess Ms. but did not insult her or shout her business so loudly that the neighbors could hear. The lapel video showed the officers stood just at the corner of the house along her walk instead of the funnel created by the sides of the house at the door. Ms. insisted Officer B made a disrespectful and uncalled for remark, but it was not on the lapel video. Ms. believed the officer muted her camera because she did not hear the comment on the lapel video when she watched it, but the cameras at the time did not have a mute capability. The lapel video showed the interaction was professional.

The CPOA finds Officer B's conduct to be **UNFOUNDED** where the investigation determined that the alleged misconduct did not occur.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER V'S CONDUCT

A) The CPOA reviewed Standard Operating Administrative Order 3-13-3B3a regarding Officer V's conduct, which states:

Officers shall abide by the following principles: a. Take appropriate action and render assistance in any instance that comes to their attention, whether on duty or off duty.

Ms. was upset that officers came to her home based on hearsay from the bank that she threatened her own life, which she claimed was false. Ms. complained the officers stayed when she wanted them to leave. Ms. also felt if the officers were going to bother someone at their home they should come with more information than these officers did. She complained the officers stayed for "quite some time."

Officer V was dispatched to a welfare check potential suicide call. The 911 call from the bank to the police was reviewed and the bank associate explained their concerns and the threats Ms. allegedly made. Dispatch tried to contact Ms. over the phone first, but Ms. refused to answer the phone. There was no historical information from the Real Time Crime Center (RTCC) to aid in knowing more of the situation. Officers contacted Ms. who answered the door. Ms. insisted she was all right and begged to be

left alone. These were potential indicators that Ms. was losing control as described in APD SOP 2-19-6. Even though Ms. made it clear she did not want police intervention, it was the officers' duty to try to assess Ms. and offer assistance. The officers offered her psychiatric services as part of their diligence, but there was no discussion about Ms. medical conditions. Officer V remained past Ms. ; initial requests for police to leave in order to continue to offer help as often individuals in crisis deny the first offer, but sometimes accept help when they feel more comfortable. The officers disengaged since they did not have enough to prolong the contact or continue further action. The lapel video showed the officers had contact with her for less than six minutes.

The CPOA finds Officer V's conduct to be **EXONERATED** where the investigation determined that the alleged conduct did occur, but did not violate APD policies, procedures, or training.

B) The CPOA reviewed Standard Operating General Order 1-1-4D15 regarding Officer V's conduct, which states:

Personnel will treat the public with respect, courtesy, and professionalism at all times.

Ms. complained the officers were disrespectful when they stood so far from her door and shouted so that all the neighbors could hear her business. Ms. felt Officer V was particularly disrespectful by hiding around the corner of her house. She also believed Officer V violated her HIPAA rights by shouting so that the neighbors could hear the offer for psychiatric services.

Officer V explained their safety was a concern and they do not just "knock on doors and see what is on the other end." Officer V explained their tactic in this situation was to knock on the door and then retreat to a position of cover or concealment. They stood further away because the concern was if she had a gun and was willing to use it against herself, she might use it against them. Their position was tactically better than right at the door. When Ms. answered the door, it was difficult to see her through the perforated metal and they could not see her hands clearly. Ms. refused to exit or allow them entry. While Ms. spoke to them, he did not recall seeing any neighbors outside listening. He said nothing about her medical conditions and he never accessed medical records contrary to her HIPAA violation claim. Their goal was to talk to her, assess her, and then talk to the third party so they were not relying on just the one side, but Ms. did not want to cooperate.

The lapel videos showed Officer V did not discuss any medical conditions nor did he know anything about Ms. medical history. Ms. might have felt the conversation broadcast her business, but the video showed the officers were not shouting and her decision not to talk to officers outside or allow them in the home created the necessity of speaking to her at somewhat of a distance. The lapel videos showed the officers stood at the corner of the house along her walk instead of the funnel created by the sides of the house at the door. Officer V left after a brief period when he did not have enough to prolong the conversation. The interaction was professional.

The CPOA finds Officer V's conduct to be **UNFOUNDED** where the investigation determined that the alleged misconduct did not occur.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
D) The findings by the POB were not supported by evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the city's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #176-17

Dear Mr.

A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint against Officers of the Albuquerque Police Department (APD) on October 26, 2017, regarding an incident that occurred on or about May 29, 2017 and May 30, 2017.

I. THE COMPLAINT

submitted a complaint about two separate incidents on one complaint form. His first complaint was that on May 29, 2017 at 2330 a uniformed officer came to Coronado Park and kicked out the approximate seventy-five people sleeping there. Mr. claimed as long as he was in the presence of an officer he asked the officer to file a police report for him regarding his missing ID and other property contained in his wallet that he lost. The officer told him he needed two forms of ID in order to file a report and therefore refused to take the report since Mr. did not have identification. Mr. said the officer had an annoyed tone. Mr. said the officer was in a usual street uniform in a marked car, but he did not get the car number. He could not remember if he saw the badge number of 5395 or if the officer told it to him and he wrote it down, but admitted he could have written it down incorrectly. Mr. said there was a witness, but he only knew her name as and that she hung out at Good Shepherd or St. Martins.

Mr. also complained about an incident on May 30, 2017 where he called both the non-emergency number and the emergency number, but officers never responded. He called because called someone and asked that person to call police on him. He suspected she would lie and say he hit her so he wanted his story told. Mr. also said one or both of the Operators hung up on him. Mr. did not remember the phone number he used to call police.

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II. INVESTIGATION

The CPOA Investigator contacted CADs to find the May 29, 2017 incident. CADs could not find a call for service at the park on that date and approximate time. The CPOA Investigator had payroll look up the man number provided by Mr. . The man number belonged to a SWAT officer. Payroll said that officer was on a call out from 1930-2130 that night. The officer was on a normal shift on May 30th from 0900-1900. Since the officer was in SWAT, on a call out shortly before Mr. 's alleged contact, and had a regular shift the next day the officer would not have been in a street uniform taking normal calls for service when Mr. claimed he had contact with him. It is likely Mr. had the wrong officer man number. The CPOA Investigator contacted St. Martins, but the shelter was familiar with one woman named , but had not seen her in a while. The shelter said they would leave a message for her, but she never contacted the office. Good Shepherd was a shelter for men only and the worker there did not know a , but they feed hundreds a day.

The CPOA Investigator reviewed the police report and CAD from the incident on May 30. People associated with Ms. had made two calls. There was a slow response time notated on the CADs due to higher priority calls. There was no related call coming from Mr. located by CADs so any Operator he might have spoken to could not be identified. There were verified delays for that day on the CADs.

III. CONCLUSION

The CPOA has made the decision to **ADMINISTRATIVELY CLOSE** the complaint, as Mr. Gabaldon did not identify the officer correctly, there was not enough information to pursue either complaint, and the allegations were minor in nature.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Email

Re: CPC #190-17

Dear Ms.

Our office received the complaint you filed on July 20, 2017 against unknown Albuquerque Police Department (APD) Officers and employees regarding an incident which occurred on July 20, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the Albuquerque Police Department (APD) Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Ms. stated that on July 20, 2017, at approximately 1120 hours she was driving on 11th Street, North of Lomas Blvd, when she witnessed a red truck following and then chasing and trying to run over a woman walking on foot. Ms. said she picked up the female pedestrian to help her and then the red truck proceeded to chase them in Ms. vehicle. Ms. said she called 911 and the male operator who answered did not ask her any relevant questions, such as their direction of travel, but asked to speak to the female pedestrian. Ms. said the female pedestrian was crying and shaking and not very

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coherent but tried to answer the 911 operator's questions. Ms. complained the 911 operator either hung up on the female pedestrian or the phone cut off but no one called back. Ms. said she took the female pedestrian to the APD Community Substation at Central and Rio Grande with intentions of helping her file a report but the woman at the community substation said there were no officers available to take the report and told the female pedestrian to call and file the report herself. Ms. asked the female pedestrian if she would stay at the substation until she reached an officer and the pedestrian said she would so Ms. left. Ms. complained that her life and that of the female pedestrian were in danger and there was no one to help them and no one did a follow-up to her 911 call.

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and attempted to contact you at the number listed on the complaint and was unsuccessful. The Investigator conducted a preliminary investigation into your complaint and was unable to locate any reports or 911 tape recordings regarding the incident about which you spoke in your complaint.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint due to an inability to target a specific APD officer(s) and/or employee(s).

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #197-17

Dear Mr.

Our office received the complaint you filed against Officer N. of the Albuquerque Police Department (APD) regarding an incident that occurred on July 1, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate the complaint. The CPOA thoroughly and impartially investigated the complaint.

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Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

On July 1, 2017, Mr. was involved in a verbal altercation with another person at his apartment complex located at 12400 Montgomery Boulevard NE. The other person allegedly pointed a gun at Mr. so he called the police. Mr. told the dispatcher that he did not want to fight the other person but he will "pop" him. Two officers arrived on scene and contacted Mr. , who was noticeably upset. Mr. wrote in his complaint that the officers asked him to come out of his apartment and they searched him against his consent. Mr. complained that his rights were violated and he was discriminated against.

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER N.'S CONDUCT

The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable Standard Operating Procedures (SOPS), the Complaint, the Computer Assisted Dispatch (CAD) report and interviews with Officer N. and Officer K..

A) The CPOA reviewed Standard Operating Procedure 3-13-3B (3b) regarding APD Officer N.'s conduct, which states:

Officers shall…make only those arrests, searches, and seizures which they know or should know are lawful and do so in accordance with related departmental procedures.

Mr. complained that the pat search that he was subjected to violated his rights. Department policy states that a pat search is the feeling of the outer garments of an individual with the sole purpose of detecting a weapon, allowing the officer to conduct a brief field interview without the threat of violence. A pat down can only be conducted when the officer has a reasonable, articulable belief that a person may be presently armed and dangerous.

The investigation revealed that called the police and he told the dispatcher that he was in the office of the apartment complex and a male had pointed a gun at him. The dispatcher noted that Mr. was speaking rapidly and he advised that he had the crime recorded on video. Mr. indicated that he did not want to fight the other male and "he will pop him." The dispatcher noted that Mr. would not speak any further and that the line was open. Mr. said he lived in apartment 38 and then he continued to be in a loud argument with the other male. The dispatcher noted that it was possible that Mr. was on drugs as he was taking extremely rapidly. Mr. went back to his apartment after informing the dispatcher that the other male had left the area. Mr. was told to wait in his apartment for the arrival of officers. Officers were dispatched at 11:52 and they arrived at 12:09. Mr. did not wait for an hour for the officers to arrive as he indicated in his complaint.

Officer N. indicated that the comments on the call were concerning. The initial call involved a firearm. Mr. told the dispatcher that he did not want to fight the other individual but that if he did, he would "pop" the other individual. That indicated to Officer N. that Mr. may shoot the other individual if he had to. The dispatcher noted that Mr. was speaking rapidly and was possibly under the influence of narcotics. Mr. had returned to his apartment to wait for the police and it was possible that he could have armed himself while in the apartment. All of those facts combined prompted Officer N. to reasonably believe that Mr. may have been armed and dangerous.

The CPOA finds Officer N.'s conduct to be **Exonerated,** where the investigation determined by a preponderance of the evidence that the alleged conduct did occur but did not violate APD policies, procedures, or training.

B) The CPOA reviewed Standard Operating Procedure 1-4-3A 1 regarding APD Officer N.'s conduct, which states:

Biased based policing and/or profiling by any member of this Department are prohibited. Investigative detentions, filed contacts, traffic stops, arrests, searches, property seizures and forfeiture efforts will be based on a standard of reasonable suspicion…in accordance with the Fourth Amendment of the U.S. Constitution.

Mr. . alleged that he was discriminated against when he was contacted by the APD officers that responded to his call for service. Mr. failed to show for an interview so how he was discriminated against is unclear. The evidence in this case however is clear. Based on the facts of the case, the pat search would have been justified regardless of Mr. race.

The CPOA finds Officer N.'s conduct to be **Unfounded**, where the investigation determined by clear and convincing evidence that the alleged misconduct did not occur.

Your complaint and these findings are made part of Officer N.'s Internal Affairs file.

You have the right to appeal this decision.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD Policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD Policies or APD Policies considered by the POB were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,
D) The findings by the POB were not supported by the evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the City's Chief Administrative Officer. Your request must be in writing and submitted within 30 days of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #206-17

Dear Ms.

Our office received the complaint you filed against Officer A. of the Albuquerque Police Department (APD) regarding an incident that occurred on September 17, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate the complaint. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Ms. wrote in her complaint that she was stopped by APD Officer A. for a traffic violation on 09/17/17. She wrote in her complaint that Officer A. was unprofessional and could have handled himself better. Ms. did not return any calls made to her so that more specific information could be obtained. She also did not respond to an e-mail request for contact.

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

II. FINDINGS AND CONCLUSIONS REGARDING APPLICABLE STANDARD OPERATING PROCEDURES REGARDING OFFICER A.'S CONDUCT

The Executive Director of the CPOA reviewed the investigation conducted by the CPOA Investigator, which included a review of the applicable Standard Operating Procedures (SOPS), the Complaint, and an interview with Officer A..

A) The CPOA reviewed Standard Operating Procedure 1-1-4 B 7 regarding APD Officer A.'s conduct, which states:

Both on and off duty, personnel will conduct themselves in a manner that reflects most favorably on the department.

Ms. did not cooperate in this investigation. She did not return any phone calls or respond to an e-mail sent to her requesting contact. Her complaint was short and lacked detail but she did accuse the officer of being unprofessional in his behavior. She accused him of saying things that Officer A. admitted to saying. Officer A. denied that he was unprofessional in his conduct with Ms.

The investigation revealed that Ms. was directed by another officer to pull over but rather than doing that, she went around the other officer and continued on her way. Officer A. gave chase and Ms. only pulled over after Officer A. engaged his full emergency equipment.

The lapel video had been deleted by the time the investigation was conducted. Even so, telling someone that they should pull over when directed to do so by a police officer, doesn't rise to a conduct violation in and of itself. Officer A. admitted to saying those words but he denied that he uttered them unprofessionally.

The CPOA finds Officer A.'s conduct to be **EXONERATED**, where the investigation determined by a preponderance of the evidence that the alleged conduct did occur but it did not violate APD policies, procedures, or training.

Your complaint and these findings are made part of Officer A.'s Internal Affairs file.

You have the right to appeal this decision.

1. If you are not satisfied with the findings of the CPOA, please request an appeal in a signed writing to the undersigned within 30 days of receipt of this letter. Include your CPC number.

The POB may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD Policies that were considered by the POB were the wrong policies or they were used in the wrong way; or,
B) The APD Policies or APD Policies considered by the POB were chosen randomly or

they do not address the issues in your complaint; or,

C) The findings of the POB had no explanation that would lead to the conclusion made by the POB; or,

D) The findings by the POB were not supported by the evidence that was available to the POB at the time of the investigation.

2. If you are not satisfied with the final disciplinary decision of the Chief of Police, you can request a review of the complaint by the City's Chief Administrative Officer. Your request must be in writing and submitted within 30 days of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
To file

No email or physical address given

Re: CPC #220-17

Dear Ms.

Our office received the complaint you filed on August 21, 2017 against an unknown female Albuquerque Police Department (APD) substation employee, and APD Officers C. and H. and APD Sergeant (Sgt.) V. regarding an incident which occurred on July 25, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

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Albuquerque

NM 87103

www.cabq.gov

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Ms. stated she was involved in a traffic accident on July 25, 2017, and the follow-up process with the subdivision has been a nightmare. Specifically, Ms. complained that a female APD employee at a substation hung up on her three times, but admitted that she called the employee a "Bitch" because she was being rude and not helpful. She complained that Officer C. didn't return her phone calls or the insurance agent's phone calls. She complained that Officer H. did not call her insurance company to provide police report information to them and wouldn't let her speak to Officer C. She complained that Sgt. V. told her he signed off on the accident report and sent it to the hit and run unit of the Los Lunas Police

Department but that division doesn't have a copy of the report. She complained Sgt. V. lied to her about sending the report out.

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and read the accident report, the CADS report and spoke to the APD Hit and Run division. The evidence showed that Officer S. of the APD Hit and Run division received your accident report and contacted the other driver/alleged offender; however, the driver denied being involved in the accident. Additionally, the driver did not match the description you gave responding officers, nor did the description you provided of the vehicle involved in the traffic accident. Officer S. gave you the insurance information on the vehicle for the license plate you provided/reported. Officer S. said you got very upset when he would not arrest the registered owner of the suspect vehicle, and because the registered owner's insurance company would not honor your claim.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint because no APD SOPs were violated as a result of the incident.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via email

Re: CPC #226-17

Dear Mr.

Our office received the complaint you filed on December 18, 2017 against Albuquerque Police Department (APD) Officers D. and W. regarding an incident on September 29, 2017 during which you were arrested. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

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Albuquerque

NM 87103

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Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Mr. complained that on September 29, 2017, he was arrested after APD officers responded to a noise complaint. He complained an officer slapped the handcuffs on his wrists and made them as tight as possible. He complained that when he asked the officer to loosen them, the officer didn't, and when he got to booking he had slashes on his wrists where the handcuffs were. He complained his wrists were starting to get infected and look very severe.

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and contacted you over the phone to schedule an interview, and you told the Investigator that you had since moved to Florida and wanted to withdraw your complaint. When the Investigator asked you to send your request to withdraw your complaint via email so it could be placed in the file, you agreed to do so but have yet to send the email.

III. CONCLUSION

At your request, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
To File

Anonymous

Re: CPC #227-17

Dear Anonymous:

Our office received the complaint you filed on October 12, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

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Albuquerque

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Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the Albuquerque Police Department (APD) Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, and the CPOA's investigation and findings.

I. THE COMPLAINT

An anonymous complainant essentially stated that on October 12, 2017, they were driving very slowly to their place of employment when they were attacked and yelled at by a very rude, unprofessional City of Albuquerque employee-police person (NOTE: two different badge numbers were given for the same person but the complainant admitted the numbers may not have been true or correct). Anonymous said there were two people crossing the street as they approached the stop sign and this police person approached their car and began to yell at them to stop so they wouldn't run over the pedestrians. Anonymous stated various reasons why the City of Albuquerque has a bad reputation and is in the state it is and cited this interaction as one of the reasons (see complaint for more details). Anonymous stated they work with former Chief Eden's wife and that they would bring this to her attention.

Anonymous wants this employee to be written up and the complaint to be placed in the employee's file.

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and called you at the number listed on the complaint; however, there was no answer and no voicemail box set up. Additionally, you did not provide an email address or physical address so the Investigator was unable to contact you for further information regarding this complaint.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint due to a lack of information and an inability to target a specific APD officer and/or City of Albuquerque employee.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Email

Re: CPC #229-17

Dear Mr.

A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint against Officers of the Albuquerque Police Department (APD) on December 19, 2017, regarding an incident that occurred on or about July 21, 2017.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

I. THE COMPLAINT

submitted an email to the CPOA address as opposed to filing an online complaint. Mr. wrote that is son-in-law's vehicle was stolen, which his wife was a co-signor on the loan. An officer called his wife and informed her later in the day the vehicle was located, but had been involved in an accident. Mr. wrote they were not given the opportunity to have the vehicle towed to their home. Instead, a tow company towed the vehicle and refused to release the car to them without a vehicle title. The bank took a week to get the title to the tow company, which increased their storage fees. Mr. did not know the policy of a vehicle being sent to a tow yard versus to their home. Mr. did not think he should have to pay the fees since they did not want it towed to the tow yard.

II. INVESTIGATION

The CPOA Investigator reviewed the police report. An officer had been dispatched to take a report from about a possible stolen vehicle taken at gunpoint. The officer determined Mr. did not have a valid license, appeared intoxicated, and parts of Mr. story were inconsistent. However, the car was entered into NCIC as stolen. Later that day another officer recovered the vehicle. That officer contacted Mrs. who said she could not leave work to bring the car keys. The officer had it towed since the owner could not collect it.

The CPOA Investigator attempted to reach Mr. via email. In the email, Mr. was advised that since he was most upset about the storage fees that would be an issue

more appropriate for Risk Management since their department processes any monetary claim. Mr. Haynes never responded to the email.

III. CONCLUSION

The CPOA has made the decision to **ADMINISTRATIVELY CLOSE** the complaint, as it appears Mr. Haynes may have filed a complaint in the wrong department. He did not contact this office with more information.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #233-17

Dear Mr.

A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint against Officers of the Albuquerque Police Department (APD) on December 20, 2017, regarding an incident that occurred on or about October 31, 2017.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

I. THE COMPLAINT

Mr. submitted an online complaint about his stolen phone. Mr. claimed he was told his stolen phone had been sent to Detective S , but he was unable to reach her to get it back. Mr. just wished for his phone to be returned.

II. INVESTIGATION

The CPOA Investigator contacted Detective S regarding the phone. Detective S had not received any messages from Mr. that she recalled. She is assigned to the pawn detail, but also handles stolen property that are discovered via Eco ATMs. Individuals submit phones and other devices via the Eco ATMs for cash. When the company discovers stolen items, the devices are sent either to the police department or to the individual depending on certain circumstances. In this case, Detective S stated the phone should not have been sent to her, as it was not entered into NCIC as stolen. However, she had several phones on her desk that needed to be identified because the serial number was not physically on the phone so it took more research and time. The relevant information was given to Detective S regarding Mr. phone. Detective S determined one of the phones in her possession was Mr. ' phone. After she received a release from Eco ATM and processed some paperwork, she returned the phone to Mr. Candelaria.

III. CONCLUSION

The CPOA has made the decision to **ADMINISTRATIVELY CLOSE** the complaint, as the complaint has been resolved with the return of the phone and there was no SOP

violation. Eco ATM should have never sent the phone to Detective S and she had not had an opportunity to process the mystery phones she received from them. The CPOA Investigator spoke to Mr. who was pleased with the outcome.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via email

Re: CPC #235-17

Dear Ms.

Our office received the complaint you filed on October 11, 2017 against Albuquerque Police Department (APD) Police Service Aide (PSA) Supervisor O. regarding an incident which occurred on September 24, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Ms. stated that on September 24, 2017 her U-Haul was broken into. She complained the case was closed as she found out who stole her property and even located her property. She stated some of her property is in APD Evidence and some at a known address. She complained she did all this work herself. She complained that although she has given APD case numbers to connect to her property she has been told that APD is not pursuing her case because it is closed. She complained this is unacceptable.

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Albuquerque
NM 87103
www.cabq.gov

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and forwarded it on to the Acting Commander in charge of PSA Supervisor O. to handle the complaint informally. Acting Commander S. informed the Investigator that he spoke with you over the phone and clarified that PSAs (and PCRT's) do not conduct follow-up investigations and referred you to the South East substation impact team if any other leads develop.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint because it was handled informally by Acting Commander S. to your satisfaction.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018

Anonymous

Re: CPC #237-17

Dear Anonymous:

On April1 17, 2017, the Civilian Police Oversight Agency (CPOA) received your Complaint regarding an officer of the Albuquerque Police Department (APD) regarding a driving incident that occurred on or about April 17, 2017.

I. THE COMPLAINT

A CPOA staff member helped you fill out a complaint by telephone using the online complaint form. You stated in your complaint that you observed a police officer on her cell phone. While the officer was on the phone, the APD vehicle crossed a solid white line at Iliff and Coors road.

II. INQUIRY

A CPOA staff member contacted APD Fleet to locate the name of the officer assigned the APD vehicle you mentioned in your complaint. APD Fleet responded that the officer assigned to the vehicle has resigned from the department.

III. CONCLUSION

The CPOA has made the decision to **ADMINISTRATIVELY CLOSE** the complaint, as our office has no jurisdiction to investigate the actions of people who are no longer employed by the Albuquerque Police Department.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via email

Re: CPC #242-17

Dear Mr

On May 2, 2017, the Civilian Police Oversight Agency (CPOA) received your Complaint regarding an officer of the Albuquerque Police Department (APD) regarding a driving incident that occurred on or about May 2, 2017.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

I. THE COMPLAINT

A CPOA staff member helped you fill out a complaint by telephone using the online complaint form. You stated that you were driving southbound on Interstate 25 between Isleta Reservation and Los Lunas when you observed an officer displaying road rage. You stated that the officer would speed up when you tried to pass him on the right and would not let you pass.

II. INQUIRY

A CPOA staff member contacted APD Fleet to locate the name of the officer assigned the APD vehicle you mentioned in your complaint. APD Fleet responded that the officer assigned to the vehicle has resigned from the department.

III. CONCLUSION

The CPOA has made the decision to **ADMINISTRATIVELY CLOSE** the complaint, as our office has no jurisdiction to investigate the actions of people who are no longer employed by the Albuquerque Police Department.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via email

Re: CPC #243-17

Dear Ms.

On May 3, 2017, the Civilian Police Oversight Agency (CPOA) received your Complaint regarding an officer of the Albuquerque Police Department (APD) regarding a driving incident that occurred on or about May 3, 2017.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

I. THE COMPLAINT

You submitted a self-reported online complaint in which you wrote that you were walking from Plaza Del Sol building on 2nd street toward 3rd street when you observed an officer not yield to you when you were crossing the street and almost ran you over. The officer made eye contact with you and did not have his sirens or emergency lights engaged but proceeded to cut you off.

II. INQUIRY

A CPOA staff member contacted APD Fleet to locate the name of the officer assigned the vehicle you mentioned in your complaint. APD Fleet responded that the vehicle does not belong to APD.

III. CONCLUSION

The CPOA has made the decision to **ADMINISTRATIVELY CLOSE** the complaint, as our office has no jurisdiction to investigate non-APD personnel.

Administratively Closed complaints may be re-opened if additional information becomes available.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #254-17

Dear Ms.

Our office received the complaint you filed on September 22, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint and after conducting a preliminary investigation determined that your complaint is against a Metropolitan Detention Center Corrections Officer.

The CPOA does not have jurisdiction to investigate complaints against Metropolitan Detention Center Corrections Officers or employees; therefore we have made the decision to **ADMINISTRATIVELY CLOSE** your complaint.

Please contact the Metropolitan Detention Center for information regarding their process for filing complaints against their Corrections Officers and/or employees.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey .

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #257-17

Dear Ms.

Our office received the complaint you filed on November 30, 2017 against unknown Albuquerque Police Department (APD) Officers regarding them not having arrested an unknown female who allegedly harassed you on November 19, 2017 and November 24, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Ms. stated she was constantly tormented by an unknown female who said is a bitch 24 hours a day. She said this unknown female came to her door twice on the weekend when APD officers were not there and as soon as officers showed up the female hid. She said as soon as the officers left the female came back. Ms. complained that unknown APD officers didn't take the unknown female to jail after she (the unknown female) told officers she escaped from the police 7 times. Ms. complained APD officers did nothing for her and thought she was crazy and delusional and checked her medications despite

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the fact she was the victim. Ms. _ complained she has not received an apology and said flowers would be nice.

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and learned that you called APD on November 19, 2017, to report that an unknown female was yelling expletives at you while she was standing in the courtyard. Responding officers checked the area and were unable to locate this female. Then on November 24, 2017 you called APD 5 different times, between 0512 hours and 1939 hours, to report this same issue and, again, responding officers checked the area but were unable to locate this female. During one of these responses, officers also checked with the apartment maintenance worker who was unable to corroborate your story. Additionally, nearly every time officers responded on November 24, they attempted to contact you; however, you refused to open your door and speak to them and instead told them to go away.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint because no APD SOPs were violated as a result of APD officers responding to the calls to your residence for assistance.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #258-17

Dear Mr.

Our office received the complaint you filed on December 25, 2017 against Albuquerque Police Department (APD) Officers B. and M. regarding a traffic accident you were involved in on August 5, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Mr. complained he was involved in a traffic accident on August 5, 2017 and that responding Officers B. and M. falsified the accident report by incorrectly drawing the diagram included in the accident report. He also complained that this error caused lawyers to deny his case.

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II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and the original accident report as well as the supplemental report you filed on October 2, 2017. The supplemental report was requested by you to make corrections to information in the original report that you thought was incorrect. The Investigator called you and spoke with you over the phone about the complaint. You told the Investigator your version of events regarding the accident and said Officers B. and M. indicated you were the responsible party in the accident and drew the diagram incorrectly. You said that as a result you have been unable to get compensation from the other driver or their insurance company, and are unable to get an attorney to take your case. You told the Investigator you were uninsured at the time of the accident. The Investigator told you that according to your version of events, the diagram in the accident report accurately reflected your statement and accurately reflected what you told the officers on the day of the accident. The Investigator also told you that according to the accident report, you were not the at fault driver. The Investigator told you this was a civil issue and that the CPOA does not have jurisdiction over civil matters.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint because the supplemental report you requested added the necessary information to the case so as to correct any misinformation taken on the original report, and no APD SOPs were violated as a result of this incident.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via email

Re: CPC #259-17

Dear Mrs.

Our office received the complaint you filed on December 6, 2017 against Albuquerque Police Department (APD) Officer N. regarding an incident that occurred on July 28, 2017, during which your firearm was taken as evidence and has not been returned to you. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

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Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Mrs. complained that the case for which her firearm was seized was nolle prosequi and the officer still won't return the firearm. Mrs. requested Officer N. update property so she can retrieve her firearm from APD Evidence.

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint, the CADS reports, the original report of Aggravated Assault (#17-0072617) involving and spoke with APD Evidence

and Officer N. regarding the seized property. The preliminary investigation showed that on July 29, 2017, was arrested by Officer N. on two counts of Aggravated Assault with a Deadly Weapon, which are felony charges. The evidence showed that incident to this arrest, a firearm was seized as evidence. The ownership of the firearm is not known to the CPOA Investigator and despite its ownership, the firearm is still being held in APD Evidence. According to Officer N., although the case currently has a disposition of nolle prosequi, it can and may still be tried by the District Attorney's Office at a later date and therefore the firearm is still needed as evidence and will not be released until it is determined it is no longer needed.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint because no APD SOPs were violated as a result of your firearm being held as evidence.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via certified Mail

Re: CPC #262-17

Dear Ms.

Our office received the complaint you filed on December 12, 2017 against two unknown Albuquerque Police Department (APD) officers regarding an incident that occurred on December 12, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Ms. complained that on December 12, 2017 at 0730 hours, she saw two white, male APD officers approach Mr. E., who she identified as a homeless man, and threaten him with arrest and said he is attracting too much attention. Ms. said Mr. E. wasn't committing any crimes and after the interaction Mr. E. started crying and moved along.

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II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and spoke with you over the phone in an effort to obtain more information about the unknown male officers. You were unable to provide any identifying information on the officers or their vehicles; however, the Investigator located a CADS report which showed two male APD officers contacted a panhandler on December 12, 2017 at 0647 hours, which is approximately 40 minutes prior to the incident about which you complained. The CADS report doesn't list any identifying information about the panhandler contacted, nor show that any further action that was taken by the officers regarding this subject. Additionally, there is no video evidence of the contact as it was not required.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint because there is not enough information to show that any APD SOPs were violated as a result of this contact.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

February 9, 2018
Via Certified Mail

Re: CPC #004-18

Dear Ms.

PO Box 1293

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Our office received the complaint you filed on November 21, 2017 against Officers C & S regarding a vehicle crash investigation in which you were involved on October 10, 2017. A Civilian Police Oversight Agency (CPOA) Investigator was assigned to investigate your complaint. The CPOA thoroughly and impartially investigated the complaint.

Upon completion of the investigation the CPOA determined, based on a preponderance of the evidence, whether or not the APD Officer(s) involved violated Standard Operating Procedures (SOPs). A preponderance of the evidence means that one side has demonstrated a greater weight of evidence (more than 50%) that is more credible and convincing than the other side. If the credible evidence is 50-50, the proper finding is Not Sustained.

Please be aware, the contract between the Albuquerque Police Officers' Association (APOA) and the City of Albuquerque requires that officers cooperate in the investigation; therefore, the officer's statements may not be made public. Below is a summary of the complaint, the CPOA's investigation and findings.

I. THE COMPLAINT

Ms. complained the officers treated her badly, did not ask her any questions and that the accident report is "lies".

II. THE INVESTIGATION

A CPOA Investigator reviewed your complaint and conducted a preliminary investigation by reviewing the accused officers on body recording device recordings. The recording show the officers professional and polite throughout the entire time they are on scene. Officers did

speak with you several times during the investigation. The "at fault" vehicle appears to be on scene and in place as the crash occurred.
The vehicle crash reports denotes the diver of vehicle #3, the vehicle that struck you from the rear, was inattentive. That is listed on page 4 as an apparent contributing factor.

III. CONCLUSION

Based on the aforementioned information, the CPOA has made the decision to **ADMINISTRATIVELY CLOSE** your complaint because no APD SOPs were violated as a result of APD officers responding to the calls to your residence for assistance.

Administratively closed complaints may be re-opened if additional information becomes available. Please contact the CPOA in regards to your Civilian Police Complaint if you can provide further details and wish to have the complaint re-opened.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by

Edward Harness, Esq.
Executive Director
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cc: Albuquerque Police Department Chief of Police