

Civilian Police Oversight Agency

600 2nd NW Room 813 Albuquerque NM 87102

P.O. Box 1293 Albuquerque NM 87103

Phone: (505) 924-3770 Fax: (505) 924-3775

www.cabq.gov/cpoa

CITY OF ALBUQUERQUE

Richard J. Berry
Mayor

Robert J. Perry
Chief Administrative Officer

Independent Review Office and Civilian Police Oversight Agency 2014 Annual Report



Mission Statement

The mission of the Civilian Police Oversight Agency (CPOA) is to provide a means for prompt, impartial, and fair investigation of all citizen complaints brought by individuals against the Albuquerque Police Department (APD) and to provide for community participation in setting and reviewing police department policies, practices, and procedures.

Robin S. Hammer, Esq.

Independent Review Officer/CPOA Acting Executive Director

Jeffrey Peterson

POC Chair

Dr. Carl Foster

POC Vice Chair

TABLE OF CONTENTS

I. Civilian Police Oversight Agency (CPOA)	3
A. Staff	3
B. Creation of the CPOA.....	3
C. Department of Justice Review of APD.....	5
D. IRO Duties and Responsibilities	6
E. IRO Biography.....	7
F. IRO Community Outreach	8
G. IRO Robin S. Hammer's Executive Summary	8
II. Police Oversight Commission (POC)	10
A. Members.....	10
B. POC Training.....	14
C. POC Meetings.....	15
D. POC Long-Term Planning Committee.....	15
III. Officer-Involved Shootings (OIS)	16
A. OIS Presented to POC for Review in 2014.....	16
B. OIS which Occurred in 2014.....	20
IV. Citizen Police Complaints (CPC)	22
A. CPC Investigation and Review Procedure.....	22
B. CPC 2014 Data and Statistics	24
C. Findings and Dispositions of Complaints Reviewed in 2014.....	39
D. Non-concurrences Regarding 2014 CPC Findings.....	43
E. APD Internal Affairs Reports.....	45
F. Summary of Findings of Complaints.....	58
G. CPC Appeals.....	84
V. Albuquerque Police Department	85
A. Discipline Imposed.....	85
B. Reports of APD Jobs Well Done.....	85
VI. Overview of Data	98

I. INDEPENDENT REVIEW OFFICE CIVILIAN POLICE OVERSIGHT AGENCY

STAFF

ROBIN S. HAMMER, Esq.
Independent Review Officer/
Acting Executive CPOA Director

Paul A. Skotchdopole
CPOA Assistant Lead Investigator

Chris Davidson
Civilian Police Oversight Investigator

Diane L. McDermott
Civilian Police Oversight Investigator

Paul M. Cash
Civilian Police Oversight Analyst

Michelle D. Contreras
Civilian Police Oversight
Executive Administrative Assistant

CREATION OF THE CIVILIAN POLICE OVERSIGHT AGENCY

On August 18, 2014, City Council passed legislation which suspended the Police Oversight Commission (POC), Ordinance O-14-15. This legislation became effective on September 5, 2014. Ordinance O-14-15 suspended all functions, powers and duties of the POC. Subsequent legislation permitted the Independent Review Officer to continue to receive, investigate and make findings regarding Civilian Complaints filed against the Albuquerque Police Department until the first meeting .

On September 18, 2014, the City Council passed amendments to the Police Oversight Ordinance through Ordinance O-14-13. On October 6, 2014, Mayor Richard J. Berry signed the legislation. The new amendments replaced the prior Police Oversight Commission and the Independent Review Officer with the Civilian Police Oversight Agency, one body consisting of the Police Oversight Board, the CPOA Executive Director and the CPOA Administrative Office.

Under the amended Police Oversight Ordinance, City Council is responsible for selecting and confirming nine members of a Police Oversight Board (POB). The amended Ordinance made several changes to the existing Civilian Police Oversight system. These changes to the Police Oversight process included change from two independent bodies, the former Independent Review Office and Police Oversight Commission into a one-body system, the Civilian Police Oversight Agency (CPOA). The CPOA will consist of a Council-appointed Board who will oversee an Executive Director. The

Executive Director will manage the day-to-day operations of the CPOA's Administrative Office. The CPOA will also:

- Physically be located outside of City Hall
- Manage its own budget - Minimum Budget: ½% of APD Budget (±750k/yr)
- May Hire its own Contract Legal Counsel
- Duty to:
 - Perform Community Outreach
 - Promote Accountability within APD
 - Investigate Citizen Complaints
 - Make APD Policy Recommendations

The Police Oversight Board (POB) will consist of nine At-Large, Council-appointed members, who are representative of the City as a whole. The Board Members may be removed for cause by 2/3 vote of either the Council or POB. Members will hold three-year, staggered terms. The amended Ordinance increased training requirement. The Board is tasked with among other things, developing policy recommendations and reviewing Citizen Police Complaint Investigations.

The CPOA's Executive Director is required to hold a law degree and have experience in investigations. City Council appoints the Executive Director upon recommendation from the POB. The position has a three year term. The Executive Director leads the Administrative Office and reviews Citizen Police Complaint investigations. She reports to the POB. City Council may remove the Executive Director upon recommendation of 2/3 of POB.

The Executive Director also prepares and submits recommended findings in officer involved shooting cases to the POB for their approval. The Executive Director has access to any APD information or documents that are relevant to a civilian's complaint, or to an issue which is ongoing at the CPOA. The Ordinance also requires the Executive Director to play an active public role in the community, and whenever possible, provide appropriate outreach to the community to publicize the civilian complaint process.

Under the amended Ordinance, the CPOA Administrative Office is staffed with classified City employees who provide staff support to the POB. The Administrative Office staff performs all administrative functions of the Agency. The Administrative Office staff are required to receive and investigate all Citizen Police Complaints and to review and monitor APD Internal Affairs. The CPOA Administrative Office creates semi-annual reports, including general trends and issues at APD.

The Amended Ordinance also changed the process for reviewing Civilian Police Complaints against the Albuquerque Police Department:

1. A person may file a Complaint against the Albuquerque Police Department (APD), via the internet or in writing.
2. The Administrative Office of the Civilian Police Oversight Agency (Administrative Office) will open a case and assign it to an investigator. The assigned investigator will interview witnesses, obtain evidence, and interview the APD officers involved.
3. The Administrative Office will mediate Complaints, whenever appropriate and agreed upon by the parties.

4. If the Complaint is not mediated, the Administrative Office Investigators will conduct a full investigation.
5. Once the investigation of the Complaint is completed, the Executive Director of the Administrative Office will review the Complaint and results of the investigation to determine if there are any violations of Albuquerque Police Department Standard Operating Procedures. Standard Operating Procedures are the Police Department's rules regulating police and employee actions and conduct.
6. The Executive Director of the Administrative Office will draft a letter indicating her conclusions and findings, which the POB will accept, reject or modify. The Executive Director may send the completed investigation to the Department in order to meet discipline deadlines.
7. The members of the Police Oversight Board (POB) will review the Complaint and approve the Executive Director's findings and conclusions.
8. After the POB has approved the Executive Director's findings, the Administrative Office will send the findings to the person who filed the Complaint via Certified Mail and to the Albuquerque Police Department.
9. The person who filed the Complaint may appeal the POB's findings.

The Chief of Police retains sole authority to impose discipline to an Albuquerque Police Department employee for violations of the Albuquerque Police Department Standard Operating Procedures. The Civilian Police Oversight Agency does not impose discipline.

The Civilian Police Oversight Agency does not conduct criminal investigations.

City Council received applications for new members for the Police Oversight Board from October 15, 2014, until November 30, 2014. City Council intended to name the new members of the Police Oversight Board in early 2015. Once the Police Oversight Board members are selected, future POB meetings will be set in 2015. As with the prior Police Oversight Commission, the future POB Meetings will be televised on GovTV, the local government television channel for Albuquerque and Bernalillo County.

The last meeting of the Police Oversight Commission held on August 14, 2014 was video recorded and shown on GovTV. GovTV's website provides a link to view a copy of this most recent Police Oversight Board Meeting.

DEPARTMENT OF JUSTICE REVIEW OF APD

On April 10, 2014, the Department of Justice (DOJ) issued a [Findings Letter](#) regarding the Albuquerque Police Department (APD). In that letter, the DOJ found that there was reasonable cause to believe that APD engaged in a pattern or practice of use of excessive force, including deadly force, in violation of the Fourth Amendment. The DOJ further determined that structural and systemic deficiencies contributed to the use of unreasonable force.

On November 10, 2014, the City of Albuquerque (City) and the Department of Justice (DOJ) submitted a proposed [Settlement Agreement](#) to resolve the matter of United States v. City of Albuquerque.

Key elements of the Settlement Agreement include:

1. Use of Force- policy reforms, reporting, reviewing and investigating
2. Additional Training- for use of force situations, crisis intervention, and Field Officers
3. Staffing and Accountability- including additional accountability measures and a monitor
4. Recruiting, Selection, and Promotions- adding layers of evaluations into the promotion process
5. Community Engagement and Oversight
6. Implementation/Compliance Timeline

The Agreement also requires the CPOA to accept and investigation anonymous complaints, and complaints regardless of the timeframe of when the allegations occurred. The Federal Court scheduled hearing in early 2015 to determine which provisions of the proposed the Settlement Agreement it would accept and order the City to follow.

DUTIES AND RESPONSIBILITIES of INDEPENDENT REVIEW OFFICER/ CPOA EXECUTIVE DIRECTOR

Under the amended Ordinance, the Independent Review Officer (IRO) has been replaced by an **Executive Director** (Director). The IRO was an independent entity working in conjunction with the former Police Oversight Commission. Under the amended Ordinance, the Executive Director reports directly to the Police Oversight Board. The CPOA Executive Director's duties are similar as the IRO were and are as follows:

- (1) Independently investigate, or cause to be investigated, all civilian police complaints and prepare findings and recommendations for review by the POB;
- (2) Review and monitor all Internal Affairs investigations including but not limited to officer involved shooting investigations. The Director shall prepare and submit findings and recommendations to the POB relating to officer involved shootings, and shall report on general trends and issues identified through monitoring or auditing of Internal Affairs
- (3) Provide staffing to the Police Oversight Board and ensure that the duties and responsibilities of the CPOA are executed in an efficient manner, and manage the day to day operations of the CPOA.
- (4) The Administrative Office will receive and process all civilian complaints directed against the Albuquerque Police Department and any of its officers.
- (5) The Director shall independently investigate and make findings and recommendations for review by the POB for such civilian complaints, or assign them for independent investigation by CPOA staff or an outside independent investigator. If assigned to staff or an outside investigator, the Director shall oversee, monitor and review all such investigations and findings for each.
- (6) All findings relating to civilian complaints and police shootings shall be forwarded to the POB

for its review and approval. For all investigations, the Director shall make recommendations and give advice regarding Police Department policies and procedures to the POB as the Director deems advisable.

(7) The Director shall report directly to the POB and lead the Administrative Office; independently investigate or supervise all investigations of civilian complaints, audit all IA investigations of complaints, recommend and participate in mediation of certain complaints, and supervise all CPOA staff.

INDEPENDENT REVIEW OFFICER/ ACTING CPOA EXECUTIVE DIRECTOR

ROBIN S. HAMMER, ESQ. was selected as the top candidate by the POC for the Independent Review Officer (IRO) position, appointed by the Mayor, and confirmed by the City Council by a unanimous vote as IRO in the late summer of 2012. Ms. Hammer assumed the position as IRO in September 2012. After becoming IRO, Ms. Hammer joined the National Association of Civilian Oversight of Law Enforcement (NACOLE), which is a non-profit organization that brings together individuals and agencies working to establish or improve oversight of police officers in the United States. In 2013, Ms. Hammer was an active member of NACOLE's Professional Standards Committee. In the Professional Standards Committee, Ms. Hammer worked with other Police Oversight professionals across the country to enhance the practice of civilian oversight by providing resources to NACOLE members and the public to better understand existing and emerging models of oversight, to provide training opportunities for oversight practitioners, and to identify good practices employed by oversight agencies across the country. Ms. Hammer also successfully completed Los Angeles Police Department's week-long *Police Performance Audit* course. There Ms. Hammer learned how to conduct performance audits of police practices in order to make suggestions for improvements to systemic police policies and procedures.

Prior to her assuming the position as IRO, she served as a Senior Investigative Trial Counsel for the New Mexico Judicial Standards Commission for approximately two-and-a-half years. At the Judicial Standards Commission, Ms. Hammer investigated and prosecuted complaints of ethical misconduct against New Mexico judges statewide. In 2011, Ms. Hammer was responsible for the prosecution of judicial misconduct cases which resulted in the removal or resignation of eleven New Mexico judges. This number was approximately one-third of all judge resignations/removals nationwide for 2011.

Ms. Hammer also has more than 17 years of criminal prosecutorial experience. She has previously worked as Deputy and Assistant District Attorneys in the Farmington, Santa Fe, and Bernalillo County District Attorney's Offices. Ms. Hammer has prosecuted all types of cases, including violent, gang, property, and white collar crimes. At the Bernalillo County District Attorney's Office, she was in charge of the Organized Crime and Public Corruption Division. There she worked with the United States Secret Service and members of the Federal Financial Crimes Task Force to convict several groups of organized criminals. In 1995, the New Mexico Prosecutor's Section awarded her with the Legal Impact Prosecutor award for her work on a complex DNA serial rape case and a death penalty murder case. She served on the New Mexico Supreme Court's Criminal Procedure Rules Committee and the Court's Joint Committee Regarding Sealing of Court Records. Ms. Hammer earned a Bachelor of Arts degree in theater at Indiana University in Bloomington, Indiana. She also graduated *cum laude* from

Indiana University School of Law in Bloomington. Ms. Hammer worked at the Santa Fe Opera prior to her career in the law.

2014 COMMUNITY OUTREACH

Independent Review Officer/Acting Executive Director Robin Hammer or her designee spoke about the Civilian Oversight Process to several Neighborhood Associations and other Community meetings throughout the year. These included a City Council District Seven Coalition Meeting on March 5, 2014, a City Council District Five neighborhood Association meeting on March 19, 2014, the Dennis Chavez Neighborhood Association on May 15, 2014. Ms. Hammer also presented information and was available to answer questions at more than 20 meetings of City Council's Task Force on Police Oversight, as well as many Task Force sub-Committee meetings throughout 2013 and 2014.

Ms. Hammer attended and provided information on how to file complaints and compliments regarding APD employees at functions organized by Community activist groups, including a march against police brutality from Roosevelt Park on June 21, 2014, and an October event regarding the nationwide "March Against Corruption" at Montgomery Park. Ms. Hammer or other Administrative Staff members also participated in numerous meetings of the Mayor's Police and Community Relations Collaborative. These were held throughout the City at various Community Centers. These meetings were held on October 27, November 8, November 17, December 3, and December 13, 2014. The Police and Community Relations Collaborative meetings provided Ms. Hammer and her staff the opportunity to explain the Civilian Police Oversight Process to a wide variety of community members across the City. As discussed above, the amended Police Oversight Ordinance provides for a designated Community Outreach employee to be hired in FY 2015. Hopefully, there will be increased funding to permit the CPOA Administrative Office to expand its outreach efforts in 2015.

EXECUTIVE SUMMARY

Albuquerque's Police Oversight process saw substantial change in 2014. The winds of change began in 2013 when the ACLU and members of the public filed a lawsuit against the Police Oversight Commission and individual POC members for alleged violation of the rights of community members. Community members voiced concerns about the POC's lack of response to the number of APD's officer-involved shootings. In 2013, the Department of Justice, Civil Rights Division, began a review of APD's practices and policies. Also in 2013, in response to concerns about the police oversight process, City Council formed a Task Force to review the City's Police Oversight Ordinance. This Task Force met more than 20 times throughout 2013 and early 2014. The Community's criticisms and City Council and DOJ reviews of the City's Police Oversight Commission brought forward change to the entire police oversight system in 2014.

On January 29, 2014, the Police Oversight Task Force submitted its final report to City Council, which contained majority and minority positions for recommendations to changes to the City's Police

Oversight Ordinance. City Council held a study session on March 7, 2014, to take additional comments and suggestions from the public about the Task Force's recommendations.

On the evening of Sunday, March 16, 2014, the Albuquerque Police Department responded to a report of a homeless mentally ill man, James Boyd, camping in the foothills outside of Albuquerque, whom neighbors suspected could have been related to auto-burglaries in the area. When police arrived, Mr. Boyd allegedly threatened to stab two APD Open Space Officers with a knife. After a long standoff, Mr. Boyd was fatally shot by two APD officers. Lapel camera from one of the officers was shown on television news and the internet around the world. Reaction to the James Boyd shooting led to an unprecedented citizen response, which included protests and vigils. Additionally, citizens used the “Job Well Done” online reporting system to express their dissatisfaction for the situation that led to Mr. Boyd’s death. The Independent Review Office received more than 330 e-mails stating concerns and criticizing APD’s actions in the shooting of James Boyd. The Boyd shooting and subsequent protests also galvanized support for APD, resulting in an increase of “Job Well Done” acknowledgments for APD officers showing support for the police force.

At the March 13, 2014 Police Oversight Commission meeting, Chair David Cameron presided over the election of a new POC Chair and then resigned his position as a POC Member. Chair Jeffrey Peterson presided over the POC, along with Vice Chair William Barker and remaining Commissioner Dr. Carl Foster, until City Council suspended the Commission on September 2, 2014.

As discussed above, on April 10, 2014, the Department of Justice issued a Findings Letter which stated:

Based on our investigation, we have reasonable cause to believe that APD engages in a pattern or practice of use of excessive force, including deadly force, in violation of the Fourth Amendment and Section 14141. Our investigation included a comprehensive review of APD’s operations and the City’s oversight systems. We have determined that structural and systemic deficiencies—including insufficient oversight, inadequate training, and ineffective policies—contribute to the use of unreasonable force.

Three Police Oversight Commissioners resigned on April 15, 2014. Rather than staying and attempting to implement change, these Commissioners chose to step down from the Police Oversight Commission, citing their belief that the police oversight system was ineffective.

City Council suspended the Police Oversight Commission on September 2, 2014, awaiting amendments to the Police Oversight Ordinance. Council permitted the Independent Review Office to receive, investigate and make findings in Citizen Police Complaints filed prior to the first meeting of a new Police Oversight body.

On October 6, 2014, the Mayor signed into law amendments to the City's Police Oversight Ordinance, which replaced the two prior agencies, the Police Oversight Commission and Independent Review Office, with a one-agency Civilian Police Oversight Agency (CPOA). City Council became solely responsible for naming the nine volunteer members of the new Police Oversight Board. Council accepted applications for the POB from October 15 until November 30, 2014. Council named the new POB Members in February 2015. The POB's first meeting will be held on March 12, 2015. The amendments also transferred the IRO's job responsibilities to the Executive Director of the CPOA. Ms.

Hammer became the Acting Executive Director of the CPOA. The IRO's support and investigative staff became the Administrative Staff of the CPOA.

While all of these reviews of the police oversight system were taking place, the Independent Review Officer, Robin Hammer, and her staff continued to receive and investigate complaints against APD employees. As discussed above, Ms. Hammer also continued to reach out to Community groups and activists in an attempt to inform all Albuquerque residents about the police oversight process and the ability to voice satisfaction and dissatisfaction with APD.

The Albuquerque Police Department responded to more 490,000 calls for service in 2014. Yet, the Independent Review Office received only 233 complaints about the conduct of the police, some of which were not about APD, but other agencies. While the number of Citizen Police Complaints filed in 2014, (233 complaints received) were down compared to complaints filed in 2013 (259 complaints received), IRO Hammer and her staff fully investigated and resolved more complaints than any other year for which statistics are available, 188 fully investigated complaints. The IRO had inherited a backlog of cases which needed to be investigated and resolved. The IRO Office made great efforts to attempt to resolve this high backlog. Despite this high number of fully investigated cases, complainants filed appeals in only 5% of these cases, as compared to 8% of cases which were appealed in 2012 under the former IRO.

As discussed above, in November 2014, the DOJ and the City of Albuquerque entered into a proposed Settlement Agreement. Sections of this Agreement address the type of complaint which the CPOA may investigate and the nature of the investigation.

As Acting Executive Director of the CPOA, I look forward to continuing to make improvements to Albuquerque's system of Police Oversight, bringing transparency to APD's operations, and building a better relationship with our community.

II. POLICE OVERSIGHT COMMISSION

On April 15, 2014, three of the six members of the Police Oversight Commission resigned. In their letters provided to the media, Commissioners Shine, Barela, and Siegel cited ineffective civilian oversight as the reason for their resignations. Commissioners Peterson, Barker, and Foster chose to continue the work of the Police Oversight Commission until its suspension on September 2, 2014.

POLICE OVERSIGHT COMMISSIONERS

DISTRICT ONE:

RICHARD SHINE
Appointed: 08/20/12

Mr. Richard S. Shine received his BA and MA Degrees in International Politics from Columbia University. Mr. Shine went on to receive JD and LLM Degrees from the Georgetown Law Center. He has been an Assistant US Attorney in both Washington DC and

Term Ends: 02/01/15
Resigned: 04/15/14

Albuquerque. Mr. Shine has had an impressive career with the US Department of Justice as the Chief of the Multinational Fraud Branch, Trial Attorney for the Environmental Enforcement Section, Senior Legal Advisor for the General Litigation and Legal Advice Section and other posts. Mr. Shine was employed for six years as a Subject Matter Expert for the Science Applications International Corporation, helping to train more than 4,000 senior and middle management police officials from throughout the United States on the prevention and mitigation of suicide bombing attacks.

DISTRICT TWO:

JONATHAN SIEGEL
Appointed: 05/21/12
Term Ends: 02/01/15
Resigned: 04/15/14

Mr. Jonathan Siegel is a Principal Architect at Siegel Design Architects, LLC. Mr. Siegel has a Bachelor of Arts from the University of California at Santa Cruz, and a Professional Degree from SCI-Arc in Santa Monica, California. Mr. Siegel has been featured in the New York Times and in other publications. He is the recipient of awards at the national, state and local levels, and has lectured locally and abroad. He has been involved in neighborhood planning and community issues on an ongoing basis for over 25 years. He is currently a Mediator for Metro Court.

DISTRICT THREE:

JENNIFER BARELA
Appointed: 03/18/13
Term Ends: 02/01/16
Resigned: 04/15/14

Ms. Jennifer L. Barela received her Juris Doctor from the University of New Mexico School of Law. During her time in the UNM School of Law, she served as Vice President of the Mexican American Law Student Association and as a board member for the University of New Mexico School of Law Innocence & Justice Project. She started as a Law Clerk for the Federal Public Defenders, after which she moved to being an Assistant Public Defender in the state's Public Defender Department. She moved to the Juvenile Division in the same department after a year, and then moved again to the Felony Division. Currently, she is an Associate at the Law Office of Marcus Garcia, a position in which she represents clients charged with felonies ranging from fourth degree to first degree.

DISTRICT FOUR:

JEFFREY PETERSON

Appointed: 01/23/13

Term Ends: 02/01/16

Mr. Jeffrey A. Peterson has over 17 years of civil engineering experience, most recently as the Senior Civil Engineer for Chugach Management Services, JV. He is responsible for the design, review, management and construction of small to large projects for the US Air Force at Kirtland Air Force Base (KAFB). Projects under his direction include roadway construction, airfield construction, utility construction and repair, anti-terrorism/force protection construction, creation and maintenance of the KAFB base-wide 5-year Master Paving Plan, as well as civil support for new building design, construction and renovation projects throughout the base. He is familiar with the Department of Defense design requirements. In addition to his professional experience, he has served on a Crash Survey Team, and on a Vulnerability Assessment Team Anti-Terrorism Working Group. He has his Bachelor of Science degree in Civil Engineering from the University of New Mexico, and has special security clearance.

DISTRICT FIVE:

VACANT

DISTRICT SIX:

DAVID M. CAMERON

Appointed: 04/16/12

Term Ended: 02/01/14

Resigned at the end of his term on 02/18/14

Mr. David M. Cameron is a Pastor at the Immanuel Presbyterian Church. Mr. Cameron received his Bachelor of Arts in Zoology from the University of North Carolina (Chapel Hill), his Master of Divinity (Graduated with Distinction) from the Columbia Theological Seminary and his Master of Education in Counseling from East Tennessee State University. Mr. Cameron has also served as a Marriage and Family Therapist and has extensive knowledge on how to approach difficult issues with impartiality and sensitivity to emotional content. Currently, Mr. Cameron serves on the Metropolitan Homeless Project as one of the Board of Directors.

DISTRICT SEVEN:

VACANT

DISTRICT EIGHT:

DR. CARL FOSTER

Appointed: 01/23/13

Term Ends: 02/01/15

Dr. Carl G. Foster received his Bachelor of Science degree in Elementary Education from Concordia University, his Master's degree in Physical Education from the University of Northern Colorado, a second Master's degree in Special Education, and his Doctorate of Education from the University of Arizona. He began his professional career as an educator for Farmington Municipal School. He was a Deputy Chancellor for the Department of Energy at New Mexico Tech in Socorro. After his time with New Mexico Tech, he went on to work as the Manager of Curriculum Development and Evaluation at the Department of Energy Emergency Operations Training Academy at Kirtland Air Force

Base. Currently, he is an Adjunct faculty member at the New Mexico Highlands University. He is a Commissioner on the New Mexico Public School Capital Outlay Advisory Board, a Board Member for Selective Service, and has served as a Commissioner for the New Mexico Commission on Higher Education. He served as a Reserve Deputy Sheriff for the San Juan County Sheriff's Department.

DISTRICT NINE:

WILLIAM BARKER

Appointed: 01/23/13

Term Ends: 02/01/16

Major William Barker enlisted in the Marines in Bellingham, Washington, in 1965. He served with the Marine Corps until 1990, at which time he retired from the service to work in education. He has a Bachelor of Arts degree in Psychology and a Master's degree in Counseling. He began as a JROTC Instructor at Eldorado High School upon his retirement from the Marines in 1990, and worked with the school for six years. He then moved to La Cueva High School to serve as the JROTC Instructor in 1996, primarily instructing high school students in leadership curriculum – a program which he developed. In 2010, he became the District Military Instructor for Albuquerque Public Schools, a position in which he oversees 27 instructors at 14 high schools in the JROTC program. He creates job descriptions, assists with curriculum development, and manages a \$2.8 million budget.

POLICE OVERSIGHT BOARD DUTIES

The Police Oversight Commission has been replaced by the **Police Oversight Board (POB)** and is tasked with the following functions:

1. Promote a spirit of accountability and communication between the citizens and APD while improving community relations and enhancing public confidence;
2. Oversee the full investigation of civilian complaints; audit and monitor all investigations and/or police shootings under investigation by APD's Internal Affairs;
3. Continue cooperation with APD and solicit public input by holding regularly scheduled public meetings;
4. Review all work of the Administrative Office with respect to quality, thoroughness, and impartiality of investigations;
5. Submit all findings to the Chief of Police;
6. The POB shall review and analyze policy suggestions, analysis, studies, and trend data collected or developed by the Administrative Office, and shall by majority vote recommend policies relating to training, programs and procedures or other matters relating to APD. The POB's policy recommendations shall be submitted to APD and to the City Council. The POB shall dedicate a majority (more than 50%) of its time to the functions described in this subsection.

POLICE OVERSIGHT BOARD TRAININGS

The following training is now required for Board Members under the amended Ordinance and the DOJ Settlement Agreement:

Amended Police Oversight Ordinance § 9-4-1-5(F)

(1) Required Orientation. Prior to participation in any 9 meeting of the POB, a newly appointed member must first:

- (a) Be trained by the CPOA staff or CPOA legal counsel on CPOA and APD rules, policies, and procedures; and
- (b) Attend at least one POB meeting as an observer (except initial appointees).

(2) Required Training. Each POB member shall complete a training program within the first six months of the member's appointment that consists, at a minimum, of the following:

- (a) Completion of the APD Civilian Police Academy;
- (b) Civil Rights training;
- (c) At least two (2) APD ride-alongs;
- (d) Annual firearms simulation training;
- (e) Internal Affairs training;
- (f) Use of Force training, including a review and familiarization with the APD Use of Force Policy;
- (g) Equity and Cultural Sensitivity training; and
- (h) Periodic additional training on items (b) through (g) above, or other periodic training as determined by the Mayor, City Council or the CPOA.

DOJ Settlement Agreement

¶ 274: Within six months of their appointment, the City shall provide 24 hours of training to each individual appointed to serve on the CPOA that covers, at a minimum, the following topics:

- a) this Agreement and the United States' Findings Letter of April 10, 2014;
- b) the City ordinance under which the agency is created;
- c) state and local laws regarding public meetings and the conduct of public officials;
- d) civil rights, including the Fourth Amendment right to be free from unreasonable searches and seizures, including unreasonable uses of force;
- e) all APD policies related to use of force, including policies related to APD's internal review of force incidents; and
- f) training provided to APD officers on use of force.

¶ 275: The City shall provide eight hours of training annually to those appointed to serve on the CPOA on any changes in law, policy, or training in the above areas, as well as developments in the implementation of the Settlement Agreement.

¶ 276. The City shall require those appointed to the CPOA to perform at least two ride-alongs with APD officers every six months.

POLICE OVERSIGHT COMMISSION MEETINGS

The regular meetings of the Police Oversight Commission (POC) for the City of Albuquerque were held in accordance with the New Mexico Open Meetings Act (NMSA 1978), Section 10-5-1 through 10-15-4.

Meetings were open to the public and were held in the City Council/Commission Chambers, Albuquerque/Bernalillo County Government Center. During 2014, the POC held meetings on:

January 9, 2014
February 13, 2014
March 13, 2014
April 10, 2014

May 8, 2014
June 12, 2014
July 10, 2014
August 14, 2014

POLICE OVERSIGHT LONG-TERM PLANNING COMMITTEE (LTPC)

MEMBERS

RICHARD SHINE (CHAIR)
JEFFREY PETERSON (VICE CHAIR)
WILLIAM BARKER
JONATHAN SIEGEL

The Long-Term Planning Committee (LTPC) held meetings on:

January 9, 2014
February 27, 2014
March 27, 2014
April 25, 2014

The POC's Long-Term Planning Committee held public meetings, typically on the fourth Thursday of the month, in the basement hearing room (Room 160) in the Plaza del Sol Building, 600 Second Street, Northwest. The LTPC reviewed matters to make policy recommendations to the full POC. The LTPC also reviewed and made recommendations on the IRO/POC regarding the annual operating budget for the IRO and the POC.

The LTPC reviewed trends to make policy recommendations to the full POC. The LTPC also reviewed and made recommendations on the IRO/POC regarding the annual operating budget for the IRO and the POC.

On January 9, 2014, the LTPC discussed their recommendations concerning the structure of the Independent Review Office, which included the suggestion that the office be expanded to include additional investigators, an additional analyst, and a community outreach director. There was also a recommendation to increase the IRO travel budget so that five commissioners could attend the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference.

On February 27, 2014, the LTPC discussed the issue of an officer being permitted to make false statements as part of a lawful criminal investigation. Sergeant Belinda Mock informed the Committee that there is not a Standard Operating Procedure (SOP) that deals with that technique. The APD “use of force” forms were discussed along with deliberation concerning the rules for inactivation of CPCs.

The LTPC also sought to study trends and analyze all civil litigation against APD officers in the last 5 years. IRO Hammer informed the Committee that she sent City Attorney David Tourek an email requesting someone from City Legal attend the meeting to address this item. Mr. Tourek informed IRO Hammer that anything he could provide would be public record and there was no staff available to collect data or attend the LTPC meeting.

At the March 27, 2014, LTPC meeting, the issue of an officer’s discretion to enter a CAD reference in lieu of filing a police report was addressed by Sergeant Belinda Mock, who informed the Committee that there is an SOP that relates to this issue. It is SOP 1-05-6, which gives a list of discretionary options for officers to employ in situations in which a police report may not be warranted. The Committee also continued to discuss the need to amend the lapel camera SOP to expressly deal with equipment failure. Sergeant Belinda Mock informed the Committee that the department is working to revise the SOP.

III. OFFICER-INVOLVED SHOOTINGS

In 2014, there were eight closed officer-involved shooting cases in which the Independent Review Officer presented her Findings to the Police Oversight Commission for review. The IRO office reviewed and presented findings on four officer-involved shootings which occurred in 2012, and four officer-involved shootings which occurred in 2013.

Officer-Involved Shootings Presented to the POC for Review in 2014

POLICE SHOOTING CASE – I-112-12 (reviewed by POC on January 9, 2014)

On June 14, 2012, APD officers were dispatched regarding an individual who was being attacked by a pit bull. One of the dogs approached Officer L. Officer L. hit the dog with her baton. The dog then approached Officer J. Officer J. discharged his weapon three times, striking the dog.

A second dog ran away, and ended up running into the cab of the animal control vehicle. Officer L. started to approach the wounded dog, when the wounded dog started to get up and approach Officer L. Officer L. discharged her weapon twice, striking the dog in the head and killing the dog. The IRO and the POC found the allegation of *Use of Deadly Force* to be EXONERATED, and *Failure to Record* to be NOT SUSTAINED against Officer J. The IRO and the POC found the allegation of *Use of Deadly Force* and *Failure to Record* to be EXONERATED against Officer L.

POC Approval For: 7 – Cameron, Siegel, Barela, Barker, Foster, Peterson, Shine

In the Second Quarter 2014, the Independent Review Officer reviewed and presented five Officer-Involved Shooting cases during the monthly Police Oversight Commission meetings.

POLICE SHOOTING CASE – I 58-13 (reviewed by POC on April 10, 2014)

On February 22, 2013, APD Officers were dispatched to a disturbance call regarding dogs that were attacking other dogs. Officers proceeded to the alley in order to locate the dogs. Near the end of the alley, two dogs charged towards Officer C. Officer M. yelled out to warn Officer C. Officer C. was in fear of being attacked. Officer C. shot one of the dogs. Shortly after, both dogs fled the scene. The IRO and the POC found the allegation of *Use of Deadly Force* to be EXONERATED against Officer C.

POC Found For: 6 – Peterson, Barker, Barela, Foster, Shine, Siegel

POLICE SHOOTING CASE – I-100-12 (reviewed by POC on May 8, 2014)

On December 17, 2012, at around 3:00 p.m., APD officers were dispatched to a residential burglary call. The homeowner informed officers that she had not given permission for Mr. S. to live in her home, but she did not evict Mr. S. because homeowner was in fear. The homeowner said she also did not evict Mr. S. because she “did not want to die.” Mr. S. had entered the residence through a basement window and was still inside the residence. SWAT officers were dispatched to the scene. Mr. S. refused to exit the residence. After several hours, Mr. S. exited the garage, driving the victim’s vehicle at a high rate of speed.

Officer W. had been dispatched to a nearby intersection several hours earlier to block traffic and to maintain a perimeter. Around 7:08 p.m., Officer W. heard over dispatch the words, “garage, perimeter broken.” Officer W. saw the fleeing vehicle coming in his direction, and felt that his patrol car would be hit. Officer W. moved to the sidewalk. When the suspect drove around Officer W.’s patrol car, Officer W. felt his life was in danger, and that the suspect was heading directly toward Officer W. Officer W. fired two shots at the suspect’s vehicle. Officer W. stated that he fired at the front windshield of the vehicle and then shot once more at the back windshield. After being shot at, the suspect did not stop and drove away from the intersection.

The Multi-Jurisdictional Police Shooting Task Force interviewed Officer W. on December 17, 2012. APD Criminalistics also conducted an investigation of the incident. It was determined that Officer W. shot at the vehicle as it was driving away from him, not driving toward him. The evidence indicated that one bullet entered the front passenger window and struck the dashboard, and another bullet was lodged in a school across the street from the scene. Officer W. stated that he was not attempting to hit the driver, but was attempting to make the driver stop or change his direction of travel.

Officer W. had been at the intersection for three hours when he noticed the suspect coming toward him. Officer W.'s lapel camera was not turned on during the three hours he was at the intersection. The SOP in place at the time did not require Officer W. to initiate his lapel camera. The IRO and the POC found the allegation of *Failure to Record* to be EXONERATED against Officer W.

Officer W. had several versions of his encounter with the suspect at the intersection. An APD Sergeant gave testimony to the Commission regarding the "looming" phenomenon which occurs when officers have to discharge their weapons, and how an officer perceives the event and how he remembers it. The IRO and the POC found the allegation of *Untruthfulness* to be NOT SUSTAINED against Officer W.

Regarding the use of force, the evidence indicated that the suspect was driving away from Officer W. when Officer W. fired his weapon at the vehicle. The IRO and the POC found the allegation of *Use of Force* to be SUSTAINED against Officer W.

POC Found For: 2 - Barker, Foster

Against: 1 - Peterson

POLICE SHOOTING CASE –I-208-13 (reviewed by POC on May 8, 2014)

SWAT officers were dispatched to the scene where two suspects were barricaded inside an apartment. When the suspects fired at officers, SWAT Officer H. returned fire, but missed hitting the suspect. The suspect was killed by a New Mexico State Police sniper. One issue was whether APD Officer H. violated the SOP regarding use of his lapel camera. Officer H. was on scene for several hours, and his helmet camera ran out of memory. Pursuant to the SOP in effect at the time of this incident, Officer H. was required to record this entire incident. Even though the camera did not have enough memory to record the entire incident, the IRO and the POC found Officer H. to have violated the *Lapel Camera* SOP. The IRO and the POC found that the SOP was faulty and needed to be changed. The IRO and the POC found that Officer H.'s *Use of Force*, when he returned gunfire at the suspect who fired at him, to be EXONERATED.

For: 3 – Peterson, Barker, Foster

POLICE SHOOTING CASE –I-188-13 (reviewed by POC on June 12, 2014)

On September 20, 2012, two APD officers were dispatched to a residence to assist in arresting a fugitive. Officers AC and JC were assigned to the United States Marshal's Service Task Force. Upon arrival at the scene, Officers AC and JC were told to go to the back yard to assist other task force members. Officer JC jumped into the back yard from a cinder block wall. At that time, a Pit Bull dog started to charge at Officer JC, trying to bite his leg. Officer AC, who was still on the cinder block wall, believed there was an imminent threat of injury to Officer JC, and he discharged his weapon at the Pit Bull in an effort to protect Officer JC from being bitten. The Pit Bull dog survived the shooting. Animal Control responded to the scene. Because Officers AC and JC were assigned to a United States Marshal's Service Task Force, no photos were allowed to be taken of the incident pursuant to a Memorandum of Understanding. The IRO and the POC found the allegation of *Use of Deadly Force* to be EXONERATED against Officer AC.

For: 3 – Peterson, Barker, Foster

POLICE SHOOTING CASE –I-195-13 (reviewed by POC on June 12, 2014)

On August 11, 2013, at approximately 8:20 a.m., officers were dispatched to the scene where a Pit Bull was attacking a woman and her small dog. When Sergeant S. arrived on scene, he observed that the Pit Bull had a small dog in its mouth, and the small dog was covered with blood. The Pit Bull finally released the small dog from its mouth. The woman was bleeding from her hand as a result of the Pit Bull dog biting her. Officers tried to contain the Pit Bull dog, but the dog escaped and began heading toward a crowd of people, including children. Sergeant S. made the decision to shoot the Pit Bull dog in order to protect the citizens from being attacked. Neighbors informed Sergeant S. that the Pit Bull dog had previously chased people in the neighborhood. The lapel video supported Sergeant S.’ version of events. The IRO and the POC found the allegation of *Use of Deadly Force* to be EXONERATED against Sergeant S.

For: 3 – Peterson, Barker, Foster

POLICE SHOOTING CASE –I-166-13 (reviewed by POC on July 10, 2014)

I-166-13 – On July 15, 2013, at 8:20 p.m., multiple officers were dispatched to a tire shop on Old Coors Road. A citizen had reported that three or four persons were wearing masks, were armed with rifles and were on the roof of the tire shop. Officers met at a parking lot across the street from the tire shop. Officers E. and M. then moved to the outside of the tire shop. Two men left the tire shop and got into a vehicle. Officers S. and P. followed the vehicle and conducted a traffic stop. There was an automatic pellet gun, Air Soft type gun, inside the vehicle. The suspects in the vehicle informed officers that other men were still inside the tire shop.

An additional two men then exited the tire shop with the same type of weapons. A female informed the officers that her baby was inside an apartment that was attached to the tire shop. Officers then entered the tire shop to clear the building. In the apartment, officers found an 11-year-old child and a baby. Officer M. and Sergeant M. then went downstairs to clear a small portion of the tire shop. After the officers indicated that the scene had been cleared, Sergeant M. began to holster her gun. Sergeant M. then hit her elbow and the gun began to fall from her hand. Sergeant M. grabbed the gun to prevent it from falling to the floor. At that time, the gun discharged, striking Officer M. in the leg. Rescue was called and Officer M. was transported to the hospital for treatment.

After a review of the evidence, it was determined that Sergeant M. accidentally discharged a live round. The IRO and the POC found that Sergeant M.’s behavior in handling her weapon was careless. The IRO and the POC found that the allegation of *Unsafe Handling of Weapon* to be SUSTAINED against Sergeant M. Sergeant Liz Thompson stated that the Multi-Jurisdictional Police Shooting Task Force was not called, as they should have been, regarding this incident. The SOP states that the Police Shooting Team should be called out on use-of-force incidents when there is any injury. That was not done in this case. The IRO and the POC found that APD’s conduct was SUSTAINED because the *Police Shooting Team* was not called out regarding this incident.

For: Peterson, Barker, Foster

POLICE SHOOTING CASE –I-199-12 (reviewed by POC on August 14, 2014)

On October 17, 2012, at approximately 5:26 p.m., Officers S. and P. were dispatched to 4614 La Vida Nueva Del Oeste, Southwest, in reference to a priority one domestic violence call. The caller advised that a shirtless, tattooed man was striking a pregnant woman in the face. As Officer P. and Officer S. approached the residence, they observed a medium sized gray dog between the green car and the front door of the home. The dog growled, barked, ran past Officer P., and aggressively charged Officer S. Officer S. stated the dog was approximately six feet away when he first saw it. The dog closed that distance on Officer S. and was right next to Officer S.' knee. At that point, Officer S. felt that he was under attack and in immediate danger of being bitten by the dog. Officer S. drew his duty firearm and fired one shot. The shot struck the dog in the left side of the back. The evidence indicated that Officer S. used deadly force to protect himself and another officer when he believed that they were in immediate threat of death or serious physical injury from the dog. The IRO and the POC found the allegation of *Use of Deadly Force* to be EXONERATED against Officer S.

For: Peterson, Barker, Foster

Officer-Involved Shootings Which Occurred in 2014

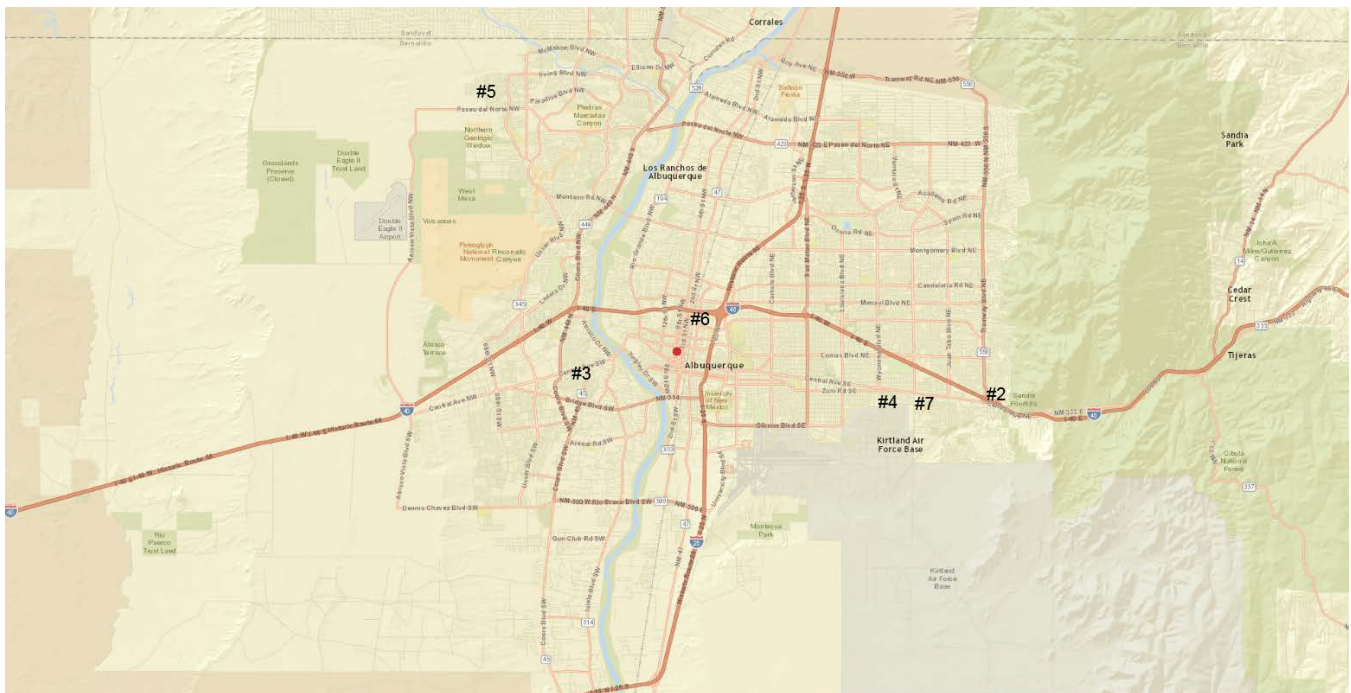


Figure 1: Locations of officer-involved shootings which occurred in 2014. The first shooting of 2014 occurred in Rio Rancho.

There were seven officer-involved shootings in 2014. In addition to reviewing and reporting on officer-involved Shootings to the Police Oversight Commission, the Independent Review Officer or her IRO designee responded to the scene of every OIS incident within a short time after the shooting took place

to observe the actions of APD and the Multi-Jurisdictional Officer-Involved Shooting Task Force Members.

1. January 9, 2014, Non-Fatal, Rio Rancho ROP Pursuit Warrant

Detective C. shot at the tires of the car 33-year-old Jeremy Robertson was driving as he was attempting to flee from detectives who were trying to arrest him in a Walgreen's parking lot in Rio Rancho.

2. March 6, 2014, Fatal, Sandia Mountain Foothills near Copper SWAT/ROP CIT

Detective S. and Officer P. shot 38-year-old James Boyd six times after APD responded to reports that Boyd had threatened to stab APD Open Space Officers.

3. March 25, 2014, Fatal, 228 60th St NW SWAT CIT

Officer E. shot and killed 30-year-old Alfred Redwine. Police were called to the scene after a 14-year-old girl said Redwine pointed a gun at her. APD Officers reported that Redwine fired at least one shot while standing outside of his apartment near 60th Street and Central

4. April 21, 2014, Fatal, Zuni and Wyoming Pursuit Stolen Vehicle

Police said that officers had seen 19-year-old Mary Hawkes driving a stolen truck earlier and were attempting to locate and arrest her. A chase ensued. Police said during the chase Hawkes pointed a gun at Officer D. Officer D. shot and killed Ms. Hawkes.

5. May 3, 2014, Fatal, 10500 Coyote Canyon NW SWAT CIT

SWAT team officer H. shot 50-year-old Armand Martin after police said Mr. Martin threatened his wife and children with a gun. Police said Mr. Martin fired into the neighborhood from his home, and came out of the house 'actively shooting with two handguns' when he was fatally shot.

6. May 22, 2014, Fatal, 2nd Street and Interstate 40 Aggravated Assault

Officers G. and F. shot and killed Ralph Chavez after Chavez allegedly slashed the throat of man who was attempting to intervene in a fight Chavez was having with his girlfriend.

7. July 22, 2014, Fatal, Eubank and Central Pursuit ATF

Officers S. and O. fired two shots each, killing 33-year-old Jeremy Robertson, after Robertson reached into his waistband for a gun while running away from officers.

The synopsis and location information for these shootings was partially derived from Albuquerque Journal's reporting "Albuquerque Under Fire" <http://www.abqjournal.com/apd-under-fire>

IV. CITIZEN POLICE COMPLAINTS (CPCs)

Any person may file a written complaint against APD officers or employees. Under the prior Ordinance and the Police Union Contract, all complaints were required to be signed. The IRO/CPOA website contained an electronic complaint form. Written forms were obtainable at the IRO/CPOA office and all APD substations or facilities.

Written Complaints were submitted to:

- IRO's website: www.cabq.gov/cpoa
- IRO office at Room 813, Plaza del Sol, 600 2nd Street NW (8th Floor)
- Mail completed complaint forms to: PO Box 1293, Albuquerque, NM 87103;
- Any APD substation or facility; or
- Any APD officer on duty

CPC INVESTIGATION AND REVIEW PROCEDURE

1. When the Independent Review Officer (IRO)/Executive Director (Director) receives a written complaint, the complaint is entered into the IRO's case management database and assigned a Citizen Police Complaint (CPC) number.
2. The IRO/Director reviews the complaint for jurisdiction and then assigns the case to an IRO investigator.
3. The Investigator interviews the complainant, obtains evidence, and conducts a Garrity interview of target officer.
4. Upon completion of the investigation, the Independent Review Officer/Director reviews the investigation for thoroughness, impartiality, and fairness.
5. The Independent Review Officer makes findings and conclusions based on the evidence developed in the investigation as to whether the alleged misconduct violates the rules governing APD employees' conduct called Standard Operating Procedures (SOPs). All findings are based on a preponderance of the evidence. The preponderance is based on the more convincing evidence and its probable truth or accuracy, not in the amount of evidence. (be able to show one side's contention is more likely true than the other's) The Independent Review Officer/Director writes a draft letter to the person who filed the complaint, outlining her findings and conclusions.
6. APD Chain of Command reviews Director findings prior to POB review only to ensure timeliness to impose discipline under the Union Contract. (90 days)

7. POB Board hears the complaint and approves or modifies findings, or remands for further investigation by Administrative Office.

8. If the person who filed the complaint is dissatisfied with the findings, they may appeal the decision to the Police Oversight Commission. Appeals are to be heard during POC's monthly meetings, which are televised and open to the public.

9. The Chief of Police has sole disciplinary authority over APD personnel for findings of misconduct, including findings of misconduct made by the IRO.

COMPLAINT DISPOSITION STANDARDS

The IRO made findings regarding alleged misconduct based upon APD's Standard Operating Procedures (SOPs). The Independent Review Officer based her findings on a preponderance of the evidence. A preponderance of the evidence means that one side has a greater weight of evidence that is more credible and convincing than the other side. If the credible evidence was 50-50, the proper finding was Not Sustained. The IRO made the following types of findings:

Sustained – It was determined that an APD employee committed the alleged violation.

Not Sustained – It cannot be determined if an APD employee committed the alleged violation.

Exonerated – The APD employee was justified in taking the course of action alleged and/or was operating within the guidelines of the law or SOPs.

Unfounded – The APD employee did not commit the alleged violation.

Inactivated – The complaint was closed for lack of jurisdiction or a satisfactory informal resolution.

INACTIVATION/ADMINISTRATIVE CLOSING OF CITIZEN POLICE COMPLAINTS

A. The IRO, with the approval of the POC, inactivated or administratively closed CPCs for any one of the following reasons:

- **Mediation (supervisor solution)**, where the complaint against the officer had been satisfactorily resolved in an informal manner with the help of the officer's supervisor;
- **Complaints filed over 90 days**, where the IRO did not have legal authority to investigate into a complaint filed more than 90 days after the date of the incident;
- **Complaints without signature**, any complaints received must be signed in order to be considered "valid." Without the signature, the IRO office cannot proceed with the investigation;
- **No SOP allegation**, where the complaint did not allege any unprofessional behavior on the part of the officer(s);
- **Complaint withdrawal**, where the citizen did not wish to proceed with any further investigation;
- **Preliminary investigation did not find any SOP violation**, where after IRO reviewed the officers' actions and evidence indicated that the officers followed APD Standard Operating Procedures;

- **Complaints of unidentified officer**, because the IRO could not determine if the complaint mentioned any officers or identifiers to further investigate the case or could not determine if the officers complained about were employed by the Albuquerque Police Department;
- **Complaints filed without IRO jurisdiction to investigate**, because the IRO did not have legal authority to investigate into the complaint;
- **Complaint referring to another agency**, where the IRO determined Albuquerque Police Department did not employ an officer with the name provided in the complaint;
- **Frivolous complaint**, where the allegations were neither a violation of SOP nor a criminal act, but a complaint was frivolous or filed for purposes of harassment;
- **Incomprehensible complaints**, where the IRO received generalized complaints about police, did not have a specific complaint of an officer(s), and no specific allegation was the subject of the complaint; and
- **Criminal referral to Internal Affairs of APD**, where the IRO received a complaint to conduct investigations into complaints of criminal actions by officers. These complaints were forwarded to the Albuquerque Police Department’s Internal Affairs Unit for further investigation and possible referral to the Criminal Investigations Division for criminal investigation.

Following the settlement agreement with the DOJ, the CPOA is now required to accept and investigate anonymous complaints and complaints regardless of the day of the alleged misconduct.

CITIZEN POLICE COMPLAINTS (CPCs) DATA & STATISTICS

YEARLY STATISTICS	2011	2012	2013	2014
Total Complaints Received	254	261	259	233
Inactivated/ Administratively Closed Complaints	163	124	131	106
Complaints Resolved after Full Investigations and Findings	117	71	84	188
Appealed Cases Heard	8	6	6	10

Table 1: Case Summary and Status of All Complaints Received and Complaints Investigated in 2014.

The number of complaints received by the Independent Review Office in 2014 reflected a 10% decrease in complaints compared to 2013. In 2014, the IRO received an average of 19 CPCs per month. At the end of 2014, the IRO had 110 pending complaints. Pending cases include cases that have been fully investigated and are awaiting review of the IRO, APD Chain of Command, or the Police Oversight Commission.

IMPORTANT INFORMATION CONCERNING THE STATISTICS BELOW

The statistics below are separated into two separate categories for purposes of clarity. The first section presents data regarding Complaints **RECEIVED** during the calendar year 2014. The IRO completed investigation and findings in 2014 for cases which were filed in 2014, as well as Complaints filed in 2013. This leads to the second category of information: Complaints which were **REVIEWED** in 2014. The REVIEWED category is further broken down into: 1) closed cases which have been fully investigated and 2) inactivated cases which were not fully investigated for the reasons discussed below, which included informal resolution of the complaint, or the lack of jurisdiction to investigate the complaint. Moving forward, these inactivations will be classified as “administrative closings.”

COMPLAINTS RECEIVED IN 2014

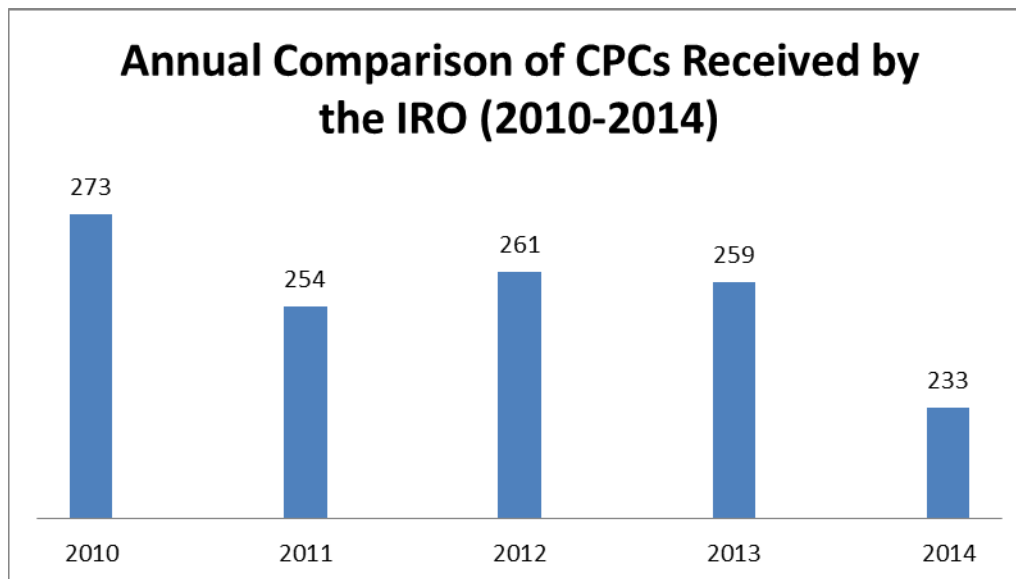


Figure 2: The number of complaints received by the Independent Review Office for the years from 2010 to 2014. During the past five years, the IRO has received an average of 256 Citizen Police Complaints (CPCs) per year.

COMPLAINTS RECEIVED IN 2014

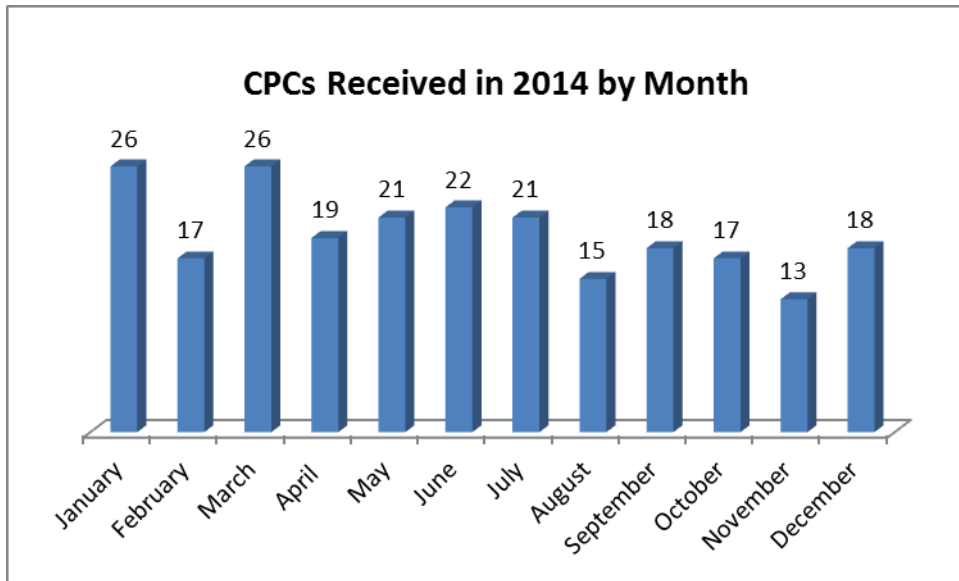


Figure 3: January and March show the highest number of alleged misconduct reported in 2014.

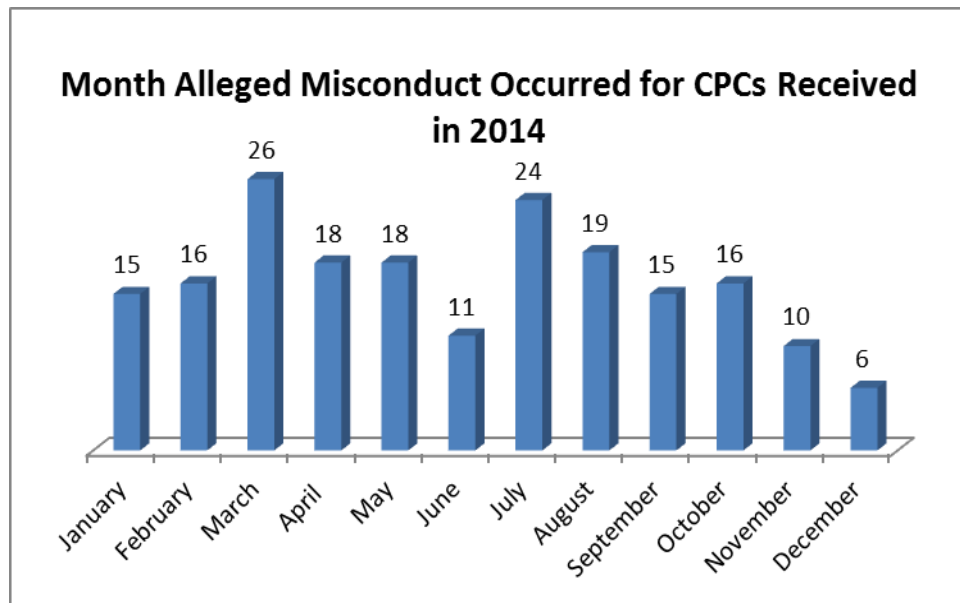


Figure 4: March was the month in which the most alleged misconduct occurred. The remaining thirty-nine complaints alleged misconduct before 2014 or the month of alleged misconduct is unknown.

COMPLAINTS RECEIVED IN 2014

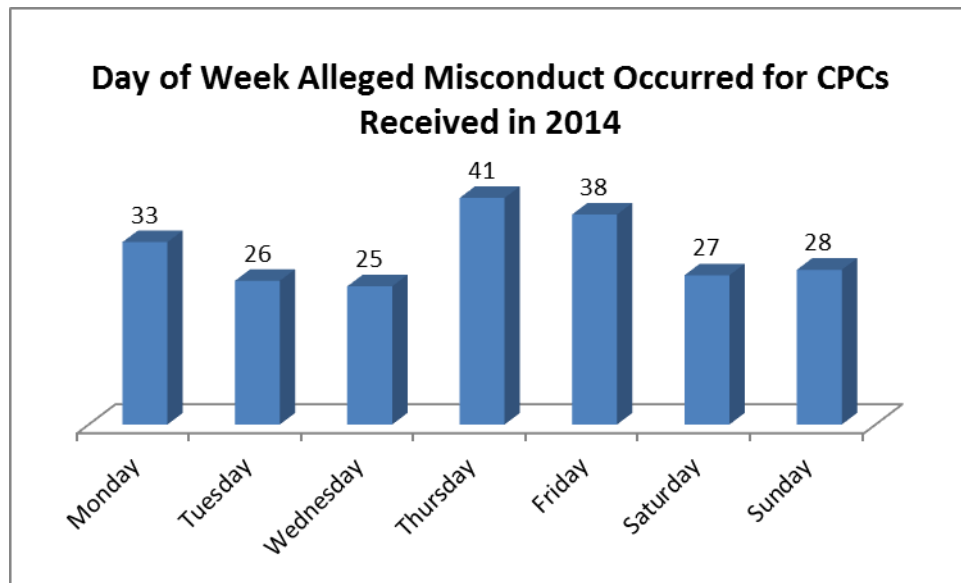


Figure 5: Thursday and Friday show higher rates of alleged misconduct compared to infractions throughout the week. The day of week is unknown for 15 CPCs.

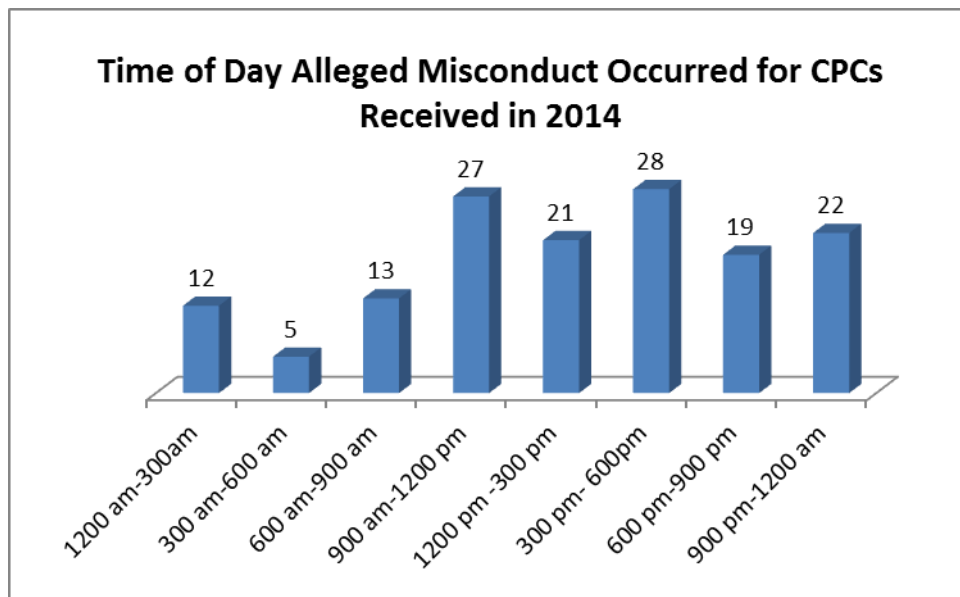


Figure 6: The highest number of complaints reported in 2014 was alleged misconduct between the hours of 3pm and 6pm. The time is unknown for 86 complaints.

ALBUQUERQUE POLICE AREA COMMANDS

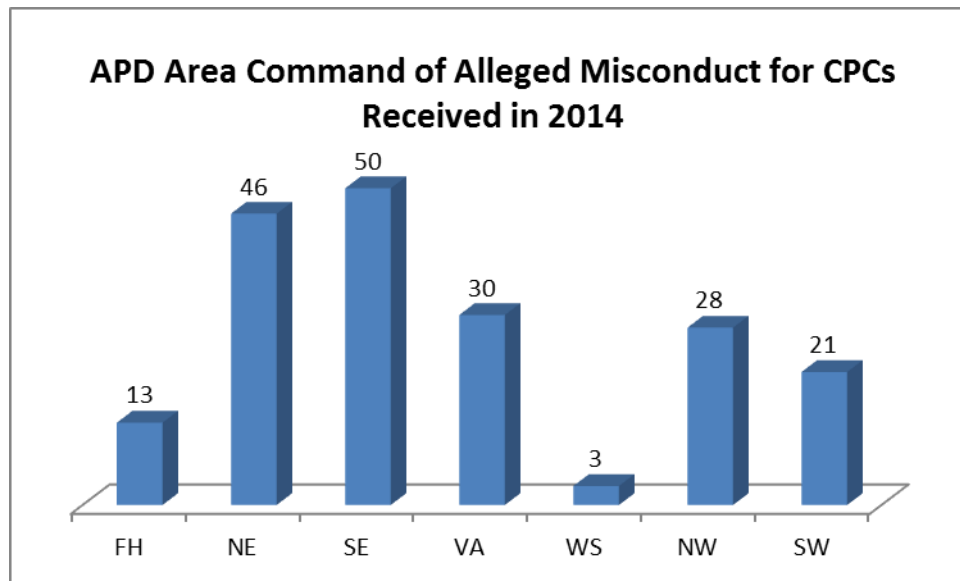
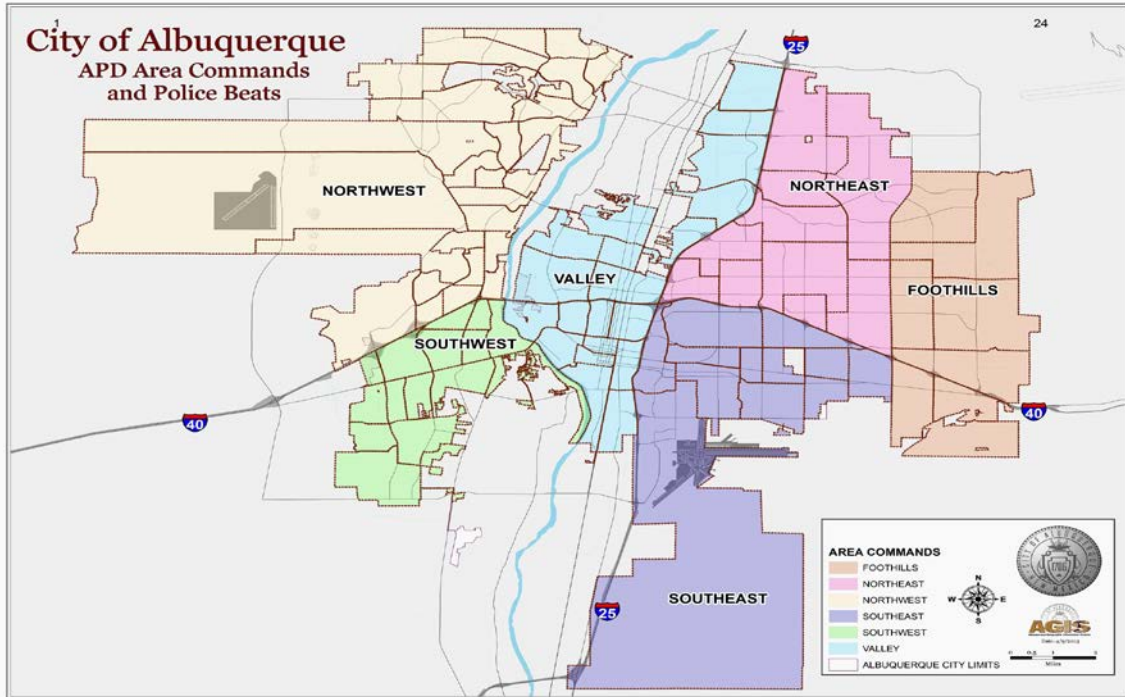


Figure 7: The IRO office received 191 complaints with an identified APD Area command in 2014. There were 42 complaints with unidentified incident location (includes CPCs with alleged misconduct of officers in multiple locations, telephone conversations, undetermined location, general complaints on APD). The highest number of alleged misconduct in known areas occurred in the area of the South East area command.

ALBUQUERQUE CITY COUNCIL DISTRICTS

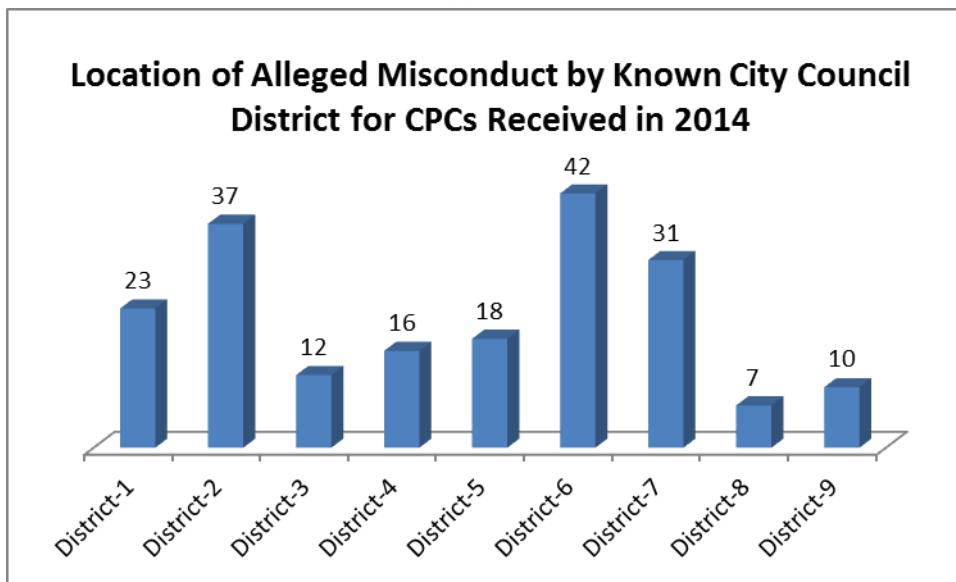
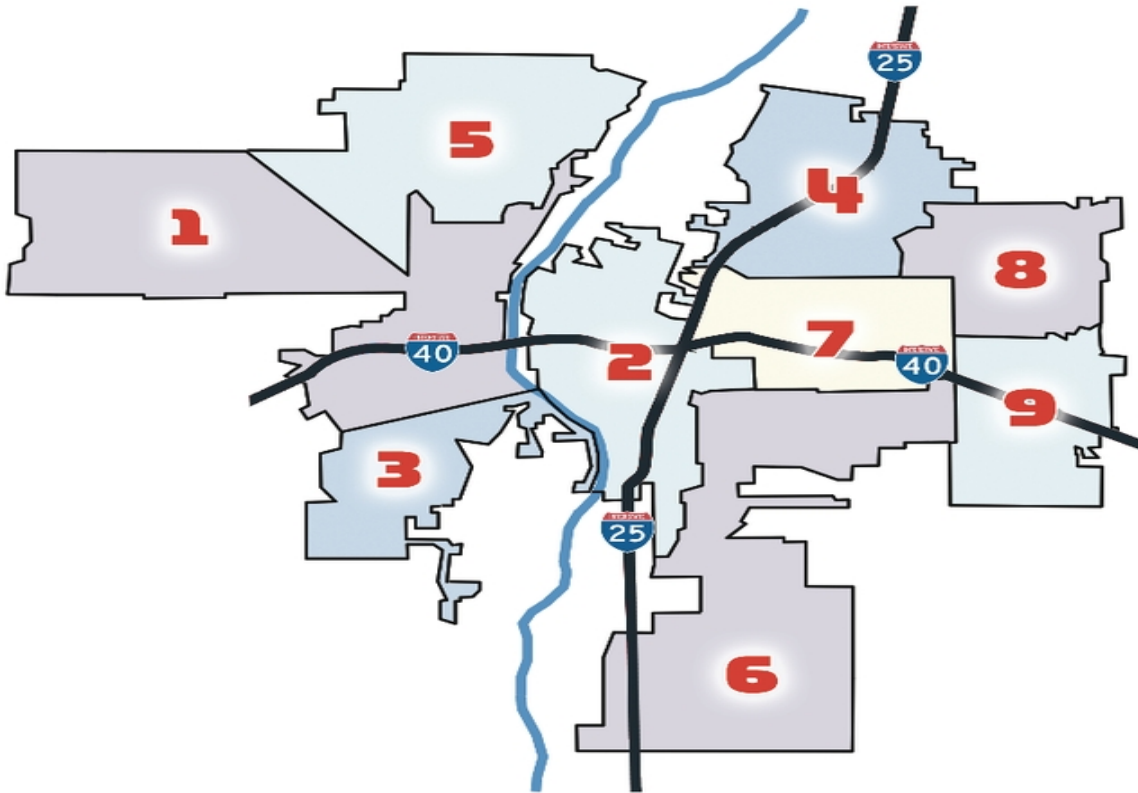


Figure 8: There were 233 complaints received by the IRO in 2014. 37 complaints did not have a known location of alleged misconduct. Unknown districts include complaints referring to phone encounters, unspecified incidents, addresses without district, or complaints without incident information.

NEIGHBORHOOD ASSOCIATIONS and LOCATIONS

In 2014, CPCs were received from persons living in the below listed neighborhood associations and locations. The neighborhood associations are categorized by City Council District.

<i>City Council District 1:</i>	Neighborhood Association: Los Volcanes; West Bluff; Ladera Hills; West Mesa; S R Marmon; Ladera Heights Location: Bernalillo County Metropolitan Court;
<i>City Council District 2:</i>	Neighborhood Association: Vecinos Del Bosque; Raynolds Addition; Sunstar; South Broadway; Barelmas; Sycamore; Los Duranes; Greater Garnder; West Park; Silver Hill; Los Griegos Location: Rio Grande Valley State; Downtown; North Campus; Old Town
<i>City Council District 3:</i>	Neighborhood Association: Stinson Tower; Alamosa; Anderson Hills; Alamosa Location: Route 66
<i>City Council District 4:</i>	Neighborhood Association: North Wyoming; Hodgin; Nor Este; Wildflower Area; Academy Acres; Location:
<i>City Council District 5:</i>	Neighborhood Association: Skies West; Paradise Hills; Ventana Ranch; Piedras Marcadas Location: Cottonwood Mall;
<i>City Council District 6:</i>	Neighborhood Association: Nob Hill; Highland Business Addition; La Mesa; University Heights; Trumbull Village; South Los Altos; Fair West; Victory Hills; Siesta Hills; South San Pedro; Elder Homestead Location:
<i>City Council District 7:</i>	Neighborhood Association: Altamonte Addition; Hodgin; Acme Acres; Snow Heights; Hoffmantown; Mark Twain; Bel Air; Northeastern; Quigley Park; Inez; McKinley Location: Jerry Cline Park; Uptown
<i>City Council District 8:</i>	Neighborhood Association: Glenwood Hills; Enchanted Park; Oso Grande; Academy Hills Location:

<p><i>City Council District 9:</i></p>	<p>Neighborhood Association: Sombra Del Monte; Princess Jeanne; Sandia Vista</p> <p>Location:</p>
--	---

GEOGRAPHIC DISTRIBUTION OF COMPLAINTS RECEIVED IN 2014

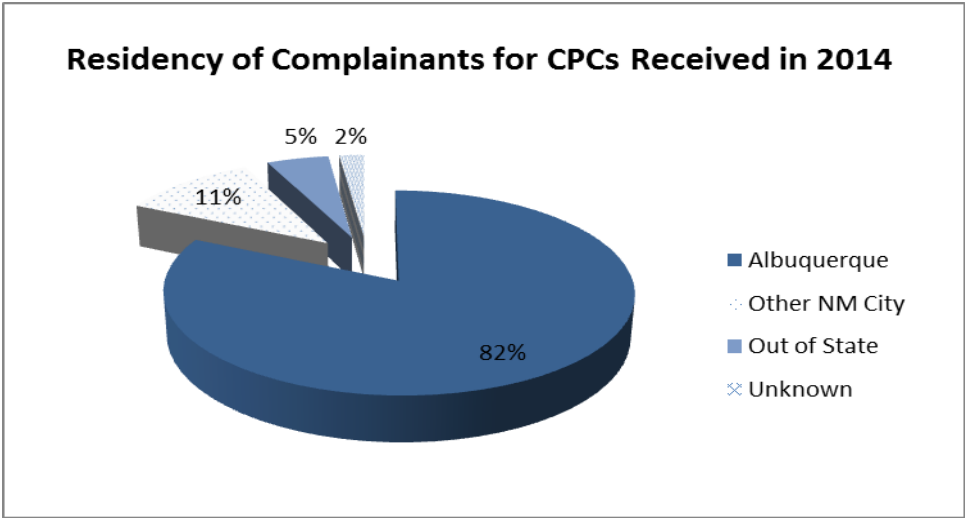


Figure 9: The IRO office received 233 complaints with addresses in 2014: 191 complainants were from Albuquerque residents; 26 complainants were residents of cities outside Albuquerque; 12 complainants were from out of state; and the residency for 4 Complainants is unknown.

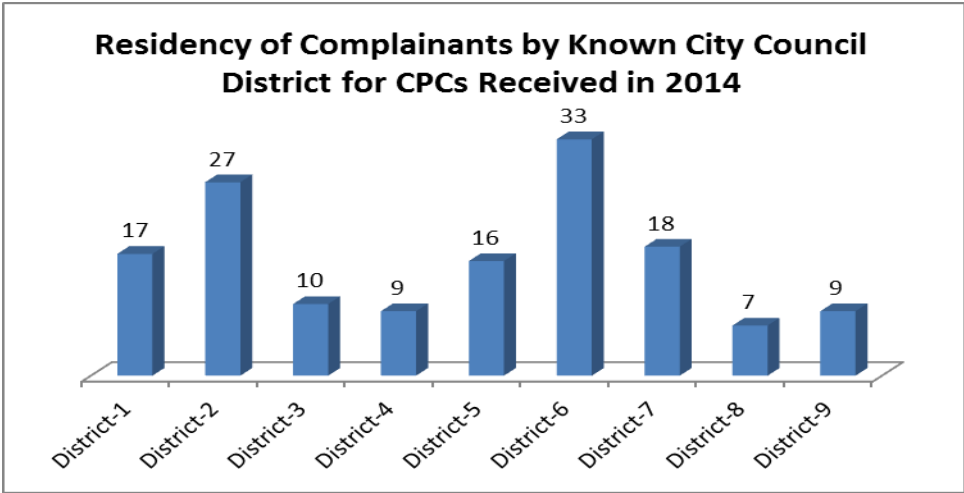


Figure 10: The IRO office received 146 complaints with addresses from Albuquerque residents with known city council districts.

COMPLAINANT DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

Of the 233 Citizen Police Complaints (CPCs) filed, a majority of complainants declared some or all of their demographic information in 2014.

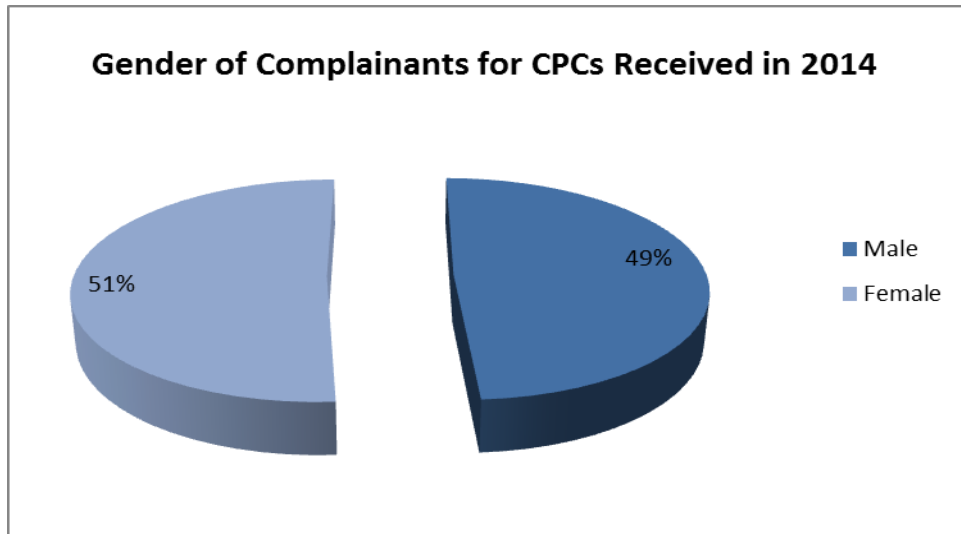


Figure 11: The IRO received complaints from 114 Males and 119 Females.

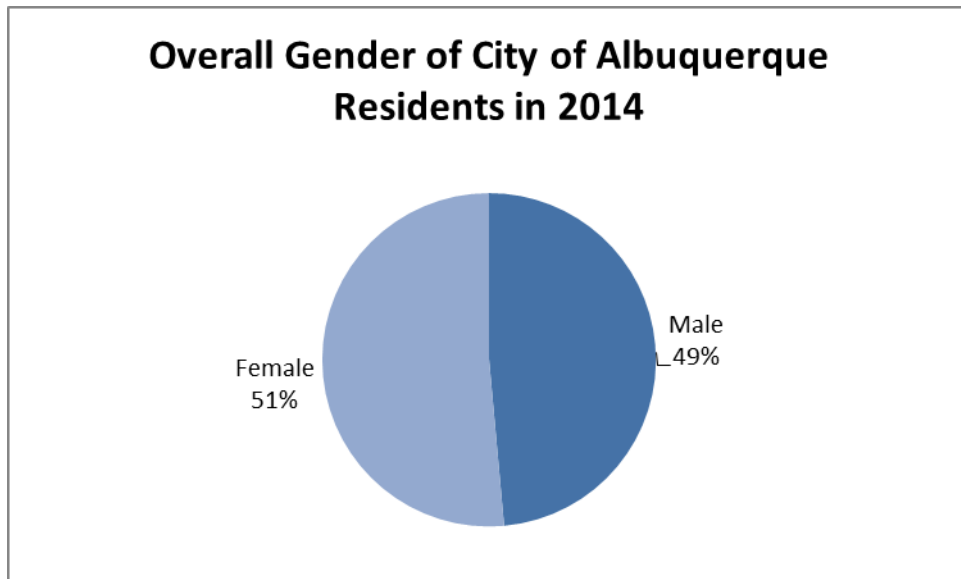


Figure 12: Based from total population, (545,852), Census from the U.S. Census Bureau, and NM Bureau of Business and Economic Research; DP-1-Geography-Albuquerque city, New Mexico.

COMPLAINANT DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

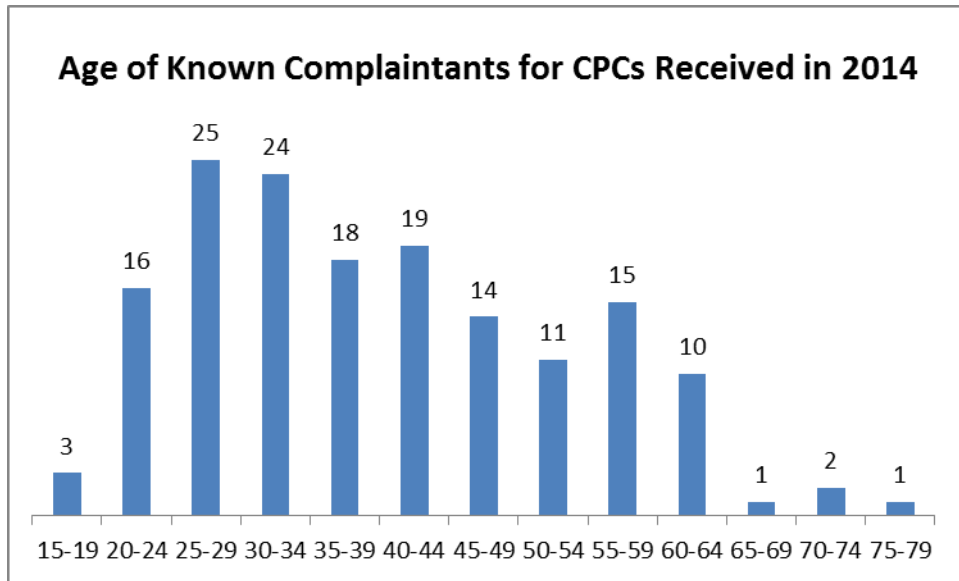


Figure 13: There were 159 complainants who provided their date of birth. In 2014, the highest number of complaints received were made by complainants between the ages of 25-29.

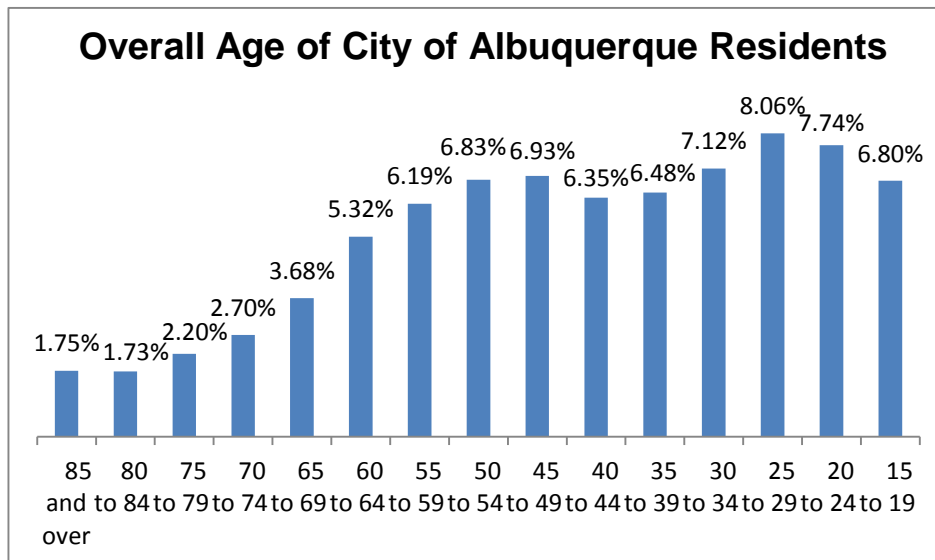


Figure 14: Numbers were based from City of Albuquerque total population (545,852), in 2010, data from the U.S. Census Bureau, and NM Bureau of Business and Economic Research.

COMPLAINANT DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

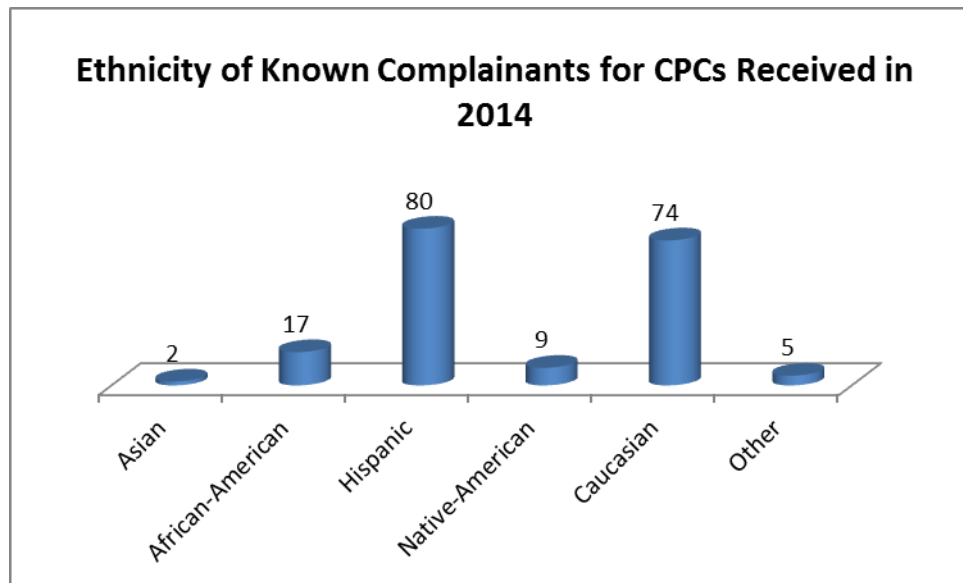


Figure 15: There were 187 complainants who provided ethnicity information. Other ethnicity includes Middle Eastern heritage.

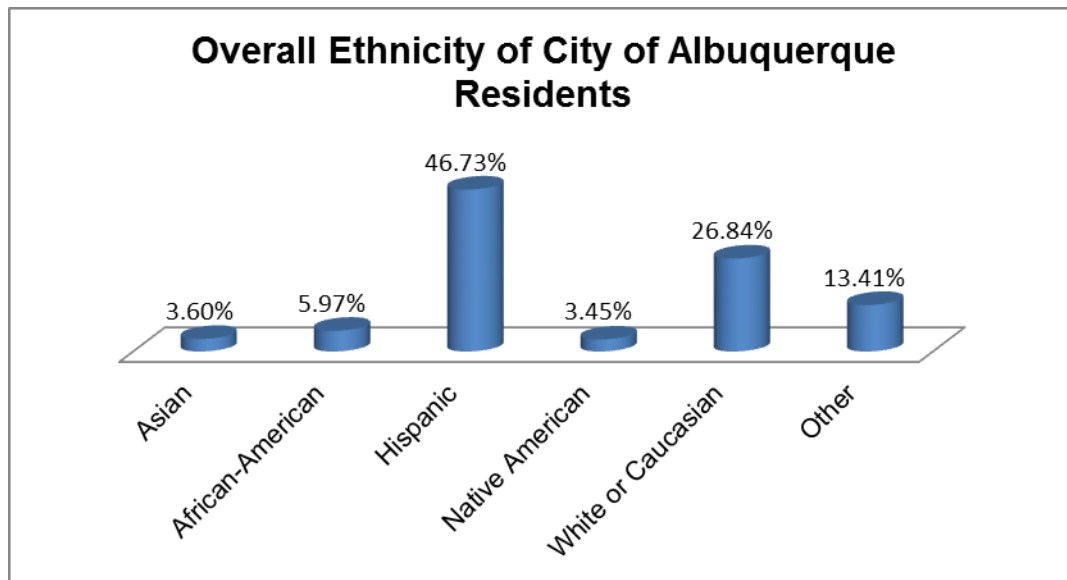


Figure 16: Numbers were based from City of Albuquerque total population (545,852), in 2010, Data from the U.S. Census Bureau, and NM Bureau of Business and Economic Research.

COMPLAINANT DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

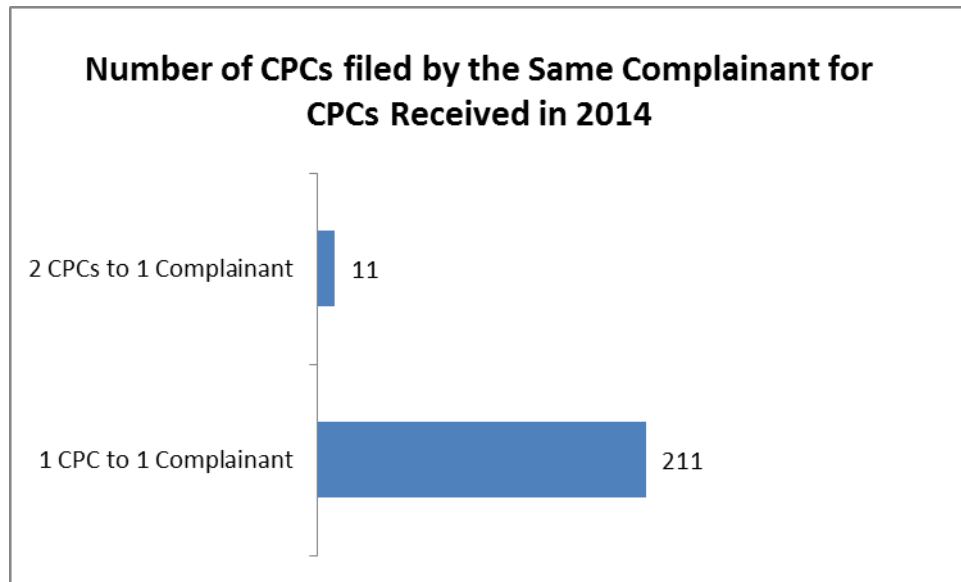


Figure 17: In 2014, 11 citizens filed multiple police complaints.

APD OFFICER DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

In 2014, 241 individual APD officers and employees were identified in CPCs. The following graphs represent the individual officers named in each CPC. Multiple officers were involved in some CPCs. The graphs do not represent APD demographics as a whole.

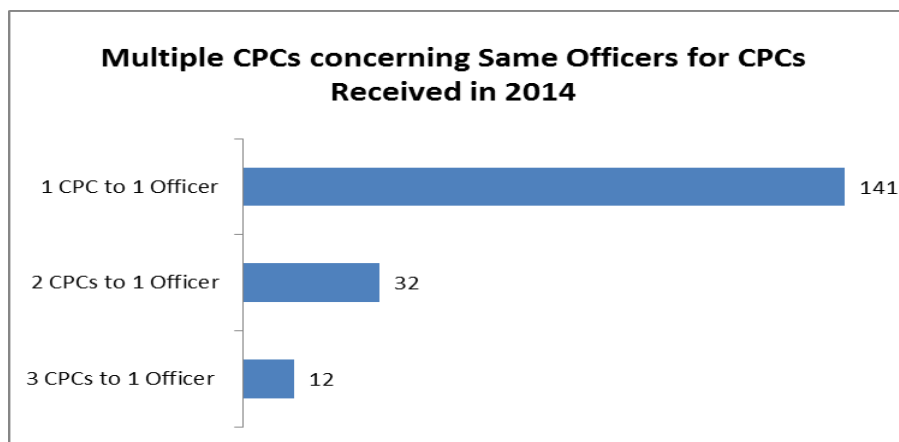


Figure 18: Out of the 233 CPCs received by the IRO, 3 CPCs was the highest number of Citizen Police Complaints made regarding the same APD officer in 2014.

APD OFFICER DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

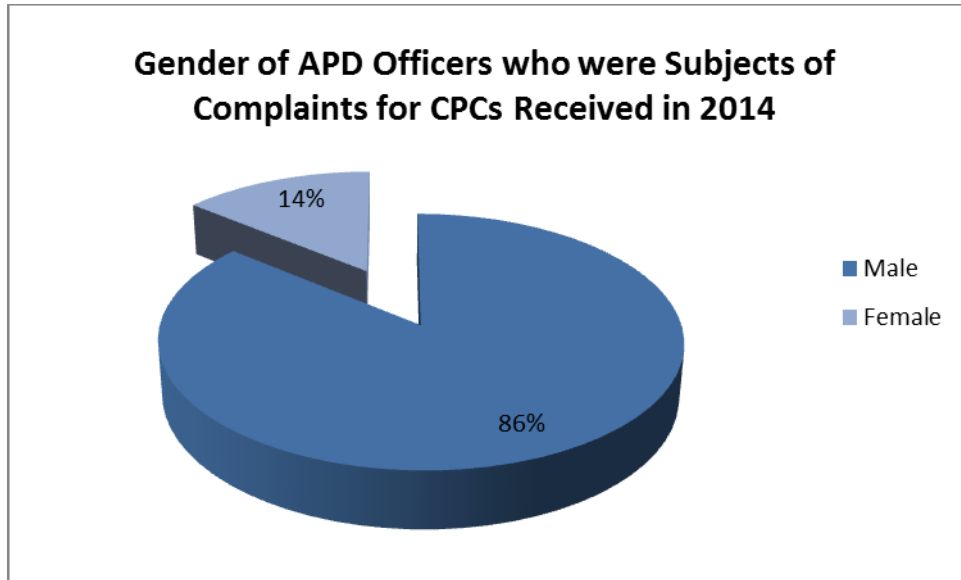


Figure 19: In 2014, complainants were much more likely to make a complaint against male officers. The IRO received complaints on 207 male APD officers and 34 female APD officers.

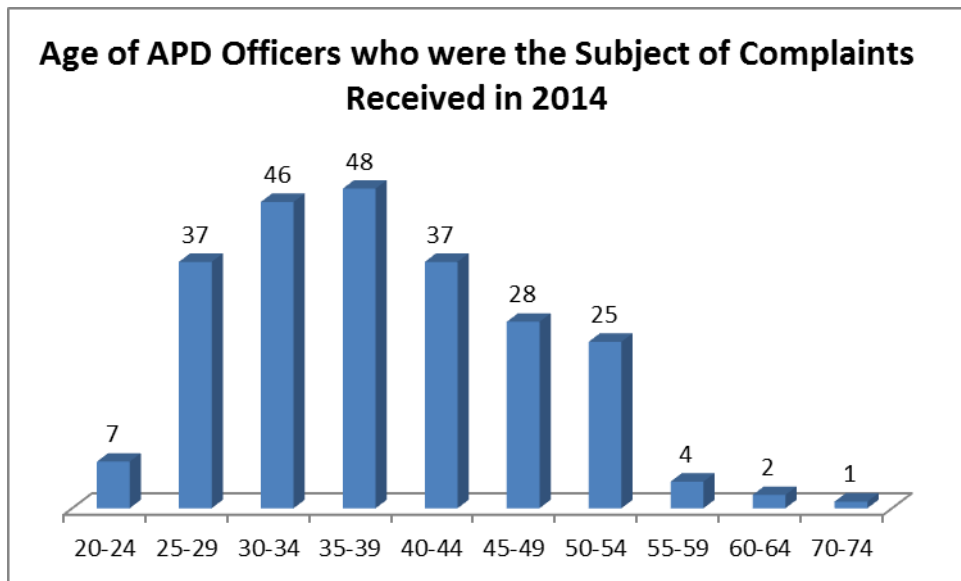


Figure 20: The graph represents the subject officers for complaints received in 2014. There were some complaints with more than one subject officer. In 2014, the most number of complaints were against officers who were between 35 and 39 years old. Six officer ages were unknown.

APD OFFICER DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

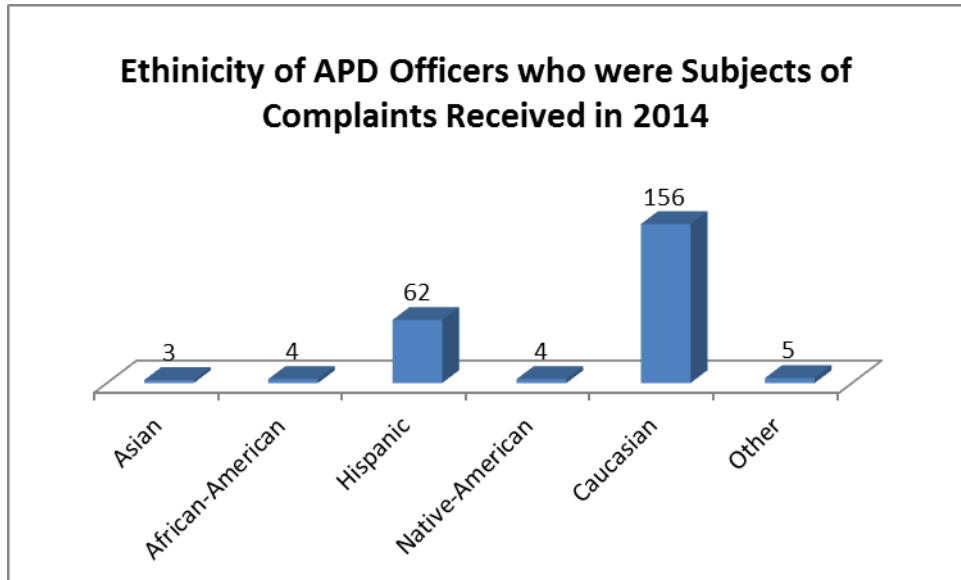


Figure 21: For complaints received in 2014, the majority of complaints were made against officers who were Caucasian. 7 Officer ethnicities were unknown.

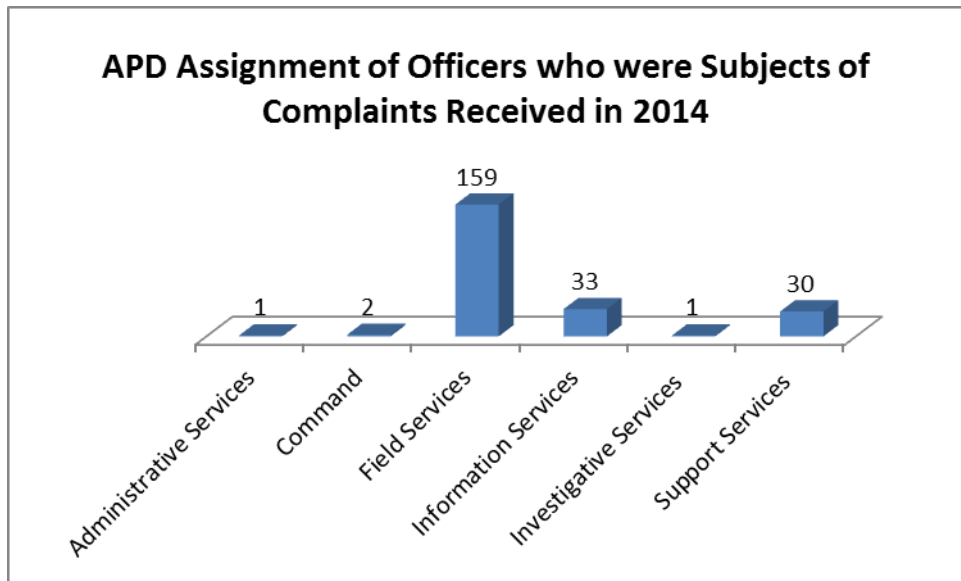


Figure 22: In 2014, Complaints were made against 241 APD personnel and the vast majority of those complaints were made against officers in Field Services. 15 Officer assignments were unknown.

APD OFFICER DEMOGRAPHICS FOR COMPLAINTS RECEIVED IN 2014

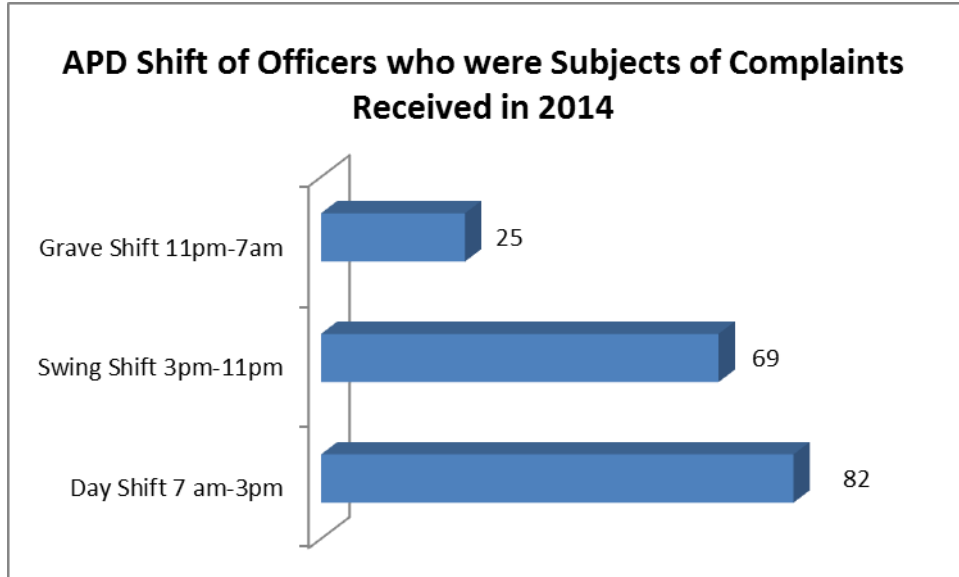


Figure 23: In 2014, most complaints were against APD officers working during the Day shift, from 7:00am to 3:00pm. 65 officer shifts were unknown.

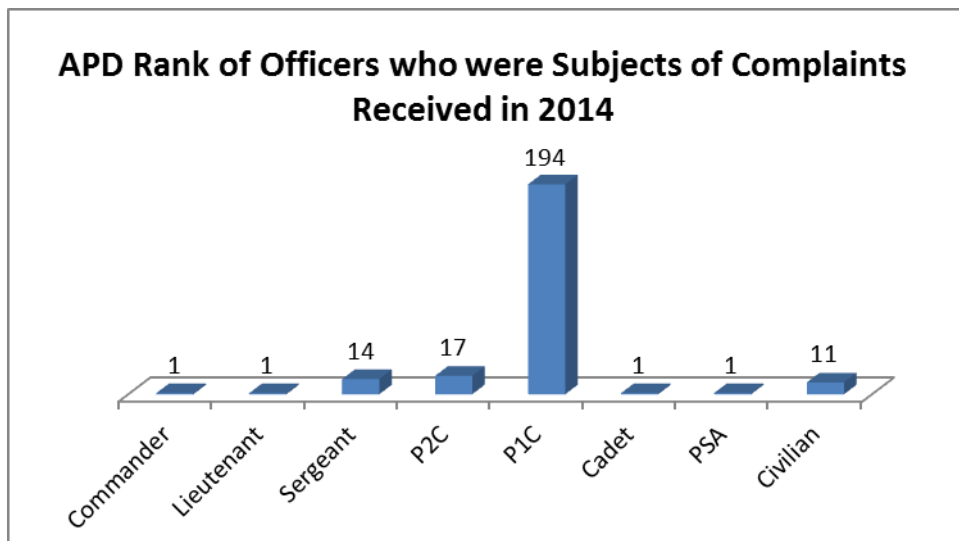


Figure 24: In 2014, Complainants were more likely to file a complaint against a Patrolman First Class than any other rank. **194** of the Complaints received in 2014 were against officers with the rank of Patrolman First Class. 1 Officer's rank is unknown.

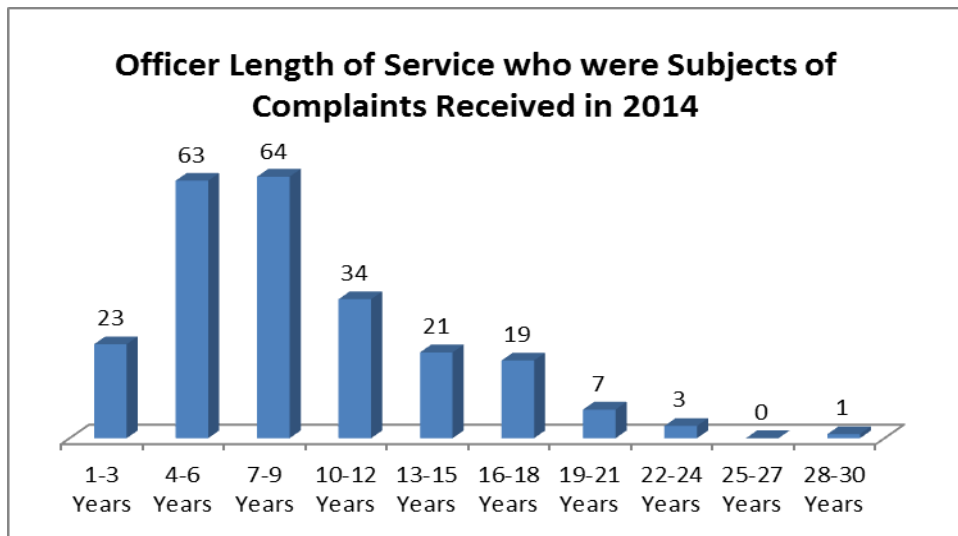


Figure 25: In 2014, complaints were most likely against officers with 4-6 and 7-9 years of service in APD. 6 Officer's length of service is unknown.

FINDINGS AND DISPOSITIONS OF COMPLAINTS REVIEWED IN 2014

The IRO made findings in 294 Citizen Police Complaints (Complaints or CPCs). This included findings in 188 CPCs with complete investigations. The POC approved 106 CPCs for inactivation or closure without a full investigation. The IRO made findings in an average of 25 CPCs per month.

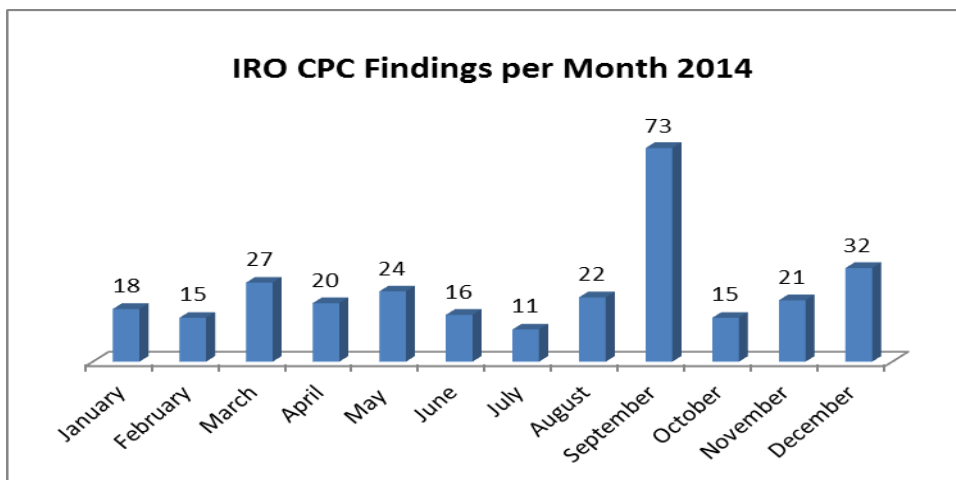


Figure 26: In 2014, the highest number of CPC findings was in September.

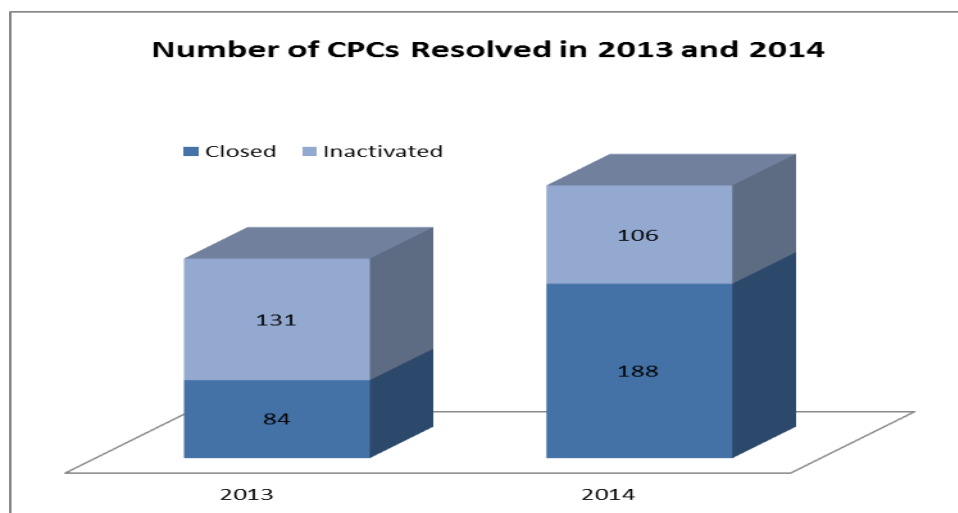


Figure 27: The IRO reviewed 215 CPCs in 2013: 84 were closed with findings, and 131 were inactivated. The IRO reviewed 294 CPCs in 2014: 188 were closed with findings, and 106 were inactivated.

REASONS FOR INACTIVATION OF A COMPLAINT

Mediation (Supervisor Solution)

The complaint against the officer has been satisfactorily resolved in an informal manner with the help of the officer’s supervisor.

Complaints filed over 90 days

The IRO does not have legal authority to investigate a complaint filed more than 90 days after the date of the incident.

Complaints without signature

Any complaints received must be signed in order to be considered “valid.” Without the signature, the IRO office cannot proceed with an investigation.

No SOP allegation

The complaint did not allege any unprofessional behavior on the part of the officer(s).

Complaint withdrawal

The citizen did not wish to proceed with any further investigations.

Preliminary investigation did not find any SOP violation

The IRO reviewed the officer’s actions and the evidence indicated that the officers followed APD Standard Operating Procedures.

Complaints of unidentified officer

The IRO could not determine if the complaint mentioned any officers or identifiers to further investigate the case or could not determine if the officers complained about were employed by the Albuquerque Police Department.

Complaints filed without IRO jurisdiction to investigate

The IRO does not have legal authority to investigate into the complaint.

Complaint referring to another agency

The IRO determined Albuquerque Police Department did not employ an officer with the name provided in the complaint.

Frivolous Complaints

The allegations were neither a violation of SOP nor a criminal act, but a complaint was frivolous or filed for purposes of harassment

Incomprehensible Complaints

The IRO received a generalized complaint about police, did not have a specific complaint of an officer(s) or any specific allegation.

Criminal referral to Internal Affairs of APD

The IRO received a complaint to conduct investigations into complaints of criminal actions by officers. These complaints were forwarded to the Albuquerque Police Department’s Internal Affairs Unit for further investigation and possible referral to the Criminal Investigations Division for criminal investigation

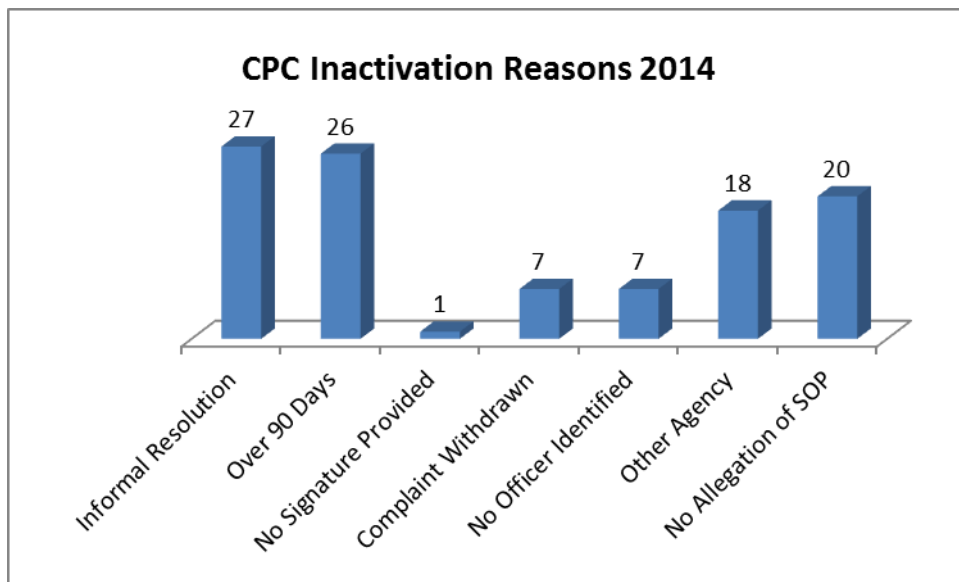


Figure 28: There were 106 complaints which were inactivated in 2014.

CITIZEN POLICE COMPLAINTS (CPCs) REVIEWED IN 2014 WITH FULL INVESTIGATIONS AND FINDINGS

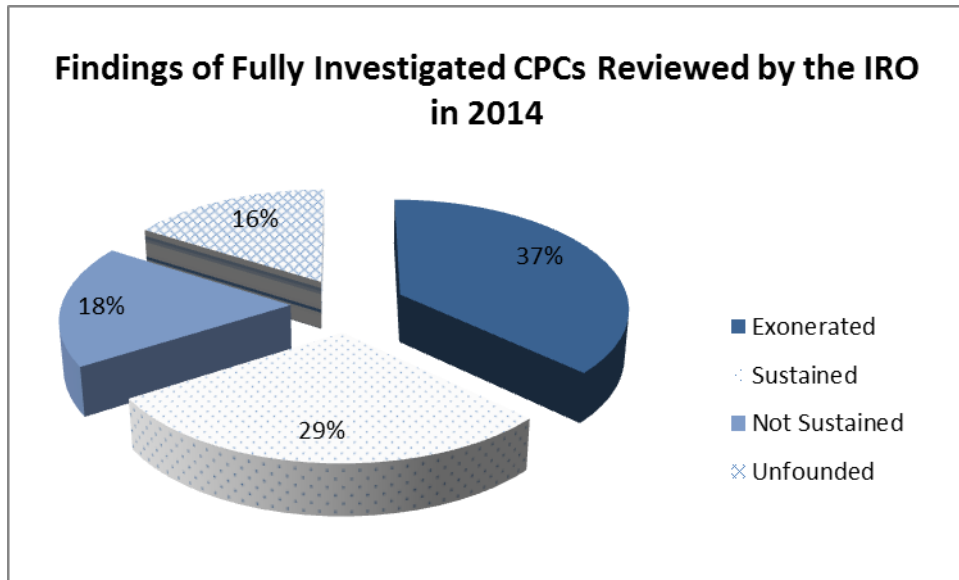


Figure 29: More than one third of the 660 allegations investigated in 2014 were found to be Exonerated against the subject officer.

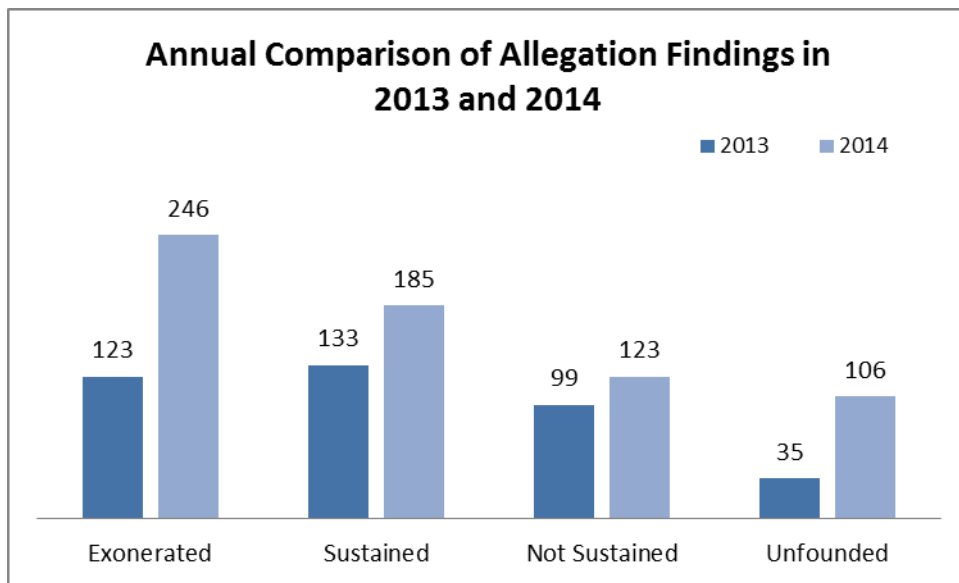


Figure 30: In 2014, there were a total of 188 fully investigated cases with findings. Those cases include 660 separate SOP violation allegations. In 2013, there were a total of 84 fully investigated cases with findings. Those cases include 390 separate SOP violation allegations.

NON-CONCURRENCES REGARDING 2014 CPC FINDINGS

There were 0 non-concurrences between IRO and APD in 2013 findings. The IRO has closed 188 cases with findings in 2014. In the 2014 findings, there were a total of 31 cases containing 55 allegations in which the IRO and Chief of Police did not concur. Chief Eden's first day as Chief was February 27, 2014. The four 2014 cases listed for Chief Banks and Acting Chief Garcia were decided at APD prior to Chief Eden assuming his position.

Regarding the cases reviewed by Chief Eden, 31% of the non-concurrence allegations in 2014 involved Improper Use of the Lapel recording equipment. 24% of the non-concurrences dealt with General Conduct. Improper Report Writing comprised 10% of the non-concurrences, while Improper Evidence Keeping allegations were 6% of the total for 2014. The remaining 29% of the 2014 non-concurrences dealt with a wide range of issues including Improper Use of an APD Vehicle, Racial Bias, and Rendering Assistance.

Caveats and Explanations

132-12 states that Chief Eden made the final decision when it was in fact Chief Banks.

217-13 states that the Chief agreed with all findings, but he did not agree regarding a general conduct allegation and two evidence safekeeping allegations. The officer's suspension was based on the remaining sustained allegations.

In 233-12, the IRO found the Racial Bias allegation to be "unfounded," but Chief Eden did not concur and stated the correct finding was "exonerated."

In 101-14, Chief Eden found the officer's general conduct and language allegations should be "exonerated" instead of "not sustained."

In 119-14, Chief Eden found the officer's use of force allegation to be "exonerated" after the IRO found the allegation to be "not sustained."

Unless otherwise denoted, the below listed non-concurrences involved a "sustained" finding by the IRO and a "not sustained" or "exonerated" finding by the Chief of Police.

<u>CPC Number</u>	<u>Non-Concurrence Allegation Type</u>
112-12	Lapel/Belt Recording
132-12 Chief Banks	Lapel Recording
160-12	Search/Seizure
171-12	Report Writing
181-12	Search/Seizure; Furnish Name; General Conduct (GC) X2
184-12	GC; Lapel Recording
216-12	Language
229-12	Subordinate Supervision
230-12	Investigation; GC; Furnish Name, Lapel Recording
233-12	Render Assistance; Racial Bias (unfounded to exonerated); Lapel Recording
237-12 Acting Chief Garcia	Report Writing
244-12 Chief Banks	Lapel Recording
249-12	Lapel Recording X2
258-12	Report Writing

29-13	Acting Chief Garcia	Lapel Recording
033-13		Lapel Recording
217-13		GC, Evidence, Evidence
232-13		Lapel Recording
19-14		Death Notification, Evidence Safekeeping, General Conduct
43-14		Lapel Recording X3
65-14		Lapel Recording
84-14		Report Writing
101-14		GC (Exonerated v. Not Sustained); Language (Exonerated v. Not Sustained)
108-14		Lapel Recording
119-14		Force; Lapel Recording
120-14		Report Writing, GC, Vehicle
140-14		GC (Not Sustained to Exonerated), Lapel Recording
153-14		Lapel Recording
156-14		GC X2, Search/Seizure
161-14		Report Writing
183-14		GC, Driving Behavior
31		55

<u>Cases</u>	<u>Allegations</u>	<u>Type</u>
<u>Chief Garcia (acting)</u>		
2	2	Report Writing, Lapel
<u>Chief Banks</u>		
2	2	LapelX2
<u>Eden</u>		
27	51	See Above

2 Verbal Reprimand
 12 Letter of Reprimand 1 40-hour Suspension

March 2014: Dispatched calls for service – 41, 517

Received 24		Completed 17	Pending 21
2 Verbal Reprimand	5 Letter of Reprimand		
1 40-hour Suspension	1 16-hour Suspension		

April 2014: Dispatched calls for service - 38,970

Received 24	Inactivated 0	Completed 19	Pending 23
11 Letters of Reprimand	2 8-hour suspension	3 16-hour suspension	
1 24-hour suspension	1 40-hour suspension	1 56-hour suspension	
1 80-hour suspension	1 120-hour suspension	1 termination	

May 2014: Dispatched calls for service – not provided

Received 13	Inactivated 0	Completed 19	Pending 13
1 verbal reprimand	9 Letter of Reprimand	1 8-hour suspension	
1 16-hour suspension	1 120-hour suspension	1 240-hour suspension	

June 2014: Dispatched calls for Service: 44,512;

Received 7	Inactivated 0	Completed 14	Pending 6
3 verbal reprimand	4 Letter of Reprimand	1 8-hour suspension	

July 2014: Dispatched calls for service – 45,135

Received 13	Inactivated 1	Completed 13	Pending 12
6 Verbal Reprimand	4 Letter of Reprimand	1 16-hour suspension	
1 80-hour suspension	2 Termination		

August 2014: Dispatched calls for service – 42,300

Received 24	Inactivated 1	Completed 14	Pending 17
2 verbal reprimand	8 Letter of Reprimand	1 8-hour suspension	
1 240-hour suspension	1 Termination		

September 2014: Dispatched calls for Service: 41,685

3 verbal reprimand	12 Letter of Reprimand	2 8-hour suspension	
1 16-hour suspension	1 40-hour suspension	1 80-hour suspension	

October 2014: Dispatched calls for service – 39,912

Received 11	Inactivated 0	Completed 17	Pending 9
3 Verbal Reprimand	7 Letter of Reprimand	5 8-hour suspension	
1 28-hour suspension	1 32-hour suspension	1 Termination	

November 2014: Dispatched calls for service – 36,599

Received 9	Inactivated 0	Completed 17	Pending 5
5 Verbal Reprimand	7 Letter of Reprimand	3 24-hour suspension	
1 136-hour suspension			

December 2014: Dispatched calls for Service: 44,512;

Received 13	Inactivated 0	Completed 4	Pending 5
1 Letter of Reprimand	1 16-hour suspension	1 160-hour suspension	
1 Termination			

CPCs REVIEWED IN 2014 WITH FULL INVESTIGATIONS AND FINDINGS

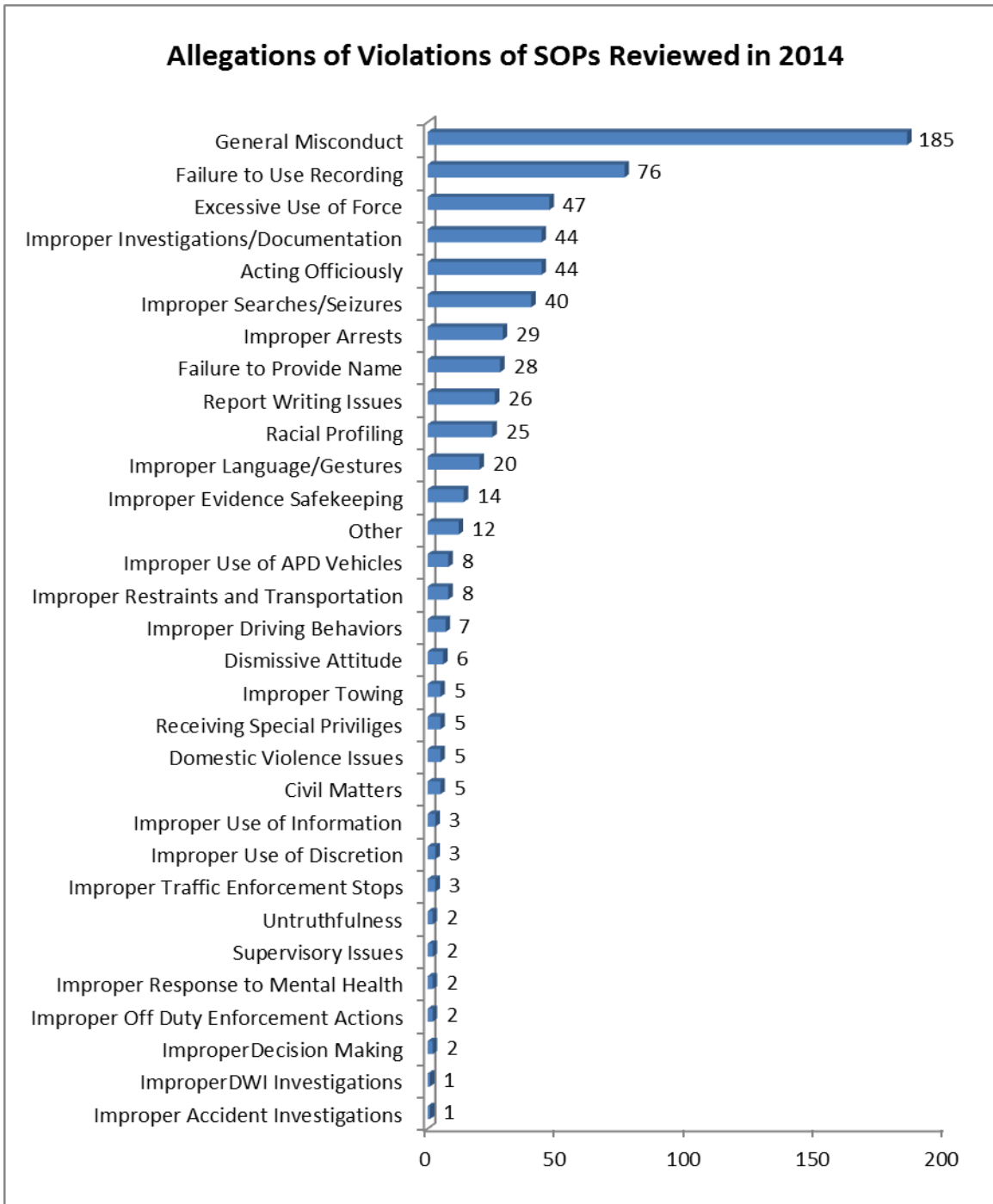
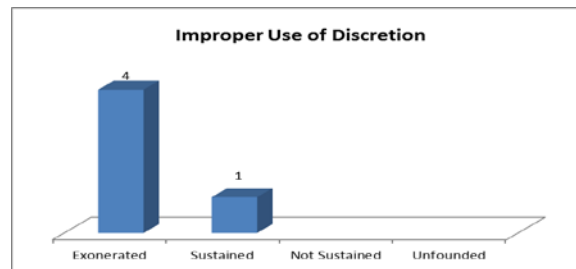


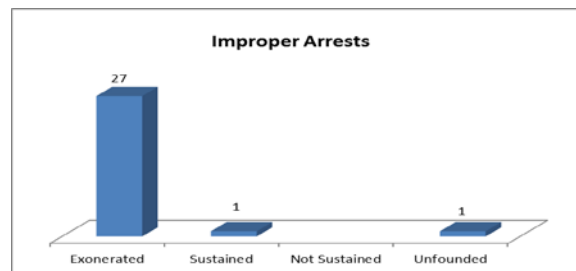
Figure 31: Overview of the type of complaints received and allegations investigated and reviewed by the Independent Review Office. Of the 660 allegations of violations of Standard Operating Procedures (SOPs) reviewed by the IRO and presented to the POC, the highest number of complaints received involved allegations of General Misconduct and Failure to Use Recording Devices.

DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014

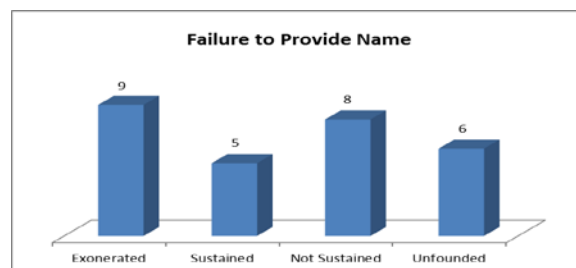
The 188 fully investigated cases presented to the POC for review with findings from the IRO contained allegations of approximately 31 different SOP violations. Below are statistics concerning the specific types of allegations reviewed by the IRO, along descriptions of the relevant APD Standard Operating Procedures (SOPs). Unabridged versions of APD's SOPs are available at: <http://www.cabq.gov/police/our-department/standard-operating-procedures>.



Improper Use of Discretion: Standard Operating Procedure Section 1-02(D): Officers shall use discretion during the performance of their law enforcement duties.

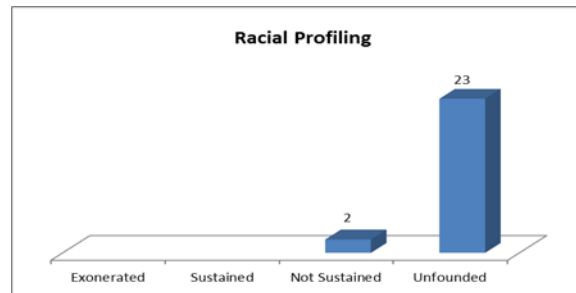


Improper Arrests: Standard Operating Procedure Section 1-02-2(B)(2): Officers shall familiarize themselves with and have working knowledge of all laws of the State of New Mexico and the Ordinances of the City of Albuquerque which they are required to enforce. Officers will make only those arrests, searches, and seizures which they know or should know are legal and in accordance with departmental procedures.

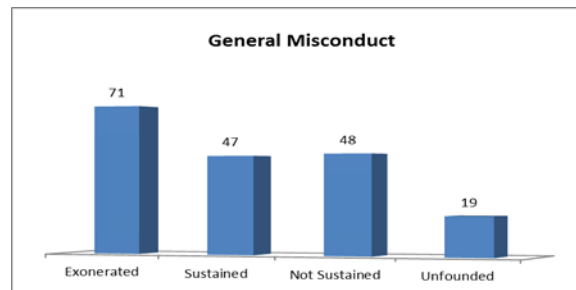


Failure to Provide Name: Standard Operating Procedure Section 1-02-3(A): Officers shall cordially furnish their name and employee number to any person requesting such information when they are on duty or while acting in an official capacity.

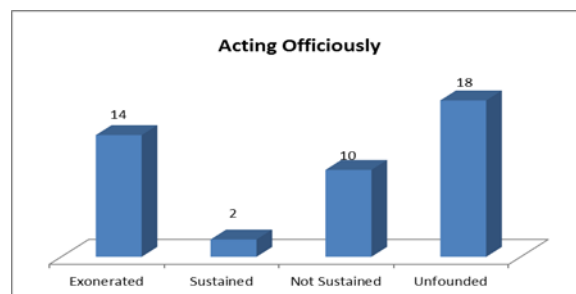
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Bias Based Policing: Standard Operating Procedure Section 1-03-2(A): Department personnel will provide the same level of police service to every citizen regardless of their race, color, national origin or ancestry, citizenship status, language spoken, religion, gender, gender identity, sexual orientation, age, disability, or economic status.

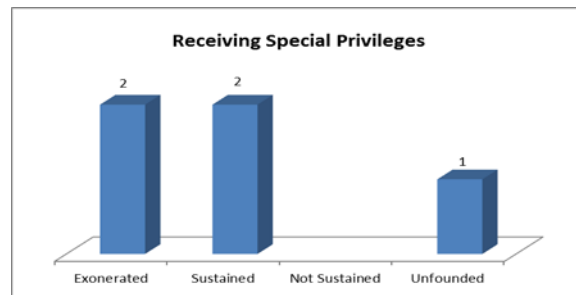


General Misconduct: Standard Operating Procedure Section 1-04-1(F): Personnel shall conduct themselves both on and off-duty in such a manner as to reflect most favorably on the department. Personnel shall perform their duties in a manner that will maintain the established standard of efficiency in carrying out the functions and objectives of the department;

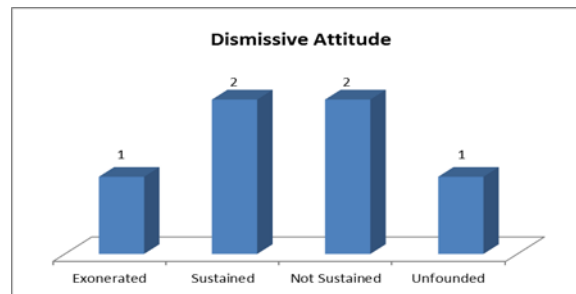


Acting Officially: Standard Operating Procedure Section 1-04-4(N): Personnel will not act officiously or permit personal feelings, animosities, or friendship to influence their decisions.

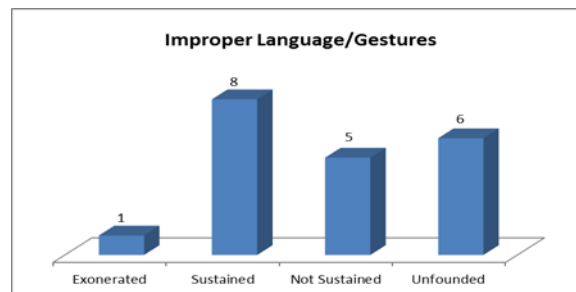
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Receiving Special Privileges: Standard Operating Procedure Section 1-04-2(A): Albuquerque Police Department personnel will not give special consideration, privilege, or professional courtesy to other APD personnel or to personnel from other law enforcement agencies when such personnel are alleged to be involved in a violation of any law.

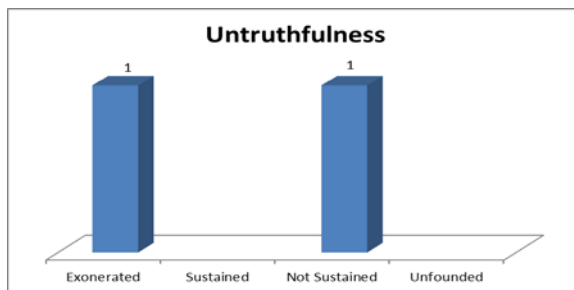


Dismissive Attitude: Standard Operating Procedure Section 1-04-4(O): Personnel shall maintain a neutral and detached attitude without indicating disinterest or that a matter is petty or insignificant.

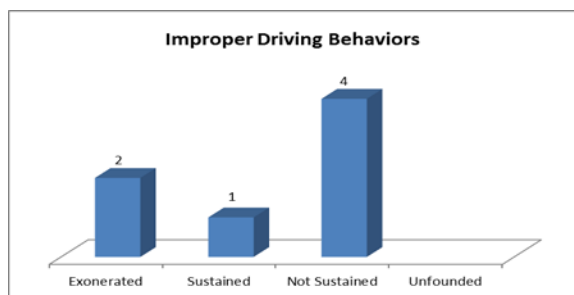


Improper Language: Standard Operating Procedure Section 1-04-4(P): Personnel shall not use coarse, violent, profane, or insolent language or gestures.

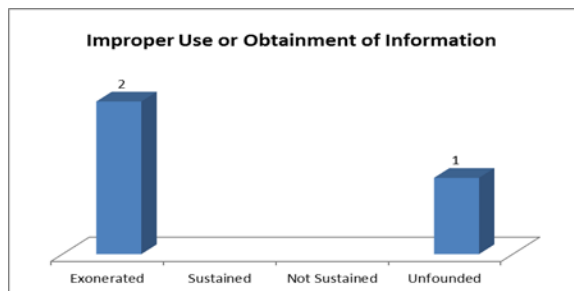
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Untruthfulness: Standard Operating Procedure Section 1-04-4(W): Personnel shall truthfully answer all questions specifically directed to them which are related to the scope of employment and operations of the department.

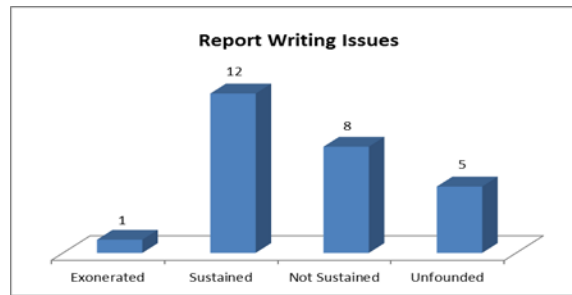


Improper Driving Behaviors: Standard Operating Procedure Section 1-04-6(N): Personnel shall operate official vehicles in a careful and prudent manner and shall obey all laws and all department orders pertaining to such operation.

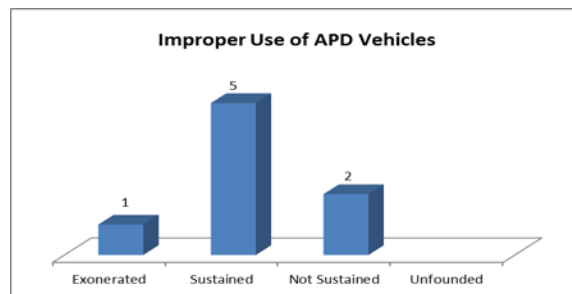


Improper Use/Obtainment of Information: Standard Operating Procedure Section 1-04-9(F): Personnel shall not use their official position or official identification card or badge to solicit or to obtain privileges not otherwise available to them except in the performance of duty.

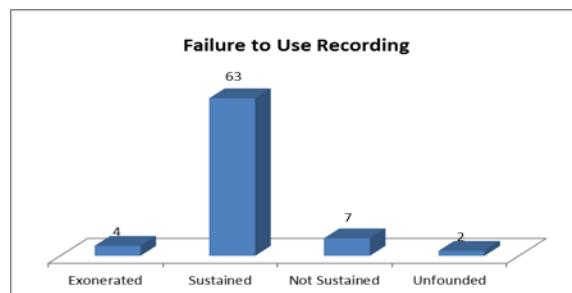
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Report Writing Issues: Standard Operating Procedure Section 1-05-6(D): A report will be written for any incident that is of great importance where the officer is at the scene, at the scene of a crime, or any incident where a citizen/victim requests a report.

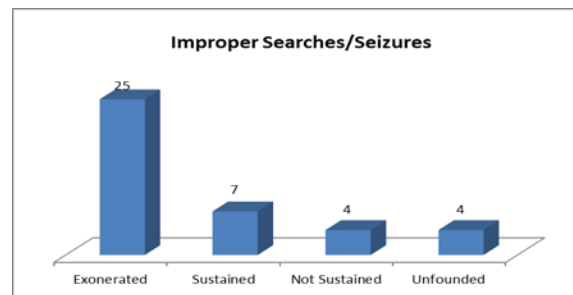


Improper Use of APD Vehicles: Standard Operating Procedure Section 1-19-9(B): Department policy is to provide for the maintenance, inspection and issuance of all Department vehicles, and to control the parking of vehicles at the Law Enforcement Center. Standard Operating Procedure Section 1-19-10: Department employees shall drive Department vehicles for official purposes only, providing they hold a city driver's license for that class of vehicle.

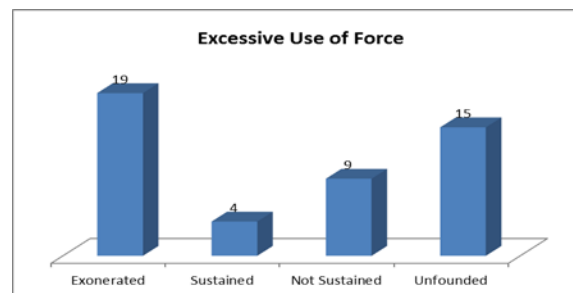


Failure to Record: Standard Operating Procedure Section 1-39-2(B): All sworn department personnel will record each and every contact with a citizen during their shift that is the result of a dispatched call for service, arrest warrant, search warrant service or traffic stop.

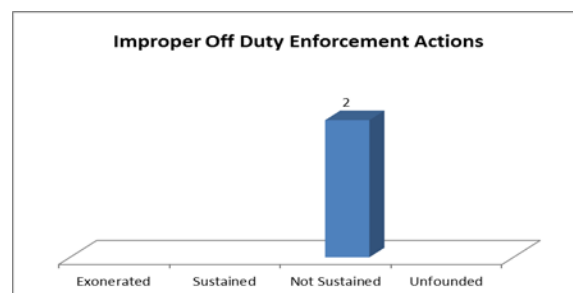
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Improper Searches/Seizures: Standard Operating Procedure Section 2-17: Department policy is to provide officers with guidelines to conduct searches and seizures in order to uphold individual civil rights, protect officers and others, and govern the collection of evidence.

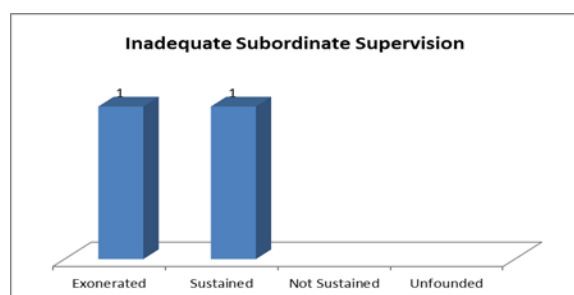


Use of Force: Standard Operating Procedure Section 2-05-2(A): Where force is warranted, officers should assess the incident in order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely. Officers shall use only that force which is reasonably necessary to effect lawful objectives.

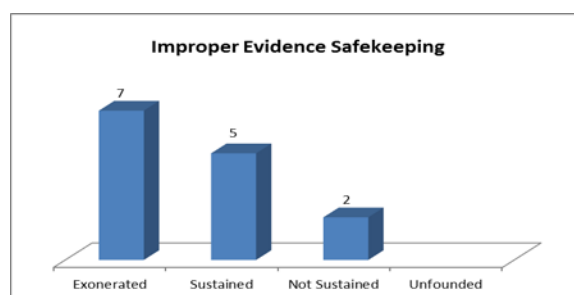


Improper Off Duty Enforcement Actions: Standard Operating Procedure Section 1-02-2B1: Officers shall take appropriate action and render assistance in any instance coming to their attention whether on or off duty.

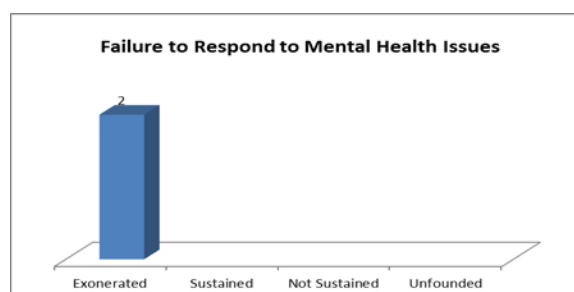
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Inadequate Subordinate Supervision: Standard Operating Procedure 3-17-2A: Superior Officers are responsible for ensuring that their subordinates comply with Department policies and procedures.

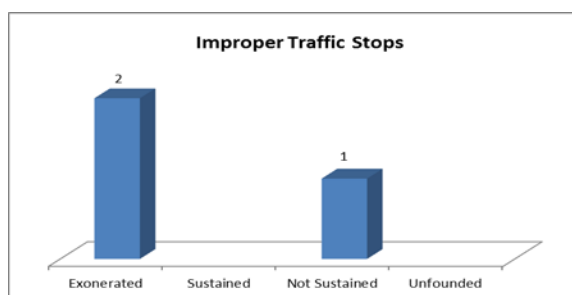


Improper Evidence Safekeeping: Standard Operating Procedure Section 2-08-1: Officers collecting evidence, property, or found items are responsible for the custody of these items until they have been turned into the Evidence Room or substation drop boxes or lockers.

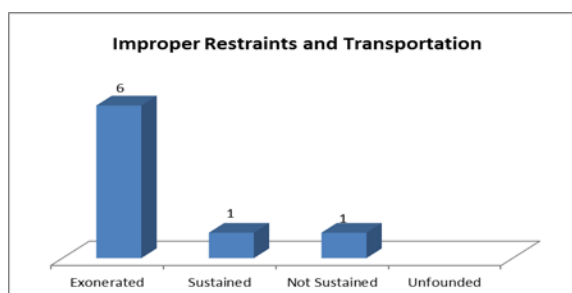


Failure to Respond to Mental Health Issues: Standard Operating Procedure Section 2-13: Department policy is to provide an effective response to situations involving subjects who are suspected and/or verifiably mentally ill, and/or people in crisis in order to avoid unnecessary violence and potential civil litigation, and to ensure that proper medical attention is provided.

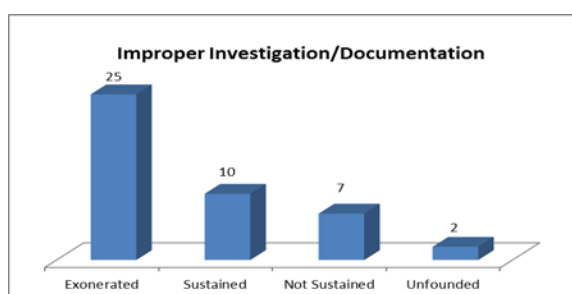
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Improper Traffic Stops: Standard Operating Procedure Section 2-18-8: Department policy is to enforce the misdemeanor laws of the State of New Mexico and City of Albuquerque using traffic, misdemeanor, and parking citations whenever possible and appropriate.

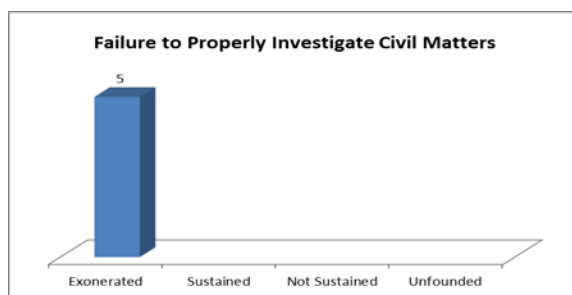


Improper Restraints/Transportation: Standard Operating Procedure Section 2-19-3(A): All felony and misdemeanor prisoners and all persons in protective custody will be handcuffed behind their backs and remain so restrained while being transported to a detention or medical facility.

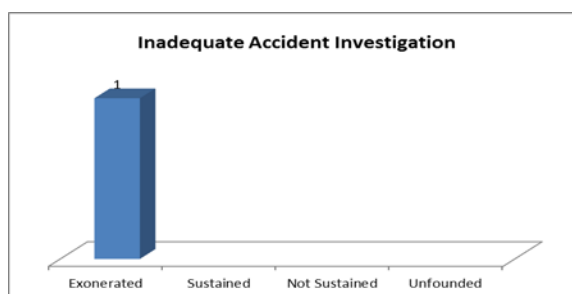


Improper Investigation/Documentation: Standard Operating Procedure Section 2-24-3: It is the responsibility of both uniformed officers, and officers assigned to specialized units, to carry out investigations in a thorough, efficient, and timely manner.

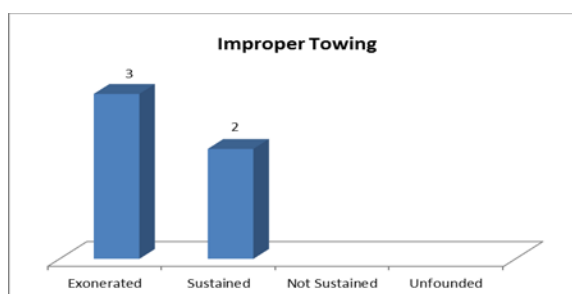
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Failure to Investigate Civil Matters: Standard Operating Procedure Section 3-14: It is the policy of the Albuquerque Police Department to respond to calls involving civil disputes primarily for the purpose of restoring order.

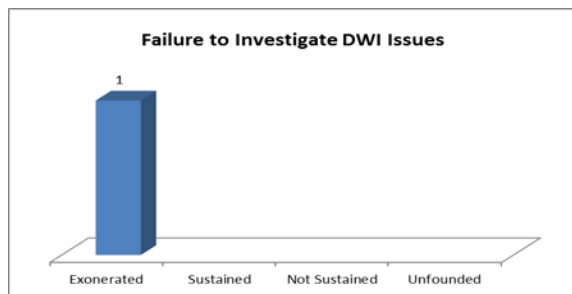


Inadequate Accident Investigation: Standard Operating Procedure Section 2-50: It is the policy of the Albuquerque Police Department to respond to and investigate traffic accidents, while limiting the impact on the motoring public.

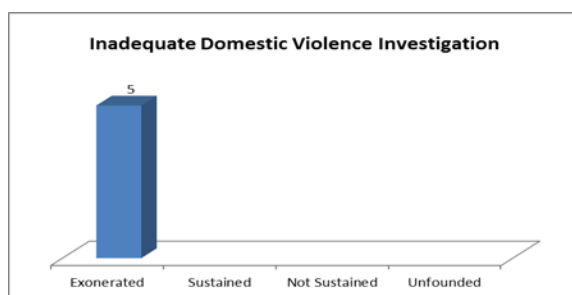


Improper Towing: Standard Operating Procedure Section 2-48-2(A): Department policy is to authorize the towing of vehicles when necessary as a matter of public safety, to protect property, to preserve evidence, and to remove abandoned vehicles from city streets and property.

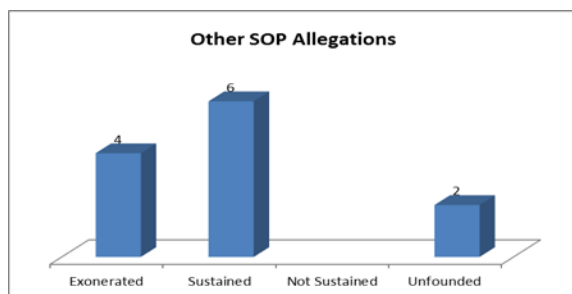
DISPOSITIONS FOR SPECIFIC ALLEGATIONS INVESTIGATED AND REVIEWED IN 2014



Failure to Investigate DWI Issues: Standard Operating Procedure Section 3-11-1: It is the policy of the Albuquerque Police Department to apprehend, arrest, and assist in the efficient prosecution of persons who are found to be operating a motor vehicle under the influence of intoxicating liquor, drugs, or driving a vehicle while their license is revoked or suspended for a previous DWI violation.



Inadequate Domestic Violence Investigation: Standard Operating Procedure Section 3-12-6: It is the policy of the Albuquerque Police Department to enforce laws dealing with domestic abuse and take appropriate action in cases involving domestic abuse.



Time Card Issues: Standard Operating Procedure Section 1-04-3(C): Personnel shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department or the City as to the condition of their health.

Investigation Cooperation: Standard Operating Procedure Order 3-43-5: Personnel conducting administrative investigations [which includes IRO Investigators under the APOA Contract, Section 20] will be considered designees of the Chief of Police and City Attorney with appropriate authority to compel compliance with the investigation.

SUMMARIES OF FINDINGS OF COMPLAINTS FOR CPCS REVIEWED DURING THIRD AND FOURTH QUARTERS OF 2014

Below are summaries of the Citizen Police Complaints which were reviewed during the Third and Fourth Quarters of 2014. The summaries for Citizen Police Complaints which were reviewed during the First and Second Quarters of 2014 may be found in the Semi-Annual Report for 2014, which covers data for the first six months of 2014.

CPCs Reviewed by IRO and POC in Third Quarter 2014

CPC 185-12 – A citizen complained that Officer H. pulled her over on a traffic stop because her daughter had thrown trash from the vehicle, and that when Officer H. made contact with Complainant and her daughter, he belittled the daughter. Complainant alleged that Officer H. issued a citation that was in error. Officer H. did issue a citation which did have an error in the statute number. The lapel recording indicated that Officer H.'s conduct was appropriate. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, and *Erroneous Citation* to be SUSTAINED against Officer H.

CPC 219-12 – A citizen complained that Officer E. responded to a call regarding a child visitation dispute. The citizen stated that Officer E. raised his voice and that it was improper for Officer E. to be involved because of personal feelings or friendship issues. The lapel video indicated that Officer E.'s conduct was appropriate. There was no evidence to indicate that Officer E.'s actions were based on his personal feelings. The IRO and the POC found the allegation of *Acting Officiously* to be EXONERATED against Officer E.

CPC 041-13 – A citizen called 242-COPS to report cars were illegally parked in her neighborhood. The citizen wanted to remain anonymous. Sergeant S. went to the scene to look for the illegally parked vehicles because of numerous previous complaints from the citizen. The citizen was in her driveway and drew the attention of Sergeant S. Sergeant S. then approached the citizen, who alleged that Sergeant S. yelled and acted inappropriately, and that Sergeant S.' personal feelings influenced her decision. Sergeant S. denied these allegations. There was no lapel recording because Sergeant S. said that her recorder malfunctioned. There is no way to prove either side of the story. The IRO and the POC found the allegation of *Misconduct* and *Failure to Record* to be NOT SUSTAINED, and *Bias* to be EXONERATED against Sergeant S. Chair Peterson opposed the findings of the IRO. This case will be set as a non-concurrence for the August 2014 POC meeting.

CPC 145-13 - A citizen complained that he was cited for leaving his dog in a hot car, but should have been given a warning instead of a citation. The lapel video shows that the officer was dispatched to a call of a dog in a hot car, and the officer searched for the citizen at businesses that were close by, but could not locate the citizen. The video indicates that the officer's conduct was appropriate. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against the Officer.

CPC 147-13 – A citizen stated that her three-year-old grandchild was taken to University of New Mexico Hospital, and that Officer M. arrived at the hospital. The citizen alleged that Officer M. and Detective H. wrote incorrect police reports. The evidence indicates that the mother of the child lied to hospital officials about how the child was injured, and the hospital staff suspected child abuse and called APD. The video recording shows Officer M.' and Detective H.'s conduct was appropriate, and supports that Officer M. and Detective H. did write accurate and correct police reports. The IRO and the POC found the allegation of *Report the Incident Accurately* to be EXONERATED against Officer M. The IRO and the POC found the allegation of *Report the Incident Accurately* to be EXONERATED against Detective H.

CPC 242-13 – A citizen called APD regarding illegal selling along Tramway Road. The citizen had made many calls regarding the same activity taking place. Sergeant S. called the citizen to try and resolve the issue. The

citizen claimed that Sergeant S. was rude and inappropriate. Sergeant S. claimed that the citizen began using profanity during the phone call. There was no recording of the phone call, and Sergeant S. was not required to record the call. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Sergeant S.

CPC 247-13 – A citizen complained that Officer E. was rude and that he allowed his personal feelings to interfere with his decisions. The evidence shows that Officer E. was dispatched to a drug overdose call. The citizen was going to be transported to the hospital, so Officer E. made the decision to have the citizen's dog taken by Animal Control for safekeeping. The citizen's father arrived on scene and stated that he could take the dog. This was after the citizen and the officer agreed that the dog would be taken by Animal Control. The video shows that Officer E.'s conduct was appropriate and that the citizen and Officer E. had a long discussion about the dog. The IRO and the POC found the allegations of *Misconduct* and *Bias* to be EXONERATED against Officer E.

CPC 250-13 – A citizen complained that unnecessary force was used by officers when they subdued him. The evidence shows that the citizen was suicidal, was walking near Central where other persons were present, and that citizen was armed with large scissors. The evidence indicated that the citizen had taken over 360 pills. The officers attempted to talk to the citizen, but the citizen refused to talk to officers and refused to comply with officers' orders. Because of other people in the vicinity, supervisors determined that the use of bean bag rounds was the appropriate method to take control of citizen. The lapel video supports that Officer E. and Officer L.'s conduct was appropriate during this incident. Officer E. did not record the incident because of the excitement of the moment. The IRO and the POC found the allegation of *Use of Force* to be EXONERATED, and *Failure to Record* to be SUSTAINED against Officer E. The IRO and the POC found the allegation of *Use of Force* to be EXONERATED against Officer L.

CPC 259-13 – A citizen stated that she had gone to the Family Advocacy Center to report that her father, who had molested her previously, was being released from prison after serving time for the crime. The father had attempted to contact the citizen. Citizen claims that when the detective made contact with her, that he was sarcastic. The detective then apologized to the citizen. The IRO and the POC found the allegation of *Misconduct* to be SUSTAINED against the Detective.

CPC 007-14 – A citizen alleged improper detention by officers. Citizen stated that her fiancé was shot by officers and she went to the scene. Citizen alleges that her detention was improper. The evidence indicates that citizen went to the scene voluntarily and stayed at the scene voluntarily. Officers were investigating citizen for possible charges of aiding and abetting a felon, but she was not under arrest. Citizen was transported from the scene so that a detective could conduct an interview. Officer M. transported citizen from the scene, and Officer M. should have recorded that contact. The evidence indicated that citizen's detention was appropriate. The IRO and the POC found the allegation of *Improper Detainment* to be UNFOUNDED, and *Failure to Record* to be SUSTAINED against Officer M.

CPC Reviewed in 2014 after Suspension of POC

CPC 068-14 – A citizen called APD because she needed to get into the home of her deceased father. Citizen stated that the officer was rude. The video indicated that the officer's conduct was improper. The IRO and the POC found the allegation of *Misconduct* and *Failure to Record* to be SUSTAINED against the Officer.

CPC 160-12

Citizen, who was an APD Officer, was involved in an incident with his wife. Citizen was taken to the substation, handcuffed in the holding cell, and an officer was posted outside the door. Citizen claims Sergeant H. transported him in a sergeant's vehicle, not designed to transport someone in handcuffs. Sergeant H. removed Department and personal property from citizen's residence. Citizen alleged that Sergeant W. and Sergeant H. did not do a proper investigation, and that he should have been issued a summons and released, or walked through booking and released. Citizen alleged that Lieutenant W. was harsher with him because of prior conflicts.

The IRO and the POC found the allegations of *Supervisor will Attempt to Establish Probable Cause, Supervisor will Handcuff Subject Officer in Accordance with Department Procedures, If Arrest is Appropriate Subject will be Booked, Supervisor Will Personally Transport* to be EXONERATED against Sergeant H. The IRO and the POC found the allegation of *Supervisor will Utilize Domestic Violence Specialist Officer* to be EXONERATED against Sergeant H., but SUSTAINED against APD, and *Failure to Record* to be SUSTAINED against Sergeant H.

The IRO and the POC found the allegations of *Supervisor will Attempt to Establish Probable Cause, Supervisor will Handcuff Subject Officer in Accordance with Department Procedures, If Arrest is Appropriate Subject will be Booked*, and *Misconduct* to be EXONERATED against Sergeant W. The IRO and the POC found the allegation of *Supervisor will Utilize Domestic Violence Specialist Officer* to be EXONERATED against Sergeant W., but SUSTAINED against APD.

The IRO and the POC found the allegations of *Supervisor will Attempt to Establish Probable Cause, Supervisor will Handcuff Subject Officer in Accordance with Department Procedures, If Arrest is Appropriate Subject will be Booked*, and *Acting Officiously* to be EXONERATED against Lieutenant W. The IRO and the POC found the allegation of *Supervisor will Utilize Domestic Violence Specialist Officer* to be EXONERATED against Lieutenant W., but SUSTAINED against APD.

CPC 171-12

Citizen stated that he was pulled over for speeding by Officer H. Citizen produced his affidavit of status, requested the officers' oaths of office, and requested a supervisor. Sgt. C. arrived on scene and advised citizen to sign a traffic citation. Citizen stated that laws did not apply to him, refused to sign the citation, and refused to exit the vehicle. Officer H. broke out a window. Citizen stated that officers were aggressive with him, that Officer H. ignored the request for his name and seized his keys, searched his trunk and vehicle without his permission. Citizen alleged that Sgt. C. smacked him with an open hand, which is not depicted on the video. Citizen's perception that officers were aggressive was not supported by the video evidence. Officers are only required to carry their badge and commission card as identification. The IRO and the POC found the allegations of *Working Knowledge of Laws, Carrying a Badge of Office, Furnishing Name, Misconduct, Use of Force, and Failure to Record* to be EXONERATED, and *Preliminary Investigations* to be NOT SUSTAINED against Officer H. The IRO and the POC found the allegations of *Misconduct* and *Carrying a Badge of Office* to be EXONERATED, *Preliminary Investigations* to be NOT SUSTAINED, and *Use of Force* to be UNFOUNDED against Officer S. The IRO and the POC found the allegations of *Refusal to Sign a Citation* and *Carrying a Badge of Office* to be EXONERATED, *Preliminary Investigations* and *Completing a Use of Force Form* to be SUSTAINED, and *Damage to Civilian Property* to be NOT SUSTAINED against Sergeant C.

CPC 176-12

Citizen stated she was on I-40 eastbound and was pulled over by Sergeant C., who performed an eye gaze test. Officer M. arrived on scene to conduct field sobriety tests. Citizen alleged that Officer M. was very rude and intimidating, and officers' conduct in this case was egregious. The stop was proper and legal and in accordance with departmental procedures. Sergeant. C. did not have video of his contact with citizen. Officer M.'s lapel video showed that Officer M.'s conduct was appropriate. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, *Working Knowledge of Laws* to be EXONERATED, and *Failure to Record* to be SUSTAINED against Sergeant C. The IRO and the POC found the allegations of *Misconduct* and *Working Knowledge of Laws* to be EXONERATED against Officer M.

CPC 184-12

Citizen stated that her husband, a State Police Agent, should have been arrested after he violated a domestic violence protection order. Officers responded, did a sweep of the residence and then left. The husband later came to the scene and came within 30 feet of citizen, which violated the restraining order. Citizen again called police and asked for medical attention as well. Citizen alleged that Officer B. was very intimidating and confrontational. Citizen alleged that officers called her husband against her wishes. The video showed that citizen gave husband's

phone number to police. Officers were not present while citizen's husband allegedly violated the restraining order, and denied they gave him special consideration. The IRO and the POC found the allegation of *Directing Best Efforts* to be EXONERATED, and *Failure to Record* to be SUSTAINED against Officer S. The IRO and the POC found the allegation of *Directing Best Efforts* to be EXONERATED against Officer P. The IRO and the POC found the allegation of *Preliminary Investigations* and *Failure to Record* to be SUSTAINED, and *Misconduct* to be NOT SUSTAINED against Officer B. The IRO and the POC found the allegation of *Directing Best Efforts* to be NOT SUSTAINED against Sergeant T. The IRO and the POC found the allegations of *Arresting without a Warrant* and *Special Consideration* to be EXONERATED against Sergeant C.

CPC 230-12

Citizen claimed that he was attacked by a Transit security guard. Citizen alleged that Officer G. did not do a proper investigation, did not listen to witnesses, and yelled at him to shut up. Citizen alleged that Officer G. refused to provide his name, threatened to arrest him, and was discriminatory against another male for being homeless. Citizen alleged that Officer M. did not record their interaction. The IRO and the POC found the allegation of *Familiarization of Laws* to be EXONERATED, *Misconduct*, *Conducting Preliminary Investigations*, *Profane Language*, and *Furnishing Name* to be SUSTAINED, and *Bias* to be UNFOUNDED against Officer G. The IRO and the POC found the allegation of *Failure to Record* to be SUSTAINED against Officer M.

CPC 249-12

Citizen stated that he saw a woman on the street shivering and asked if she would like to get in his car. Undercover police surrounded citizen's vehicle and ordered him out. Citizen alleged that he asked for an ambulance and was refused, that officers used lots of profanity with him, and badgered him into admitting he was picking up a prostitute, even though he was not. Citizen alleged that he asked for officers' names, but was told No. There was no independent witness or recording. The IRO found the allegations of *Misconduct*, *Use of Profanity*, *Furnishing Name*, and *Knowledge of Law Regarding Medical Assistance* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Detective H. The IRO found the allegations of *Misconduct*, *Use of Profanity*, *Furnishing Name*, and *Knowledge of Law Regarding Medical Assistance* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Detective W.

CPC 017-13, 137-13, 149-13

Citizen complained that she received a phone call from Officer L. regarding her son making a threat to his Spanish class, and that Officer L. did not properly identify himself, was belligerent, accusatory, frightening, made slanderous and defamatory comments, and was bigoted, chauvinistic, and racist. Citizen also submitted CPC 137-13 and CPC 149-13, which were combined into one Complaint. The Assistant Principal was present during the phone contact, and stated that Officer L. was cordial, professional, he introduced himself, was never rude, never raised his voice, and his conduct was not bigoted or racist. The IRO and the POC found the allegations of *Furnishing Name*, *Bias*, and *Misconduct* to be UNFOUNDED against Officer L.

CPC 177-13

A citizen complained that APD Officer K. responded to a 911 call to her residence and informed her that she was abusing the 911 system, and if she called 911 again, she would be arrested. Citizen alleged that a motorcycle gang of ten men armed with guns and knives had threatened her and her daughters' lives. Citizen alleged that her family was treated differently than the motorcyclists, and that Officer K. was rude and sarcastic. Officer K. determined that this incident was only a neighbor dispute. The videos indicated that Officer K.'s conduct was proper during the incident. The IRO and the POC found the allegations of *Misconduct*, *Direct Best Efforts*, and *Conducting Investigations* to be UNFOUNDED against Officer K.

CPC 036-14

Citizen stated that he was in a restaurant when Officer R. and Officer G. entered, with Officer G. brandishing an assault rifle. The officers had a man on his knees and Officer G. had the rifle aimed at the man's head. Citizen felt that officers should have immediately evacuated the restaurant, and that the officers' first duty was to ensure

the safety of civilians. The lapel video showed that Officer G. never raised his weapon above low ready. The officers entered the restaurant in a calm manner and remained for less than three minutes before walking out. The male suspect was detained by officers in a calm and uneventful manner. The IRO and the POC found the allegation of *Direct Best Efforts* to be EXONERATED against Officer G.

CPC 043-14

Citizen complained that BCSO deputies chased him while he was driving an allegedly stolen truck. Citizen claimed that he stopped the truck and immediately got on the ground, and did not run from police. After he was handcuffed a police dog was turned loose on him and the dog bit him on the back. Citizen alleged that the officer praised the dog for biting citizen, and use of the police dog was an unwarranted and excessive use of force. Citizen admitted to the IRO Investigator that he fled on foot. All three APD K-9 officers who were present stated that the police service dog was called off the bite as soon as citizen was handcuffed. None of the APD officers were running their lapel cameras. Without any other independent evidence, the claim that improper force was used cannot be proved one way or the other. The IRO and the POC found the allegation of *Use of Force* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer R. The IRO and the POC found the allegation of *Failure to Record* to be SUSTAINED against Officer H. The IRO and the POC found the allegation of *Failure to Record* to be SUSTAINED against Officer B.

CPC 053-14

Citizen stated that he was in downtown Albuquerque to socialize and claimed that he was pepper-sprayed by security guards at a bar. Citizen alleged that Sergeant C. and Officer G. took him to the alley where they slapped him, kicked him, and threw him to the ground. Citizen called 911 to report the misconduct, and the same officers responded. Citizen then ran from officers. Citizen alleged that the police report was false, that officers took his car keys and removed items from his glove box. Citizen claimed that his ring and money were missing after being tagged into evidence at MDC. The IRO and the POC found the allegation of *Misconduct* to be UNFOUNDED against Sergeant C. The IRO and the POC found the allegations of *Misconduct* and *Preliminary Investigations* to be UNFOUNDED against Officer G.

CPC 201-12

A citizen was attending a Lobo game and had tickets for his friends. Officer R. contacted citizen and asked for identification. Citizen alleged that Officer C. grabbed his hands and Officer R. dug her hands into his pockets without permission. Citizen stated that Officer R. returned to her car and was joined by Sgt. K. and Officer S. Citizen recognized Officer S. from a previous confrontation, and claimed to have overheard negative comments from Officer S. Citizen stated that Officer R. approached and issued a trespass notice. Citizen alleged that Officer S. had an angry expression and tried to escalate the situation. Officer S. was not assigned to the Lobo game, but was working elsewhere. The IRO and the POC found the allegation of *Familiarization with Laws* to be EXONERATED against Officer R. The IRO and the POC found the allegation of *Bias* to be UNFOUNDED against Sergeant K.

CPC 233-12

Citizen wrote that he and Valerie Lovato were stopped for traffic violations. Ms. Lovato was driving on a revoked license. Before towing, Officer L. performed an inventory search and found methamphetamine. Citizen was arrested, alleged that Officer R. had a personal bias toward him, and that he was taken to the substation while Ms. Lovato remained on scene. He alleged that Officer L. wrote a false statement. Citizen claimed he was treated differently because of his prior arrest, and claimed gender discrimination. He alleged that APD violated the law by not taking Ms. Lovato to jail, that a drug analysis form was not filled out, and officers did not run their lapel cameras. Officer L. cited Ms. Lovato under a different statute, but did not have the discretion to do so, and she should have been arrested. The IRO and the POC found the allegation of *Familiarization of Laws* to be SUSTAINED, *Conducting Preliminary Investigations* and *Arrests Involving Controlled Substances* to be EXONERATED, and *Bias* to be UNFOUNDED against Officer L. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer R.

CPC 33-13

Citizen wrote that he contacted APD to report an assault and battery committed by a transit officer. Officer L. failed to file charges because of a lack of video evidence and witnesses. Citizen claimed he tried to supply Officer L. with a video of the incident and information about witnesses, but complained that nothing was done. There was only a partial recording and it did not depict Citizen furnishing Officer L. with a video or witness names. The IRO and the POC found the allegation of *Conducting Preliminary Investigations* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer L.

CPC 254-13

Citizen wrote he has had numerous problems with the maternal grandmother regarding exchanging custody for his visitations with his children. Citizen alleged that on the first incident, Officer W. misrepresented facts in the police report. On the second incident, he called for a welfare check. Officer W. responded to the call. Citizen wanted Officer W. to supervise the exchange, but alleged that Officer W. instead berated and threatened him. Officer W. told him he had no right to call for welfare checks or supervise exchanges. Citizen alleged that Officer W. was biased and had a vendetta against him. The video showed that Officer W. crossed the line when she expressed the visits would be cancelled. The video showed that during her contact, Officer W. treated all parties equally. The IRO and the POC found the allegation of *Misconduct* to be SUSTAINED, *Acting Officiously* to be UNFOUNDED, and *Reporting the Incident Fully* to be EXONERATED against Officer W.

CPC 258-13

A citizen stated that he was inside an Auto Zone store when two officers told him to come outside. Officer D. took his INS card and searched his laptop bag. The citizen alleged that Officer S. whispered something about a green card and called him a wetback. Citizen stated that some papers were missing from his bag. The video showed that Officer S. said nothing at all about ethnicity. Officer D. called citizen out in an authoritative, but professional, tone of voice. Officer D. said very little at the scene. Officer D. was stern, but remained professional. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, *Collection of Evidence* and *Warrantless Search* to be SUSTAINED against Officer D. The IRO and the POC found the allegation of *Bias* to be UNFOUNDED against Officer S.

CPC 016-14

Citizen alleged that while seated in his vehicle, Officer H. approached him and harassed him and did not give his badge number. There was no independent witness or recording. The IRO and the POC found the allegations of *Misconduct*, *Approaching without a Warrant*, and *Furnishing Name* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer H.

CPC 017-14

Citizen complained that his truck broke down and Officer E. had the truck towed without warning. Citizen alleged that his truck should not have been towed. Officer E.'s lapel video showed that the truck was parked illegally and was a traffic hazard. Dispatch attempted to contact citizen before the tow, but was unsuccessful. Officer E.'s decision to tow the vehicle was proper. The IRO and the POC found the allegation of *Improper Towing* to be EXONERATED against Officer E.

CPC 044-14

Citizen stated that he was informed by his partner that citizen's vehicle had been towed. Citizen found his vehicle in an apartment building parking space. Citizen learned that his partner had been found passed out in the vehicle several hours earlier by Officer T, who broke out the back window so that the partner could be taken to the hospital. Officer T. should have towed the vehicle, but instead left the keys with the apartment security guard. Officer T. did record the entire contact. The IRO and the POC found the allegation of *Towing* to be SUSTAINED, and *Failure to Record* to be EXONERATED against Officer T.

CPC 051-14

Citizen complained that he was stopped by APD Officer B. for an alleged traffic violation, which he did not commit. Citizen alleged that he told Officer B. he had interned with APD, and Officer B. laughed at him. Citizen complained that Officer B. racially profiled him, was out of line, and harassed him based on his skin color. Officer B.'s lapel camera captured all but the first few seconds of contact. Officer B.'s conduct was appropriate. It was dark outside, and Officer B. could not see what race the citizen was. There is no way to determine if citizen did commit the traffic violation. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, *Failure to Record* to be SUSTAINED, *Bias* to be UNFOUNDED, and *Working Knowledge of Laws* to be NOT SUSTAINED against Officer B.

CPC 101-14

A citizen, who had applied for a position with APD alleged that Detective S., a Background Investigator from APD, called him and was vulgar, rude, used profanity, and became belligerent and verbally attacked citizen. Citizen claimed that Detective S. was disrespectful and he demanded an apology. There is no recording of the phone call. Without independent evidence, there is not enough evidence to prove or disprove the allegation. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Detective S.

CPC 104-14

A citizen complained that he was the victim of a battery following a traffic altercation. The citizen alleged that Officer G. performed an inadequate investigation. After citizen submitted supporting documentation, Officer G. indicated that he would prepare a supplemental report. Citizen was satisfied with the subsequent follow-up and stated that the complaint was resolved to his satisfaction. Therefore, the complaint was INACTIVATED.

CPC 110-14

A citizen complained about an officer with the Bernalillo County Sheriff's Department. The complaint did not contain any allegations of misconduct by any Albuquerque Police Department (APD) officer or APD employee. The IRO does not have legal authority to investigate the complaint. Therefore, the complaint was INACTIVATED.

CPC 126-14

A Citizen stated that Officer L. responded to her office in reference to a disturbance involving a female and an intoxicated male. Officer L. contacted the individuals and allowed the man to remove a bicycle from a porch. Citizen complained that Officer L. needed was educated on the NM Resident Relations Act. Citizen indicated that she was satisfied that Officer L.'s supervisor discussed the issue with him and resolved the matter informally. Therefore, the complaint was INACTIVATED.

CPC 134-14

Citizen stated that she was involved in a traffic accident, that her and her husband called APD, but officers never came. Citizen stated that several APD officers drove by without stopping. A review of the call history showed there were five Priority One calls and 12 Priority Two calls. There were no units available to respond to the call at the time. Since citizen had no identifying information about the officers, there was no way to investigate those officers. There was no evidence found that any Standard Operating Procedures were violated by any APD employees. Therefore, the complaint was INACTIVATED.

CPC 155-14

A citizen complained that in 2013 she was accused of child abuse against her children. Citizen complained that the officer that originally responded conducted a poor investigation. The IRO Investigator determined that the original report was taken in June of 2013, the detective worked on his case from July 2013 to August 2013 and issued the summons on August 20, 2013. The complaint was not filed until August 6, 2014. The IRO received the Complaint beyond the 90-day time frame provided. The IRO does not have legal authority to investigate the Complaint. Therefore, the complaint was INACTIVATED.

CPC157-14

A citizen complained about an officer with the Albuquerque Aviation Police Department. The complaint did not contain any allegations of misconduct by any Albuquerque Police Department (APD) officer or APD employee. The IRO does not have legal authority to investigate the complaint. Therefore, the complaint was INACTIVATED.

CPC 158-14

Citizen complained that on August 30, 2013, Officer B. fabricated information and arrested citizen for driving while intoxicated, and edited the lapel camera footage. The IRO Investigator determined that the incident complained about occurred in August of 2013. The City Ordinance prohibits the IRO from conducting investigations into citizen's complaints that were not filed within 90 days of the incident. The IRO did not have legal authority to investigate the Complaint. Therefore, the complaint was INACTIVATED.

CPC 132-12

Citizen alleged that because of his race, Officer T. pulled him over on a traffic stop, which lasted for an hour-and-a-half. Citizen claimed that Officer T. was unprofessional and toyed with him. Officer T. observed swerving and had probable cause for the stop, and he could not determine the race of the driver prior to the stop. The stop lasted for 30 minutes. There was no video recording. The IRO and the POC found the allegation of *Bias* to be UNFOUNDED, *Failure to Record* to be SUSTAINED, and *Misconduct* to be NOT SUSTAINED against Officer T.

CPC 258-12

A citizen stated that Officer B. responded to her business regarding an employee embezzlement, and that Officer B. was unprofessional, rude and argumentative, acted as if the crime was petty, and did not prepare a police report. The video recording indicated that Officer B. was never rude and argumentative, but that his conduct was professional. Officer B. never indicated the matter was petty. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, *Neutral Attitude* to be UNFOUNDED, and *Preparing Report by End of Shift* to be SUSTAINED against Officer B.

CPC 207-13

Citizen stated that he went to Bernalillo County Sheriff's Office to complain about reported crimes by APD's CIT unit. APD Detective A. arrived on scene and spoke to citizen, which almost gave citizen a heart attack. Citizen was heartbroken and was going to die because Detective A. refused to pick up citizen's girlfriend and bring her to BCSO. BCSO requested that Detective A. be present due to her prior contacts with citizen. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Detective A.

CPC 232-12

A citizen stated that a male entered his business and demanded money. When Officers C. and L. arrived, they acted indifferent and dismissive regarding the incident. Citizen wanted officers to arrest the male, and claimed that the police report was inaccurate. Officers had not yet determined if a felony had been committed before the suspect had to be transported to the hospital. The IRO and the POC found the allegation of *Acting Officiously* and *Neutral and Detached Attitude* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer C. The IRO and the POC found the allegation of *Acting Officiously* and *Neutral and Detached Attitude* to be NOT SUSTAINED, *Failure to Record* to be SUSTAINED, *Report the Incident Fully* and *Police Hold Cards* to be EXONERATED against Officer L.

CPC 010-14

Citizen stated that he and his fiancé were taking the luminaria tour when Officer L. yelled at them to move their vehicle back. Officer L. moved barricades in front of citizen's vehicle, and citizen claimed that Officer L. acted

out of control, was rude and unprofessional. There was no video required during this incident. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Officer C.

CPC 022-14

Citizen stated that he was pulled over for a seatbelt violation by Officer L., who was rude and used inappropriate language, and stated that Officer L. could use more training on how to deal with the public. The video indicated that Officer L.'s conduct was professional and appropriate, referring to citizen as "sir." The IRO and the POC found the allegation of *Misconduct* to be UNFOUNDED against Officer L.

CPC 025-14

Citizen stated that he and his nephew were at a motel when an incident occurred regarding the nephew entering a room next door and taking items. Officers M. and E. were dispatched to the scene. Citizen alleged that Officer M. was rude, hostile and disrespectful. When the nephew was arrested, Officer M. left nephew's property with citizen. Citizen claimed that Detective B. conducted a poor investigation. Citizen later gave property to another officer who was not at the scene. The video showed that Officer M.'s conduct was appropriate. The IRO and the POC found the allegations of *Working Knowledge of Laws*, *Acting Officiously*, *Conducting Preliminary Investigation*, and *Non-Evidentiary Articles* to be EXONERATED against Officer M. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against Officer E. The IRO and the POC found the allegations of *Preparing Case Supplement* and *Failure to Record* to be SUSTAINED against Detective B.

CPC 028-14

Citizen stated that he and his uncle were at a motel when an incident occurred regarding the citizen entering a room next door and taking items. Citizen claimed that he was falsely imprisoned for residential burglary and Officer M. wrote a false police report and left citizen's property with his uncle. The uncle later gave evidence to Officer N., who was not involved in the incident at the motel. Citizen admitted to being in the victim's room. The video showed that Officer M.'s conduct was appropriate. The IRO and the POC found the allegation of *Tagging Evidence* to be EXONERATED against Officer N. The IRO and the POC found the allegations of *Preliminary Investigation* and *Non-Evidentiary Articles* to be EXONERATED against Officer M. The IRO and the POC found the allegations of *Preparing Case Supplement* and *Failure to Record* to be SUSTAINED against Detective B.

CPC 030-14

Citizen stated that he was exchanging custody of children with ex-wife and Officer G. was on scene and served him with a restraining order. Citizen claimed that Officer G. was demanding and harassing, and failed to furnish his name. Citizen claimed that Officer S., who is his ex-wife's sister, was present and she pulled strings because of her position. The video showed that Officer G.'s conduct was cordial and polite, and that no one ever asked for Officer G.'s identification. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, and *Furnishing Name* and *Acting Officiously* to be UNFOUNDED against Officer G. The IRO and the POC found the allegation of *Obtaining Privileges* to be UNFOUNDED against Officer S.

CPC 057-14

Citizen stated that her son was arrested at a high school for possession of marijuana and drug paraphernalia, but her son was not advised of his rights and his car was searched without son's permission. Citizen alleged that her son's Fourth, Fifth, and Sixth Amendment Rights were violated. Citizen claimed that Officer B. was rude and intimidating. The son was detained by school police, who conducted a search of the vehicle. The video showed that Officer B. was professional during contact with Citizen, and that it was Citizen who raised her voice and continually interrupted Officer B. The IRO and the POC found the allegations of *Working Knowledge of Laws* and *Misconduct* to be EXONERATED against Officer B.

CPC 062-14

Citizen stated that she was involved in a motor vehicle accident where a driver hit her vehicle. Citizen alleged that the police report was inaccurate. PSA M. was dispatched to the accident and prepared a report. PSA M. admitted that he mixed up the statements of the drivers, and he did not record his contact. The IRO and the POC found the allegations of *Failure to Record* and *Reporting the Incident Fully and Accurately* to be SUSTAINED against PSA M.

CPC 084-14

Citizen stated that he called police to report the theft of a gas can. Citizen alleged that Officer L. responded to the scene and was discourteous, telling citizen that he could get a replacement for around \$20. Officer L. admitted that he probably chuckled about the incident. Sergeant W. told citizen that a report would be written. Officer W. did not write a report. The IRO found the allegations of *Misconduct*, *Failure to Record*, and *Write a Report when Directed* to be SUSTAINED against Officer L. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Sergeant W.

CPC 096-14

Citizen stated he was arrested, but he was not sure why. Officers C. and K. responded to the scene. Citizen admitted that he kicked rocks and hit the window of a business with a stick. When being transported to jail, citizen claims that he was assaulted by a fellow prisoner. There was no video in the transport vehicle. Officer C.'s video showed that Officer K. did use inappropriate language. Another video showed no inappropriate conduct regarding PTU Officers C. and M. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against Officer C. The IRO and the POC found the allegations of *Working Knowledge of Laws*, *Profane Language* and *Failure to Record* to be SUSTAINED against Officer K. The IRO and the POC found the allegation of *Performance of Duties* to be UNFOUNDED against PTU Officer C. The IRO and the POC found the allegation of *Performance of Duties* to be UNFOUNDED against PTU Officer M.

CPC 102-14

Citizen alleged that he was wrongfully accused of speeding and that Officer H. was rude and unprofessional, did not have radar, and did not furnish his name. Citizen claimed he was stopped because he was driving a sports car. Officer H. was directing traffic when he made contact with citizen. Citizen and Officer H. had different versions of the tone and intentions of the contact. There was no recording as one was not required in directing traffic. The IRO and the POC found the allegations of *Furnishing Name* and *Misconduct* to be NOT SUSTAINED against Officer H.

CPC 108-14

Citizen stated she was pulled over for speeding. When Officer H. approached her vehicle, she threw a cigarette out the window, and Officer H. stated that that was disrespectful. Citizen also claimed that Officer H. harassed her in court. Officer H. had only a partial lapel video recording of the incident. Officer H. did not comply with the Administrative Investigation. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, *Failure to Record* and *Administrative Investigations* to be SUSTAINED against Officer H.

CPC 116-14

Citizen stated that he observed Officer P. conducting a traffic stop. Officer P. struck the driver of the vehicle in the groin and Officer P. should be stripped of his badge. Video of the incident captured Officer P.'s conduct. The IRO and the POC found the allegations of *Working Knowledge of Laws*, *Obey Laws*, *Committing or Omitting Acts*, *Conduct Unbecoming an Officer*, *Conduct on Duty*, *Use of Force*, *After Action Use of Force*, *Bystander Filming*, and *Profane Language* to be SUSTAINED against Officer P.

CPC 159-12

Citizen stated that her family was at a softball game and her two sons were assaulted. Officer T. arrived on scene and expressed his personal opinion about the situation. Citizen alleged that Officer T. did not ask if her sons

needed medical attention and he was mean, insensitive, inconsiderate, rude, and did not conduct an adequate investigation. Officer T. denied the accusations, and indicated that all parties refused medical attention. Eight individuals gave statements, as indicated in the report, which showed that an adequate investigation was conducted. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, and *Preliminary Investigations* to be EXONERATED against Officer T.

CPC 175-12

Citizen had a party at her residence, and police arrived on scene due to noise complaints. Citizen alleged that five officers broke the gate to her fence, were out of line, disrespectful, and embarrassing. Only Officers C. and F. were dispatched to the scene. Both officers denied the allegations, and indicated that an intoxicated party-goer was swinging on the gate. There was no video and no independent witness. Officer C. was interviewed more than 90 days after the incident. The IRO and the POC found the allegations of *Misconduct* and *Failure to Record* to be NOT SUSTAINED against Officer C.

CPC 237-12

Citizen stated he was a witness to an accident and attempted to give aid to the victim. Citizen alleged that Officer W. ordered him away from the victim and treated him like a criminal, pushing him to the ground. Initial video showed that citizen would not comply with Officer W.'s orders. The contact was not recorded in its entirety. Officer W. and citizen had different versions of the force used. The IRO and the POC found the allegation of *Bias* to be UNFOUNDED, *Misconduct* and *Use of Force* to be NOT SUSTAINED, *Failure to Record*, *Profane Language*, and *Documenting Injuries* to be SUSTAINED against Officer W.

CPC 027-13

Citizen stated that she was pulled over for speeding, and she admitted to speeding. Officer S. asked citizen to take a voluntary sobriety test, and citizen refused. DWI Officer C. arrived on scene to conduct field sobriety tests, which citizen performed poorly. Officer S. conducted a search of the vehicle prior to tow. Citizen alleged that she should not have been arrested, and that officers had no right to search her vehicle. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be UNFOUNDED against Officer C. The IRO and the POC found the allegations of *Working Knowledge of Laws* and *Search Prior to Tow* to be EXONERATED against Officer S.

CPC 112-13

Citizen stated that he was downtown when Officer H. approached him aggressively, detained him, twisted his arm, and damaged his cell phone. Citizen alleged that Officer H. had no right to search him, did not call for medical personnel, and was rude to citizen's girlfriend. Officer H. responded to a disturbance call in which citizen was accused of striking a female. The video showed that Officer H.'s conduct was proper and that rescue was called. The cell phone fell from the hood of the vehicle, but Officer H. did not document that damage. The IRO and the POC found the allegation of *Damage to Civilian Property* to be SUSTAINED, *Working Knowledge of Laws*, *Use of Force*, *Misconduct*, *Furnishing Name*, *Persons Not Involved in Incidents*, and *Requesting Rescue* to be EXONERATED against Officer H.

CPC 198-13

Citizen stated that Officer S. came to her home regarding an incident that occurred six months prior. Citizen claimed that Officer S. violated her civil rights and had no right to obtain her phone number and address from a police report. Officer S. was dispatched to a call regarding a dispute between citizen and another female. SOP required that a report be written on the incident. The video showed that Officer S. was cordial and his conduct was professional during his contact with citizen. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Officer S.

CPC 003-14

Citizen, who is a probation officer, stated that her security guard arrested an individual for possession of drug pipes. When Officer M. arrived on scene, she was rude and angry toward citizen. Citizen claimed that at a later meeting, Officer M. and Detective K. were rude to her. There was a recording of the first contact, but not the second contact. The first video showed that Officer M. was not rude. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Officer M. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Detective K.

CPC 004-14

Citizen, who is a probation officer, stated that his security guard arrested an individual for possession of drug pipes. When Officer M. arrived on scene, she was rude and angry, and her conduct was demeaning toward citizen. Citizen claimed that at a later meeting, Officer M. and Detective K. were rude to him. There was a recording of the first contact, but not the second contact. The first video showed that Officer M. was not rude. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Officer M. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Detective K.

CPC 019-14

Citizen reported her boyfriend missing. Citizen found out that her boyfriend had died nine days prior, and that OMI still had the body. Citizen alleged that Officer S. and Detective T. did not notify her or next of kin, and claimed that Detective T. did not seem overly interested in her concerns. Citizen alleged that Officer S. wrote a very basic report. Officer S. and Detective T. failed to utilize available resources that could have assisted them in this case. The IRO and the POC found the allegation of *Best Efforts* to be SUSTAINED, and *Neutral and Detached Attitude* to be NOT SUSTAINED against Detective T. The IRO and the POC found the allegations of *Notifying Next of Kin*, *Tagging Evidence*, *Tagging Money*, *Report Incident Fully*, and *Failure to Record* to be SUSTAINED against Officer S.

CPC 048-14

Citizen stated that while at a school with her dogs, an altercation occurred wherein she was threatened, so she left with her dogs and returned to her home. Officers S. and N. arrived at her home and Officer N. scolded her and threatened to take her dogs. Citizen alleged that Officer S. blocked her from entering her residence, the officers did not provide their names, and they were rude and unkind. The video showed that officers were not rude, never threatened to take her dogs, and did not block her from entering her home. Officer N. provided citizen with a card, and informed citizen that both she and Officer S. had the same sergeant that was listed on the card. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Officer S. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Officer N.

CPC 064-14

A citizen was attempting to enter a park, but Officer M. would not allow citizen to enter. Citizen alleged that he was treated like a dog when the officer told him to go forward. Officer M. was directing traffic, and had orders to not allow cars to enter the park. There was no lapel video and none was required. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Officer M.

CPC 087-14

Citizen stated that she was pulled over for no headlights at night, and that Officer W. accused her of driving under the influence. Citizen claimed that she was threatened and intimidated by Officer W. The video recording showed that Officer W. was not threatening or intimidating toward citizen during the traffic stop. The IRO and the POC found the allegation of *Misconduct* to be UNFOUNDED against Officer W.

CPC 090-14

Citizen alleged that Officer K. participated in her ex-husband's extortion attempt when he attempted to broker a deal, made false statements to the district attorney's office, and conducted an improper follow-up investigation. A recording of the phone conversation showed that Officer K. was professional, and never tried to broker a deal, as alleged by citizen. The IRO and the POC found the allegation of *Misconduct* to be UNFOUNDED, and *Follow-Up Investigation* to be EXONERATED against Officer K.

CPC 111-14

Citizen was at a bar and stated that another vehicle struck her vehicle in the parking lot. Dispatch informed citizen this would be a civil matter because it was on private property, but citizen insisted that an officer be sent to the scene. Citizen claimed the other driver was intoxicated. Officer W. arrived and informed citizen that he could not arrest the other driver because he saw no indication of intoxication and did not observe him driving. Citizen alleged that Officer W. was rude and would not arrest the other driver for DWI. Video showed that Officer W. was not rude, and that his conduct was appropriate. The IRO and the POC found the allegation of *Performing Duties Efficiently* to be EXONERATED against Officer W.

CPC 118-14

Citizen called police for an escort to pick up her property from her apartment. Citizen was afraid of the landlord. Officer A. arrived on scene and citizen alleged he took the side of the landlord. Citizen claimed Officer A. snickered and laughed, was arrogant, and acted like a bully. Officer A. denied these allegations. There was no recording or independent witness. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer A.

CPC 181-12

Citizen reported a hit-and-run accident to his girlfriend's property. Citizen alleged that Officer T. was rude and unprofessional, refused to write a report, and refused to provide his business card. Citizen was recording the incident and was told by Officer T. to stop recording. Citizen alleged that Officer T. placed his foot in the door of residence when citizen tried to close the door, and that Officer T. was biased. The video recording showed that Officer T.'s conduct was inappropriate and unprofessional, but there was no indication of bias. The IRO and the POC found the allegations of *Misconduct*, *Working Knowledge of Laws*, *Furnishing Business Card*, *Courteous Behavior*, and *Acting Officially* to be SUSTAINED, and *Bias* to be UNFOUNDED against Officer T.

CPC 229-12

Citizen was on a late-night walk. Officer L. approached citizen and shined a spotlight, which scared citizen, who then ran from Officer L. Officers were searching for a domestic violence suspect in the area. Shortly thereafter, the citizen was cleared as a suspect, but was arrested for eluding an officer. Sergeant A. was also on scene. Citizen claimed the arrest was because he was African-American. Officer L.'s arrest of citizen was improper. The IRO and the POC found the allegation of *Bias* to be UNFOUNDED, and the allegations of *Working Knowledge of Laws* and *Misconduct* to be SUSTAINED against Officer L. The IRO and the POC found the allegation of *Superior Officer's Responsibility* to be SUSTAINED against Sergeant A.

CPC 047-14

Citizen stated she was a passenger in a vehicle and the driver was arrested for DWI. Citizen was intoxicated and the officer would not let her walk home. The officer had dispatch call a taxi cab to take citizen home. Citizen

claims the taxi driver asked her for a kiss. There was no complaint against the officer, but a complaint was filed with the PRC. The citizen no longer wished to pursue her complaint against APD. Therefore, the complaint was INACTIVATED.

CPC 72-14

Citizen was arrested for prostitution by Detective F. Citizen had a pink bag containing makeup and medication. Because Detective F. had been on duty for 17-and-a-half hours, his supervisor allowed the bag to be kept in a secure place instead of being tagged into evidence at the end of shift. The bag was secured in the SID office. The bag was later returned to citizen, who acknowledged all her property was still in the bag. The IRO and the POC found the allegation of *Securing Evidence* to be EXONERATED against Detective F.

CPC 092-14

Citizen stated his business was burglarized and that a nearby business had captured the burglary on surveillance. Detective B. informed citizen that he would pick up the surveillance video within two days, but he failed to do so. Citizen alleged that Detective B. made disparaging statements against the Department. Detective B. denied making the remarks. There was no video or independent witness to this incident. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, and *Failure to Record* and *Perform Duties* to be SUSTAINED against Detective B.

CPC 097-14

Citizen stated that he was involved in a vehicle accident, but when Officer E. arrived, he did not seem to be concerned about an injured lady. Citizen stated that he had to perform Officer E.'s duties, and that Officer E. was negligent, incompetent, hostile, and did not furnish his name. The lapel video showed that EMTs were on scene treating the injuries, and that Officer E. was not angry, hostile, or incompetent. The IRO and the POC found the allegation of *Furnishing Name* to be SUSTAINED, and *Maintaining Sufficient Competency* to be EXONERATED against Officer E.

CPC 119-14

Citizen stated that he was battered by his neighbors. Officer D. arrived on scene and deemed citizen the guilty person, ignored citizen's claims, and believed the neighbors' lies. Citizen alleged that Officer D. threw him against a wall and handcuffed him. There was only a partial video. The IRO and the POC found the allegations of *Preliminary Investigations* and *Use of Force* to be NOT SUSTAINED, *Report the Incident Fully*, *Report on Weaponless Force*, *Report Submitted by End of Shift*, and *Failure to Record* to be SUSTAINED against Officer D.

CPC 120-14

Citizen stated that her husband committed suicide. The husband's good friend was Officer K. Citizen called Officer K., who was off duty, who arrived on scene in his marked patrol unit, displaying his badge of office. Officer K. also had his family come to the scene. When other officers were advised of the relationship between husband and Officer K., Officer K. was removed from the scene. Officer K. later sent e-mails to citizen which stated that he held citizen accountable for her husband's suicide. The IRO and the POC found the allegations of *Misconduct*, *Writing Reports on Suicides*, and *Take-home Car used for Official Purposes* to be SUSTAINED against Officer K.

CPC 143-14

Citizen alleged that Detective S. and Sergeant B. came to his mother's house and began questioning him, which was a violation of federal law, and that he had received several phone calls from blocked numbers. Citizen alleged that Detective S. and Sergeant B. were guilty of falsifying evidence, abuse of power, conflict of interest, hate crimes, terrorist attack threats, and conspiracy to commit murder. Citizen stated that he filed charges with the FBI, DOJ, Homeland Security, U.S. Attorney General, N.M. Attorney General, and the ATF. Officers at APD were receiving requests from citizen for nude photos of officers. The IRO and the POC found the allegation of

Misconduct to be UNFOUNDED, and *Keeping Official Business Confidential* to be EXONERATED against Detective S. The IRO and the POC found the allegation of *Misconduct* to be UNFOUNDED, and *Keeping Official Business Confidential* to be EXONERATED against Sergeant B.

CPC 153-14

Citizen stated that he was the victim of assault and false imprisonment. When Officers S. and A. and Sergeant D. arrived, they failed to do their job by not arresting the alleged offender, and citizen was denied medical treatment. Officers indicated that citizen refused medical treatment when offered. Officers could not arrest the alleged offender for a misdemeanor committed outside their presence. The IRO and the POC found the allegation of *Maintain Sufficient Competency* to be EXONERATED, and *Failure to Record* to be SUSTAINED against Officer S. The IRO and the POC found the allegation of *Maintain Sufficient Competency* to be EXONERATED against Officer A. The IRO and the POC found the allegation of *Maintain Sufficient Competency* to be EXONERATED against Sergeant D.

CPC 169-14

Citizen alleged that Officer R. removed and confiscated a license plate from his vehicle, thereby damaging the vehicle, and that Officer R. failed to record the incident. Because there was no video, citizen's claim for damages was denied by the City. Officer R. did record the incident in its entirety. The IRO and the POC found the allegation of *Failure to Record* to be UNFOUNDED against Officer R.

CPC 058-13

Citizen stated that Officer R. came to her residence regarding a hit-and-run accident. The other driver claimed that citizen fled the scene, and the other driver followed citizen to her residence. Citizen claimed that Officer R. was unprofessional and failed to show respect. The evidence showed that citizen was involved in an accident and left the scene. Officer R. informed citizen that if she showed up in court with proof that her insurance would pay for the damage to the other vehicle, he would dismiss the citation. Officer R. issued a citation for failure to maintain lane. Officer R. could not prove what actually happened, and had no authority to issue a citation, nor should Officer R. have tried to broker a deal. The IRO and the POC found the allegations of *Obeying All Laws* and *Misconduct* to be SUSTAINED against Officer R.

CPC 073-14

Citizen claimed that he was wrongly stopped for Reckless Driving. Citizen claimed that officers refused to furnish their name, and accused citizen of being on drugs. Citizen alleged that Officer D. used profanity and left him stranded at MDC after being released from jail. The contact was not recorded in its entirety. The IRO and the POC found the allegations of *Misconduct* and *Furnishing Name* to be NOT SUSTAINED, *Failure to Record* and *Being Left Stranded* to be SUSTAINED, *Working Knowledge of Laws* to be EXONERATED, and *Profane Language* to be UNFOUNDED against Officer D. The IRO and the POC found the allegations of *Misconduct* and *Furnishing Name* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer G.

CPC 130-14

Citizen alleged that he was illegally detained and searched by APD Officer L. and Bio Park security guards. The complaint was not signed, and investigators were unsuccessful in their attempts to contact citizen. Citizen was detained by security guards at the Bio Park and security guards informed Officer L. that they had received complaints about citizen taking pictures of children, and also a previous threat of violence by citizen. The video showed the contact between Officer L., security guards, and citizen. Officer L. had reason to conduct a pat search of citizen. The IRO found no violations of SOP. Therefore, the complaint was INACTIVATED.

CPC 142-14

Citizen complained that an officer was speeding and driving in a careless manner. The officer's sergeant spoke to officer about his driving behavior and the possible consequences of careless driving. This complaint was resolved in an informal manner. Therefore, the complaint was INACTIVATED.

CPC 151-14

Citizen stated that he observed an officer speeding and driving carelessly. The sergeant spoke to the officer, who apologized for his driving behavior. The complaint was satisfactorily resolved. Therefore, the complaint was INACTIVATED.

CPC 163-14

Citizen observed an officer that was driving in a careless manner and speeding. The officer's sergeant spoke with the officer about his driving behavior. This complaint was resolved satisfactorily. Therefore, the complaint was INACTIVATED.

CPC 171-14

Citizen alleged that he was arrested by Officers L. and C. on March 20, 2014. Citizen stated that he needed the lapel video because he was arrested for no probable cause and the officers acted in bad faith. The complaint was received on September 6, 2014. The complaint was received beyond the 90-day time frame for filing a complaint. Therefore, the complaint was INACTIVATED.

CPC 174-14

Citizen stated that he observed an officer speeding and driving carelessly. The officer's sergeant spoke to the officer about his driving, and cautioned about the dangers of driving carelessly. The complaint was resolved informally. Therefore, the complaint was INACTIVATED.

CPC 207-12

Citizen stated that she was at self-checkout at Walmart and loss prevention accused her of shoplifting. Citizen alleged that Officer L. began to scream at her and accused her of shoplifting. While in the loss prevention office, Officer L. grabbed citizen, throwing her off balance, slamming her arm onto the counter. Officer L. called citizen "retarded," arrested citizen and placed her in the hot police vehicle. Citizen alleged that Officer L. was biased. The video showed that Officer L. called citizen "retarded," and citizen was placed in the hot police vehicle. Officer L. claimed she did not arrest citizen's friend because the friend had a cast and it was unknown whether MDC would accept her. The IRO and the POC found the allegation of *Misconduct* to be SUSTAINED, *Use of Force* to be EXONERATED, and *Bias* to be UNFOUNDED against Officer L.

CPC 148-14

Citizen alleged that when Employee B. responded to his e-mail regarding police shooting videos that were being enhanced, she was unprofessional and inappropriate, and conducted an investigation of citizen in an attempt to discredit him. The evidence indicated that Employee B. responded with information that she could legally release to citizen. Any information regarding citizen was readily available on public websites and blogs. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, and *Dissemination of Information* to be UNFOUNDED against Employee B.

CPC 161-14

Citizen was pulled over on a traffic stop. Citizen alleged that Officer H. took possession of his driver's license and would not explain why citizen could not get his license returned to him. Citizen claimed that Officer H. stated the license would be sent to Santa Fe, but that Officer H. could do whatever he wanted with the license. Officer H. placed the license in the MVD basket at the substation, but he did not document that in his report. The lapel video showed that Officer H. explained to citizen what would happen to the license, but never said he could do whatever he wanted with the license. The IRO and the POC found the allegation of *Working Knowledge of*

Laws to be EXONERATED, and Writing Reports when Collecting Evidence to be SUSTAINED against Officer H.

CPC 040-14

Citizen alleged that Officers H., S., C. and Sergeant V. entered his home without a warrant. He was handcuffed too tightly by Officer H. and dropped onto the ground. Citizen alleged that Officer S. drove in an unsafe manner, and that officers tore his hoodie and caused damage to his blinds. Officers were called by VA Crisis Hotline due to citizen's threat to shoot himself. Lapel camera video showed that officers did not use excessive force and did not drop citizen onto the ground. The IRO and the POC found the allegations of *Working Knowledge of Laws* and *Damage to Civilian Property* to be EXONERATED against Sergeant V. The IRO and the POC found the allegations of *Working Knowledge of Laws* and *Use of Force* to be EXONERATED, *Degree of Force* to be NOT SUSTAINED, and *Damage to Civilian Property* to be SUSTAINED against Officer H. The IRO and the POC found the allegations of *Working Knowledge of Laws*, *Use of Force*, *Misconduct* and *Detainment for Emergency Evaluation* to be EXONERATED, *Operating Official Vehicles* and *Degree of Force* to be NOT SUSTAINED, and *Damage to Civilian Property* to be SUSTAINED against Officer S. The IRO and the POC found the allegations of *Working Knowledge of Laws* and *Use of Force* to be EXONERATED against Officer C.

CPC 109-14

Citizen stated that his son had a seizure and suffered a head injury. The 911 operator was unreasonable and belligerent. Citizen drove his son to the hospital before AFD arrived on scene. Citizen claimed that officers stormed his residence, causing property damage, and when another son arrived at the residence, officers detained him. When the 911 call was made, it was routed directly to BCSO. The lapel camera video showed Officer S., who was the only APD officer on scene, arrived after AFD. The door to the residence was not locked and there was no damage depicted on the video. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against Officer S.

CPC 185-14

Citizen stated that an employee was caught on surveillance using a pre-paid card belonging to citizen. Citizen stated that she was upset about the delay in obtaining a report from the White Collar Crimes Unit. The citizen filed her complaint a year after the incident. The IRO has no authority to investigate complaints filed beyond the 90-day time frame in which to file a complaint. However, the IRO was informed that the White Collar Crimes Unit had a huge backlog of cases, but citizen's case was being actively investigated. Therefore, the complaint was INACTIVATED.

CPC 191-14

Citizen alleged that Officer W. perjured herself when testifying in court on July 5, 2014, and August 1, 2014. Only a Court or the District Attorney's Office can make a determination regarding a perjury allegation. The IRO has no jurisdiction to investigate the complaint. Therefore, the complaint was INACTIVATED.

CPC 79-13

Citizen stated that he was moving out of his residence due to a divorce. When gathering his items, he got into an altercation with his wife and stepson and then left the residence. Citizen alleged that Officer M. left a rude message, filed charges that were improper, and gave his wife legal advice. There was no video of this incident. Officer M. should have filed a charge of battery instead of Battery on a Household Member. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, and *Sufficient Competency* to be SUSTAINED against Officer M.

CPC 164-13

Citizen alleged that she was pulled over on a traffic stop and Officer W. then asked her if she had been drinking. Citizen submitted to a breath test and passed. Citizen claimed that Officer W. issued her a citation merely to prove a point. Officer W. indicated that driver was pulled over because of erratic driving and the questions were routine. There was no recording of this incident. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer W.

CPC 209-13

Citizen alleged that Detective L. had come to her home to harass her, and that Lieutenant O. had been harassing her for four years, and she wants both officers to leave her alone. Detective L., who was a CIT officer, had been assigned to check on the well-being of citizen. When Detective L. went to citizen's home, she would not answer the door. Lieutenant O. indicated that he spoke to citizen one time over the phone, but has never been to her home. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Detective L. The IRO and the POC found the allegation of *Misconduct* to be UNFOUNDED against Lieutenant O.

CPC 217-13

Citizen stated that her brother was killed in 2010. While following up on the case, she met with Detective M. Citizen alleged that Detective M. yelled at her and called her brother a gangster. Detective M. would not return her calls. Citizen alleged that Detective M. failed to do his job, that he humiliated and discriminated against her family. Citizen claimed that Detective M. did not put forth his best effort because the gun used in the homicide was located, but Detective M. never sent it to the Crime Lab. The gun was later destroyed by ATF. Citizen alleged that Detective M. used profane language in the courthouse when speaking about the case. Detective M. admitted that he could have done a better job, and failed to do his job properly. The IRO and the POC found the allegations of *Misconduct*, *Conduct Unbecoming an Officer*, *Best Efforts*, *Obtaining Information in a Courteous Manner*, *Notify Criminalistics*, and *Conducting Follow-Up Investigation* to be SUSTAINED, *Coarse or Profane Language* and *Truthfulness* to be NOT SUSTAINED, and *Release of Evidence* to be EXONERATED against Detective M.

CPC 140-14

A citizen was in Home Depot when he heard a loudspeaker announcement requesting that a person driving a certain make of vehicle return to their vehicle. Citizen went to his vehicle, where a male told him that police were looking for him because of a dog left in his vehicle. Citizen stated that he had PTSD and was going to beat down the male. Citizen alleged that Officer F. berated, insulted, bullied him, and used inappropriate language. There was no video of this incident. The IRO and the POC found the allegations of *Misconduct* and *Coarse or Profane Language* to be NOT SUSTAINED against Officer F.

CPC 160-14

A citizen was stopped for speeding in a school zone. The citizen alleged that Officer H. acted like a bully and was agitating, and failed to explain the options regarding the citation. The video recording showed that Officer H.'s conduct was professional. Officer H. explained the law regarding school zone speed limits. The IRO and the POC found the allegation of *Misconduct* and *Working Knowledge of Laws* to be EXONERATED against Officer H.

CPC 182-14

A citizen stated that he was driving on I-40 when Officer R. pulled behind him and pointed a spotlight on citizen's vehicle. Citizen alleged that Officer R. swerved toward his vehicle and citizen felt these actions were unsafe and constituted road rage. Citizen declined to be interviewed by the IRO Investigator. Officer R. agreed he probably did flash his lights in order to get citizen to slow down, but denied that his actions were unsafe. The IRO and the POC found the allegation of *Operating Vehicles in Careful Manner* to be NOT SUSTAINED against Officer R.

CPC 136-14

A citizen stated that on July 4, 2014, she was stopped near Balloon Fiesta Park by a motorcycle officer who was rude and made improper comments. The CPOA investigated this complaint but was unable to identify any APD officer fitting the description provided by citizen. The officer assigned to direct traffic at the location was not a motorcycle officer. A Police Service Aide and several cadets were helping direct traffic. Motorcycle police were passing through the area, but none were directing traffic. No APD officer could be identified. Therefore, the complaint was INACTIVATED.

CPC 190-14

Citizen stated that she was assaulted by her former daughter-in-law and the daughter-in-law's boyfriend, and that officers refused to arrest them. Officer H. and Sergeant V. arrived on scene and determined that the incident was a misdemeanor which occurred outside their presence. This incident concerned an eviction process, which APD does not handle. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against Officer H. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against Sergeant V.

CPC 121-14

Citizen stated that her neighbor came to her home and said that two men were in his home and would not leave. Citizen called police and requested officers come and make the two men leave her neighbor's house. Citizen alleged that Officer B. arrived and requested the two men leave the home. Officer P. then arrived and citizen alleged that Officer P. told her she was crazy. Citizen alleged that Officer P.'s conduct was rude. The video showed that Officer P. was rude, he did tell Citizen that she was crazy, and that he used profane language. The IRO and the POC found the allegation of *Misconduct, Failure to Record, and Profane Language* to be SUSTAINED against Officer P.

CPC 248-11

Citizen alleged that APD SWAT team, while assisting BCSO HEAT, went to his home and detained family members for two hours. Citizen stated that the officers had the wrong address. No APD officers were identified. APD SWAT was assisting BCSO. There is no SOP which requires APD SWAT to independently evaluate another agency's search warrant. The Tenth Circuit Court of Appeals ruled that APD's actions were reasonable and constitutional. Therefore, the complaint was INACTIVATED.

CPC 216-12

Citizen filed a complaint on behalf of his friend. The friend was riding a bike and was carrying two weapons. Citizen felt the friend was subjected to unconstitutional seizure and arrest. The rider alleged that Officer B. called him a jerk and Officer T. told him he was mentally ill. The rider claimed that Officer B. altered the police report, because the gun he had was not an assault rifle, as described in the report. Officers responded to a call regarding a male riding a bike while displaying weapons. The rider alleged that Officer B. pointed a gun at him and threatened to shoot. The rider alleged that officers

would not provide their names and that he was taken to the substation and charged with disorderly conduct. The rider admitted that he would not provide his name to officers at the scene, but did provide his name at the substation. The rider alleged that officers acted inappropriately. The incident was not recorded in its entirety. The part that was recorded showed that Officer S.' conduct was appropriate during his contact with the rider. Officer B. listed in her report that a citizen had called 911 stating that the rider had an assault rifle. No other reference to an assault rifle is contained in the police report. The video indicated that Officer B. called the rider a jerk. Officer T. said it was stupid and dumb to act as the rider acted, but never called the rider dumb or stupid. It could not be determined from the available video if officers pointed their weapons at the rider. The IRO and the POC found the allegations of *Working Knowledge of Laws*, *Furnishing Name*, and *Altering Report* to be EXONERATED, *Patdown*, *Profane Language*, and *Failure to Record* to be SUSTAINED, and *Report on Weapons Pointed* to be NOT SUSTAINED against Officer B. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, *Furnishing Name* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer S. The IRO and the POC found the allegation of *Profane Language* to be EXONERATED, *Furnishing Name* and *Report on Weapons Fired* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer T. Sergeant M. admitted that he pointed his gun at the rider. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, and *Report on Weapons Fired* to be SUSTAINED against Sergeant M. Lieutenant B. was unsure if he pointed his gun at the rider. The IRO and the POC found the allegation of *Failure to Record* to be SUSTAINED, and *Writing Report on Weapons Fired* to be NOT SUSTAINED against Lieutenant B.

CPC 127-14

Citizen stated that detectives came to her home to investigate the high volume of allergy prescriptions that she and her family had purchased. Citizen alleged that Detective G. pointed a gun directly at her and she was in fear of being shot. Citizen claimed that detectives staged items in the garage to look like a meth lab. Officers pulled items together for their assessment only. Citizen alleged that detectives threatened that they would be back with a search warrant, and that during the search, they damaged her property. Detectives J. and S. did not threaten citizen, but only stated true facts of their intentions. The video showed that Detective G. never pointed the gun at Citizen. Video taken at the scene shows before detectives searched the property, the home was in disarray with items stacked all over the home. Detectives deny they damaged any property. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Detective J. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED against Detective S. The IRO and the POC found the allegation of *Use of Force* to be UNFOUNDED against Detective G. The IRO and the POC found the allegation of *Damage to Civilian Property* to be NOT SUSTAINED against Sergeant B.

CPC 166-14

Citizen stated that Detective P. arrested him for auto burglary. Citizen claimed that a vehicle was parked outside his home, and he called APD to inform them that the windows were down and items were in the back seat. An officer responded and red-tagged the car, but had no knowledge that the car was a bait car. Video showed that citizen later entered the vehicle and removed items from the back seat. Citizen was arrested. Citizen claimed the officer who red-tagged the vehicle told him the car was a bait vehicle. Citizen claimed that he was securing the items so they would not be stolen, and he should not have been arrested. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against Detective P.

CPC 188-14

Citizen stated that she was entering onto I-40 and observed a police vehicle that almost hit her car. Citizen alleged that the police vehicle was swerving on I-40, and citizen felt that the officer was driving while under the influence. The police vehicle was assigned to Officer K. Officer K. lived 22 minutes from the alleged incident and stated that he was at home getting ready for work. Officer K. logged on 36 minutes after citizen had reported the incident. There is no way to prove or disprove the allegation. The IRO and the POC found the allegation of *Using Good Judgment while Operating APD Vehicle* to be NOT SUSTAINED against Officer K.

CPC 203-14

Citizen stated that she received a call from Officer C. regarding a welfare check on her and her child. Citizen alleged that Officer C. used his authority to harass her, and that Officer C. was outside of his beat when he came to her home. Citizen alleged that Officer C. was good friends with her ex-husband and his roommate. Citizen alleged that Officer C. served divorce papers on her which he claimed were inside her security door, but that the papers were not in her door. Officer C. was dispatched to this call, which was located in his beat. Officer C. denied knowing the ex-husband or his roommate. The video showed that when Officer C. approached the front door, papers were in the security door. Officer C. failed to record the incident in its entirety. The IRO and the POC found the allegation of *Obtaining Information in a Professional Manner* and *Officious Behavior* to be EXONERATED, and *Failure to Record* to be SUSTAINED against Officer C.

CPC 67-14

Citizen stated that officers were dispatched to her home regarding a disturbance. Citizen alleged that Officers A. and T. were verbally abusive, that she requested that they leave, and there was no reason for officers to arrest her friend. Citizen alleged that officers told her to shut up and keep her mouth shut. The video showed that the officers never said those words. The officers had a duty to investigate the incident. The officers, however, did use profanity. The IRO and the POC found the allegations of *Misconduct* and *Working Knowledge of Law* to be EXONERATED, and *Profane Language* to be SUSTAINED against Officer A. The IRO and the POC found the allegation of *Misconduct* to be EXONERATED, and *Profane Language* to be SUSTAINED against Officer T.

CPC 167-14

Citizen stated he was stopped at a DWI roadblock and that Officer G. pressured him to take field sobriety tests. Citizen only agreed that he would take a breath test. Citizen claimed that officers told him that he was a bad parent because his daughter was with him when he was stopped at a previous roadblock. Citizen was arrested and cuffed, and claimed the cuffs were too tight. Citizen alleged that he was recording the incident but Officer G. tossed his camera into the back seat and erased the video on the camera. The incident was not recorded in its entirety. The video indicated that Officer G. did not throw Citizen's camera, and did not erase the contents. The IRO and the POC found the allegation of *Reasonable Suspicion to Remove Person from Vehicle*, and *Cuffs Double Locked* to be EXONERATED, *Misconduct* to be NOT SUSTAINED, and *Failure to Record* to be SUSTAINED against Officer G. The IRO and the POC found the allegation of *Misconduct* and *Profane Language* to be SUSTAINED against Sergeant C.

CPC 178-14

Citizen stated that she, her daughter, and daughter's boyfriend were at a motel. The boyfriend was carrying an open beer when Officer T. approached and stated that he hoped the bottle was empty.

Citizen alleged that Officer T. was biased against them because they were Native Americans. Citizen alleged that Officer T. called them stupid and that he was rude. No crime was committed for carrying an open container on private property. Officer T. had no authority to state what he said. Officer T. denied that he was biased against Native Americans. The IRO and the POC found the allegation of *Bias* to be NOT SUSTAINED, and *Misconduct* to be SUSTAINED against Officer T.

CPC 181-14

A citizen stated that Officers M. and K. responded to a call by her ex-husband regarding child abuse of their son allegedly committed by citizen. Citizen alleged that officers were a friend of her ex-husband and they conspired to file false charges against citizen. Citizen alleged that officers failed to conduct a thorough investigation into the incident because they never contacted her. Officers M. and K. were dispatched to a call of alleged child abuse. As shown on the video, Officers M. and K. were not friends or acquaintances of the ex-husband. Officers were required to notify CYFD because of child abuse allegations. Officers attempted to contact citizen, but were unsuccessful. Citizen agreed that she was out of town and could not be contacted by the officers. The IRO and the POC found the allegation of *Acting Officiously* to be UNFOUNDED, and *Preliminary Investigations* to be EXONERATED against Officer M. The IRO and the POC found the allegation of *Acting Officiously* to be UNFOUNDED, and *Preliminary Investigations* to be EXONERATED against Officer K.

CPC 188-14

Citizen stated that she was entering onto I-40 and observed a police vehicle that almost hit her car. Citizen alleged that the police vehicle was swerving on I-40, and citizen felt that the officer was driving while under the influence. The police vehicle was assigned to Officer K. Officer K. lived 22 minutes from the alleged incident and stated that he was at home getting ready for work. Officer K. logged on 36 minutes after citizen had reported the incident. There is no way to prove or disprove the allegation. The IRO and the POC found the allegation of *Using Good Judgment while Operating APD Vehicle* to be NOT SUSTAINED against Officer K.

CPC 194-14

Citizen stated that his clients were involved in a traffic accident, and that Officer M. failed to prepare a police report. Citizen alleged that his office had been unable to obtain a copy of the report, after having called numerous times. Citizen also alleged that Employee C. was rude to his paralegal when responding to requests for a copy of the report. Officer M. prepared the report the same day of the incident. Because the TRACS system was in transition, the report could not be located immediately. The report was eventually faxed to citizen. Employee C. denied that she spoke to the paralegal. There is no way to prove or disprove the allegation. The IRO and the POC found the allegation of *Submitting Reports* to be EXONERATED against Officer M. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED against Employee C.

CPC 200-14

Citizen alleged that Officer R. prepared an inaccurate and incomplete report regarding a traffic accident that her father and stepmother were involved in because they were not listed in the police report. Citizen claimed that Officer R. never made contact with her father because he did not have his address. Officer R. prepared a complete and accurate police report, listing both the dad and stepmother as occupants, and noting their injuries. Officer R. obtained the dad's address from MVD and went two times in an attempt to contact the dad, but was unsuccessful. The IRO and the POC found the allegation of *Conducting Preliminary Investigations* to be EXONERATED against Officer R.

CPC 203-14

Citizen stated that she received a call from Officer C. regarding a welfare check on her and her child. Citizen alleged that Officer C. used his authority to harass her, and that Officer C. was outside of his beat when he came to her home. Citizen alleged that Officer C. was good friends with her ex-husband and his roommate. Citizen alleged that Officer C. served divorce papers on her which he claimed were inside her security door, but that the papers were not in her door. Officer C. was dispatched to this call, which was located in his beat. Officer C. denied knowing the ex-husband or his roommate. The video showed that when Officer C. approached the front door, papers were in the security door. Officer C. failed to record the incident in its entirety. The IRO and the POC found the allegation of *Obtaining Information in a Professional Manner* and *Officious Behavior* to be EXONERATED, and *Failure to Record* to be SUSTAINED against Officer C.

CPC 206-14

Citizen alleged that while her and her boyfriend and other family members were at the mall, undercover officers approached them and were brutal and rough. Citizen alleged that officers used profanity and conducted an illegal patdown on her boyfriend. Citizen's boyfriend began to stare at Sergeant D., placed his hand in his pocket, and made a "gun" gesture towards Sergeant D. Detectives began to watch the boyfriend due to his actions. Detectives approached and did a patdown on the boyfriend, but no gun was found. The video showed that no detectives used profanity or used any force on the boyfriend. Detectives only held his arm while conducting the patdown. The video showed that citizen and her boyfriend were the only ones using profane language. Detective J. was never near the citizen or her boyfriend. The IRO and the POC found the allegations of *Patdown*, *Use of Force*, and *Profane Language* to be UNFOUNDED against Detective J. The IRO and the POC found the allegations of *Patdown* and *Use of Force* to be EXONERATED, and *Profane Language* to be UNFOUNDED against Detective B. The IRO and the POC found the allegations of *Patdown* and *Use of Force* to be EXONERATED, and *Profane Language* to be UNFOUNDED against Detective C. Detective P. did not participate in the Patdown. The IRO and the POC found the allegations of *Patdown* and *Profane Language* to be UNFOUNDED, and *Use of Force* to be EXONERATED against Detective P. The IRO and the POC found the allegations of *Use of Force* and *Profane Language* to be UNFOUNDED, and *Patdown* to be EXONERATED against Sergeant D.

CPC 248-11

Citizen alleged that APD SWAT team, while assisting BCSO HEAT, went to his home and detained family members for two hours. Citizen stated that the officers had the wrong address. No APD officers were identified. APD SWAT was assisting BCSO. There is no SOP which requires APD SWAT to independently evaluate another agency's search warrant. The Tenth Circuit Court of Appeals ruled that APD's actions were reasonable and constitutional. Therefore, the complaint was INACTIVATED.

CPC 114-12

Citizen stated that she was at a gas station and became involved in a dispute between an employee and another customer. Officers arrived and upon request of the employee, citizen was issued a criminal trespass notice. Citizen stated that she was upset because officers listed her social security number and date of birth on the trespass notice. The officers did not violate any SOP. The IRO ADMINISTRATIVELY CLOSED this case in 2012. Upon review of the file, the IRO found that no formal letter had been sent to citizen in 2012. Therefore, the letter is being sent at this time.

CPC 217-12

Citizen alleged that he was beaten by officers on four occasions. Citizen claimed that officers detained, abused, and beat him, and told him that if he did not go to UNM, they would beat him and take him to jail. The citizen did not provide any officers' names, dates or locations of any incident. The Investigator located one call involving citizen which indicated that citizen was setting fires on Central Avenue while quoting Bible proverbs. The video of this incident showed that Albuquerque Fire Department was on scene, as well as officers trying to detain citizen who was holding a burnt stick. Citizen tried to run from the scene and was tased, which was a proper action by officers. The video does not show that any officer was abusive toward citizen, and no officer beat citizen. No SOP violations occurred during this incident. The IRO ADMINISTRATIVELY CLOSED this case.

CPC 44-13

Citizen alleged that he was pulled over on a traffic stop and that an officer hit him three times in his back. The citizen did not provide information on the officer or the law enforcement agency. The Investigator scheduled an appointment to interview citizen so that more information could be obtained, but citizen failed to show up for his appointment, and did not return calls left by the Investigator. Because no APD officer could be identified, the IRO ADMINISTRATIVELY CLOSED this case.

CPC 67-13

A citizen alleged that the police did not look for his missing son. Citizen stated that he located his son in the morgue, and that his son's wallet, cell phone, and money were missing. Citizen did not provide any officer name, law enforcement agency, the location or description of events regarding his son's death. The Investigator called citizen three times, but received no return call. The Investigator also sent a certified letter, which was returned as unclaimed. Because no APD officer could be identified in connection with this incident, the IRO ADMINISTRATIVELY CLOSED this case.

CPC 110-13

Citizen complained that when he requested information regarding sex offender registration, no one provided him with that information. The investigation indicated that citizen contacted an employee with the New Mexico Department of Public Safety, and not an Albuquerque Police Department (APD) officer or employee. Public Safety indicated that they were waiting on citizen to meet with them to obtain the information. Because no APD officer or employee was involved in this incident, the IRO ADMINISTRATIVELY CLOSED this case.

CPC 106-14

A citizen complained that Det. C. used his city-issued cellphone to send sexually explicit photos and text messages to APD Employee S. Det. C. admitted that he and Employee S. had exchanged sexually explicit photos and text over his city-issued cell phone. Det. C. was married and did not want to use his personal cellphone. Employee S. knew that Det. C. was married during this time. The IRO and the POC found the allegations of *Misconduct*, *Conduct Unbecoming an Officer or Employee*, and *Misconduct while on or off-duty* to be SUSTAINED against Detective C. The IRO and the POC found the allegations of *Misconduct*, *Conduct Unbecoming an Officer or Employee*, and *Misconduct while on or off-duty* to be SUSTAINED against Employee S.

CPC 146-14

Citizen stated that he was laying on a bus bench when a transit officer approached him and told him to leave. Citizen refused to leave. Citizen admitted that he was not going to use the bus service, but

wanted to remain on the bus bench. Officer R. arrived and ordered citizen to leave. Citizen refused and was arrested by Officer R. Citizen alleged that Officer R. was upset and used an inappropriate tone with citizen. Officer R. arrested citizen because he refused to leave the bus bench. The video showed that Officer R.'s conduct was appropriate during this entire incident. The IRO and the POC found the allegations of *Working Knowledge of Laws* and *Misconduct* to be EXONERATED against Officer R.

CPC 173-14

A citizen claimed that she was pulled over by Officer L. under false pretenses. Officer L. conducted a traffic stop because of an expired license plate. Citizen produced registration which indicated the plate was not expired. However, because there was no insurance on the vehicle, the plate came back as expired. Citizen was arrested for warrants. MDC would not accept citizen's purse, so Officer L. and citizen agreed that purse would be secured by Officer L. and later would be returned to citizen. Citizen became irate with Officer L., so the purse was turned into the crime lab. The IRO and the POC found the allegations of *Working Knowledge of Laws*, *Collecting Evidence*, and *NCIC Inquiries* to be EXONERATED against Officer L.

CPC 184-14

Citizen stated that his vehicle was stolen, and Officers C. and M. arrived on scene. Citizen alleged that officers did not seem concerned because he was a homeless person, and they looked at citizen in disgust. Citizen stated that the police report did not list many items which were in his truck, such as medication, a computer, a DVD, and tools. The lapel video showed that Officers C. and M. were concerned and polite when dealing with citizen. Officer M. admitted that he did not list all of the items which were inside citizen's vehicle when it was stolen. The IRO and the POC found the allegation of *Bias* to be UNFOUNDED against Officer C. The IRO and the POC found the allegation of *Bias* to be UNFOUNDED, and *Report Incident Fully* to be SUSTAINED against Officer M.

CPC 200-14

Citizen alleged that Officer R. prepared an inaccurate and incomplete report regarding a traffic accident that her father and stepmother were involved in because they were not listed in the police report. Citizen claimed that Officer R. never made contact with her father because he did not have his address. Officer R. prepared a complete and accurate police report, listing both the dad and stepmother as occupants, and noting their injuries. Officer R. obtained the dad's address from MVD and went two times in an attempt to contact the dad, but was unsuccessful. The IRO and the POC found the allegation of *Conducting Preliminary Investigations* to be EXONERATED against Officer R.

CPC 177-14

Citizen complained that he was denied his 5th Amendment rights because Officer S. never interviewed citizen. A victim had his car vandalized while he was inside Smith's grocery. The victim had "double parked" his vehicle to prevent anyone from parking close to his vehicle to avoid getting any "dings." A witness observed citizen near the vehicle where the vandalism occurred, and gave information to the victim, pointing out citizen's vehicle. The citizen left the scene. Officer S. interviewed the victim at his residence. Officer S. determined that the incident was a misdemeanor which occurred outside his presence. Officer S. never met with citizen, but did issue a summons to him. The IRO and the POC found the allegation of *Working Knowledge of Laws* to be EXONERATED against Officer S.

CPC 180-14

Citizen stated he went to a donut shop to obtain surveillance video regarding a previous vandalism to his vehicle. The employee and citizen became involved in a dispute about the video. Officers S., K., and T. were in the donut shop. The employee requested that the officers issue citizen a criminal trespass notice. Citizen stated that officers took his personal information and listed it on the trespass notice. Citizen alleged that officers failed to provide their name when he requested it, and that officers made inappropriate comments. The video captured the entire incident, which showed that some inappropriate comments were made. Listing personal information on a trespass notice is not a violation of any SOP. The video also indicated that when citizen requested the names of the officers, that information was provided. The IRO and the POC found the allegation of *Furnishing Name* to be EXONERATED, and *Misconduct* to be SUSTAINED against Officer S. The IRO and the POC found the allegation of *Furnishing Name* to be EXONERATED, and *Misconduct* to be SUSTAINED against Officer K. The IRO and the POC found the allegation of *Furnishing Name* and *Misconduct* to be EXONERATED against Officer T.

CPC 187-14

Citizen stated that an appeal hearing was scheduled regarding his termination from APD. Citizen alleged that Sergeant P. was the City's primary witness and failed to show up for the hearing. Citizen claimed that Sergeant P.'s timesheet listed comp time on the day of the hearing, so Sergeant P. was not on sick leave, as he had claimed. Sergeant P. was on leave for surgery. Department standards allow comp time was used in lieu of sick leave. Sergeant P. appropriately earned and utilized his comp time. The IRO and the POC found the allegations of *Falsely Reporting Illness* and *Use of Comp Time* to be UNFOUNDED against Sergeant P.

CPC 197-14

A citizen claimed that she was attacked by her mother and stepfather, but Officer T. and Officer D. refused to arrest the mother and stepfather. Citizen claimed that Officer T. made comments regarding the death of her child two years prior that were improper, harassing, and verbal abuse. Citizen claimed that officers knew her mother and stepfather prior to this incident. Officers were called regarding a family fight. All parties had minor injuries, but officers were unable to determine who the aggressor was. Officers determined that this incident was a misdemeanor which occurred outside their presence. Officer T. mentioned the death of citizen's baby, but only because the baby's death was the starting point of the family's altercations, and he was only trying to help. Officer T. and D. denied knowing the mother and stepfather prior to this incident. The IRO and the POC found the allegation of *Misconduct* to be NOT SUSTAINED, *Working Knowledge of Laws* and *Acting Officiously* to be EXONERATED, and *Failure to Record* to be SUSTAINED against Officer T. The IRO found the allegations of *Acting Officiously* and *Working Knowledge of Laws* to be EXONERATED against Officer D.

CPC 212-14

Citizen stated that he was involved in a vehicle accident. Officer H. arrived on scene, and citizen asked Officer H. if his lapel video was on. Officer H. replied that it was on. Citizen claimed that when he called to request a copy of the video, he was informed there was no video. Citizen alleged that Officer H.'s conduct was improper during a later phone conversation, and that the report was inaccurate and incomplete. Officer H. recorded the incident in its entirety, including the later phone conversation. The video indicated that Officer H.'s conduct was proper. The report showed that Officer H. conducted a full and proper preliminary investigation. The IRO and the POC found the allegations of *Failure to*

Record and Misconduct to be UNFOUNDED, and *Preliminary Investigation* to be EXONERATED against Officer H.

CPC 214-14

A citizen complained about the actions of a BCSO employee. Citizen had no complaint against any APD officer or employee. The IRO furnished citizen with contact information to file the complaint with BCSO. The IRO has no jurisdiction in this matter. Therefore, the complaint was INACTIVATED.

CPC 220-14

Citizen stated that he was on his way to work when he observed Officer B. operating his police vehicle in an unsafe manner. Citizen wanted the matter addressed informally with Officer B.'s supervisors. Officer B.'s sergeant discussed the incident with Officer B. Citizen was satisfied with the informal resolution of this matter. Therefore, the complaint was INACTIVATED.

CPC 085-14

A citizen complained that she was attacked and raped and that the police did not conduct a thorough investigation and did not arrest the suspect. The CPOA Investigator researched this incident and determined that it occurred in 2011. The date of the incident is well beyond the 90-day timeframe in which the CPOA has authority to investigate complaints. Therefore, the complaint was INACTIVATED.

CITIZEN COMPLAINT APPEALS

Pursuant to the Oversight Ordinance, if a citizen disagrees with the findings of the IRO, the citizen may appeal and will be given a full hearing before the Police Oversight Board.

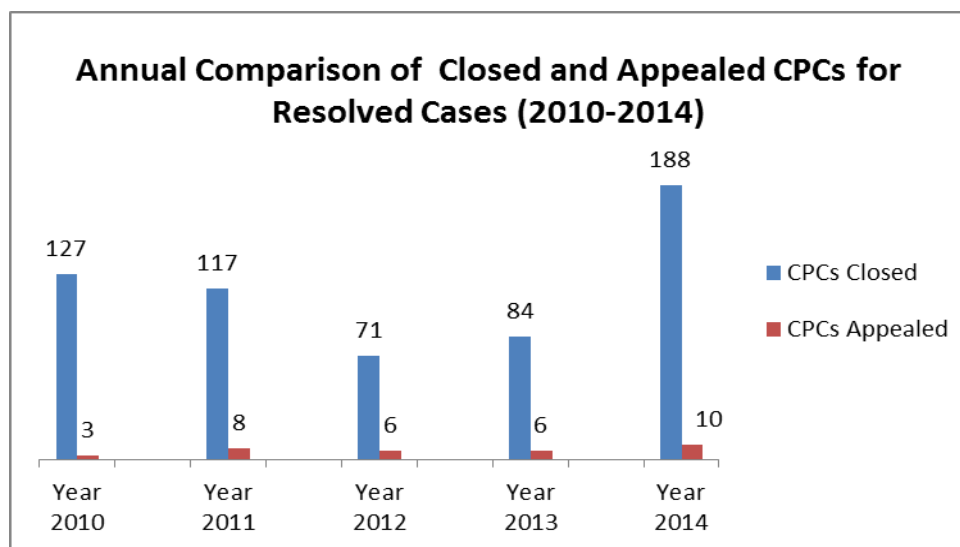


Figure 31: The total number of complaints fully investigated and reviewed by the Independent Review Office and number of appealed complaints for the years from 2010 to 2014.

V. ALBUQUERQUE POLICE DEPARTMENT

A. Albuquerque Police Department Officers with Sustained findings of Standard Operating Procedures Violations were referred to Chief of Police for discipline. The Chief of Police has sole disciplinary authority over APD personnel for findings of misconduct, including findings of misconduct made by the IRO and the POC.

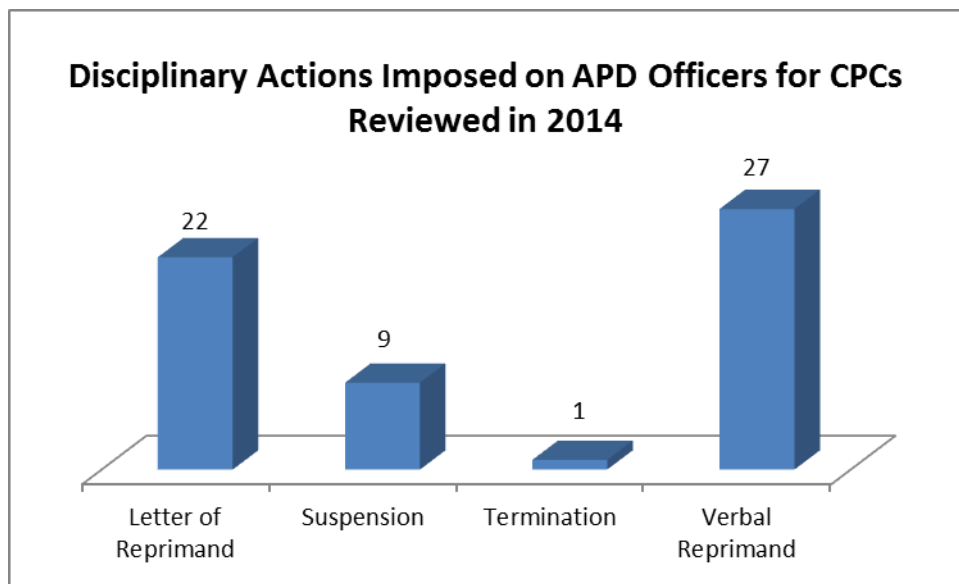


Figure 33: For the 185 sustained findings in 2014, the APD Chief of Police imposed the following disciplinary action. Some of the CPCs included sustained findings against more than one officer. The highest discipline imposed per officer is represented in the above graph.

APD PRAISES AND ACKNOWLEDGEMENTS

City of Albuquerque residents also contact the Independent Review Office to express gratitude or commend APD employees for acts of service or response to a particular incident. These commendations were received in the form of phone calls, letters, e-mail messages and numerous face-to-face comments of appreciation. Beginning in January 2013, the IRO initiated a form via the website for citizens to express praises and acknowledgements to APD officers, employees, and the department as a whole. The Independent Review Officer received 236 Job Well Done responses in 2014. All forms were submitted to APD Administration to pass along to the employee's supervisors, including the Chief of Police, for acknowledgement, and a letter of commendation was sent to the officer.

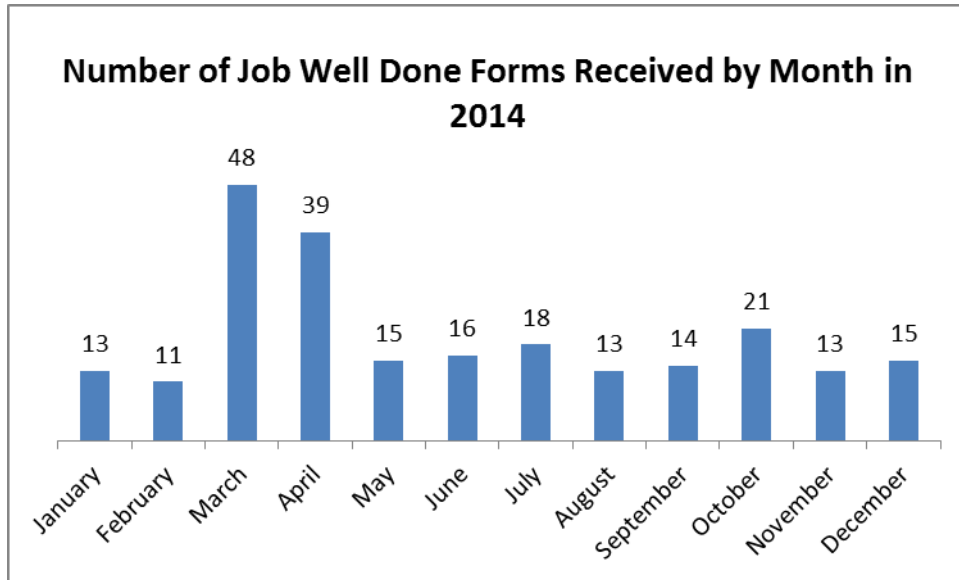


Figure 34: March had the most number of praises and acknowledgements received from citizens in 2014, largely stemming from support expressed for APD following the James Boyd shooting.

Below are summaries for Accommodations received by the IRO/CPOA through its website, Report a Job Well Done: <http://www.cabq.gov/cpoa/report-a-job-well-done> from the Third and Fourth Quarters of 2014. Summaries of the Job Well Done Reports for the first half of 2014 may be found in the Semi-Annual Report for First and Second Quarter of 2014.

JOB WELL DONE REPORTS RECEIVED DURING JULY 2014

JWD-2014-146

Received by IRO: July 1, 2014

A Kansas resident was watching FOX news and saw a reporter who had to be removed from a hotel property for trespassing. The officers did an awesome job during this incident. The resident was impressed with the officers' attitudes and professionalism. The resident wanted to let APD know that his family appreciates what APD does.

JWD-2014-147

Received by IRO: July 1, 2014

A citizen was the victim of a robbery and a hit-and-run. Officer J. arrived on scene and was very professional and his interactions were above reproach. Officer J. was very friendly, even when chastising citizen about dangers of chasing the hit-and-run driver.

JWD-2014-148

Received by IRO: July 4, 2014

Citizen reported that his bike was going to be towed, but instead Officer L. called the citizen to pick up the bike, and therefore the citizen did not have to pay a towing fee. Citizen wanted to thank Officer L. for his handling of this incident.

JWD-2014-149

Received by IRO: July 4, 2014

A citizen was having an adverse reaction to prescription medication, and the officer that arrived on scene was prompt in his response, and was extremely and overly helpful. Citizen would like to thank all officers personally.

JWD-2014-150

Received by IRO: July 6, 2014

A citizen was attacked by a pit bull. Officer S. arrived within minutes. Officer S. was polite and had a calming effect on the citizen. Officer S. completed the investigation and followed through with a phone call to the citizen regarding the outcome of the incident.

JWD-2014-151

Received by IRO: July 7, 2014

A resident of Idaho was unable to make contact with her mother, and called APD to conduct a welfare check. Officers G. and B. were dispatched and quickly arrived on scene. The officers were able to help the mom and solve her problem. Officers then contacted the Idaho resident to let her know the mom was fine, and just had a problem with her telephone.

JWD-2014-152

Received by IRO: July 9, 2014

A citizen stated that he honors the courage, commitment, motivation, dedication and professionalism of APD officers. He appreciates their commitment and service to our community and stated that APD is doing a great job.

JWD-2014-153

Received by IRO: July 11, 2014

A citizen observed that an officer stopped for a yellow light, instead of continuing through the intersection. Citizen was glad to see that the officer practiced defensive driving rather than aggressive driving. Citizen wanted to let APD know that this incident was noticed.

JWD-2014-156

Received by IRO: July 17, 2014

Citizen complained about loud music in her neighborhood. The APD horse patrol arrived on scene and the loud music immediately stopped. Citizen stated that the police did a great job in handling this situation.

JWD-2014-45

Received by IRO: July 17, 2014

A citizen stated that he had a flat tire during the late evening. Citizen tried changing the tire, but the jack slipped, injuring his hand. Two officers arrived and helped citizen change the tire. A sergeant also arrived on scene to assist. Citizen was impressed with the officers' professionalism and willingness to go out of their way to help. Citizen wanted to thank the officers.

JWD-2014-154

Received by IRO: July 18, 2014

Citizen stated that Officer L. responded to a Big 5 store regarding a check fraud. Officer L. apologized for the delay in arriving at the call. Officer L. was attentive and respectful, and explained to the citizen what could and could not be done. Citizen wanted to thank Officer L. and all officers for their service and everything that they do.

JWD-2014-155

Received by IRO: July 21, 2014

A citizen wanted to say that Officer M. was at the Zoo Music concert. The officer was professional, thorough, yet good natured. Officer M. is obviously a wonderful asset to APD.

JWD-2014-157

Received by IRO: July 22, 2014

A citizen wanted to thank Detective K. for his help and interest in the South Broadway area. Detective K. has taken an interest in the area for the last several years, and has gotten rid of one nuisance and is still trying to help the citizens in this area. Citizen extends his deepest gratitude.

JWD-2014-158

Received by IRO: July 23, 2014

A citizen who is a realtor went to a property and found the door wide open. Operator 3461 had a calm demeanor when giving instructions to citizen. Officers P. and D. arrived quickly. They were cordial, professional, and kind. Citizen wanted to commend Operator 3461 for her instructions to citizen to not enter the house, and appreciates the operator and the officers.

JWD-2014-33

Received by IRO: July 25, 2014

A citizen wrote that APD Officer Mc. was in foot pursuit of a suspect, and the suspect entered the citizen's home. Citizen was dumbfounded as she watched the officer handcuff the suspect in her yard, and wasn't thinking clearly enough to thank the officer. Citizen wanted the officer to know that she thanks him for his actions.

JWD-2014-32

Received by IRO: July 29, 2014

A social worker contacted APD by e-mail requesting information on gangs and gang culture in Albuquerque. Within several hours, an officer responded to her e-mail. Detectives P. and S. met with citizen and shared knowledge regarding gangs. Citizen stated that the detectives were incredibly helpful, and wanted to thank the detectives and APD for their help.

JWD-2014-159

Received by IRO: July 29, 2014

A Cedar Crest resident stated that he observed an APD officer driving through the canyon at the posted speed limit. The resident has seen other officers driving government vehicles who do not observe the speed limit in the canyon. Citizen wanted to thank the officer for being a responsible citizen and a police officer.

JWD-2014-160

Received by IRO: July 30, 2014

A Nevada resident was watching TV and saw APD Officer G. with his K-9. The resident was in complete amazement when observing the officer and his K-9 in action. The resident stated that Officer G. and his K-9 are an asset to APD.

JOB WELL DONE REPORTS RECEIVED DURING AUGUST 2014**JWD-2014-161**

Received by IRO: August 1, 2014

A citizen had a blow-out while driving on Paseo del Norte. Even though the driver was on the shoulder, it was a hazardous situation. An APD officer stopped behind the citizen's vehicle, turned on his flashing lights, and stayed with the citizen until an auto club vehicle arrived to tow the vehicle. The citizen stated that he is most appreciative of the officer's conduct.

JWD-2014-162

Received by IRO: August 1, 2014

A citizen stated that when she called the dispatcher at APD for some advice, the dispatcher was courteous, informative, and understanding of the citizen's situation. The dispatcher gave the citizen pertinent information on what action the citizen should take. Citizen wanted to thank APD for employing professional personnel.

JWD-2014-163

Received by IRO: August 1, 2014

A citizen noticed a man on crutches walking on the sidewalk of a busy street. An APD officer stopped his vehicle, put on his flashing lights and checked on the man. It appeared as if the officer was offering to give the man a ride. Citizen stated that she is glad to see a small act of kindness by APD, and that APD does good things for our community, and to keep up the good work.

JWD-2014-164

Received by IRO: August 12, 2014

A citizen stated that she had sent an e-mail regarding a concern she had about wavering cars. Citizen stated that she really appreciated receiving a personal response from Chief Eden.

JWD-2014-165

Received by IRO: August 12, 2014

A citizen stated that she was driving on Coors Road and noted that Sergeant W. went above and beyond during his contact with citizens. The citizen wanted to thank Sergeant W. for his excellent professionalism and civil servant courtesy.

JWD-2014-166

Received by IRO: August 12, 2014

A citizen stated that he was involved in an accident on the interstate. The officer who arrived on scene made sure that the citizen was okay. The citizen had his pet cat in the vehicle. The officer showed concern for the cat, and provided water for the cat. Citizen was truly grateful for the kindness of the officer, and stated that his actions were above and beyond the call of duty.

JWD-2014-167

Received by IRO: August 20, 2014

A citizen wanted to thank officers who arrested her nuisance neighbor that was selling drugs. Citizen stated that she now has peace of mind and is glad the officers were able to rid the neighborhood of the suspicious traffic and noise.

JWD-2014-168

Received by IRO: August 20, 2014

A female reported that she and her female companions had a flat tire and they were unable to get the flat fixed. An officer driving by turned his vehicle around and assisted the female in getting the flat fixed. Citizen appreciated the officer's help.

JWD-2014-169

Received by IRO: August 22, 2014

A citizen stated that he was driving near the intersection of 528 and he noticed an off-duty officer in civilian clothing assisting a motorist with a flat tire. Citizen stated that it was nice to see the officer assisting with a flat tire even while off duty.

JWD-2014-170

Received by IRO: August 23, 2014

A citizen stated that Officer C. responded to a call for service at her home. Citizen stated that Officer C. addressed her concerns in a professional and kind way. Citizen indicated that she is glad that APD has some excellent female officers.

JWD-2014-171

Received by IRO: August 23, 2014

A citizen wrote that she was involved in a vehicle accident near Cottonwood Mall. Officer T. was first to arrive on scene, but left after ensuring that there were no injuries. Officer J. then arrived and conducted the investigation. Both officers were efficient and could not have been kinder. Citizen stated that she is pleased that APD has such outstanding officers.

JWD-2014-172

Received by IRO: August 28, 2014

A citizen stated that Officer B. was dispatched to her residence regarding charges that were filed against citizen. Officer B. assisted in getting information for citizen to file her own report. Citizen stated that Officer B. went above and beyond in his explanations and willingness to help citizen.

JWD-2014-173

Received by IRO: August 31, 2014

A citizen wrote that he has had to call APD on numerous occasions. The officers have always shown professionalism, dignity, respect and intelligence. Citizen is thankful to APD officers, and wanted APD to keep up the good work when they make contact with citizens.

JOB WELL DONE REPORTS RECEIVED DURING SEPTEMBER 2014

JWD-2014-174

Received by IRO: September 1, 2014

A citizen was the victim of a home robbery. Officer A. responded to the call and was fantastic. Officer A. informed citizen of what to look out for in the future to protect himself. Officer A. checked out the home and was extremely courteous and professional.

JWD-2014-175

Received by IRO: September 2, 2014

A citizen wrote that Officer G. responded to the scene of her son's vehicle accident. Officer G. was knowledgeable, professional, and extremely helpful. The son was scared and Officer G. and his team supported the son and ensured that he was safe and calm. Citizen wanted to thank Officer G. and his team.

JWD-2014-176

Received by IRO: September 3, 2014

A citizen was traveling on I-40 when she had car trouble. She had her young children in the vehicle with her. Officers T. and G. called for the Help Truck, and stayed with the citizen until help arrived. Officers were kind to citizen and her children. Citizen wanted to thank the officers for their positive interaction, and stated that she very much appreciated their help.

JWD-2014-177

Received by IRO: September 4, 2014

An official with the LaMesa Neighborhood Community Improvement Association wanted to say thanks to officers who had a rapid response to a situation in the neighborhood.

JWD-2014-178

Received by IRO: September 5, 2014

A citizen stated that Officer C. assisted in a hit-and-run accident. Citizen stated that Officer C. did a great job, and wanted to thank Officer C. for all his help.

JWD-2014-179

Received by IRO: September 9, 2014

A citizen riding her bike was clipped by a vehicle. Officers T. and A. arrived on scene quickly, and they were courteous and efficient. Citizen wanted to say to the officers to keep up the good work.

JWD-2014-180

Received by IRO: September 19, 2014

Citizen was at a neighborhood watch meeting because the neighborhood had a serious crime issue. Officer S. and Lieutenant M. spoke at the meeting. Citizen stated that officers will make an impact on crime in the neighborhood, and wanted to thank Officer S. and Lieutenant M.

JWD-2014-181

Received by IRO: September 19, 2014

A citizen called police for assistance regarding a homeless female. Officer Mc. was dispatched, and spoke with the female for a long time. Officer Mc. was very kind, calm, and patient with the homeless female. Citizen was pleased with the manner in which Officer Mc. handled the situation, and greatly appreciates Officer Mc.'s help.

JWD-2014-182

Received by IRO: September 19, 2014

A citizen witnessed a pedestrian/vehicle accident. Officer R. arrived on scene, and was very enthusiastic, friendly, and professional. It was clear to citizen that Officer R. was proud to be an officer, and citizen is grateful for officers like Officer R.

JWD-2014-183

Received by IRO: September 19, 2014

A hotel manager called police regarding a suspicious vehicle which was parked at the hotel. Officers V. and R. arrived promptly. Officers were able to answer any questions that citizen had. Citizen stated that APD should hold onto officers like Officers V. and R.

JWD-2014-184

Received by IRO: September 23, 2014

A Santa Fe resident was in Albuquerque participating in a running event. Several cars were broken into in the parking lot. Officer M. and other officers quickly arrived and did a great job of assessing the situation and taking fingerprints. All officers on scene were efficient, thorough, professional, and seemed to have cared about the victims.

JWD-2014-185

Received by IRO: September 26, 2014

A citizen called police regarding a domestic dispute involving her boyfriend. Officer M. arrived on scene and arrested the boyfriend. Officer M. assisted citizen in getting through the process of a domestic violence incident, and was present for all court cases. Officer M. is a good officer, and citizen will always be grateful for Officer M.'s hard work.

JWD-2014-186

Received by IRO: September 30, 2014

A resident of El Paso spoke with Detective P. regarding Albuquerque Police Department's ARAPA program. The resident stated that Detective P. was extremely helpful to resident, and wanted to thank Detective P.

JWD-2014-187

Received by IRO: September 30, 2014

A citizen had contact with Officer M. Citizen wanted to compliment Officer M. for being professional, courteous, and for his integrity. Citizen stated that Officer M. is a man of his word, and hopes that Officer M. gets the credit and recognition that he deserves.

JOB WELL DONE REPORTS RECEIVED DURING OCTOBER 2014**JWD-2014-188**

Received by CPOA: October 5, 2014

A citizen attended the Balloon Fiesta and stated that the vast majority of officers did a great job in directing traffic. Citizen wanted to give special kudos to the mounted patrol, who did a great job, and were very friendly.

JWD-2014-189

Received by CPOA:

Citizen, who is a therapist, wrote that Officer H. responded to assist her in regard to a missing person who had mental problems. Office H. expressed genuine interest in the subject's situation. Citizen stated that Officer H. was kind and compassionate, and wanted to thank Officer H. for his extraordinary response.

JWD-2014-190

Received by CPOA:

A citizen was running with his dogs in the Bosque when he encountered and spoke with Open Space Officer M. Citizen stated that Officer M. was professional and courteous, and that the Open Space Officers make citizens feel safe in the Bosque, and they are always friendly and helpful.

JWD-2014-191

Received by CPOA: October 8, 2014

A citizen stated that he went on a ride-along with Officer N. Citizen found Officer N. to be professional and citizen now has a new respect for officers.

JWD-2014-192

Received by CPOA: October 8, 2014

A Pennsylvania resident stated that her son was attending the Balloon Fiesta and his truck and trailer were stolen from the motel parking lot. APD officers recovered the truck and trailer, and the resident wanted to thank officers who helped with the recovery.

JWD-2014-193

Received by CPOA: October 8, 2014

A California resident stated that while in Albuquerque for the Balloon Fiesta, she left her iPad on a bus. Officers C., A., and H. traced her iPad and were able to find it. APD officers delivered the iPad to the resident, who wanted to express her thanks and appreciation, and stated that she will remember how she was treated by APD during her stay in Albuquerque.

JWD-2014-194

Received by CPOA:

An Illinois resident was in Albuquerque for the Balloon Fiesta. Resident wanted to thank APD officers for directing traffic and assisting with crossing streets. The resident wanted to express his thanks to APD for keeping Albuquerque safe.

JWD-2014-195

Received by CPOA:

A citizen called police due to a neighbor who was attempting to enter her residence. Officers W. and A. responded to the scene and handled the situation in a professional manner. Citizen stated that she was grateful for the assistance of Officers W. and A.

JWD-2014-196

Received by CPOA: October 14, 2014

A citizen had guests from out of town. While guests were at a grocery store, Officer W. approached them to inquire if they had a bicycle that was taken from their vehicle. A custom made bike had been stolen from the vehicle, and Officer W. recovered the bike. Citizen stated that Officer W. did an excellent job.

JWD-2014-197

Received by CPOA: October 14, 2014

A citizen stated that while at work at a financial institution, she had received a threatening phone call. Citizen called police and Officer M. arrived to assist citizen. Officer M. stayed with citizen while she closed up the business, then followed the citizen to her residence and observed traffic around citizen's home for a while. Officer M. went above and beyond and the citizen wanted to thank Officer M. for his assistance.

JWD-2014-198

Received by CPOA: October 19, 2014

A citizen who is associated with Stand Down for Veterans organization stated that during a function that was being held, Officer W. was assisting with the attendees. Officer W. represented APD very well, and he is a credit to the force. Citizen stated that Officer W. deserves recognition for his fine efforts.

JWD-2014-199

Received by CPOA: October 2, 2014

A resident of Alabama wanted to commend Officer F. on his handling of a case where a female had made false accusations. Resident stated that Officer F. showed professional restraint in the case, and wanted to say thanks to Officer F.

JWD-2014-200

Received by CPOA: October 22, 2014

A resident of Texas stated that he saw a report about a female making false accusations. Officer F. was the officer involved in the case. Resident wanted to say it was nice to see good police work. Resident visits Albuquerque several times a year, and his few encounters with police have always been positive.

JWD-2014-201

Received by CPOA: October 23, 2014

A citizen stated that her son ran away from home. Officer H. responded and helped citizen in dealing with the problem. Citizen stated that Officer H. was incredibly caring and gave good parenting advice and resources. Citizen stated that APD is lucky to have such a compassionate officer on the force, and wanted to say thanks to Officer H.

JWD-2014-202

Received by CPOA: October 23, 2014

A citizen stated that his car stalled in the road in front of Valley High School. Officer G. quickly responded and began pushing the vehicle from the roadway into the parking lot. Officer G. utilized his emergency lights to keep citizen and others safe. Officer G. ensured that citizen was okay and that his vehicle was secured. Citizen had no cell phone and Officer G. offered him a ride. Citizen stated that Officer G. is a fine officer, and Mayor Berry should be proud of Officer G.

JWD-2014-203

Received by CPOA: October 26, 2014

Citizen stated that she was running in a race in downtown Albuquerque, accompanied by her husband and their small child. An APD officer offered the toddler a small toy, which made a big impression on the child and the citizen. Citizen wanted to say thanks to the officer for the kindness displayed.

JWD-2014-204

Received by CPOA: October 27, 2014

A citizen wrote that his truck was broken into, and Officer B. responded to take the report. Officer B. was professional, thorough, and very kind. The citizen wanted to express his appreciation to Officer B for his excellent work.

JWD-2014-205

Received by CPOA: October 27, 2014

A citizen of Edgewood wanted to say that APD officers do a wonderful job, and that APD officers are awesome.

JWD-2014-206

Received by CPOA: October 27, 2014

A citizen stated that her mentally ill son was having an acute crisis. Officers C., B., and J. responded to her residence and were able to calm her son down. The officers assisted in the most impressive way, and citizen stated that everyone should be proud of these officers. Citizen stated that the officers did an excellent job.

JWD-2014-207

Received by CPOA: October 28, 2014

A citizen stated that his car stalled on Taylor Ranch Road. Officer J. stopped to assist the citizen and was able to jump start the citizen's vehicle. Officer J. was very polite and professional, and kept the citizen and others safe by utilizing his patrol car to prevent an accident.

JWD-2014-208

Received by CPOA: October 31, 2014

Citizen wrote that his car ran out of gas on a busy street. Officer O. informed citizen that he was concerned for citizen's safety and was able to push the car out of traffic and to a gas station. Officer O. was very friendly and citizen stated that Officer O. made his day better.

JOB WELL DONE REPORTS RECEIVED DURING NOVEMBER 2014

JWD-2014-209

Received by CPOA: November 1, 2014

A citizen wrote that on Halloween night, when she and her children were at Altura Park, she felt safe and cared for by police presence in the area. One officer stopped a speeding vehicle in the area. Citizen wanted to say thanks to the police for ensuring their safety.

JWD-2014-211

Received by CPOA: November 3, 2014

Citizen was the victim of an auto burglary. Officer M. responded to the scene and was very helpful and kind. During this incident, citizen stated that Officer M. was sympathetic, patient, and friendly. Citizen wrote that Officer M. is an exemplary representative of APD and wanted to thank Officer M.

JWD-2014-210

Received by CPOA: November 5, 2014

A family was having trouble with their adult son, who had problems with alcohol. The son wanted to drive his vehicle while intoxicated. Three officers arrived and talked to the son, and convinced son to go to the hospital. The situation escalated and the son had to be restrained. The officers were extremely compassionate and the family wanted to say thanks to the officers for their handling of this incident.

JWD-2014-212

Received by CPOA: November 6, 2014

An employee at a local mall stated that Officer N. responded to an incident of theft. Officer N. was very approachable and professional, and made the employees feel safe while at work. The employee wanted to say thanks to Officer N. for his service.

JWD-2014-213

Received by CPOA: November 6, 2014

A Macy's employee wrote that Detective P. contacted him with information that a jewelry thief had been identified. Detective P. greatly assisted Macy's regarding the theft. The employee wrote that Detective P. was extremely professional and wanted to say thanks to Detective P.

JWD-2014-214

Received by CPOA: November 9, 2014

A citizen wanted to compliment Officer L., who was very accommodating and efficient regarding an incident which occurred in the parking area of Piedra Lisa Canyon.

JWD-2014-215

Received by CPOA: November 10, 2014

A citizen wanted to acknowledge a good job the police did in resolving two incidents. Both incidents were resolved without harm to the police or perpetrator. Citizen stated that the restraint shown by police was admirable. Citizen wanted to say, Good Job.

JWD-2014-216

Received by CPOA: November 10, 2014

A resident of Minnesota was the victim of an auto burglary while parked at a restaurant. The resident stated that the APD officer was very helpful, and that he appreciated the effort put forth by the officer.

JWD-2014-217

Received by CPOA: November 14, 2014

A citizen stated that Officer M. spoke to the Boy Scouts regarding traffic safety. The citizen wanted to give Officer M. a pat on the back for his excellent service to the community.

JWD-2014-218

Received by CPOA: November 16, 2014

An Alamogordo resident wrote that while his son was in Albuquerque, his car was stolen. A female officer responded to the incident and was very understanding and helpful. The officer helped retrieve the vehicle. The resident wanted to tell the officer that he appreciated her efforts and wanted to thank her for her service.

JWD-2014-219

Received by CPOA: November 20, 2014

A citizen wrote that Officer M. went above and beyond the call of duty in handling his situation. Citizen stated that Officer M. was helpful and knowledgeable and handled the situation admirably. Citizen wanted to say thanks to Officer M. for his help.

JWD-2014-220

Received by CPOA: November 23, 2014

A citizen was watching television and saw Officer D. speaking about a horrible accident which claimed the lives of two UNM students. Citizen stated that finally APD has a spokesperson that tells it like it is, without compromising anyone's rights. Citizen wanted to say Good Job to Officer D.

JWD-2014-221

Received by CPOA: November 29, 2014

A citizen stated that she was pulled over for speeding by Officer C. The officer was very polite and professional, and showed patience while citizen looked for insurance information. Officer C. explained to citizen the process for handling traffic citations. Citizen was very impressed and stated she is glad that Officer C. was patrolling the area.

JOB WELL DONE REPORTS RECEIVED DURING DECEMBER 2014

JWD-2014-222

Received by CPOA: December 1, 2014

A Texas resident wrote that while in Albuquerque, their vehicle was broken into and his wife's purse was stolen. Officer Mc. was professional and had a great attitude, and even helped with the broken glass cleanup. Citizen wanted to thank Officer Mc. and stated that his family cares about all police officers.

JWD-2014-223

Received by CPOA: December 2, 2014

A citizen stated that Sergeant V. spoke to the church scout group, and that Sergeant V. was gracious and willing to help on his day off. Citizen stated that Sergeant V. did a great job, and the group had lots of questions for Sergeant V. Citizen wrote that Sergeant V. is a credit to APD.

JWD-2014-224

Received by CPOA: December 3, 2014

A citizen wrote that while she was driving on the freeway, she struck a metal object which punctured her tire. Officer S. remained with citizen until the courtesy patrol finished assisting citizen. Officer S. located the driver who was at fault for the metal object being in the road. Citizen stated that Officer S. went above and beyond during this incident. Citizen stated that she supports officers.

JWD-2014-225

Received by CPOA:

A citizen was out of town and was unable to reach her husband. Officer G. arrived at the home for a welfare check on the husband. Husband was found alive and taken to the hospital. Officer G. provided food and water for the animals in the home until citizen made other arrangements. Citizen stated that Officer G. saved her husband's life, and Officer G. deserves special recognition.

JWD-2014-226

Received by CPOA: December 8, 2014

Citizen stated that her daughter was having a breakdown. Officers arrived and convinced daughter to go to the hospital. During a second incident, daughter called police and asked to be taken to the hospital again. Officer S. was one of the officers on scene. Citizen stated the officers at both incidents were amazing and well-trained. Citizen wanted to thank the officers.

JWD-2014-227

Received by CPOA: December 9, 2014

A citizen stated that she was involved in a vehicle accident. After the police had completed their investigation and left the scene, her car would not start. Officer B. stopped to help, and stayed with citizen until help arrived. Officer B. followed while the vehicle was towed to citizen's home. Citizen stated that she truly appreciated Officer B.'s help.

JWD-2014-228

Received by CPOA: December 11, 2014

Citizen stated that he was pulled over by Officer M. on a traffic stop. Citizen wrote that Officer M. was very professional, respectful, patient, and provided answers that citizen needed. Citizen stated that there are police officers who do the right thing every day and they should be noticed for their actions.

JWD-2014-229

Received by CPOA: December 13, 2014

Citizen wrote that she wanted to thank the CIT team that assisted her with her son. Citizen stated that her son received excellent care from the CIT team, and the incident was handled with care and concern. Citizen stated that she is extremely grateful to officers who were extremely understanding and did an outstanding job.

JWD-2014-230

Received by CPOA:

A citizen stated that she wanted to express her respect and high regard to police officers, and that APD has always responded when she needed them, and they have gone above and beyond. Citizen wrote that their sacrifice is greatly appreciated.

JWD-2014-231

Received by CPOA:

A citizen wanted to express 100% support for APD's excellence of operations. Citizen wanted to say thanks for the continued dedication of officers, and that he and his family have the officers' backs.

JWD-2014-232

Received by CPOA:

Citizen stated that officers came to his residence regarding a domestic argument. Citizen wrote that the officers were professional, helpful, courteous, and diligent. Citizen stated that APD will always have his family's support.

JWD-2014-233

Received by CPOA: December 28, 2014

Citizen wrote that his tire was punctured, and Officer M. was very professional and genuinely concerned about the situation. Citizen wanted to thank Officer M. and stated that all of APD does a great job, and Officer M. deserves an "atta-boy."

JWD-2014-234

Received by CPOA: December 28, 2014

A citizen wrote that he wanted to thank all officers for their service. Citizen stated that he wants to thank the officers for protecting citizens and he is very thankful that officers are doing their job.

JWD-2014-235

Received by CPOA: December 30, 2014

A citizen stated that she appreciates the work that officers at the La Cueva Community Police Station are doing for the neighborhood. Citizen wrote that she hopes 2015 is a safe year for APD.

JWD-2014-236

Received by CPOA: December 31, 2014

Citizen stated he was the victim of a burglary. Detective N. personally spoke with citizen about the case. Detective N. provided good information to citizen and was sympathetic to citizen's plight. Citizen stated that Detective N. gets a five-star rating, and citizen wanted to say Thanks.

VI. OVERVIEW OF DATA

Since 2010, the IRO received an average of 256 Citizen Police Complaints (CPCs) every year. The Independent Review Office received 233 CPCs in 2014. This is a 10% decrease in complaints compared to 2013.

The IRO received an average of 19 complaints per month in 2014. The IRO resolved 294 CPCs in 2014, which included inactivated and fully investigated cases.

In 2014, the highest number of alleged misconduct occurred most frequently in the months of March and July. Complainants most likely reported alleged misconduct of APD officers as occurring midweek and from 3:00 p.m. to 6:00 p.m. Complainants reported higher alleged misconduct located in City Council Districts 2 and 6. A majority of the unknown districts include complaints referring to phone encounters, unspecified incident location, addresses without district, or complaints without known incident information.

In 2014, the highest number of complaints were received from female Hispanic citizens with the age range of 25-29 years old. The highest number of complaints received was from residents of City Council District 6. Complaints received include 191 complaints from Albuquerque residents, 26 complaints from complainants who live outside Albuquerque, and 12 complaints from complainants residing from another state. These numbers, however, do not include the 4 citizens who did not provide residency information. Most complaints were received through the website.

Complainants were most likely to make allegations against white male police officers between the ages of 35 and 39 years old. Most alleged misconduct involved APD officers in Field Services during the day shift (7:00 a.m. to 3:00 p.m.). Most complaints involved officers with a rank of Patrolman First Class and 4-9 years of service.

The IRO made findings in 294 CPCs in 2014. This resulted in 106 inactivated cases and 188 closed cases with findings, which included complaints filed in 2012 and 2013. In addition, eight (8) Officer-Involved Shootings were reviewed by the POC in 2014.

Of the 106 CPCs, the highest number of inactivations were due to informal resolution through supervisor intervention. Of the 188 CPCs closed, there were 660 allegations of Standard Operating Procedures (SOPs) reviewed by the POC. In 2014, the IRO most likely investigated alleged APD SOP violations on Officer Conduct (1-04) and Use of Recording Device (1-39).

APD officers with Sustained findings of Standard Operating Procedure violations are referred to Chief of Police for discipline. The Chief of Police has sole disciplinary authority over APD personnel for findings of misconduct, including findings of misconduct made by the IRO and the POC. The findings resulted in disciplinary actions and are made part of the officer's permanent record.

APD officers with commendations from the public were also referred to Chief of Police for acknowledgement. Since inception, the Independent Review Officer received 236 Job Well Done

responses. All forms were submitted to APD Administration to pass along to the employee's supervisors, including the Chief of Police, for acknowledgement, and a letter of commendation is sent to the officer.

Our goal is to facilitate meaningful law enforcement oversight in order to benefit all those affected by police conduct. The IRO office will continue to work with stakeholders to address issues concerning police accountability and transparency at the Albuquerque Police Department. We hope that our endeavors strengthen community trust by giving citizens a voice during this time of change. We strive to assess and improve not only the oversight process, but the relationship between the public and the police force as a whole.