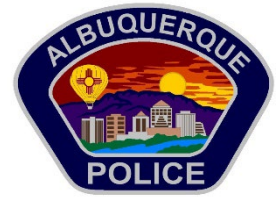




Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Superintendent of Police Reform

March 18, 2026

Interoffice Memorandum

To: Diane McDermott, Executive Director, CPOA

From: Jimmy Collins, Major, Office of the Superintendent

Subject: Non-Concurrence of Finding re: CPC-211-2025

This memorandum articulates APD's points of non-concurrence in the above-captioned administrative investigation conducted by the Civilian Police Oversight Agency.

Policy	CPOA Finding	APD Finding
2-16-5-A-1 Sergeant F	Sustained	Unfounded
2-60-4-C-1-e Officer M	Letter of Reprimand	ESI

Commander Waite conducted the review of this investigation and disagreed with the finding for Sergeant F. Sergeant F, who was not on-scene at the time of the incident, reviewed the reports written by Officer M and determined, as required by SOP: grammar was appropriate, elements of the crime were documented, and the narrative supported the listed charges. To support the charged crime of misdemeanor battery, Officer M only needed to show probable cause that the battery occurred. Collecting video and interviewing the complainant would have provided additional evidence, helpful for prosecution, but was not required for the showing of probable cause, based on the statement of the victim and the OBRD recording of an additional person on-scene who heard the commotion but did not see the battery/spitting.

Commander Waite concurred with the finding of sustained for the violation of 2-60-4-C-1-e, in which Officer M documented the information of the complainant but failed to attempt to interview him or document that an interview was not completed. Additionally, Officer M failed to gather video evidence which would have supplemented a future prosecution, as required by 2-60-4-D. I recommend enhanced supervision as allowed by SO 25-108 for this 1st sustained class 6 performance violation.

As acknowledged in the DAP, this case violated the timelines set forth in the APOA CBA 20.1.16.3. (120-day timeline). No action will be taken against the sergeant or the officer.

Respectfully,

Major Jimmy Collins,
Deputy Superintendent of Reform
Albuquerque Police Department

Cc: Eric Garcia, Superintendent of Police Reform