

CITY OF ALBUQUERQUE

Albuquerque Police Department



Harold J. Medina, Chief of Police

March 17, 2022

Diane McDermott
Interim Executive Director
Citizen Police Oversight Agency

Re: Non-Concurrence of Discipline reference CPC 248-21

Dear Ms. McDermott:

This letter serves to convey the reasons for APD's non-concurrence in the above-mentioned administrative investigation conducted by the Civilian Police Oversight Agency (CPOA). While APD is in concurrence with the findings in each allegation, there is non-concurrence in the proposed discipline.

Policy 2-8-5.A

APD is in concurrence with the finding (sustained) and proposed discipline (written discipline).

400 Roma NW

Policy 1-1-5.A.1

APD is in concurrence with the sustained finding. However, APD finds discipline of an NDCA is appropriate. This situation involved a civilian PSA who was working in a high-crime and high-drug area. The PSA has limited training and does not carry the same presence as a fully uniformed officer. The case involves a subject who was "staring" at her and there is a desire to not appear weak by the PSA. In the video it is clear there is the distance between the PSA and the subject, thus requiring her to raise her voice. This alone is not a violation of policy. The department believes this issue is best handled through corrective counseling.

Albuquerque

New Mexico 87102

www.cabq.gov

Discipline Imposed

Violation of policy 2-8-5.A [6] – Written Reprimand
Violation of policy 1-1-5.A.1 [6] - Non-Disciplinary Corrective Action

Sincerely,

Eric J. Garcia
Interim Superintendent of Police Reform
EG:ml

Raid CPOA
3/25/22