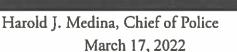
## CITY OF ALBUQUERQUE









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 abovementioned 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

New Mexico 87102

www.cabq.gov

Policy 1-1-5.A.1

Albuquerque 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.

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

