



CIVILIAN POLICE OVERSIGHT AGENCY Board

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July 8, 2021

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

RE: APD Case # 20-0000295, IAFD Case # C2020-000002

Dear Chief Medina:

My review of this case included:

- Computer Aided Dispatch Reports
- APD Field Services Reports
- Internal Affairs Reports
 - Officer Interviews
- Internal Affairs Force Division Reports
 - Command Review
- On Body Recording Device Videos
- APD Policy 2-23 Use of Canine, APD Procedural Order 6-9 K9 Unit
- Attendance Force Review Board briefing July 30, 2020

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My review of the evidence shows on January 2, 2020 the victim Mr. L. gained entry to a closed business, the Walgreens at 2011 12th St. NW. Officers arrived on scene, finding evidence of the break-in. A store representative arrived and verified Mr. L was in the building through store surveillance video. Officers began announcements for Mr. L. to present himself to police for arrest.

A search of the business began with a muzzled K9. During that search officers found an empty bottle of champagne, and smoked cigarettes. Upon discovery of that evidence the K9 search continued with the K9 unmuzzled.

The K9 located Mr. L behind an unlocked door in the pharmacy area. The K9 contacted Mr. L. on the arm and officers took Mr. L into custody.

Finding: The CPOA finds Officer 1's conduct "Exonerated," regarding the allegation of a violation of this SOP, which means the investigation determined, by preponderance of the evidence that the alleged conduct did occur but did not violate APD policies, procedures, or training.

Sincerely,

/s/Edward Harness
Edward Harness, Esq.
Executive Director
Civilian Police Oversight Agency
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