

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY BOARD

Dr. William J. Kass, Chair *Eric Olivas, Vice Chair*

Tara Armijo-Prewitt *Chantal M. Galloway*

Eric Nixon

Douglas Mitchell

Edward Harness, Executive Director

February 12, 2021

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

RE: APD Case # 20-0008932, IAFD Case # C2020-000051

Dear Interim Chief Medina:

My review of this case included:

PO Box 1293

Albuquerque

NM 87103

- 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 2-52 Use of Force

www.cabq.gov

My review of the evidence shows on January 28, 2020 the victim, Ms. P., was contacted by officers of the Albuquerque Police Department because she was involved in a traffic accident. Officers determined there was probable cause to arrest Ms. P for DWI. After placing Ms. P in handcuffs, she began to resist, so officers took her to the ground while she was handcuffed.

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.

Finding: The CPOA finds Sergeant 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
(505) 924-3770