

CITY OF ALBUQUERQUE



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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 # 20-0009181, IAFD Case # C2020-000052

Dear Interim 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 2-52 Use of Force, APD Policy 2-54-5 Electronic Control Weapon

PO Box 1293

Albuquerque

NM 87103

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My review of the evidence shows on January 29, 2020 the victim, Mr. N., was observed in a vehicle traveling eastbound on Avalon. Mr N. was known by Officer 1 to be on APD's top 15 wanted list. Officer 1 attempted a traffic stop. The vehicle stopped and Mr. N fled from the vehicle on foot into a school. Officer 1 gave chase. He caught Mr. N. at a fence line and discharged his ECW. The first cycle of the ECW worked and Mr. N. was taken into custody.

Finding: The CPOA finds Officer 1's conduct "**Not Sustained**," where the investigation is unable to determine, by a preponderance of the evidence, whether the alleged misconduct occurred.

Sincerely,

/s/Edward Harness
Edward Harness, Esq.
Executive Director
Civilian Police Oversight Agency
(505) 924-3770