



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 # 18-0068735, IAFD Case # C2018-000057

Dear Chief Medina:

My review of this case included:

PO Box 1293

Albuquerque

NM 87103

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- Responding to the incident and being briefed on July 17, 2018
- Computer Aided Dispatch Reports
- APD Field Services Reports
- Criminalistics Reports
 - Crime scene photos
- Internal Affairs Reports
 - Officer Interviews
- Internal Affairs Force Division Reports
 - Command Review
- Multi Agency Task Force Reports
 - Office of Medical Investigators Report
 - Witness statements
- On Body Recording Device Videos
- APD Policy 2-52 Use of Force
- Attending the Force Review Board Briefing June 11, 2020

My review of the evidence shows on July 17, 2018 the victim (Mr. L) was suspect in a homicide that occurred earlier in the day at Mr. L and the homicide victim knew each other because they had a relationship with the same woman, Mr. L's ex-wife.

Detectives located Mr. L. at _____, detectives and members of the Investigative Support Unit established a perimeter and attempted to communicate with Mr. L. Other occupants of the home Mr. L's family exited the home and confirmed he was in the residence alone. The tactical call out was authorized and set-up.

From 5:30 pm until 1:00 am the next morning the tactical unit attempted communication, and used chemical munitions to gain compliance and have Mr. L. exit the residence and submit to arrest.

At approximately 1:30 am Mr. L. exited the residence through the garage armed with a pistol. He discharged that pistol towards officers. Tactical Officer #1 returned fire striking Mr. L.

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