



CIVILIAN POLICE OVERSIGHT AGENCY Board

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September 9, 2021

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

RE: APD Case # 20-0060676/20-0060662, IAFD Case # C2020-00571

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 2-52 Use of Force

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My review of the evidence shows on March 18, 2020 the victim, Mr. B., was intoxicated and threatening to jump off of a balcony. Upon arrival officers observed Mr. B on a third-floor balcony. Officer #1 approached Mr. B and placed him in handcuffs. While walking down the stairs, Mr. B. resisted and Officer #1 used pain compliance on Mr. A. while 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.

Sincerely,

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