

# CITY OF ALBUQUERQUE



## CIVILIAN POLICE OVERSIGHT AGENCY CIVILIAN POLICE OVERSIGHT AGENCY BOARD

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February 2, 2021

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

**RE: APD Case # 19-0089586, IAFD Case # C2019-000083**

Dear Interim Chief Medina:

My review of this case included:

PO Box 1293

Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)

- 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

My review of the evidence shows on September 28, 2019 the victim (Ms. E) was a barricaded subject. APD SWAT activation was called. Officer's used public address announcements, and chemical munitions to gain Ms. E.'s compliance. As she exited the dwelling, she failed to comply with officer's directions; fleeing back into the dwelling, it appeared to avoid arrest. Officer 1 shot Ms. E in the thigh with a 40mm sponge round. It was ineffective.

After a 5 hour standoff with no communication with Ms. E., Sergeant 1 deployed his K9 to apprehend Ms. E. The K9 made contact with Ms. E.'s arm and thigh. she was taken into custody. She was transported to UNM Hospital for treatment of her injuries.

**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