



## CIVILIAN POLICE OVERSIGHT AGENCY Board

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Edward Harness, Executive Director

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 # 19-00105587, IAFD Case # C2019-000095**

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 2-23 Use of Canine, APD Procedural Order 6-9 K9 Unit
- Attendance Force Review Board briefing July 2, 2020

PO Box 1293

Albuquerque

NM 87103

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

My review of the evidence shows on November 17, 2019 the victim Mr. S. was suffering a mental health episode. Officers arrived and established probable cause to arrest Mr. S for felony assault. Officers spoke with Mr. S briefly, but he refused to submit to arrest and went inside the home. A tactical activation was authorized.

During the tactical activation Mr. S spoke with the CNT officer, and threatened "suicide by cop". Tactical officers deployed chemical weapons, and noise flash diversion devices to gain Mr. S.'s compliance.

Mr. S. exited the home, but continued to ignore the commands of officer's as he began to walk away from police. Sgt 1 deployed his K9 to make the arrest of Mr. S.

**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  
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