

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 # 20-0027063, IAFD Case # C2020-000225

Dear Interim Chief Medina:

My review of this case included:

PO Box 1293

Albuquerque

NM 87103

- 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 27, 2020 the victim, Mr. S., was a barricaded subject. A SWAT activation was called. Officers used public address announcements, chemical munitions, and noise flash diversionary devices. Mr. S eventually exited his residence, but he failed to comply with officer's directives. Officer 1 discharged his 40mm sponge round, striking Mr. S. He was taken into custody.

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