

CITY OF ALBUQUERQUE



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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 # 20-0034126/20-0034103, IAFD Case # C2020-00298

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
- APD Policy 2-52 Use of Force

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My review of the evidence shows on April 26, 2020 the victim, Mr. L., was suspected if beating a man with a lug wrench. While not initially on the scene, he soon returned and barricaded himself in his residence. Officers began public address announcements, used Noise Flash Diversionary Devices, and Chemical Munitions as an attempt to get Mr. L. to exit the residence.

After a time, Mr. L. exited the residence with his hands in the air. Officer #1 deployed his 40mm rifle striking Mr. L. Sergeant #1 deployed his K9 at the same time. Mr. L. was taken into custody.

Finding: The CPOA finds Officer 1's conduct **SUSTAINED** where the investigation determines, by a preponderance of the evidence, the alleged misconduct did occur.

Finding: The CPOA finds Sergeant 1's conduct **SUSTAINED** where the investigation determines, by a preponderance of the evidence, the alleged misconduct did occur.

Sincerely,

/s/Edward Harness
Edward Harness, Esq.
Executive Director
Civilian Police Oversight Agency
(505) 924-3770