

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 15, 2026

Re: CPC # 208-24

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 7/23/2024, S L submitted a complaint online to the Civilian Police Oversight Agency (CPOA) regarding an incident that occurred on 7/23/2024 at 0400 hours at "Unser Blvd and Dellyne." S reported that they voiced their anger at the selfish and careless old man, and PSA R had the audacity to lecture them, saying, "We don't need that attitude right now." S reported that PSA R's behavior was misogynistic, condescending, and emotionally controlling. S stated, "how dare that child try to tell them how to behave in any situation, let alone a traumatic one." Sylvia reported that they had every right to speak their truth, and PSA R's attitude was very troublesome and that the misogyny needed to stop.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: PSA R

Other Materials: Email communications, tow reports, and TraCS logs.

Date Investigation Completed: May 31, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.1

1. **Unfounded.** Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.



2. **Sustained.** Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.



3. **Not Sustained.** Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.



4. **Exonerated.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.



5. **Sustained Violation Not Based on Original Complaint.** Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.



6. **Administratively Closed.** Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.



Additional Comments:

1.1.5.A.1: A review of the videos showed that the complainant was yelling at the other driver, while he was still trapped in his car. The videos showed the PSA did not say anything specifically about her attitude and instead said, "we don't need that right now" in order to defuse the situation. The complainant's son apologized for her behavior due to the stress of having been in a previous accident so close to this one. It was determined that PSA R treated S with respect, courtesy, and professionalism during their interaction.

Note: policy does not specify a response to messages nor was it determined the PSA received a message. The report was accurate to the information and the company name would be a clerical error that could be corrected on a supplemental report filed by the PSA or the complainant.

The case was delayed due to the assigned investigator resigning and staffing issues to have it reassigned for completion.

You have the right to appeal this decision. If you are not satisfied with the findings and/or recommendations of the CPOA Executive Director within 30 calendar days (inclusive of holidays and weekends) of receipt of this letter, communicate your desire to have an appeal hearing before the CPOA Advisory Board in a signed writing addressed to the CPOA Director. Please send your request to P.O. Box 1293, Albuquerque, NM 87103, or by email to CPOA@cabq.gov. Include your CPC number. Upon receipt of the communication, a hearing on the matter will be scheduled at the Board's next regularly scheduled meeting provided there is at least 14 business days between the receipt of the request and the next meeting. In order for the Advisory Board to modify the Director's findings, your appeal must demonstrate one or more of the following:

- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

Administratively closed complaints may be re-opened if additional information becomes available. Please provide your additional information in writing to the CPOA Director as listed above.

If you are not satisfied with the final disciplinary decision of the Chief of Police or any matter relating to the Chief's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. There was a delay in the issuance of findings due to multiple staff changes including investigators and the Director along with a high volume of investigations and reviews to process. Thank you for your patience and participation in the process of civilian oversight of the police.

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police