



Civilian Police Oversight Agency

Finding Letters of the CPOA

The CPOA Executive Director's findings in each case are listed below. The following notifications of the findings were provided to the citizen(s) during November 2025. If applicable, these findings will become part of the officer's file.

072-25	111-25	112-25	114-25	121-25
122-25	127-25	132-25	139-25	144-25
147-25	149-25	151-25	153-25	

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 24, 2025

Via Certified Mail

Re: CPC # 072-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 04/16/2025, : M : submitted an online complaint to the Civilian Police Oversight Agency (CPOA) regarding an incident on 03/16/2025 at 1445 hours at 11400 Freeway Avenue Northeast. Ms. M reported that she was detained and arrested and then touched in her private area while being searched, even though she had started to cry and asked for a female officer. Ms. M was told no, and her inhaler was taken and not returned.

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: Officer M

Other Materials: Email communications

Date Investigation Completed: November 4, 2025

FINDINGS

Policies Reviewed: 1.1.4.A.2.a

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.



Policies Reviewed: 2.71.4.C.5.b.vii

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.



Policies Reviewed: 2.71.4.C.5.c

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:

1.1.4.A.2.a: It was determined that Officer M did not commit a sexual assault on Ms. M when he patted her down. The OBRD evidence clearly contradicted the description Ms. M provided.

2.71.4.C.5.b.vii: It was determined that Officer M patted Ms. M down when he should have allowed a female officer to do so, as one was readily available and feasible, and Ms. M had requested it.

2.71.4.C.5.c: Officer M initiated the pat search upon Ms. M detention. Since it was his decision his reasonable suspicion needed to have been documented in the CAD system or in a Uniform Incident Report the reason for the pat search.

The CPOA recommends the presumptive of an 8 hour suspension for the two level 6 performance violations.

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 maybe 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 Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

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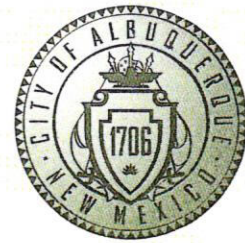
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 24, 2025

Via Certified Mail

Re: CPC # 072-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 04/16/2025, [REDACTED] submitted an online complaint to the Civilian Police Oversight Agency (CPOA) regarding an incident on 03/16/2025 at 1445 hours at 11400 Freeway Avenue Northeast. Ms. M [REDACTED] reported that she was detained and arrested and then touched in her private area while being searched, even though she had started to cry and asked for a female officer. Ms. M [REDACTED] was told no, and her inhaler was taken and not returned.

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: Officer C

Other Materials: Email communications

Date Investigation Completed: November 4, 2025

FINDINGS

Policies Reviewed: 2.73.5.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:

2.73.5.A.1: It was determined that by Ms. M ; own admission, she had dropped her inhaler, and Officer C had not collected an inhaler from her. Also, no female officer had picked it up as she had alleged.

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:

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

CIVILIAN POLICE OVERSIGHT AGENCY



November 17, 2025

Via Email

Re: CPC # 111-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Ms. M reported that she was pulled over on 05/15/2025 and was displeased with the officers' professionalism and behavior. She reported that the officer was in the middle of the roadway flagging cars to pull over, which was a safety concern. She was unaware that the officer was flagging her down until he told her, "You! Pull over!" The officer asked her to pull over and to park her vehicle in an area where she needed to put her hazard lights on to avoid being hit by another car. The officer was eating sunflower seeds and spitting them out during her interactions with him. The officer caused her to feel flustered and uneasy after he poked his head into her vehicle through the driver's side window. The officer physically wrote her number and email on her registration, which was a legal document.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer M

Other Materials: Email Communications, Citizen Evidence, & New Mexico Statutes.

Date Investigation Completed: October 2, 2025

FINDINGS

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.

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Policies Reviewed: 1.1.5.A.4 (Conduct)

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

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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.

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Policies Reviewed: 2.41.4.A.1.c.ii (Traffic Stops)

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.

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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.

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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.

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Additional Comments:

1.1.5.A.4: It was determined that Officer M leaned in to see the insurance provided to him via phone, but did not place his head or face beyond the windowsill. He consumed and spat sunflower seeds onto the roadway while interacting with Ms. M and while sitting in his patrol vehicle. The behavior was determined to be unprofessional as it was perceived to be unsightly and unsanitary. The seeds were considered food waste, which was improperly discarded on the public roadway, and not in a refuse receptacle. He used the face of her registration to document her telephone number and email address. The behavior was determined to be unprofessional as he improperly and lazily wrote unrequested and unrequired on an official document.

2.41.4.A.1.c.ii: It was determined that Officer M did conduct a traffic stop by using his body, voice, and hands to stop the vehicle. After collecting the needed information, he had Ms. M position her vehicle in front of his, lowering the risk during additional interactions. Though the actions occurred, they were determined not to have violated policy or procedure.

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:

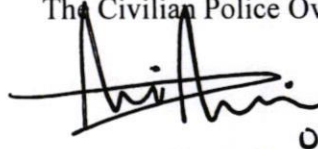
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Sincerely,
The Civilian Police Oversight Agency by



on behalf of

Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 10, 2025

Via Email

Re: CPC # 112-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. G reported that officers with "*scant details*" went to his residence to conduct a welfare check. He refused to allow the officers to enter the residence or interview and examine the children. He went back inside after informing the officers that he believed he was the target of a malicious report and to come back with a warrant or do as they saw fit if they believed exigent circumstances existed. Mr. G reported that he was detained, while handcuffed, in the back of a patrol vehicle for thirty minutes while the officers tried to "*browbeat*" him and his family into cooperating. Mr. G told a sergeant to call CYFD, but he refused. The officers released him, and the sergeant then re-detained Mr. G

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: Officer M

Other Materials: Email Communications and State Statutes

Date Investigation Completed: September 30, 2025

FINDINGS

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.

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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.

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Policies Reviewed: 2.71.4.A.1 (Search & Seizure)

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.

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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.

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Additional Comments:

2.71.4.A.1: It was determined that Officer M was in training and handcuffed Mr. G after a "Master Police Officer" detained him and instructed him to turn around, indicating that he was going to be handcuffed. Though technically the primary officer, Officer M had minimal interaction with Mr. G, followed the guidance of his training officer, and did not place Mr. G in the back of a patrol vehicle.

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:

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 10, 2025

Via Email

Re: CPC # 112-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. G reported that officers with "*scant details*" went to his residence to conduct a welfare check. He refused to allow the officers to enter the residence or interview and examine the children. He went back inside after informing the officers that he believed he was the target of a malicious report and to come back with a warrant or do as they saw fit if they believed exigent circumstances existed. Mr. G reported that he was detained, while handcuffed, in the back of a patrol vehicle for thirty minutes while the officers tried to "*browbeat*" him and his family into cooperating. Mr. G told a sergeant to call CYFD, but he refused. The officers released him, and the sergeant then re-detained Mr. G

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: Officer S

Other Materials: Email Communications and State Statutes

Date Investigation Completed: September 30, 2025

FINDINGS

Policies Reviewed: 2.71.4.A.1 (Search & Seizure)

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.



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Additional Comments:

2.71.4.A.1: It was determined that Officer S was not involved in the detention, handcuffing, or placement of Mr. G in a patrol vehicle. Though Officer S spoke with Mr. G at length, he was professional and cordial and tried to explain the officers' perspectives.

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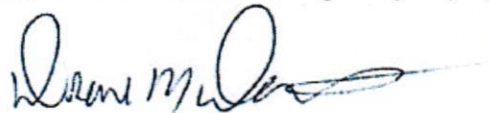
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cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 10, 2025

Via Email

Re: CPC # 112-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

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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: Officer T

Other Materials: Email Communications and State Statutes

Date Investigation Completed: September 30, 2025

FINDINGS

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.

☐

Policies Reviewed: 2.71.4.A.1 (Search & Seizure)

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

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Additional Comments:

It was determined that the officers were dispatched to a child neglect call, which contained minimal information from an anonymous caller, and they routinely advised that they were at the location for a welfare check or to investigate child neglect. They occasionally used the term child abuse but nothing indicated that child abuse was alleged. Officer T, a "Master Police Officer," detained Mr. G and instructed him to turn around, indicating that he was going to be handcuffed. Officer T was a backup officer to a FTO and his trainee. When Mr. G refused the officers access to his home or children the FTO called supervisors for guidance. Officer T did not wait for more information. State law does not list neglect, only specifically abuse or sexual abuse. Officer T did not articulate an exigency to enter the home. Officer T did not consult with any additional authority when he made his decision. Officer T did not receive further information about the reported neglect, and did not appear to consider the complainant's information that the reporter was filing the allegation in retaliation over an earlier confrontation. The officers did not have CYFD respond to the scene. The CPOA recommends an 8 hour suspension.

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:

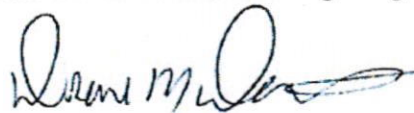
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 10, 2025

Via Email

Re: CPC # 112-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. G reported that officers with "scant details" went to his residence to conduct a welfare check. He refused to allow the officers to enter the residence or interview and examine the children. He went back inside after informing the officers that he believed he was the target of a malicious report and to come back with a warrant or do as they saw fit if they believed exigent circumstances existed. Mr. G reported that he was detained, while handcuffed, in the back of a patrol vehicle for thirty minutes while the officers tried to "browbeat" him and his family into cooperating. Mr. G told a sergeant to call CYFD, but he refused. The officers released him, and the sergeant then re-detained Mr. G

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: Sergeant K

Other Materials: Email Communications and State Statutes

Date Investigation Completed: September 30, 2025

FINDINGS

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.

☐

Policies Reviewed: 2.71.4.A.1 (Search & Seizure)

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:

It was determined that Sergeant K allowed Mr. G to remain detained and then detained him a second time for New Mexico Statutes Annotated 30-6-4, Obstruction of reporting or investigation of child abuse or neglect, but section B, which refers to the investigation, does not indicate that it applies to welfare checks or child neglect investigations, only child abuse or sexual abuse investigations. Additionally, Sgt. K explained there was not enough exigency to call CYFD for an immediate response even though Mr. G asked for them but also Sgt. K claimed he could have entered, but chose not to. Sgt. K did not consult with any additional authorities. During the detention he attempted to gain cooperation from other family and Mr. G. The CPOA recommends an 8 hour suspension.

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:

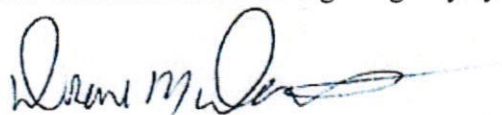
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 18, 2025

Via Email

Re: CPC # 114-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 06/06/2025, D submitted an online complaint to the Civilian Police Oversight Agency (CPOA) on behalf of her daughter, , regarding an incident that occurred on 05/17/2025 at 2300 hours at "2700-2712 Pan American Fwy NE." Ms. D reported that the report contained several inaccuracies and misrepresentations. She reported discrepancies between the report and the facts affected fault assignment and insurance liability. Ms. D reported concerns about the accuracy and thoroughness of the report.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer J

Other Materials: Email Communications and complainant submitted evidence (reviewed).

Date Investigation Completed: September 26, 2025

FINDINGS

Policies Reviewed: 2.46.4.A.1.g (Traffic Crashes) 1.1.7.E.1 (Conduct)

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:

2.46.4.A.1.g: Based on the evidence, it was determined that Officer J was not the primary investigating officer in a crash involving D's daughter and was not responsible for completing the crash report. He had assisted Officer A in interviewing Ms. D's daughter.

1.1.7.E.1: Based on the evidence, it was determined that Officer J did not commit misconduct as alleged by Ms. D who reported that he silenced her, discounted her daughter's statement, and sided with the other driver. The investigation found no evidence that he advised her that blame would not be assigned to either driver. Officer J acknowledged and clarified his comment regarding the meaning of a yellow light. There was no evidence supporting that the other driver tried to exert influence or that the other driver was more favorably considered.

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:

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 18, 2025

Via Email

Re: CPC # 114-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 06/06/2025, D submitted an online complaint to the Civilian Police Oversight Agency (CPOA) on behalf of her daughter, Nicia Rosales, regarding an incident that occurred on 05/17/2025 at 2300 hours at "2700-2712 Pan American Fwy NE." Ms. D reported that the report contained several inaccuracies and misrepresentations. She reported discrepancies between the report and the facts affected fault assignment and insurance liability. Ms. D reported concerns about the accuracy and thoroughness of the report.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer A

Other Materials: Email Communications and complainant submitted evidence (reviewed).

Date Investigation Completed: September 26, 2025

FINDINGS

Policies Reviewed: 2.46.4.A.1.g (Traffic Crashes) 1.1.7.E.1 (Conduct)

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.



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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.



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Additional Comments:

2.46.4.A.1.g: Based on the evidence, it was determined that Officer A conducted a crash investigation in which the findings, contributing factors, and diagram were derived from the driver's statements and documented in the crash report. The investigation did not place blame on Ms. D 's daughter. Driver inattention was identified as a contributing factor.

1.1.7.E.1: Based on the evidence, it was determined that Officer A conducted a fair, objective, and impartial investigation, and did not show favoritism toward the other driver. There was no evidence that she discounted Ms. D 's daughter's statement because she was a minor. Officer A had documented an interview in a supplemental report based on a follow-up interview with Ms. D 's daughter. There was no evidence supporting that the other driver tried to exert influence or that the other driver was more favorably considered.

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:

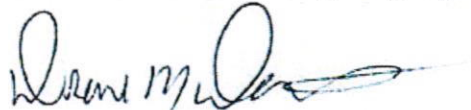
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 4, 2025

Via Email

Re: CPC # 121-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 06/19/2025, X submitted an online complaint to the CPOA regarding an incident that occurred at 1404 Eubank Boulevard Northeast. Mr. X reported that he was involved in a physical altercation with the gas company on 05/13/2025 at 1130 hours, which he indicated was because he was Chinese. Mr. X reported the police arrived, and Mr. X clearly provided his statement to them *"in not very good English."* The police took statements from Mr. X father via a telephone translator and his sister, who were witnesses. Mr. X reported that he did not know why the police only believed the gas company personnel, *"and didn't trust my words at all."* Mr. X indicated that the police report was unacceptable, that he was treated unfairly, and that *"it"* was obviously biased.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer M

Other Materials: Email Communications & CSS Photographs.

Date Investigation Completed: October 10, 2025

FINDINGS

Policies Reviewed: 1.4.4.A.2.a (Bias-Based Policing)

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.



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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.



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Additional Comments:

1.4.4.A.2.a: It was determined that Officer C (Recruit), with the guidance of Officer M (FTO), conducted a professional and proper investigation, which resulted in no criminal charges or official actions being taken. There was no evidence or indication that anyone was given preferential treatment or that the officers were biased in their handling or reporting of the incident. Mr. X communicated in English and did not request or indicate that he needed a translator, which was provided for his father.

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:

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 4, 2025

Via Email

Re: CPC # 121-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

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EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer C

Other Materials: Email Communications & CSS Photographs.

Date Investigation Completed: October 10, 2025

FINDINGS

Policies Reviewed: 1.4.4.A.2.a (Bias-Based Policing)

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.



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Policies Reviewed: 2.16.5.C.1 (Reports)

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.



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Additional Comments:

1.4.4.A.2.a: It was determined that Officer C (Recruit), with the guidance of Officer M (FTO), conducted a professional and proper investigation, which resulted in no criminal charges or official actions being taken. There was no evidence or indication that anyone was given preferential treatment or that the officers were biased in their handling or reporting of the incident. Mr. X communicated in English and did not request or indicate that he needed a translator, which was provided for his father.

2.16.5.C.1: It was determined that Officer C failed to complete and submit the associated report in the mandated timelines.
The CPOA recommends a verbal reprimand.

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:

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The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 10, 2025

Via Email

Re: CPC # 122-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Mr. M reported that two APD patrol vehicles were being operated recklessly, which almost caused a crash when they ran a red light while speeding. After Mr. M started to follow the patrol vehicles, they activated their emergency lights. Mr. M continued to follow the patrol vehicles, which were traveling at speeds up to 65 mph in a 40mph zone. After observing Officer F following them, a patrol vehicle brake checked him. Mr. Martinez reported that the officers cornered him and threatened him. The officers were confrontational, handcuffed him, and refused to provide their badge numbers. Mr. M was placed in the rear of a patrol vehicle, the officer turned off "his" camera, *"proceeded to talk profanity to me,"* and *"berated and belittled"* him. M asked the officer to record

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer R

Other Materials: Email Communications, unit history, state statutes, RRPD evidence

Date Investigation Completed: October 7, 2025

FINDINGS

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.

☐

Policies Reviewed: 1.1.5.E.4 & 1.1.6.A.1.b

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.

☐

Policies Reviewed: 2.8.4.F.2.a & 2.16.5.C.1

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.E.4: Officers F and R used their emergency equipment but were not involved in a pursuit. Their intended use of their lights to go through the intersection violated NMSS 66-7-6. There were inconsistent responses regarding speeding. 1.1.6.A.1.b: Officers F and R stated that they had a duty to act, but had no jurisdiction in Rio Rancho, NM. The RRPD officers reported and OBRD supported unprofessional conduct. 2.8.4.F.2.a: It was determined that Officer R did not upload her OBRD by the end of her next scheduled shift. 2.16.5.C.1: It was determined that Officer R did not write a report by the end of her shift.

The CPOA recommends a 16 hour suspension and a written reprimand.

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 maybe 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 Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

If you have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 10, 2025

Via Email

Re: CPC # 122-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Mr. M reported that two APD patrol vehicles were being operated recklessly, which almost caused a crash when they ran a red light while speeding. After Mr. M started to follow the patrol vehicles, they activated their emergency lights. Mr. M continued to follow the patrol vehicles, which were traveling at speeds up to 65 mph in a 40mph zone. After observing Officer F following them, a patrol vehicle brake checked him. Mr. M reported that the officers cornered him and threatened him. The officers were confrontational, handcuffed him, and refused to provide their badge numbers. Mr. M was placed in the rear of a patrol vehicle, the officer turned off "his" camera, "proceeded to talk profanity to me," and "berated and belittled" him. M asked the officer to record

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer F

Other Materials: Email Communications, unit history, state statutes, RRPD evidence

Date Investigation Completed: October 7, 2025

FINDINGS

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.

☐

Policies Reviewed: 1.1.5.E.4, 2.8.5.A, 1.1.6.A.1.b

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.

☐

Policies Reviewed: 1.1.6.A.2

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.

☒

Policies Reviewed: 1.1.6.A.6.a,

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.E.4: Officers F and R used their emergency equipment but were not involved in a pursuit. Their intended use of their lights to go through the intersection violated NMSS 66-7-6. There were inconsistent responses regarding speeding. 1.1.6.A.2: Mr. M : asked for Officer F's information, which was provided, but Mr. M : did not catch it. Policy has been changed to require it in writing when requested. 1.1.6.A.6.a: Officer F reported turning off his OBRD once Mr. M : was in his patrol vehicle and had no further contact with him. He wrote the same in his report. It was discovered that Officer F was in his patrol vehicle with Mr. M : for over four minutes and didn't have his OBRD on. The report contained a misrepresentation. 1.1.6.A.1.b: Officers F and R stated that they had a duty to act, but had no jurisdiction in Rio Rancho, NM. The RRPD officers reported and OBRD supported unprofessional conduct. 2.8.5.A: Officer F turned his OBRD on late and did not have it on while in his patrol vehicle with Mr. M : for over four minutes. The CPOA recommends a 144 hour suspension and written reprimand.

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 maybe 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 Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

If you have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 7, 2025

Via Email

Re: CPC # 127-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 06/25/2025, G submitted an online complaint to the Civilian Police Oversight Agency (CPOA) regarding an incident that occurred on 06/15/2025. Ms. G reported that she was involved in a crash and that the responding officer did not do his job to the best of his abilities. The officer was told about a smell coming from the other involved vehicle, but he repeatedly ignored her and her husband. The officer repeatedly walked away from them every time they would try to talk to him, yet *"stayed talking"* to the other involved individuals as if they knew each other. Ms. G reported that the report listed her vehicle as black when it was white and that the crash occurred at Atrisco and Coors when it occurred at Atrisco and Central.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Police Service Aide D

Other Materials: Email Communications and Tow-in report.

Date Investigation Completed: October 15, 2025

FINDINGS

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.

☐

Policies Reviewed: 1.1.5.A.4 (Conduct)

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.

☒

Policies Reviewed: 2.48.4.B.1.c (Towing Services) 2.16.5.C.1 (Reports)

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.4: It was determined that PSA D conducted the crash investigation in a professional and courteous manner. PSA D promptly acted upon the information provided to him and conducted the investigation within the scope of his duties. There was no evidence to support Ms. G complaint, aside from minor clerical errors noted in the report. There was no evidence to support that the G reported the other driver being intoxicated nor did the other driver present signs, which PSA D is aware of to be on the lookout for.
2.48.4.B.1.c: It was determined that there was no direct or supporting evidence that showed Police Service Aide D had conducted an inventory of a vehicle towed from the crash scene he investigated on 06/15/2025. 2.16.5.C.1: It was determined that Police Service Aide D did not submit a Uniform Crash Report at the end of his shift per policy and did not have supervisor approval to submit it late. He also did not advise a supervisor that he was unable to submit the report by the end of his shift. The CPOA recommends a written and verbal reprimand for the two infractions.

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 maybe 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 Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

If you have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

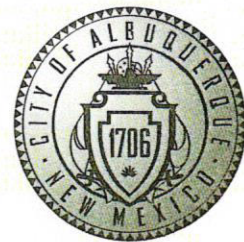
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 17, 2025

Via Email

Re: CPC # 132-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 06/26/2025, a complaint was submitted on behalf of J regarding an incident that occurred on 04/14/2025. Ms. J reported that Officer D had called and left her a message on 04/14/2025, but she did not answer and tried to return his call. She attempted to get a copy of a report, but was advised that it was incomplete and that Officer D had been sent an email requesting that he contact her. She called the substation on 04/21/2025 and left a message for Officer D to contact her, but received no response. She had court on 05/13/2025, and Officer D called her to collect a statement on 05/15/2025, but she referred him to her attorney. She had court on 06/24/2025, but Officer D never responded to her attorney's request for discovery. She reported that Officer D did not do his due diligence.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer D

Other Materials: Email Communications & Citizen Provided Materials.

Date Investigation Completed: October 20, 2025

FINDINGS

Policies Reviewed: 1.1.5.A.1 (Conduct)

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.



Policies Reviewed: 2.16.5.C.1 (Reports)

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.4: It was determined that Officer D was professional in his interactions and conducted a thorough investigation based on the information provided. He did not collect evidence or attempt to interview any witnesses, because he was not advised of any, though he did inquire. He attempted to contact Ms. J twice before completing the call for service, and documented the attempt in the report, which was determined to be accurate and consistent with the evidence reviewed. Despite some delays and missed connections, Officer D left an identifying voicemail, addressed Ms. J concerns directly once contact was made, and treated her inquiries with courtesy throughout their interactions. Officer D was not responsible for providing discovery materials, and there was no indication or evidence that would suggest that he and the alleged victim somehow knew each other.

2.16.5.C.1: It was determined that Officer D's report was not submitted by the end of his shift, which contributed to the delay in information. The CPOA recommends a verbal reprimand.

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:

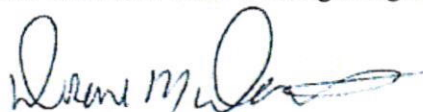
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

Administratively closed complaints maybe 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 Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

If you have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

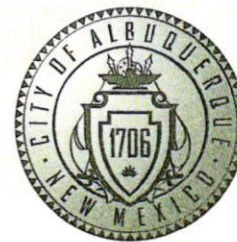
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 24, 2025

Via Email

Re: CPC # 139-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 07/07/2025, B -N y submitted an online complaint to the Civilian Police Oversight Agency (CPOA) regarding an incident that occurred on 06/30/2025 at 1115 hours at 4800 McMahon Boulevard Northwest. Ms. B -N y reported that she was involved in a crash with Officer W who was off-duty but operating an Albuquerque Police Department vehicle in an unsafe and negligent manner when he failed to stop at a stop sign, which resulted in the crash. Officer W exited his Department-issued vehicle smiling and carried on like the crash was no big deal, behaving like a school boy laughing the whole thing off.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer W

Other Materials: Evidence submitted by the Complainant

Date Investigation Completed: October 17, 2025

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.



Policies Reviewed: 2.5.4.A.3

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:

2.5.4.A.3 - It was determined that the crash review board has exclusive authority to review officer-involved crashes. This issue will be "Administratively closed."

1.1.5.A.1 - It was determined, based on OBRD evidence and interviews, that Officer W did not violate the policy in question.

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:

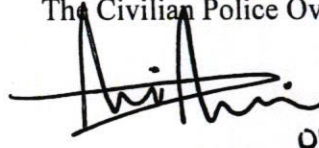
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

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

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Sincerely,
The Civilian Police Oversight Agency by



on behalf of

Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 24, 2025

Via Email

Re: CPC # 139-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 07/07/2025, B -N / submitted an online complaint to the Civilian Police Oversight Agency (CPOA) regarding an incident that occurred on 06/30/2025 at 1115 hours at 4800 McMahon Boulevard Northwest. Ms. B -N / reported that she was involved in a crash with Officer W, who was off-duty but operating an Albuquerque Police Department vehicle in an unsafe and negligent manner when he failed to stop at a stop sign, which resulted in the crash. Officer L was the investigating Officer. Ms. M alleged that none of the officers on scene obtained her statement and Officer L only asked her how fast she was going.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer L

Other Materials: Email Communications and any additional materials not listed above.

Date Investigation Completed: October 17, 2025

FINDINGS

Policies Reviewed: 2.46.4.A.1.g

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.



Policies Reviewed: 2.8.5.A. & 2.48.4.B.1.c

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:

2.46.4.A.1.g. - Officer L did not violate the SOP in question, as Officer L met the standards of conducting the investigation by interviewing the parties involved.

2.8.5.A. - It was confirmed that Officer L failed to activate his OBRD when he initially arrived on the scene while interacting with both Ms. B -N and off-duty officer W for approximately 3 minutes, violating the SOP in question.

2.48.4.B.1.c. - The preponderance of evidence confirmed that Officer L violated the SOP in question as he failed to inventory and list the property in the vehicle that was being towed.

The CPOA recommends a written reprimand and a 8-hour suspension for Officer L.

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 maybe 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 Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

If you have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. Thank you for participating in the process of civilian oversight of the police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Agency by



on behalf of

Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 24, 2025

Via Email

Re: CPC # 144-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 07/09/2025, Anonymous submitted an online complaint to the CPOA regarding an incident that occurred on 07/09/2025 at 0615 hours at the Railrunner Station. Anonymous reported that he was being dropped off for work on public property to board a train to Santa Fe when he was approached by an APD safety aide. The employee yelled vulgar and aggressive language at him and ordered him to *"get off the premises NOW."* Anonymous reported that the conduct was unnecessary, unprofessional, and a clear violation of his constitutional rights. He was not engaged in any illegal activity, was on public property, and there was no justification for the hostile and abusive treatment. The employees' actions displayed a disturbing abuse of authority and a lack of respect for civil rights and public accountability.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: TSO Sergeant C

Other Materials: Email Communications.

Date Investigation Completed: July 23, 2025

FINDINGS

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.

☐

Policies Reviewed: ☐ 1.1.5.A.1 (Conduct)

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.

☐

Policies Reviewed: 2.8.5.B (OBRD)

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: It was determined that TSO Sergeant C failed to treat the public with respect, courtesy, and professionalism at all times.

2.8.5.B: It was determined that TSO Sergeant C failed to record the mandatory recording event.

The CPOA recommends 16 hour suspension for two infractions.

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:

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

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Sincerely,
The Civilian Police Oversight Agency by



on behalf of

Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 10, 2025

Via Email

Re: CPC # 147-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 07/11/2025, Mr. V submitted a telephone complaint to the Civilian Police Oversight Agency (CPOA) staff regarding an incident that occurred on 07/09/2025 at 1700 hours on "Holly/Paseo Del Norte by a gas station." Mr. V reported that he was driving westbound on Paseo Del Norte when he and an officer driving a blue SUV "locked eyes." The officer made a U-turn, followed Mr. V and then pulled him over. Upon approach, Mr. V asked the officer what the problem was and was told that he was pulled over because his license plate was faded. He told the officer that he could not have seen his plate, that they had made eye contact, and that he believed that he was being profiled. Mr. V indicated that the officer violated his constitutional rights by profiling him.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): N/A CAD Report(s): Yes

Complainant Interviewed: No Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer H

Other Materials: email communications

Date Investigation Completed: November 7, 2025

FINDINGS

Policies Reviewed: 1.1.5.A.2

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:

It was determined that the comprehensive evidence --including the OBRD footage, CAD logs, and Officer H's statements --corroborates that the traffic stop was initiated for an objectively articulable reason (a severely faded and unreadable license plate). There is no evidence in the video or dispatch records of profiling, officious behavior, abuse of authority, or bias. Officer H promptly explained the reason for the stop, behaved courteously, provided the complainant with all requested information, and issued only a verbal warning. While the complainant believed he was profiled, there is no evidence in the available records or video to support that claim.

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:

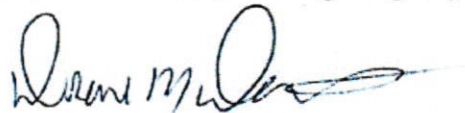
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

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 Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 26, 2025

Via Email

Re: CPC # 149-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 7/17/2025, S submitted a complaint to the CPOA for an incident on 7/13/2025 at approximately 2045 hours at "Starbucks Coffee 1000 Rio Grande Blvd NW." Mr. S reported that Officer M had arrested him even though he had paperwork from a judge stating he did not have a warrant. He reported that Officer M left him in the back of his police vehicle without air for approximately 20 minutes. He reported that Officer M cursed at him and slammed the vehicle door in his face. He reported that Officer M used force on him that caused him injury to his wrists and shoulder. He reported that Officer M acted completely outside the scope of his professional duties, and rather than pursue the dangerous issue he was dispatched to address in the first place, he attempted to wrongfully arrest him.

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: Officer M

Other Materials: Email communication, nmcourts.gov document, NCIC radio transmission

Date Investigation Completed: November 14, 2025

FINDINGS

Policies Reviewed: 1.1.5.A.1 & 2.52.5.B.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.



Policies Reviewed: 2.71.4.A.1

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.



Policies Reviewed: 2.8.5.B & 2.82.4.B.9

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: It was determined that Officer M had treated Mr. S with respect, courtesy, and professionalism. There was no evidence of being targeted or officiousness.

2.8.5.B: It was determined that Officer M had not activated his OBRD prior to contacting Mr. Sykes upon returning to the Starbucks Coffee parking lot, and that it was a mandatory recording event. There was no emergency situation that required Officer M to act immediately to preserve life or safety.

2.52.5.B.1: It was determined that Officer M had not used any force against Mr. S when he handcuffed him and sat him in the back seat of his police vehicle, nor did Mr. S complain of any injuries while on scene.

2.71.4.A.1: It was determined that Officer M called Mr. S back on pretense, arrested and searched him before the warrant was confirmed, and delayed his release by seeing if a summons could be converted to a warrant.

2.82.4.B.9: It was determined that Officer M did not document the use of restraints in the narrative of Uniform Incident Report 25-0057491. The CPOA recommends a 24 hour suspension for the various infractions.

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:

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- 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 maybe re-opened if additional information becomes available. Please provide your additional information in writing to the CPOA Director as listed above.

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 26, 2025

Via Email

Re: CPC # 151-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 07/20/2025, B submitted an online complaint to the Civilian Police Oversight Agency (CPOA) regarding an incident that occurred on 07/20/2025 at 1004 hours at 1721 53rd Street Northwest. Ms. B reported that Sgt. S approached her and her daughter while they were unloading groceries and asked her if she had been driving the vehicle, to which she advised that she had been. Sgt. S proceeded to make false statements regarding her driving and quickly became hostile when she disagreed with him. Sgt. S admitted to not having proof yet demanded her credentials, which she provided. Sgt. S asked for her telephone number, but she declined to provide it, and he advised her that she would receive a court summons via mail.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Sgt. S

Other Materials: Video evidence submitted by complainant

Date Investigation Completed: November 14, 2025

FINDINGS

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.

☐

Policies Reviewed: 1.1.5.A.4

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:

The evidence showed that Sgt. S initiated and carried out the contact with Ms. B as a traffic-related enforcement action, but did not alert the Emergency Communications Center (ECC) before engaging her, only notifying dispatch several minutes after he was already on scene. This failure to notify ECC prior to the stop represents an officer safety issue, Sgt. S remained engaged in a steadily escalating confrontation with Ms. B and agreed he was frustrated with her lack of acceptance of what he observed regarding her driving behaviors. Sgt. S had not provided his name, agency, or reason for stop initially before asking questions. The draft report was delayed and not completed within the required time. Sgt. S determined rather than a warning he would issue summons. The CPOA recommends a 16 hour suspension.

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:

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

November 26, 2025

Via Email

Re: CPC # 153-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 07/22/2025, G submitted a telephone complaint to the CPOA staff regarding an incident that occurred on 07/07/2025. Mr. G reported that he was arrested, and the officer took his telephone, keys, and wallet and placed them on the hood of a patrol vehicle. The items were not returned upon release, and an attorney contacted him, advising that the officer had left them on the patrol vehicle's hood.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer M

Other Materials: Email Communications & Citizen Provided Evidence.

Date Investigation Completed: November 13, 2025

FINDINGS

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.

☐

Policies Reviewed: 2.73.5.A.1 (Evidence & Property)

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.

☐

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☐

Additional Comments:

2.73.5.A.1: It was determined that Officer M took custody of Mr. G possessions and failed to properly safeguard them, resulting in their subsequent loss. The CPOA recommends a written reprimand.

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:

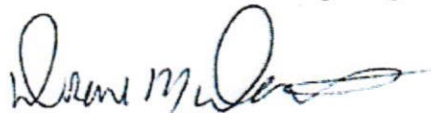
- 1) A policy was misapplied in the evaluation of the complaint;
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The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police