Civilian Police Oversight Agency Board

Eric Olivas, Chair *Chantal M. Galloway, Vice-Chair*
Tara Armijo-Prewitt *Jesse Crawford* *Patricia J. French*
Dr. William J. Kass *Eric Nixon* *Gionne Ralph*
Diane McDermott, Interim Executive Director

BOARD AGENDA

Thursday, December 9, 2021 - 5:00 p.m.

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Thursday, December 9, 2021 at 5:00 pm will be held via Zoom video conference.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at: https://www.cabq.gov/culturalservices/govtv, or on YouTube at: https://www.cabq.gov/cpoa/events/cpoa-board-meeting-12-09-2021. (Please note that the link for YouTube has not yet been generated, however, the link could easily be found on the link provided above prior to the start of the meeting). The GOVTV live stream can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the CPOA Board will also remain available for viewing at any time on the CPOA's website. CPOA Staff is available to help members of the public access pre-recorded CPOA meetings on-line at any time during normal business hours. Please email CPOA@cabq.gov for assistance.

Public Comment: The agenda for the meeting will be posted on the CPOA website by 5:00 p.m., Monday, December 6, 2021 at www.cabq.gov/cpoa.

The CPOA Board will take general public comment and comment on the meeting's specific agenda items in written form via email through 4:00 pm on Thursday, December 9, 2021. Submit your public comments to: POB@cabq.gov. These comments will be distributed to all CPOA Board members for review.

I. **Welcome and call to order**

II. **Mission Statement** – ***Eric Olivas, Chair***

"Advancing Constitutional policing and accountability for APD and the Albuquerque Community."

III. **Approval of the Agenda**

IV. **Public Comments**

V. **Review and Approval of Minutes from November 4, 2021**

VI. Requests for Reconsideration

a. **030-21**
b. **101-21**
c. **122-21**

VII. Request to Re-open Administratively Closed Case

a. **115-21**

VIII. Review of Cases:

a. **Administratively Closed**
138-21 131-21 164-21

b. **Exonerated**
153-21

c. **Sustained and Sustained Violation NBOOC**
155-21

d. **Sustained Violation NBOOC, Exonerated, Unfounded and Administratively Closed**
148-21

e. **Sustained Violation NBOOC, Exonerated and Administratively Closed**
140-21

f. **Sustained, Not Sustained and Unfounded**
134-21 149-21

g. **Unfounded**
145-21 146-21 154-21 158-21 215-21

h. **Unfounded and Exonerated**
135-21 137-27 147-21

IX. Non-Concurrence Cases

a. **CPC 067-21**
b. **CPC 095-21**

X. Serious Use of Force Cases/Officer Involved Shooting

a. **20-0015405 HC**
b. **20-0017623**
c. **20-0037586**
d. **20-0043667**
e. **20-0044826 OIS**
f. **19-0077270 OIS**

g. **File Requests:**
   1. **18-0058242 OIS Investigation File**
   2. **21-0013737 OIS Investigation File**

h. **Proposed Case(s) for January 2022 Review:**
   1. **16-0003286**
   2. **19-0051831**
   3. **20-0007132**
   4. **20-0009417**
   5. **20-0031830**
   6. **20-0042176**
   7. **20-0055810**

XI. Discussion and Possible Action:

a. **Consideration of PPRB Policies with No Recommendation: -** ***Dr. William Kass***
b. **Traffic Stops Data Request –** ***Dr. William Kass***
c. **Consideration of Proposed Changes to SOP 3-41 Complaints Involving Department Personnel –** ***Patricia French***
d. **Consideration of Proposed MOU between the City of Albuquerque, CPOA/CPOAB and APOA on OIS/SUOF Materials –** ***Tina Gooch, CPOA Counsel***
e. **Non-Concurrence Letter to APD Update –** ***Eric Nixon***
f. **IMR-14 and Letter to the Court –** ***Eric Olivas and Tina Gooch, CPOA Counsel***
g. **CPOA Ordinance Changes and CRC Ordinance Recommendations –** ***Patricia French***
h. **Consideration of Executive Director Resignation Acceptance Letter -** ***Eric Olivas***
i. **Consideration of Supplemental Questions for CPOA Executive Director Applicants –** ***Eric Olivas***
j. **Consideration of Changes to Proposed Timeline and Process for CPOA Director Appointment –** ***Eric Olivas***
k. **Consideration of Communications to Stakeholder Groups on CPOA Executive Director Appointment –** ***Eric Olivas***
l. **Budget Process and Requests –** ***Diane McDermott, Interim Executive Director***
m. **Update on Board Requested Training –** ***Diane McDermott, Interim Executive Director***
   -Robert Rules of Order Training
   -City Legal Board Training
   -CPOA Investigative Training
n. **Changes to Initial Training –** ***Eric Olivas***
o. **CPOA Board Subcommittee Assignments –** ***Eric Olivas***
p. **Draft January - June 2021 Semi-Annual Report –** ***Diane McDermott, Interim Executive Director***

q. **Board Member Responsibilities – *Eric Olivas***
-New Member Training Requirements
-8 Hour Annual Training Requirement
-Annual Board Member Review Meetings
-Member Review Process – Member Ralph

XII. Meeting with Counsel re: Pending Litigation or Personnel Issues:

Closed Discussion and Possible Action re: Pending Litigation or Personnel Issues

a. **Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)**

XIII. Other Business

XIV. Adjournment- *Next Regularly scheduled CPOA Board meeting will be on January 13, 2022 at 5:00 p.m.*

CITY OF ALBUQUERQUE

December 10, 2021

Re: CPC# 101-21

Dear Ms. K :

The Board may grant an Appeal only upon the complainant's timely request offering proof that:

A) The APD policy or APD policies that were considered by the CPOA were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the CPOA were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the CPOA had no explanation that would lead to the conclusion made by the CPOA; or,
D) The findings by the POB were not supported by evidence that was available to the CPOA at the time of the investigation.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On December 9, 2021 the Board considered your submission for Appeal and request for hearing. The Board deemed your request did not meet the standards set forth in City of Albuquerque's Oversight Ordinance. Therefore, your request for hearing in front of the Board has been denied.

Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Re: CPC# 122-21

Dear Mr. A :

The Board may grant an Appeal only upon the complainant's timely request offering proof that:

A) The APD policy or APD policies that were considered by the CPOA were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the CPOA were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the CPOA had no explanation that would lead to the conclusion made by the CPOA; or,
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PO Box 1293

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1941

Re: CPC # 138-21

Dear L C :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

On 07/20/2021, complainant L C expressed that an unknown officer in the department is eyeing her and filtering information about her to neighbor M C showed surveillance video from her cell. The video depicted an APD Unit parking in F driveway ( ). The officer walked into the house and was there for 23 minutes. The officer's face or unit number of the vehicle were unidentifiable from the video. C stated that the officer does not live there. She expressed concern that APD personnel is working with P to potentially jeopardize her ability to obtain a position at a hospital. Attached are various reports from 2021 and 2015 related to issues with her neighbors.

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: No

APD Employee Involved: unknown officer

Other Materials: videos from C , NM Courts search

Date Investigation Completed: October 15, 2021

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.	☐
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:

This investigation revealed APD Records was unable to produce any CADs or APD reports for calls of service related to C complaints. Also, no officer lapel videos were found in relation to the incident. Based on the fact that no incident was found (as supported by the lack of call for service), there was no specific information provided by C , and there was no evidence to support the claims, this case should be Administratively Closed.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1965

Re: CPC # 131-21

Dear Mr. V :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

On 7/2/2021 at 3:00am, R V reported a Breaking and Entering/Vandalism at his place of business; the dispatcher said she would call back. She called back three hours later and asked if police were still needed and V said yes. However, the officers were dispatched to V home instead of being dispatched to his business location. V stated he never gave the dispatcher his home address or phone number. It is concerning that there is a glitch in the system. V also reported the daytime dispatcher was yelling at 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: N/A

APD Employee Involved: N/A

Other Materials: CAD Call Logs, Operator Audio calls

Date Investigation Completed: October 8, 2021

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.	☐
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:

Based on the fact that no incident was found (as supported by the lack of call for service), there was no specific information provided by V , and there was no evidence to support the claims, this case should be Administratively Closed.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7418

Re: CPC # 164-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. T E -V eported that on 08/09/2021, she received a call from Officer A. Ms. T E -V reported Officer A stated that C G (Ms. T B -V 's sister) had told Officer A that Ms. T B -V was calling and harassing Ms. . Ms. T B V reported she wanted to know why Officer A called Ms. T . B -V as it frightened her when she did not do anything. Ms. T B -V reported she was frightened when Officer A wanted her I.D with no justification of the matter. Ms. T . E -V a reported she did not want any APD officers approaching or harassing her on the phone or at home

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: N/A

APD Employee Involved: Officer A

Other Materials:

Date Investigation Completed: October 22, 2021

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.	☐
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 CPOA Investigator was unable to locate the incident based on the information provided.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1989

Re: CPC # 153-21

Dear Mr. P

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Perea filed a report against Det. G; he stated Det. G did not complete an interview of him (as the suspect) in a fraud case against his sister B n and their deceased father and took F ; statement as his own testimony. On 02/18/2021, B reported F forged checks from their father's account. Det. G tried reaching out to P via text. The text asked if P would speak on the fraud allegation. P responded by telling Det. G to talk to his lawyer. Det. G responded "No thanks". Another text that was sent from P attorney to Det. G asking if he wanted to talk and Det. G again declined. P felt if the detective had interviewed him he would have obtained the information necessary along with the supporting documentation to show there was no fraud committed.

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: Det. G

Other Materials: texts, bank statement, checks, will, POA, amended will, cease and desist

Date Investigation Completed: November 19, 2021

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: ***2-60-4 A5 A, B, D, F***

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:

There's no enough evidence to support P claim that Det. G failed to comply with SOP 2-60-4 A5 A, B, D, F. The text written by P to Det. G appeared that P was excusing himself in talking alone with Det. G. P response was for Det. G was to get a hold of P , attorney at a later date and time, but Det. G said he was definitely not going to interview the attorney alone. Det. G suspected fraud from the evidences obtained so he referred the case to the DA for further review, therefore, **2-60-4 A5 A, B, D, F is EXONERATED.**

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
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Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 9296 7432

Re: CPC # 155-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. M reported one of the officers who arrived on scene did not apply professional protocol, was immediately hostile, seemed annoyed and was almost angry. Ms. M reported the officer made it clear from the beginning that he had aligned himself with Mr. G side of the story. Ms. M reported that the officer did not ask Ms. M what happened and did not seem interested in understanding the situation.

Ms. M reported that she tried to explain to the officer that she found meth and drug paraphernalia and that was the basis for her anger towards Mr. C . Ms. M : reported when she asked the officer if he wanted to see the meth, the officer advised Ms. M "well I'll just say it was yours."

EVIDENCE REVIEWED:

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

Complainant Interviewed: No Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer W

Other Materials:

Date Investigation Completed: November 17, 2021

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: 1-1-5A.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: 2-92-4C.4.b.i

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:

You have the right to appeal this decision.

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B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7456

Re: CPC # 148-21

Dear Ms. H

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

C A alleged Officer S served a protection order on her from I F C alleged A F is the mother-in-law of Officer G and E R is the girlfriend of Officer G. C alleged Officer G had Officer S serve the protection order on her. C alleged Officer S was snotty, rude, demanding, overpowering, and aggressive.

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: N/A

Date Investigation Completed: November 2, 2021

FINDINGS

Policies Reviewed: Conduct 1-1-5C3

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: Conduct 1-1-5A1

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: DV 4-25-3F1d

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: OBRD 2-8-5D

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 investigator determined, by clear and convincing evidence, that the alleged misconduct did not occur as no evidence was offered or located which showed Officer S was influenced by Officer G or served the protection order at the request of Officer G.

The investigator determined, by a preponderance of the evidence, that some of the conduct occurred, but did not violate policies, procedures, or training.

The investigator determined a policy violation occurred not based on the original complaint as Officer S did not have the ECC check to see if the protection order had already been served prior to serving it.

The investigator determined Officer S deactivated his OBRD, but had no known disciplinary history, the policy violation was of a minor nature, did not constitute a pattern of misconduct, and based on the totality of circumstances it appeared Officer S believed the law enforcement-related contact had ended and a private conversation had begun.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7456

Re: CPC # 148-21

Dear Ms. H :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

C H alleged Officer J assisted when another officer served a protection order on her from L F . C alleged A F is the mother-in-law of Officer G and E R is the girlfriend of Officer G. C alleged Officer G had officers serve the protection order on her. C had no other complaints reference Officer J and alleged he was nice.

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: No

APD Employee Involved: Officer J

Other Materials: N/A

Date Investigation Completed: November 2, 2021

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.	☐
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: Conduct 1-1-5C3 & OBRD 2-8-5D

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 investigator determined this complaint did not merit subpoenaing Officer J, since he is no longer with the department, as there were no observed policy violations, and Officer J served as backup and had no specific complaints reference him. The complainant said Officer J was nice.

The investigator determined Officer J deactivated his OBRD, but had no known disciplinary history, the policy violation was of a minor nature, did not constitute a pattern of misconduct, and based on the totality of circumstances it appeared Officer J believed the law enforcement-related contact had ended and a private conversation had begun.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

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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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7456

Re: CPC # 148-21

Dear Ms. F

COMPLAINT:

C H alleged two officers served a protection order on her from L a F C alleged A ; F was the mother-in-law of Officer G and E . R was the girlfriend of Officer G. Carol alleged Officer G was getting involved in a family matter that was not his business by guiding A through the process and having his officer friends serve the protection order.

PO Box 1293

Albuquerque

NM 87103

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 G

Other Materials: N/A

Date Investigation Completed: November 2, 2021

FINDINGS

Policies Reviewed: Conduct 1-1-7D5

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:

The investigator determined, by clear and convincing evidence, that the alleged misconduct did not occur as no evidence was offered or located which showed Officer G influenced the obtaining or serving of the protection order.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7463

Re: CPC # 140-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. V reported while in the booking area at MDC, he was beat up by APD Officers. Mr. V reported both of his shoulders where out of socket, his face was tore up and his wrists were swollen due to the misconduct while sitting for what seemed like hours in booking well others came in and got processed.
Mr. V reported he advised he needed the restroom but he received nothing but laughs and shut ups.
Mr. V reported that shortly after moving around to try and ease his pain, his pants fell down, exposing Mr. V to everyone in the booking and receiving area. Mr. V reported they left him there for hours like that. Mr. V reported he ended up pissing himself and sat in it for an hour or more

EVIDENCE REVIEWED:

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

Complainant Interviewed: No Witness(es) Interviewed: N/A

APD Employee Interviewed: No

APD Employee Involved: Officer A

Other Materials:

Date Investigation Completed: November 12, 2021

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.	☐
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:

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:

Officer A was not interviewed and he no longer worked for APD. The investigation determined if the officer had been here the findings would have been similar to the other officers (not the responding sergeant) and not have sustained policy violations.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
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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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7463

Re: CPC # 140-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. V reported while in the booking area at MDC, he was beat up by APD Officers. Mr. V eported both of his shoulders where out of socket, his face was tore up and his wrists were swollen due to the misconduct while sitting for what seemed like hours in booking well others came in and got processed.
Mr. V reported he advised he needed the restroom but he received nothing but laughs and shut ups.
Mr. V a reported that shortly after moving around to try and ease his pain, his pants fell down, exposing Mr. V to everyone in the booking and receiving area. Mr. V reported they left him there for hours like that. Mr. V reported he ended up pissing himself and sat in it for an hour or more

EVIDENCE REVIEWED:

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

Complainant Interviewed: No Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer B

Other Materials:

Date Investigation Completed: November 12, 2021

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: Procedural Order 2-52-5C.1 and General Order 1-1-5A.1

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:

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

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C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
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Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7463

Re: CPC # 140-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. V. :eported while in the booking area at MDC, he was beat up by APD Officers. Mr. V reported both of his shoulders where out of socket, his face was tore up and his wrists were swollen due to the misconduct while sitting for what seemed like hours in booking well others came in and got processed.
Mr. V i reported he advised he needed the restroom but he received nothing but laughs and shut ups.
Mr. \ reported that shortly after moving around to try and ease his pain, his pants fell down, exposing Mr. V to everyone in the booking and receiving area. Mr. V reported they left him there for hours like that. Mr. V . reported he ended up pissing himself and sat in it for an hour or more

EVIDENCE REVIEWED:

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

Complainant Interviewed: No Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer U

Other Materials:

Date Investigation Completed: November 12, 2021

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: Procedural Order 2-52-5C.1 and General Order 1-1-5A.1

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:

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
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Administratively closed complaints may be re-opened if additional information becomes available.

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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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

November 15, 2021

Via Certified Mail

7020 1810 0000 6296 7463

Re: CPC # 140-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. V a reported while in the booking area at MDC, he was beat up by APD Officers. Mr. V reported both of his shoulders where out of socket, his face was tore up and his wrists were swollen due to the misconduct while sitting for what seemed like hours in booking well others came in and got processed.
Mr. V reported he advised he needed the restroom but he received nothing but laughs and shut ups.
Mr. V a reported that shortly after moving around to try and ease his pain, his pants fell down, exposing Mr. V a to everyone in the booking and receiving area. Mr. V reported they left him there for hours like that. Mr. V reported he ended up pissing himself and sat in it for an hour or more

EVIDENCE REVIEWED:

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

Complainant Interviewed: No Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Sergeant J

Other Materials:

Date Investigation Completed: November 12, 2021

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. ☐

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: 2-57-3C.1.a and 2-57-3C.1.h

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:

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7449

Re: CPC # 134-21

Dear Mr. A :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

You filed a complaint against (APD) Mr. G. Mr. G blocked your access to his Twitter (social media) account that he uses for official dept business. On 06/08/2021, Mr. G posted a Tweet saying, "I hear some trolls are butt hurt because I blocked them. They're trolls. Nothing to see here." You stated, "To be clear, my reporting has been showcased on all three local TV outlets, in local newspapers, in local blogs, and gone viral across worldwide accessible social media outlets. Far from... 'trolling' or 'nothing to see here'. Mr. G's blocking anyone's access to any of his official social media accounts can only be recognized as retaliation. I believe Mr. G's actions violate but are not limited to APD SOPs concerning Conduct, Social Media Usage, and Retaliation."

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Mr. G

Other Materials: Twitter page, tweets, retweets, responses; court cases, City admin regs

Date Investigation Completed: November 11, 2021

FINDINGS

Policies Reviewed: 1-2-5 N

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: 1-1-4A; 1-2-4 A1, 1-1-5 A1

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

Policies Reviewed: 1-2-5 F; 1-1-4 7A

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:

1-1-4A, 1-2-4 A1, 1-1-5 A1 are **SUSTAINED** due to Twitter evidence and photos showing Mr. G blended his personal account with APD-related materials. Because of the blending, this has caused public confusion. Mr. G became a "government actor". He then blocked A from the account, which he is unable to do so. Tweets obtained also show Mr. G was using terms such as "trolls butthurt" on the account, which is a violation of general conduct.

1-2-5 N is **UNFOUNDED.** Regarding Mr. G's personal Twitter account being linked to his City email, there was no evidence found that would link the two. Over 2228 City emails (including duplicates) from 03/01/2021 - 09/01/2021 were retrieved and reviewed. There were zero (0) Twitter notifications linking G City email account to his personal Twitter account.

1-2-5 F and 1-1-4 7A are **NOT SUSTAINED.** The 08/2020 tweet pertaining to a shooting was already dealt with from the previous police chief and there was no specific person or persons that could be identified that were tied to the allegation of "lowered morale". The original transcript was never provided by the journalist to compare whether or not Mr. G's "out of its lane" comment was ever taken out of context.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
C) The findings of the Board had no explanation that would lead to the conclusion made by the Board; or,
D) The findings by the Board were not supported by evidence that was available to the Board at the time of the investigation.

Administratively closed complaints may be re-opened if additional information becomes available.

If you are not satisfied with the final disciplinary decision of the Chief of Police you can request a review of the complaint by Albuquerque's Chief Administrative Officer. Your request must be in writing and within 30 days of receipt of this letter. Include your CPC number.

If you have a computer available, we would greatly appreciate your completing our client survey form at http://www.cabq.gov/cpoa/survey.

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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7494

Re: CPC # 149-21

Dear M A

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

M. A ıbmitted a complaint alleging Officer C took a battery report from off-duty Officer C-H and off-duty Officer A, and believed Officer C filed the report as a favor to the officers. Ms. A alleged Officer A insulted, harassed, and intimidated her and made false statements on the battery report.

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: No

APD Employee Involved: Officer A

Other Materials: N/A

Date Investigation Completed: October 29, 2021

FINDINGS

Policies Reviewed: Conduct 1-1-7D5

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.	☐

Policies Reviewed: Conduct 1-1-6A1

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 investigator determined, by clear and convincing evidence, the alleged misconduct did not occur as no evidence was offered or located which indicated Officer C filed the report as a favor to Officer A.

The investigator was unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct occurred or did not occur as no evidence was offered or located which indicated Officer A insulted, harassed, or intimidated Ms. A in a way that violated policies, procedures, or training. The investigator was unable to determine one way or the other if Officer A made false statements on the battery report, but the investigator was able to determine that Officer C failed to accurately report the information received from Officer A.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
B) The APD policy or APD policies considered by the Board were chosen randomly or they do not address the issues in your complaint; or,
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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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7494

Re: CPC # 149-21

Dear M A :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

M A submitted a complaint alleging Officer C took a battery report from off-duty Officer C-H and off-duty Officer A, but did not contact her for her statement as the alleged suspect and believed Officer C filed the report as a favor to the officers.

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: N/A

Date Investigation Completed: October 29, 2021

FINDINGS

Policies Reviewed: Conduct 1-1-5C3

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: Investigation 2-60-4A5b,d,f

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 investigator determined, by clear and convincing evidence, the alleged misconduct did not occur as no evidence was offered or located which indicated Officer C filed the report as a favor to the off duty officers.

The investigator determined, by a preponderance of the evidence, the alleged misconduct did occur as no evidence was offered or located which indicated Officer C contacted or attempted to contact Ms. A or attempted to secure the parking lot video footage of the incident. The investigator determined, by a preponderance of the evidence, Officer C failed to accurately report the incident.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7470

Re: CPC # 145-21

Dear Ms. D :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

On 7/22/2021 at 10pm, I heard a knock on my door. I looked through the peephole and no one was there. All of a sudden, a voice said "Albuquerque Police" and I opened the door. When I saw Officer C again, I started to close the door. Officer L asked if I still needed police and I said yes. I told Officer L only he could come in, but he said no; I then let them both in. I explained what was going on. I showed a picture of what "Gilda" looked like. I then told them I wanted a written report; he said that he needs more information to press charges. D alleged Officer C said, "Jewish whore bitch, word for word. And I hate you because you're Jewish." I am seeking is Officer C to be fired because he's an antisemitic (anti-Jewish) jerk.

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: n/a

Date Investigation Completed: October 31, 2021

FINDINGS

Policies Reviewed: 1-1-5 A2

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:

Video footage shows Officer C never made the comments to D "Jewish whore bitch, word for word. And I hate you because you're Jewish." D is seen twice apologizing to Officer C. Due to the lack of evidence, ***1-1-5 A2 is unfounded.***

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1972

Re: CPC # 146-21

Dear F D :

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Officer T came to my apartment earlier this month in response to manager S breaking and entering and stealing my vintage M N earrings, A F) Girl Next Door cd, boxed cd collection by Disney, Frankie Avalolon's Greatest Hits, Benny Goodman's Greatest Hits, The 20's, 30's, 40's cd, Big Band CD from WW11, The 50's vintage record shaped cds, The 50's Box Set, etc.. I told Officer T that S put the master key in my lock trying to break and enter. He purposely didn't give a crum about this and then he started arguing with me. He did not come to my house when requested. D is seeking for the dirty, corrupt, antisemitic, and anti-Israel police Officer T, to be fired immediately or will have no choice but to sue the City of Albuquerque.

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: Yes

APD Employee Interviewed: No

APD Employee Involved: Officer T

Other Materials: n/a

Date Investigation Completed: October 31, 2021

FINDINGS

Policies Reviewed: *1-1-5 A2, 2-60-4 a5*

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:

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:

Video shows Officer T pulled up to the vicinity street corner of where D lives. Video shows he made contact with her and discussed what was going on and what items were allegedly taken. APD and CAD records show the items as documented and that Officer T conducted a proper investigation; there is insufficient evidence to support D claims therefore, ***2-60-4 a5 is unfounded.***

Video shows Officer T was nothing but polite, professional and courteous toward D Not once did he ever make antisemitic remarks toward D as claimed, therefore, ***1-1-5 A2 is unfounded.***

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7494

Re: CPC # 149-21

Dear M A

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

M A submitted a complaint alleging Officer C took a battery report from off-duty Officer C-H and off-duty Officer A, and believed Officer C filed the report as a favor to the officers. Ms. A alleged Officer C-H insulted, harassed, and intimidated her and opened the door to Ms. A vehicle after being told not to. Ms. A alleged Officer C-H said she scratched her when she had not.

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-H

Other Materials: N/A

Date Investigation Completed: October 29, 2021

FINDINGS

Policies Reviewed: Conduct 1-1-7D5

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: Conduct 1-1-6A1

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 investigator determined, by clear and convincing evidence, the alleged misconduct did not occur as no evidence was offered or located which indicated Officer C filed the report as a favor to Officer C-H.

The investigator determined, by a preponderance of the evidence, Officer C-H did open and enter Ms. A vehicle without consent and after being told repeatedly not to do so by Ms. A escalating the incident to a level where a battery allegedly occurred. The investigator was unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct occurred or did not occur as no evidence was offered or located which indicated Officer C-H lied or insulted, harassed, or intimidated Ms. A in a way that violated policies, procedures, or training.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1637

Re: CPC # 154-21

Dear Ms. D t:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

According to complainant R D "Officer P purposely tried to trick me into being admitted to a psyche hospital with the lame excuse I need help with my severe anxiety problem, which was the result of the breaking and entering thefts. After they left, I filed a complaint; corrupt Officer P needs to be fired immediately because he was obstructing justice."

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): No

Complainant Interviewed: Yes Witness(es) Interviewed: Yes

APD Employee Interviewed: N/A

APD Employee Involved: Officer P

Other Materials: n/a

Date Investigation Completed: November 29, 2021

FINDINGS

Policies Reviewed: *2-19-6 C7*

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:

Nowhere in the lapel videos does it show Officer P forcing or threatening D into going to a psyche hospital. D argued with medical staff and the officers and focused on the possible theft; eventually, once she calmed down, she voluntarily agreed to go to Lovelace Hospital with Officer P's partner. *2-19-6 C7* will be **UNFOUNDED.**

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1637

Re: CPC # 154-21

Dear Ms. D .

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

According to complainant R D ı, "Officer H purposely tried to trick me into being admitted to a psyche hospital with the lame excuse I need help with my severe anxiety problem, which was the result of the breaking and entering thefts. I told H to take me to Lovelace. After they left, I filed a complaint; corrupt Officer H needs to be fired immediately because he was obstructing justice." Complainant D n also stated that when Officer H arrived to her home on 08/04/2021, he told her that she was a "stupid retard, that she had anxiety, was crazy and delusional".

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): No

Complainant Interviewed: Yes Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer H

Other Materials: n/a

Date Investigation Completed: November 29, 2021

FINDINGS

Policies Reviewed: *2-19-6 C7, 1-1-5 C2*

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:

Nowhere in the lapel videos does it show Officer H forcing or threatening D into going to a psyche hospital. D argued with medical staff and the officers and focused on the possible theft; eventually, once she calmed down, she voluntarily agreed to go to Lovelace Hospital with Officer H. *2-19-6 C7* will be **UNFOUNDED.**

Also, Nowhere in the lapel videos does it show Officer H ever using the words "stupid retard, that she had anxiety, was crazy and delusional" or ever saying those words to D . *1-1-5 C2* will be **UNFOUNDED.**

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

The Board may grant a Request for Reconsideration only upon the complainant offering proof that:

A) The APD policy or APD policies that were considered by the Board were the wrong policies or they were used in the wrong way; or,
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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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7425

Re: CPC # 158-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. M reported that she wanted to know why a summons was not completed as far as she knew. Ms. M eported that her ex fiancé (Mr. H) was very persuasive and Ms. M elt that the officer believed Mr. H Ms. M reported that on the police report, it noted domestic violence on a household member but no summons was given to Mr. H and no arrest was made

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: No

APD Employee Involved: Officer G

Other Materials:

Date Investigation Completed: November 15, 2021

FINDINGS

Policies Reviewed: 4-25-3A.2.b

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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Additional Comments:

The CPOA Investigator obtained verification that a Criminal Complaint (summons) was indeed completed for Mr. H o on 12/31/2020.

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1644

Re: CPC # 215-21

Dear Ms. M

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

M eported Officer A and his partner responded to a call made by neighbor R P P reported having housing-related issues with Montoya and was very frustrated in dealing with M . M a said she captured the frustration as she watched her security footage and overheard P make threats, "She's getting mad at me and we are going to get into it." M a stated Officer A failed to warn P about making threats and failed to tell M that she was being threatened. After speaking with P r, Officer A spoke to M M said there were no issues but was violating the HOA. According to M Officer A "pulled" her out of her home for an "interrogation", she explained these issues were HOA's jurisdiction, however, Officer A continued questioning her.

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer A

Other Materials: Officer G interview (witness); additional written complaint by M

Date Investigation Completed: November 22, 2021

FINDINGS

Policies Reviewed: 1-1-5 A1, 1-1-5 A4

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:

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:

According to lapel videos, there were no violations that occurred. Officer A was friendly, professional and helpful towards Mc . Footage showed M willingly coming out of her home after she was asked to speak about her issues with P . Footage showed M telling the officers to come out to the front yard so they could speak; there was no humiliation, no embarrassment, no "picking on" or intimidation and M never told the officers she felt scared or uncomfortable at any time. M did not appear frightened at any time during her interview and said she appreciated the talk and thanked the officers for their service. The investigation determined, by clear and convincing evidence, that the alleged misconduct presented by M did not occur. 1-1-5 A1 and 1-1-5A4 will be **UNFOUNDED.**

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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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
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7018 1130 0002 3429 1958

Re: CPC # 135-21

Dear Ms. B

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. B ... said a firearm was pulled on her by A K on 08/07/2020 and the police did nothing about it. An argument ensued and K nded aiming and cocking a weapon during the argument. B said she felt threatened and Sgt. L didn't do anything and did not arrest A K because she discovered they are sisters.

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. L

Other Materials: Video and text from B ; complaint letter from K

Date Investigation Completed: October 26, 2021

FINDINGS

Policies Reviewed: *1-1-5 C3*

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: *2-60-4 A5 a-e*

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:

Lapel videos were reviewed and interviews from witness officers were obtained. Neither B C nor M were able to produce evidence that a firearm was furnished during the incident, therefore, *2-60-4 A5 a-e* **is exonerated.**

Also, no proof or evidence was provided to support the allegation that Sgt. L and A k were sisters, therefore, *1-1-5 C3* **is unfounded.**

You have the right to appeal this decision.

If you are not satisfied with the findings of the CPOA within 30 days of receipt of this letter communicate your desire to appeal in a signed writing to the undersigned. Include your CPC number.

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Certified Mail

7020 1810 0000 6296 7487

Re: CPC # 137-21

Dear Ms. D[redacted]:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

On 07/08/2021, Officer C told me (R[redacted] D[redacted]), that it wasn't illegal for the manager where I live to look inside my kitchen windows. It's illegal stalking, so I told him to leave. D[redacted] stated she wanted "the white not Jewish racist & corrupt officer to be fired".

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer C

Other Materials: PROPERTY LAW 2020 NM Statutes Property Law 47-8-24

Date Investigation Completed: October 15, 2021

FINDINGS

Policies Reviewed: *1-1-5 A2*

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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Policies Reviewed: *1-1-5 G1*

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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Additional Comments:

Lapel video and CAD report explained to D that looking into the back window was not inherently illegal. Officer C did not provide D with incorrect information at any time during his visit, therefore, ***1-1-5 G1 is exonerated.***

Video evidence shows Officer C never made any biased based or anti-semitic remarks, therefore, ***1-1-5 A2 is unfounded.***

You have the right to appeal this decision.

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Email

Re: CPC # 147-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. D reported that while her son was driving home northbound on Tramway there was an officer who was driving westside on Spain. Ms. D reported the officer proceeded to run a red light and catch up to her son. Ms. D reported the officer then put his light bar on, blinding her son and caused her son to be run off the road. Ms. D reported her son wrecked her car and the officer caused the accident.

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:

Date Investigation Completed: October 28, 2021

FINDINGS

Policies Reviewed: 1-1-4F.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.	☑
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Policies Reviewed: 1-1-4D.15 & 1-1-4E.3

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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Additional Comments:

Lapel Video showed that when Officer C arrived on scene your son's vehicle was already parked on road with hazard lights on facing oncoming traffic. Your son was not in the vehicle when Officer C arrived on scene.

A review of Lapel Video, confirmed your son advised officers on scene that the cause of accident was from hitting a curb and fishtailing.

You have the right to appeal this decision.

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Sincerely,
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Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

December 10, 2021

Via Email

Re: CPC # 147-21

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Ms. D reported that while her son was driving home northbound on Tramway there was an officer who was driving westside on Spain. Ms. D reported the officer proceeded to run a red light and catch up to her son. Ms. D reported the officer then put his light bar on, blinding her son and caused her son to be run off the road. Ms. D reported her son wrecked her car and the officer caused the accident.

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: N/A

APD Employee Interviewed: No

APD Employee Involved: Lt. P

Other Materials:

Date Investigation Completed: October 28, 2021

FINDINGS

Policies Reviewed: 3-13-3B.3a

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:

Per the lapel Video, while in the presence of Lt. P, the tow truck driver advised Ms. D that it was up to her in regards to where she wanted the vehicle towed to.
While in the presence of Lt P :, the tow truck driver did not mention anything about taking cash only.

During the interview with Ms. D , she stated that she never gave the tow truck driver any cash and her insurance paid for the tow.

You have the right to appeal this decision.

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Sincerely,
The Civilian Police Oversight Agency by

Diane McDermott
Interim Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

APRIL 29, 2021

TIME: 0902 TO 1116 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau) – via teleconference
VOTING MEMBERS (P78)	DCOP Michael Smathers (Special Operations Bureau) – via teleconference DCOP Donny Olvera (Field Services Bureau) – via teleconference DCOP Arturo Gonzalez (Investigative Bureau) – via teleconference Commander James Collins (Foothills Area Command) – via teleconference A/Commander [redacted] (Training Academy) – via teleconference
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (Legal) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) – via teleconference Julie Jaramillo (FRB Admin Personnel/AOD) – via teleconference
REPRESENTATIVES	Commander Cori Lowe (IAFD)- via teleconference A/Commander [redacted] (SOD) – via teleconference Lieutenant [redacted] (CIT) – via teleconference Sergeant [redacted] (SOD/CNT) – via teleconference Sergeant [redacted] (SOD) – via teleconference Patricia Serna (OPA) – via teleconference Lieutenant [redacted] (SOD/Presenter) – via teleconference Detective [redacted] (IAFD/Presenter) – via teleconference DCOP Eric Garcia (Compliance Bureau) – via teleconference Superintendent Sylvester Stanley (Police Reform) – via teleconference Chief of Staff Cecily Barker (Chief's Office) – via teleconference
OBSERVERS (P78b)	Sergeant [redacted] (IAFD) – via teleconference Sergeant [redacted] (IAFD) – via teleconference Andrea Jones (SOD/Tactical Support Specialist) – via teleconference Katharine Jacobs (IAFD/Data Analyst II) – via teleconference Michelle Hepfer (IAFD/Data Analyst I) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Corey Sanders (USDOJ) – via teleconference Stephen Ryals (USDOJ) – via teleconference Sarah Lopez (USDOJ) – via teleconference Yvonnie Demmerritte (USDOJ) – via teleconference
PREVIOUS MINUTES	April 22, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS
19-0031543	11/19/2020	Send the case back to IAFD for	Commander Cori Lowe	Commander Lowe provided an extension	Update due May 28, 2021

		additional investigation specifically to review the potential vehicle pursuit and conduct additional interviews regarding the use of force, specific to shows of force in this case.		memo requesting another month for completion.	
20-0024693	3/25/2021	Policy and Procedure Manager Patricia Serna will complete a special order and amend policy to ensure medical care of an individual takes precedence over an administrative interview	Policy Manager Patricia Serna	Policy Manager Patricia Serna provided a copy of the Special Order Draft.	Closed
20-0055810	3/25/2021	Policy and Procedure Manager Patricia Serna will complete a policy revision to SOP 2-8 to determine when OBRD recordings are required when an officer is following and/or pursuing a vehicle.	Policy Manager Patricia Serna	Patricia Serna submitted an SOP recommendation for SOP 2-8 to capture the FRB's referral. During the next revision cycle for the SOP, she will work with the Policy Owner for 2-8 to revise the SOP in response to the FRB's referral.	Closed

USE OF FORCE 1ST QUARTER REPORT	
PRESENTERS	KATHARINE JACOBS MICHELLE HEPFER
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. SEEING A CORRELATION BETWEEN USE OF FORCE INCIDENTS AND BUS STOP LOCATIONS IN THE FOOTHILLS AREA COMMAND. 2. REQUEST TO PROVIDE LARGER VARIANCE BETWEEN THE COLORS ON THE DOT MAP 3. WAS THE PTC ACCOUNTED FOR IN USE OF FORCE DATA REPORT? A. YES, THERE WERE SIX USE OF FORCE INCIDENTS THIS QUARTER. 4. WHEN THERE IS AN EFFECTIVE APPLICATION OF FORCE ARE THERE LESS APPLICATIONS OF FORCE USED? A. CANNOT MAKE DETERMINATION BASED SOLELY FROM GRAPH. 5. WHAT CONSTITUTES A "NULL VALUE"? A. VALUES NOT YET ENTERED INTO THE SYSTEM.

	6. DOES THE RISE IN EFFECTIVE APPLICATIONS OF FORCE IN WARMER MONTHS HAVE TO DO WITH LESS AND/OR LIGHTER LAYERS OF CLOTHING BEING WORN? A. THIS IS THE ASSUMPTION; HOWEVER, WHEN IT WAS BROKEN DOWN, THERE WERE NO TRENDS IDENTIFIED AS TO HAVING MORE EFFECTIVENESS IN THE WARMER MONTHS. 7. REQUEST FOR DATA TO SHOW THE BUREAU/DIVISION WHERE USE OF FORCE IS BOTH IN AND OUT OF COMPLIANCE. A. WILL INCLUDE MOVING FORWARD.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☐ YES ☒ NO (DIRECTOR HARNESS WAS NOT PRESENT)	
DISCUSSION TOPICS	1 N/A

CASE #: 20-0015405 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: FEBRUARY 18, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0529 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☒ YES ☐ NO		
DAMAGE TO PROPERTY	☐ YES ☒ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE" TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT		

DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)			☐ YES ☒ NO			
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)			☐ YES ☒ NO			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:			
(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO
WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?			☐ YES ☒ NO			
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)			N/A			
SOP TITLE OF VIOLATION			N/A			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)			
MAJORITY VOTE			☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)			
MAJORITY VOTE			☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION			

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. IS THE INVOLVED INDIVIDUAL ON CIT'S CASELOAD? A. YES SINCE 2018. B. CIT'S ATTEMPTS TO CONTACT THE INDIVIDUAL HAVE BEEN UNSUCCESSFUL THUS FAR. 2. WERE TRAINING ISSUES REGARDING THE MIRANDA RESOLVED? A. YES, THE TRAINING REFERRAL WAS COMPLETED. 3. WAS THE OFFICER ECIT CERTIFIED AT THE TIME OF THE CALL? A. OFFICER BECAME ECIT CERTIFIED ON 1.11.2021. 4. DOES THE NORTHWEST SUBSTATION HAVE SURVEILLANCE IN THE HOLDING CELLS? A. YES; HOWEVER, IT WAS NOT OPERATIONAL. 5. DO THE OTHER SUBSTATIONS HAVE SURVEILLANCE IN THE HOLDING CELLS? A. SOUTHEAST – YES. B. FOOTHILLS – YES. ALL FEED TO A MONITOR IN THE HALL AND ONE MONITOR IN THE BRIEFING ROOM. C. UNKNOWN FOR OTHER AREA COMMANDS. I. REFERRAL GENERATED. 6. DID THE INDIVIDUAL HAVE A SEIZURE? A. UNKNOWN IF THEY HAD A SEIZURE. 7. CONCERN THIS INCIDENT COULD HAVE RESULTED IN MUCH MORE SEVERE INJURY. A. OFFICER WAS PROFESSIONAL THROUGHOUT CONTACT. B. OBRD WAS PROPERLY RUNNING DURING INCIDENT. C. OFFICER WAS ATTEMPTING TO GAIN DISTANCE, WHICH WAS AN APPROPRIATE RESPONSE. D. INTENTION WAS NOT TO CAUSE INJURY. E. THE OFFICER HAD THE RIGHT TO DO THIS BASED ON THE INVESTIGATION CONDUCTED. I. AT SOME POINT, WE NEED TO BELIEVE THE OFFICER AND THE INVESTIGATION THAT OCCURS EVEN THOUGH THERE IS NOT DIRECT VIDEO OF THE CONTACT. 8. IS THERE TRAINING FOR GAINING DISTANCE FROM AN INDIVIDUAL? A. YES WITH A PUSH OFF TO GAIN DISTANCE; HOWEVER, THE POTENTIAL OF INJURY

	COMPLETING THIS ON A HANDCUFFED INDIVIDUAL IS A CONCERN. B. OFFICER'S INTENT WAS TO SEPARATE FROM THE INDIVIDUAL TO PREVENT INJURY TO THE OFFICER. I. NEW MORE EFFECTIVE GENERAL ESCORT POSITION SHOULD REMEDIATE THIS CONCERN. 9. WAS THERE INDICATION THE INDIVIDUAL WAS GOING TO BECOME COMBATIVE AND IF SO, WOULD HAVING TWO OFFICERS PRESENT BE APPROPRIATE? A. INDIVIDUAL WAS COMPLIANT WHEN ARRESTED. B. THE INDIVIDUAL BECAME AGITATED DURING THE TRANSPORT. 10. MEDICAL ATTENTION WAS NOT IMMEDIATELY REQUESTED DUE TO THE OFFICER NOT KNOWING THE INDIVIDUAL WAS INJURED. IS THERE ANYTHING THE OFFICER COULD HAVE DONE TO GET CLOSER TO EVALUATE FOR INJURIES? A. THE OFFICER DID NOT WANT TO INDUCE ANOTHER USE OF FORCE. B. WHILE HE DID NOT IMMEDIATELY REQUEST RESCUE, ANOTHER OFFICER PRESENT OBSERVED THE INDIVIDUAL BLEEDING AND IMMEDIATELY REQUESTED RESCUE. 11. IMPROPER CLASSIFICATION OF THE LEVEL OF FORCE WAS PROPERLY ADDRESSED IN A PREVIOUS REFERRAL. A. CORRECT.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☐ YES ☒ NO (DIRECTOR HARNESS WAS NOT PRESENT)	
DISCUSSION TOPICS	1 N/A

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☒ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO EQUIPMENT. DEPUTY CHIEF JJ GRIEGO WILL ENSURE ALL

	SUBSTATIONS AND THE PTC ARE CHECKED FOR THE ADEQUACY OF THE VIDEO RECORDING EQUIPMENT IN THE PRISONER HOLDING AREAS
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	DEPUTY CHIEF JJ GRIEGO
DEADLINE: (P78e)	MAY 31 2021

CASE #: 21-0010315	DATE OF INCIDENT: FEBRUARY 7, 2021	LOCATION:	TIMES: DISPATCH / ON SITE: 1801 HOURS CALL TO TACTICAL: 1830 HOURS SWAT ACTIVATION: 2007 HOURS
TYPE: SOD (P78)			

CASE PRESENTER	LIEUTENANT
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED YES)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE	☐ YES ☒ NO

INVESTIGATION? (P78a)						
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)			☐ YES ☒ NO			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:			
(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO
WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?			☐ YES ☒ NO			
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)			N/A			
SOP TITLE OF VIOLATION			N/A			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?			
MAJORITY VOTE			☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?			
MAJORITY VOTE			☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)			
MAJORITY VOTE			☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION			
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?			FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S			

☐ YES ☒ NO	FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WERE THE INDIVIDUALS ON SCENE WHO WERE HANDCUFFED THE OFFENDERS IN THE INCIDENT? A. UNKNOWN. ONCE SOD HANDS TURNS THE INDIVIDUALS OVER THE INVESTIGATORS, THE OUTCOME OF THE INVESTIGATION IS NOT PROVIDED TO SOD PERSONNEL. 2. WHY ARE INDIVIDUALS HANDCUFFED BY SOD? A. PROTOCOL TO LIMIT OFFICER SAFETY CONCERN WHILE SOD CONTINUES THEIR FOCUS ON THE LOCATION THEY ARE CONTACTING. 3. DID SOD KNOW WHO THE TARGET INDIVIDUALS THEY WERE LOOKING FOR DURING THEIR ACTIVATION? A. THERE WERE SEVERAL ACTIVE SCENES, TO INCLUDE MOBILE SURVEILLANCE. B. IT WAS UNKNOWN WHO THE DIRECT TARGETS WERE; HOWEVER, IT WAS KNOWN THE TARGET LOCATION CONTAINED INSTRUMENTS FROM THE CRIME. 4. CONCERNS REGARDING TIME DELAY IN OBTAINING WARRANTS? A. A FEW ISSUES WORKED THROUGH DURING THIS ACTIVATION. I. DETERMINATION BETWEEN ROBBERY UNIT AND ISU ON WHO WAS COMPLETING THE WARRANTS. II. TIME DELAY WITH DISTRICT ATTORNEY'S OFFICE. III. NEW TECHNICAL ISSUES THEY WERE HAVING TO WORK THROUGH WITH THE DIGITAL SIGNATURES. 5. ANOTHER GREAT EXAMPLE OF GOOD COMMANDS CREATING POSITIVE OUTCOMES. A. JOB WELL DONE BLUETEAM ENTRY TO BE COMPLETED.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☐ YES ☒ NO (DIRECTOR HARNESS WAS NOT PRESENT)	
DISCUSSION TOPICS	1. N/A

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☒ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO A SUCCESS COMMANDER WILL COMPLETE A JOB WELL DONE BLUETEAM ENTRY REGARDING POSITIVE OUTCOMES BY SOD PERSONNEL.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	COMMANDER
DEADLINE: (P78e)	MAY 31 2021

CASE #: 20-0078615	DATE OF INCIDENT: AUGUST 29, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0750 HOURS CALL TO TACTICAL: 1006 HOURS SWAT ACTIVATION: 1130 HOURS
TYPE: SOD (P78)			

CASE PRESENTER	LIEUTENANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING?	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT

(IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78c)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. CONCERNS REGARDING USE OF 40MM ON AN ELEVATED PLATFORM. A. CONSIDERATIONS WERE MADE BEFORE THE DEPLOYMENT OCCURRED. 2. EXAMPLES OF HOW QUESTIONS HAVE EVOLVED ON DETERMINING WHETHER OR NOT TO ACTIVATE SOD. A. NEED FOR EXIGENCY. I. THUS FAR IN 2021, THERE HAVE BEEN 23 TACTICAL ACTIVATIONS AND 15 DENIED ACTIVATIONS. 1. EXAMPLE OF DENIED ACTIVATION – SERGEANT CALLED REFERENCE A FELONY DOMESTIC VIOLENCE OFFENDER WHO BATTERED VICTIM WITH A METAL POLE. UPON FURTHER QUESTIONING, IT WAS DIVULGED THE "METAL POLE" WAS A CURTAIN ROD; THEREFORE, SOD DETERMINED IT WAS NOT NECESSARY TO ACTIVATE. 3. WHAT WERE THE FIELD'S ACTIONS ON THE AFOREMENTIONED DENIED ACTIVATION? A. VICTIM AND CHILDREN WERE REMOVED TO A SAFE LOCATION. 4. WERE THE TWO LEVEL 1 USES OF FORCE (SHOWS OF FORCE) IDENTIFIED ON THE AAR INVESTIGATED BY IAFD? A. UNKNOWN OF IAFDS FOLLOW-UP, WOULD HAVE TO CONFER WITH IAFD.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☐ YES ☒ NO (DIRECTOR HARNESS WAS NOT PRESENT)	
DISCUSSION TOPICS	1. N/A

Next FRB Meeting: May 6, 2021

Signed: _____

Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT (P78F)

APRIL 1, 2021

TIME: 1002 TO 1223 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau) – via teleconference
VOTING MEMBERS (P78)	DCOP Michael Smathers (Special Operations Bureau) – via teleconference DCOP Donny Olvera (Field Services Bureau) – via teleconference Commander [redacted] (Investigative Bureau designee) – via teleconference Commander [redacted] (Foothills Area Command) – via teleconference Lieutenant [redacted] (Training Academy) – via teleconference
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (Legal) – via teleconference Edward Harness (CPOA Director) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) – via teleconference Julie Jaramillo (FRB Admin Personnel/AOD) – via teleconference
REPRESENTATIVES	A/Commander [redacted] (SOD) – via teleconference Lieutenant [redacted] (CIT) – via teleconference Sergeant [redacted] (CNT) – via teleconference Sergeant [redacted] (SOD) – via teledonference Patricia Serna (OPA) – via teleconference Lieutenant [redacted] (Presenter / SOD) – via teleconference Detective [redacted] (Presenter / IAFD) – via teleconference DCOP Eric Garcia (Compliance) – via teleconference Superintendent Sylvester Stanley (Police Reform) – via teleconference
OBSERVERS (P78E)	A/ Deputy Commander [redacted] (TDY – IAFD) – via teleconference A/ Lieutenant [redacted] (IAFD) – via teleconference Sergeant [redacted] (IAFD) – via teleconference Sergeant [redacted] (IAFD) – via teleconference Sergeant [redacted] (Observing for IAFD) – via teleconference Detective [redacted] (IAFD) – via teleconference Detective [redacted] IAFD) – via teleconference Christine Bodo (DOJ Policy and Training) – via teleconference Andrea Jones (SOD – Tactical Support Specialist) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Corey Sanders (USDOJ) – via teleconference Stephen Ryals (USDOJ) – via teleconference Sarah Lopez (USDOJ) – via teleconference
PREVIOUS MINUTES	March 25, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)					
CASE NUMBER	**MEETING DATE**	**REFERRAL**	**REFERRAL PARTY**	**ACTION TAKEN**	**STATUS**
20-0010100	10/29/2020	The Training Academy will ensure Sergeant Whitten successfully attends the 2020 Supervisor Training and provide verification of his attendance to the Force Review Board.	Lieutenant [redacted]	Sergeant [redacted] provided a memo advising the referral is complete	Closed
20-0007132	12/10/2020	Commander [redacted] will create a task force to study best practices for communication between dispatch, specialized units, and field services during a critical incident.	Commander [redacted]	Commander [redacted] provided an update on March 24, 2021.	Closed
20-0072103	1/26/2021	The Training Academy will create a PowerDMS training to cover investigative detentions versus arrests, how to differentiate them, and handle them properly.	Lieutenant [redacted]	Sergeant [redacted] provided a memo requesting to close out this referral as it is duplicative to a referral being completed by city legal.	Closed
20-0064745	2/4/2021	IAFD shall research and address in the IAFD Newsletter information regarding an individual having the ability to speak and still risk positional asphyxia.	Sergeant [redacted]	Sgt. [redacted] provided the following response. Referral has been addressed in the IAFD Newsletter Issue 11.	Closed
20-0020662	3/11/2021	SOD Commander [redacted] will 1) Identify and address deployment criteria to increase the initial review and assessment prior to any deployment; 2) consider ways to add announcements	Commander [redacted]	A/Commander [redacted] provided a response to the referral.	Closed

		and surrender demands prior to entry into confined spaces and/or structures; 3) greatly restrict layered response with a PSD; 4) add restrictions to building search requests to ensure SOD chain of command review prior to PSD Deployment; and 5) consider only allowing unmuzzled searches of a commercial structure when the RP is present and is willing to prosecute and there is a clear indication someone is inside who has committed a felony and/or is believed to be armed.			

CASE #: 20-0044218	DATE OF INCIDENT: JUNE 6, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1036 HOURS CALL TO TACTICAL: 1154 HOURS SWAT ACTIVATION: 1252 HOURS
TYPE: SOD (P78)			

CASE PRESENTER	LIEUTENANT
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT

REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED "YES".)	ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78g)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. DID THIS CALL MEET THE REQUIREMENTS FOR A PSD DEPLOYMENT? A. YES. PROPER SERIES OF PROGRESSION FOR PSD CONTACT. I. CHEMICAL DEPLOYMENT AND DRONE CONTACT BOTH FAILED, LEADING TO LAST OPTION OF SEARCHING BEHIND A PSD. 2. FOR HIS DIGNITY, DID DEPARTMENT PERSONNEL PROVIDE CLOTHING FOR THE INDIVIDUAL? A. YES HE WAS WRAPPED IN A GARMENT WHILE HE WAS STILL ON THE BALCONY AND PRIOR TO WALKING DOWNSTAIRS. 3. DOES SOD USE A BEHAVIOR HEALTH SPECIALIST? A. DID NOT HAVE ONE DURING THIS TIME. SOD IS IN THE PROCESS OF HIRING A NEW CLINICIAN. 4. WOULD ANYTHING BE DONE DIFFERENTLY IF THIS CALL WERE TO HAPPEN TODAY? A. YES. SOME THINGS WOULD BE ONCE ARRIVING ON SCENE, A COMPLETE CRIMINAL HISTORY OF THE OFFENDER WOULD OCCUR, AND A MORE IN DEPTH INVESTIGATIONS INTO THE ALLEGATIONS OF THE CRIME TO ENSURE IT MEETS THE NEED FOR A TACTICAL RESPONSE. 5. IF IT DOES NOT MEET THE TACTICAL CALL OUT CRITERIA, WHAT HAPPENS REGARDING THE FIELD SERVICES RESPONSE? A. SOD WOULD ASSIST FIELD SERVICES TO TACTICALLY WITHDRAW, COMPLETE A DEBRIEF, AND CLEAR THE SCENE. THE SITUATION CAN

ALWAYS BE REASSESSED IF THE INDIVIDUAL BECOMES A DANGER TO THE PUBLIC.

6. DOES SOD CONSULT WITH SID WHEN AN INCIDENT DOES NOT MEET THE TACTICAL ACTIVATION CRITERIA BUT DISENGAGEMENT IS ALSO NOT A GOOD IDEA?
    A. YES, IF THEY SOD IS NOT GOING TO RESPOND, AN EVALUATION TAKES PLACE PRIOR TO DISENGAGEMENT.
7. ASSESSMENT TO USE SOCIAL MEDIA PLATFORMS WHEN AN INDIVIDUAL IS USING THEM DURING AN ACTIVATION?
    A. YES. IN THE EVENT IT IS AN OPEN SOURCE, OFFICERS ARE FREE TO COMMUNICATE WITH THEM. IF IT IS A CLOSED SOURCE, OFFICERS HAVE TO GET A WARRANT TO GET INFORMATION FROM SOCIAL MEDIA.
8. COMMENDED PROGRESS FOR CHANGES TO THE PROCESS.
9. INDICATION THERE WAS A "HISTORY" ON THE INDIVIDUAL. DID OFFICERS ON SCENE KNOW THIS AND DID THIS PLAY INTO THE DECISION-MAKING?
    A. YES, IT WAS KNOWN TO OFFICERS AND PLAYED A ROLE IN THEIR DECISION-MAKING; HOWEVER, THE MOST IMPORTANT PART OF THIS IS THE COMMUNICATION WITH THE INDIVIDUAL. WHEN THEY WILL NOT COMMUNICATE, IT BECOMES ORDERS ONLY.
10. WERE OFFICERS AWARE OF THE INDIVIDUAL'S CRIMINAL HISTORY?
    A. YES. IT WAS KNOWN PRIOR TO CONTACT.
11. WHAT IS SOD DOING TO GET A NEW CLINICIAN HIRED?
    A. CURRENTLY USING CNT TO FILL VOID.
    B. WORKING ON JOB DESCRIPTION TO GET POSTED.
12. WAS THE AMOUNT OF GAS ADMINISTERED IN LINE WITH THE GAS DEPLOYMENT PLAN?
    A. YES. FULL SATURATION IS NECESSARY AND HIERARCHY OF TYPE OF DEPLOYMENT IS BASED ON WHERE OFFICERS CAN DEPLOY FROM (E.G. DEPLOYMENT WITH DISTANCE VS. CLOSE UP)
13. TIME DISPARITY ON AAR.
    A. DISPARITY BETWEEN POWERPOINT AND AAR COULD BE CLERICAL MISTAKE.
    B. RELY ON NOTES TAKEN BY TACTICAL COMMANDER AS TO WHEN SIGNIFICANT EVENTS OCCUR DURING A TACTICAL ACTIVATION.
    C. THERE CAN BE A TIME VARIANCE BETWEEN THE COMMANDER'S NOTES AND DISPATCH ADDING IT TO THE CAD.
14. WHY DID SOD HAVE SHOT GUNS?
    A. THOSE ARE THE BREECHING OFFICERS TO ADDRESS THE NEED FOR A MECHANICAL BREECH WHEN CLEARING.
    B. NOT FOR USE ON A PERSON.
15. WAS THERE AN APPROPRIATE AMOUNT OF EFFORT FROM THE FIELD TO COMMUNICATE WITH THE INDIVIDUAL?

	A. YES. PA'S AND FACE-TO-FACE CONTACT OCCURRED. B. DURING THE CONTACT, THE INDIVIDUAL BEGAN THROWING DANGEROUS ITEMS SO OFFICERS WERE FORCED TO RETREAT FOR SAFETY. 16. DOES SOD TRACK OCCURRENCES WHERE THEY ARE REQUESTED BUT DO NOT RESPOND? A. YES AND AN ASSESSMENT OF THE REASON IS COMPLETED AND FILED INTERNALLY WITH SOD. B. THE ASSESSMENT IS ALSO AND PROVIDED TO THE EFFECTED COMMANDER.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE.

CASE #: 20-0050806	DATE OF INCIDENT: JUNE 26, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0904 HOURS CALL TO TACTICAL: 0940 HOURS SWAT ACTIVATION: 1020 HOURS
TYPE: SOD (P78)			

CASE PRESENTER	LIEUTENANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? TO BE ANSWERED "YES")	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT

	TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WHAT IS STEALTH PROBE CONTACT? A. IN THIS CASE, THE VICTIM WAS PARAPLEGIC BUT THE ACTION WAS NEEDED TO ENSURE HER SAFE REMOVAL AS THEY BELIEVED SHE WAS BEING COERCED IN GIVING HER ANSWERS TO OFFICERS. 2. COMMENDED OFFICERS' ACTIONS. 3. WHY WERE ONLY SOME OF THE INDIVIDUALS WHO EXITED THE RESIDENCE INTERVIEWED? A. UNKNOWN; HOWEVER, THE NEW PROCESS WILL MITIGATE THIS FROM OCCURRING. I. WITH THE NEW PROCESS, CNT RESPONDS EARLIER THAN THE REST OF THE TEAM IN ORDER TO COMPLETE INTELLIGENCE GATHERING. 4. WHERE DOES STEALTH PROBE TRAINING COME FROM? A. IT IS PART OF A COVERT RESPONSE TRAINING PACKAGE GIVEN DURING COVERT ENTRY TRAINING. 5. IS STEALTH PROBE TRAINING AN APD DEVELOPED PRACTICE? A. NO, IT IS TAUGHT IN BASIC SWAT SCHOOL AND BEST PRACTICES ACROSS THE COUNTRY. 6. HOW DID OFFICERS CIRCUMVENT A SEARCH WARRANT TO REMOVE THE VICTIM FROM THE RESIDENCE? A. THE EXTRACTION OF THE FEMALE FELL UNDER THE COMMUNITY CARETAKER WARRANTLESS ENTRY CLAUSE. 7. DOES HAVING SOMEONE WHO IS NOT AMBULATORY CHANGE SOD'S RESPONSE, SPECIFICALLY CHEMICAL MUNITIONS? A. YES, IT WILL ALTER THE PROGRESSION OF SOD'S RESPONSE. SOD WILL POTENTIALLY USE A ROBOT, THROWBOT, DRONE, ETC. TO MAKE ENTRY.

	8. WHY NOT USE THESE AVAILABLE OPTIONS ON OTHER TACTICAL DEPLOYMENTS OVER CHEMICAL MUNITIONS? A. ENVIRONMENTAL FACTORS LIMIT THE USE OF THE OTHER OPTIONS. 9. WHY WAS THE THROW PHONE SUCCESSFUL DURING THIS INCIDENT? CAN OFFICERS USE THE SAME TACTICS TO MAKE THE DEVICE MORE SUCCESSFUL IN FUTURE EVENTS? A. DURING THIS CALL, THE DOOR TO THE RESIDENCE WAS OPENED. OFFICERS TOOK THIS OPPORTUNITY TO THROW THE PHONE INSIDE BEFORE IT CLOSED. THIS IS NOT A COMMONLY AVAILABLE OPTION. 10. ARE OFFICERS BEING TRAINED ON USING SOCIAL MEDIA PLATFORMS TO COMMUNICATE WITH INDIVIDUALS? A. YES, SERGEANT [redacted] TEACHES A SOCIAL MEDIA COMMUNICATION CLASS TO TRAIN OFFICERS TO COMMUNICATE WITH THESE PLATFORMS. B. SOD LOOKS INTO THIS COMMUNICATION OPTION ON EVERY DEPLOYMENT. 11. HOW HAS SOD IMPROVED COMMUNICATION EFFORTS MOVING FORWARD? A. CNT OFFICER OR TEAM RESPONDS BEFORE THE REST OF THE TEAM TO GET THE MOST UP TO DATE INFORMATION FROM THOSE ON SCENE FOR INTELLIGENCE GATHERING. 12. ON AAR UNDER THE "DAMAGE" SECTION, IT IDENTIFIES THE ROOK DAMAGED A GARAGE DOOR IN ORDER TO ENTER CHEMICAL MUNITIONS. THIS SHOULD HAVE BEEN ADDRESSED IN THE BODY OF THE AAR. A. CLERICAL ERROR ON AAR. THIS WAS INADVERTENTLY LEFT ON THE AAR TEMPLATE FROM A PREVIOUS ACTIVATION. B. CORRECTIONS TO THE PROCESS MADE TO ENSURE THIS WILL NOT HAPPEN IN THE FUTURE. 13. IS THE AAR COMPLETED BEFORE OR AFTER A USE OF FORCE INVESTIGATION IS COMPLETE? A. BEFORE. IN THE EVENT CONCERNS ARE IDENTIFIED (E.G. INFORMATION GATHERED, APPROPRIATE IAR, NOTIFICATION TO IAFD, ETC.) AND AMENDED AAR WOULD BE COMPLETED.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE

CASE #: 20-0017623 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: FEBRUARY 24, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1627 HOURS

CASE PRESENTER	DETECTIVE [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☒ YES ☐ NO ☐ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☒ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES")	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P75a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P75b)
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P75c)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WAS TACTICAL CALLED ON THIS DUE TO IT BEING A BARRICADED INDIVIDUAL? A. THE CALL WAS TO THE K-9 SERGEANT [redacted] WHO WAS ON DUTY AND CAME TO THE CALL, WITH SERGEANT [redacted] B. PA'S GIVEN WORKED IMMEDIATELY; THEREFORE, A TACTICAL ACTIVATION WAS NOT NECESSARY.

	2. THE DETECTIVE ACTING AS LETHAL COVERAGE WANTED TO CREATE DISTANCE AND COULD NOT BACK UP DUE TO A VEHICLE BEHIND HIM. HAD HE USED HIS HANDS TO CREATE DISTANCE, WOULD THIS HAVE BEEN DETERMINED TO BE THE APPROPRIATE AMOUNT OF FORCE? A. IAFD INVESTIGATING DETECTIVE AGREED AND STRUGGLED WITH THEIR DECISION. DETERMINED COMMUNICATION ISSUES BY DETECTIVE #1 CAUSED THE ISSUES OF THE INDIVIDUAL GETTING TOO CLOSE TO THE LETHAL COVERAGE. 3. WHAT ELSE WAS THE LETHAL COVERAGE OFFICER TO DO? A. TELL THE INDIVIDUAL TO STOP AND PROVIDE HIM DIRECTION OF WHAT THE DETECTIVE WANTED HIM TO DO. 4. THIS WAS A PREVENTABLE USE OF FORCE BY NOT ALLOWING THE INDIVIDUAL TO GET SO CLOSE AND PROVIDING CLEAR DIRECTION. A. CORRECT AND WAS IDENTIFIED AS AN ADDITIONAL CONCERN ON THE ORIGINAL INVESTIGATION. I. IAFD LIEUTENANT CONTACTED THE EFFECTED UNIT AND COMPLETED A MEMO OF THE CONCERNS ADDRESSED. 1. SERGEANT [redacted] ADVISED HE WILL PROVIDE A COPY OF THE MEMO TO THE FRB VIA EMAIL. 5. OTHER POSSIBLE ISSUE WAS TDY DETECTIVE NOT HAVING OPPORTUNITY TO TRAIN WITH THIS UNIT TO ENSURE CLEAR COMMUNICATION. 6. VERIFICATION RESISTED HANDCUFFING IS A LEVEL ONE. 7. WAS A SERGEANT ASSIGNED TO THIS UNIT AT THE TIME OF THE INCIDENT? IF SO, WERE THEY PRESENT ON THE CALL? A. SERGEANT ASSIGNED TO UNIT WAS NOT ON CALL; HOWEVER, TWO K-9 SERGEANTS WERE PRESENT. 8. EXPRESSED CONCERNS REGARDING WHAT DETECTIVE #1 REPORTED VERSUS WHAT OCCURRED WERE NOT THE SAME; HOWEVER, THESE CONCERNS WERE ADEQUATELY ADDRESSED BY IAFD.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☑ YES ☐ NO	
DISCUSSION TOPICS	1. EXPRESSED CONCERNS OF SUPERVISION AND TRAINING. 2. ASKED IF DETECTIVE ON LETHAL COVERAGE IS STILL WITH THE UNIT. A. NO HE IS NOT.

	3. EXTENT OF IAR? A. UNKNOWN. 4. QUESTION VERACITY OF DETECTIVE'S STATEMENT REGARDING BEING FEARFUL DUE TO INDIVIDUAL'S HISTORY. 5. CONCURS WITH IAFD'S FINDINGS.

Next FRB Meeting: April 8, 2021

Signed: _____

Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

MAY 20, 2021

TIME: 1003 TO 1314 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau)
VOTING MEMBERS (P78)	DCOP Michael Smathers (Special Operations Bureau) DCOP Donny Olvera (Field Services Bureau) DCOP Arturo Gonzalez (Investigative Bureau) Commander Arturo Sanchez (Northwest Area Command) A/Commander [redacted] (Training Academy)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (Legal) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Commander Cori Lowe (IAFD)- via teleconference Lieutenant [redacted] (CIT) – via teleconference Sergeant [redacted] (SOD/CNT) Sergeant [redacted] (SOD) Patricia Serna (OPA) – via teleconference Lieutenant [redacted] (SOD/Presenter) Detective [redacted] (IAFD/Presenter) DCOP Eric Garcia (Compliance Bureau) – via teleconference Superintendent Sylvester Stanley (Police Reform)
OBSERVERS (P78b)	Sergeant [redacted] (IAFD) – via teleconference Sergeant [redacted] (observing for IAFD) – via teleconference Andrea Jones (SOD/Tactical Support Specialist) Christine Bodo (Compliance Bureau) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Stephen Ryals (USDOJ) – via teleconference Patrick Kent (USDOJ) – via teleconference Yvonnie Demmerritte (USDOJ) – via teleconference Phillip Coyne (IMT) – via teleconference
PREVIOUS MINUTES	May 13, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS
20-0014745	11/12/2020	SOD Sergeant [redacted] will complete an assessment to determine if there	Lieutenant [redacted]	Sergeant [redacted] completed a department memorandum addressing the above referral.	Closed

		are better platform options for SOD personnel to reduce the chance of equipment failures (e.g. OBRDs being turned off by firearm slings).			
20-0082219	2/4/2021	IAR Re: Use of Force – Reporting by Department Personnel to be entered by DCOP Griego. Commander Zachary Cottrell will provide an update upon the conclusion of the IA investigation.	Commander Zak Cottrell	Commander Cottrell advised this case was completed and is currently being reviewed by the chain.	Closed
20-0034126 / 20-0034103	2/11/2021	Deputy Chief Smathers will complete an Internal Affairs Request (IAR) for the Internal Affairs Professional Standards Division (IAPS) to assess the potential policy violation from SOP 2-57-4(D)7: Where an investigator of the FIS repeatedly conducts deficient force investigations, the investigator shall receive the appropriate corrective and/or disciplinary action, including training or removal from the FIS. These actions shall be in accordance with performance evaluation procedures. IAPS Commander Cottrell will provide the policies investigated, findings of the investigations, and response of the findings.	Commander Zak Cottrell	Commander Cottrell advised this investigation is still being investigated and is due on 5/23/2021.	Closed

CASE #: 20-0037586 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: MAY 9, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0351 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☒ YES ☐ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☒ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☒ YES ☐ NO		
DAMAGE TO PROPERTY	☐ YES ☒ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED YES)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT		
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO		
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO		
DISCUSSION	☒ YES ☐ NO		
DISCUSSION TOPICS	1. CLARIFICATION REGARDING POWERPOINT SLIDE IDENTIFYING USES OF FORCE NUMBERS 7-9.		

2. VERIFICATION THE LAWFUL OBJECTIVE FOR THE FORCE USED WAS THE INDIVIDUAL WAS USING HIS FEET TO PREVENT BEING PLACED IN THE POLICE UNIT.
    A. YES; HOWEVER, OFFICER BELIEVED THE INDIVIDUAL WAS HOLDING ONTO THE SEATBELT. IT WAS LATER DETERMINED THE INDIVIDUAL'S FOOT WAS HOOKED, PREVENTING OFFICERS FROM BEING ABLE TO PLACE HIM IN THE UNIT, WHICH RESULTED IN AN ADDITIONAL USE OF FORCE TO REMOVE HIS FOOT.
3. IAR WAS GENERATED FOR OFFICERS NOT REPORTING THIS USE OF FORCE?
    A. CORRECT.
4. WAS AN IAR GENERATED ON THE SERGEANT?
    A. NO BECAUSE THE SERGEANT WAS INFORMED IT WAS LOW-LEVEL CONTROL TACTICS USED AT MDC.
5. IS THERE A CURRENT PROCESS FOR CONCERNS ABOUT OR VIOLATIONS CONDUCTED BY AN FTO IN ORDER TO REMOVE THEM?
    A. YES. OFFICER [redacted] DOES NOT HAVE A RECRUIT AND WILL NOT BE GIVEN ONE.
    B. FTO PAY IS PERMANENT SO SUSTAINED FINDINGS HAVE TO BE IN PLACE IN ORDER TO REMOVE AN OFFICER FROM THE PROGRAM.
6. HOW OFTEN DO FTO'S MEET WITH THEIR COORDINATOR TO GO OVER CONCERNS? TRYING TO FIGURE OUT IF OFFICER HAD A BAD DAY OR DOES HE NEED TO BE PROVIDED HELP.
    A. IF AN FTO RECEIVES A SUSPENSION, IT IS NOTED IN THEIR FILE FOR REVIEW. CERTAIN CRITERIA IS REQUIRED TO REMOVE AN FTO FROM THE PROGRAM DUE TO IT AFFECTING THEIR PERMANENT PAY.
7. DOES THE FTO PROGRAM HAVE ACCESS TO A FTO'S EMPLOYEE WORK PERFORMANCE?
    A. NO ONLY THE CHAIN HAS ACCESS.
8. NEED TO VERIFY THIS OFFICER ISN'T HAVING ADDITIONAL CONCERNS OR OTHER OUT OF POLICY USES OF FORCE.
9. DO WE KNOW HIS CURRENT IA HISTORY?
    A. 5 USES OF FORCE IN 2020 AND 4 IN 2021.
10. UNDERSTOOD OFFICERS HAVE BAD DAYS; HOWEVER, THEY NEED TO BE MORE RESTRAINED THESE DAYS. HIS OTHERS USES OF FORCE SHOULD BE REVIEWED TO VERIFY THIS IS NOT HIS PATTERN OF PRACTICE. IT MIGHT ASSIST IN IDENTIFYING THE NEED FOR RETRAINING.
    A. THUS FAR, THE TRAINING ACADEMY HAS NOT RECEIVED A REFERRAL FOR RETRAINING OF OFFICER SHROUF.
11. HOW MUCH DE-ESCALATION TRAINING WOULD HE HAVE HAD PREVIOUSLY?
    A. APPROXIMATELY 120 HOURS IN ACADEMY. BIENNIUM TRAINING, RBT TRAINING.

12. AT SOME POINT THIS IS NOT A TRAINING ISSUE, IT'S A "YOU" ISSUE.
13. HOW MANY RECRUITS HAS HE HAD AND HAVE HIS DOR'S BEEN REVIEWED FOR OTHER IMPROPER USES OF FORCE WITH OTHER RECRUITS? NEED TO VERIFY HE HAS NOT "TAINTED" THE TRAINING OF ADDITION RECRUITS.
14. HAS HE UNDERGONE AND ADDITIONAL EPIC TRAINING SINCE INITIAL TRAINING?
    A. NO.
15. FOR THE RECRUIT?
    A. SHOULD HAVE, BUT WILL VERIFY.
16. CAN THIS INCIDENT BE USED AN EXAMPLE FOR THE EPIC TRAINING?
    A. REFERRAL GENERATED.
17. HARD TO DETERMINE WHETHER DE-ESCALATION WOULD HAVE WORKED BECAUSE IT WAS NOT DONE IN THE FIRST PLACE.
18. WHAT IS TRAINED FOR TELLING AND/OR GETTING AN INDIVIDUAL INTO A POLICE UNIT?
    A. NEGOTIATE. IF AN OFFICER DOES NOT HAVE PROBABLE CAUSE FOR AN ARREST, LEAVE THE INDIVIDUAL OUT OF THE UNIT IF THERE IS AN UNWILLINGNESS TO GET IN. WHEN AN OFFICER GETS TO THE POINT THEY HAVE TO GET AN INDIVIDUAL INTO A UNIT, HAVE A COUPLE OF OFFICERS PRESENT TO ASSIST. HAVE TWO OFFICERS ON ONE SIDE WHILE THE OTHER OFFICER GOES TO THE OTHER SIDE OF THE UNIT TO PULL HE INDIVIDUAL THROUGH WITH THEIR ARMS NO EASY WAY; HOWEVER, THE ACADEMY IS LOOKING INTO BETTER OPTIONS.
19. COMMUNICATION BETWEEN THE OFFICERS ON STEPS TO TAKE WOULD HAVE HELPED.
20. FTO DID NOT COMMAND THE SITUATION.
21. IAR FOR DE-ESCALATION?
    A. NO.
22. PER POLICY, IT WAS APPROPRIATE TO GET THE INDIVIDUAL IN CUSTODY IMMEDIATELY.
    A. CANNOT RECALL THE QUESTIONS ASKED; HOWEVER, IT WAS APPROPRIATE TO DETAIN THE INDIVIDUAL IMMEDIATELY DUE TO THE COMMENTS ON THE CALL.
23. HOW CAN IAFD DETERMINE DE-ESCALATION WOULD NOT HAVE WORKED DUE TO THE INDIVIDUAL'S INTOXICATION LEVEL?
    A. IT WAS NOTED IT WAS LIKELY NOT TO WORK; HOWEVER, OFFICERS SHOULD ALWAYS TRY.
24. HOW WAS IT DETERMINED THE ECW WAS NOT A SHOW OF FORCE?
    A. OFFICERS DID NOT POINT AND/OR PAINT THE ECW AT THE INDIVIDUAL; THEREFORE, IT DID NOT MEET THE CRITERIA OF THE POLICY FOR A SHOW OF FORCE.

25. IS THERE A POTENTIAL POLICY GAP WITH NOT OBTAINING A SITE PICTURE AND/OR POINTING A WEAPON AT SOMEONE?
    A. THE ACADEMY DISCUSSED REMOVING "SITE PICTURE" FOR POLICY; HOWEVER, IT DOES NOT APPLY. CURRENT POLICY IS UNDERSTANDABLE FOR SUPERVISORS TO COMPLETE THEIR INVESTIGATION.
26. CONTINUED CONFUSION BETWEEN REASONABLE SUSPICION AND PROBABLE CAUSE AND ARREST VERSUS DETENTION. WHERE IS THE TRAINING PROCESS AT FOR THESE CONCERNS AND/OR NEWSLETTERS TO ADDRESS?
    A. THE FRB REFERRAL GENERATED ON 5/6/2021 COVERS THE REQUEST FOR NEWSLETTERS UNTIL THE TRAINING IS APPROVED AND READY FOR DISPERSAL.
27. (FOLLOWING DIRECTOR HARNESS'S COMMENTS) EVERYTHING GOES BACK TO WHETHER OR NOT THE DETENTION WAS LAWFUL, WHICH IT WAS.
28. DISTINCT DIFFERENCE BETWEEN POLICY AND LAW. POLICY CONCERNS, YES. LEGALLY; HOWEVER, OFFICERS HAD THE RIGHT TO DETAIN.
29. OFFICERS HAD INFORMATION THE INDIVIDUAL WAS BEING VIOLENT. THEY HAD NECESSARY REASON TO DETAIN HIM IMMEDIATELY.
30. INFORMATION REGARDING THE INDIVIDUAL'S VIOLENT NATURE ON THE CALL CAUSED AN OVERREACTION. WHAT THE OFFICERS OBSERVED DID NOT MEET THE NEED TO DEPLOY THEIR ECWS.
    A. AGREE BUT OFFICER #2 IS TRAINING. WHAT WAS GOING ON IN HIS THOUGHT PROCESS?
    B. THERE IS NOT ANYTHING IN POLICY TO PREVENT HIM FROM DRAWING HIS ECW CORRECT?
        I. CORRECT. POSITION OF READINESS WITH A WEAPON IS NOT AGAINST POLICY.
        II. HAD IT BEEN A SHOW OF FORCE, THEN IT WOULD BE SCRUTINIZED AS TO WHETHER IT WAS REASONABLE, PROPORTIONAL, AND NECESSARY.
31. OFFICERS HAVING A BAD DAY AT WORK COSTS THE CITY MILLIONS. WE CANNOT HAVE THEM. PERHAPS BETTER ADVERTISEMENT FOR BSD RESOURCES?
    A. REFERRAL COMPLETED
32. HAS THE FTO WATCHED HIS OBRD TO HELP HIM UNDERSTAND HIS CONDUCT?
33. HE NEEDS RETRAINING PERIOD AND SHOULD NOT GET ANOTHER RECRUIT UNTIL RETRAINING IS COMPLETE.
    A. REFERRAL COMPLETED.
34. EXPRESSED CONCERN THIS ISSUE IS EVEN HAPPENING WITH AN FTO. THIS TYPE OF BEHAVIOR SHOULD NOT BE HAPPENING.
    A. REFERRAL COMPLETED.
35. DO THE FTO COORDINATORS DO RANDOM AUDITS OF FTO'S OBRDS?

A. UNKNOWN; HOWEVER, THEIR SUPERVISORS DO THIS WITH THEIR MONTHLY RANDOM AUDITS.

36. HOW WAS THE PUNCH EVALUATED TO MEET THE USE OF FORCE STANDARD?
    A. SO MANY USES OF FORCE AND ATTEMPTS TO GET THE INDIVIDUAL INTO THE VEHICLE. IT WAS DETERMINED TO BE MINIMAL DUE TO EXHAUSTING OTHER EFFORTS TO GET THE INDIVIDUAL INTO THE VEHICLE.
37. LOOKING AT USE OF FORCE NARRATIVE, OFFICER IDENTIFIED IT AS AN INTENTIONAL STRIKE, WHICH WOULD NOT BE REASONABLE.
    A. AGREED. LEVEL 1 PAIN COMPLIANCE WOULD BE MORE REASONABLE.
38. CAN WE PUNCH SOMEONE FOR HOLDING ON TO SOMETHING?
    A. DISTRACTION TECHNIQUES LANGUAGE IS NOT SPECIFIC TO PREVENT THIS. IS THIS A CONCERN?
39. WHAT ABOUT PROPERLY EVALUATING EACH USE OF FORCE USED BY STOPPING BETWEEN EACH AND PROVIDING THE INDIVIDUAL TIME TO SUBMIT?
    A. YES. THIS WAS PRIOR TO THE TRANSITION OF CHANGING THE WAY IAFD INVESTIGATES THE USE OF FORCE INCIDENTS. IAFD STARTED THE INVESTIGATIVE TRANSITION IN THE SUMMER OF 2020. THIS HAS GREATLY IMPROVED THE INVESTIGATIVE PROCESS TO MITIGATE THE IDENTIFIED CONCERNS ON THIS CASE.
40. WHEN OFFICERS ARRIVED ON SCENE, THEY IMMEDIATELY HANDCUFFED THE INDIVIDUAL, PRIOR TO PROBABLE CAUSE BEING ESTABLISHED. WERE ANY OF THE USES OF FORCE IDENTIFIED TO BE OUT OF POLICY? IF SO, IF THERE WERE NO LAWFUL OBJECTIVES, IS THERE CONSTITUTIONAL VIOLATIONS AS WELL?
    A. YES SOME OUT OF POLICY. UNKNOWN WHETHER THERE WERE CONSTITUTIONAL CONCERNS, WOULD HAVE BEEN INCLUDED IN IAR INVESTIGATION.
41. WHY WAS THE USE OF FORCE AT MDC IDENTIFIED AS A LEVEL 3 OVER A LEVEL 1?
    A. WOULD HAVE BEEN CONSIDERED A LEVEL 2 TAKEDOWN; HOWEVER, THE INDIVIDUAL WAS IN HANDCUFFS SO DETERMINED TO BE A LEVEL 3. IT WAS QUESTIONABLE AS TO WHETHER IT WAS A TAKEDOWN; HOWEVER TO BE CAUTIOUS, IT WAS EVALUATED AS A LEVEL 3.
        I. BOARD APPRECIATED WHEN ON THE FENCE, TO KICK THE LEVEL UP TO THE HIGHER LEVEL.
42. BOARD VERIFIED ALL USES OF FORCE 1-12 AND WHICH OFFICER WAS RESPONSIBLE FOR EACH APPLICATION OF FORCE.
    A. IAFD PRESENTER VERIFIED EACH.
43. STATEMENTS GIVEN BY RECRUIT OFFICER WERE INCONSISTENT. HOW WAS THIS ADDRESSED OR WHAT

	WERE THE CONSIDERATIONS MADE FOR THE INACCURACIES REPORTED? A. QUESTIONS WERE ASKED DURING CLARIFYING INTERVIEW.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☒ YES ☐ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	DEPUTY CHIEF MICHAEL SMATHERS
SOP TITLE OF VIOLATION	USE OF FORCE – GENERAL
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)

MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. WHY DID THE INVESTIGATION DETERMINE IT WAS NOT FEASIBLE TO TELL THE INDIVIDUAL WHY HE WAS BEING DETAINED? A. SEEMED LIKE THERE MIGHT HAVE BEEN CONFUSION ON THE OFFICERS' PART BY ONLY TELLING HIM HE WAS DETAINED BUT NOT TELLING HIM WHY HE WAS BEING DETAINED. 2. THE PREMISE OF WHY ONE IS BEING CONTACTED BY POLICE IS REQUIRED. A. CONTACT WAS REASONABLE, OFFICERS JUST DID NOT SAY IT TO THE INDIVIDUAL. 3. CORRECT, BUT BY NOT TELLING THE INDIVIDUAL WHY CONTACT AND/OR A DETENTION IS OCCURRING, THEY HAVE THE RIGHT NOT TO COOPERATE. REQUIREMENT OF A TERRY STOP, AN OFFICER HAS A DUTY TO TELL AN INDIVIDUAL WHY THEY ARE BEING STOPPED AND/OR DETAINED. AT ONE POINT OFFICER #3 TELLS THE INDIVIDUAL THERE WAS A FIGHT AND THE INDIVIDUAL WAS INVOLVED, HE STARTED TO LISTEN TO THE OFFICER. 4. OUT OF POLICY DUE TO THE INDIVIDUAL NOT BEING TOLD WHY HE WAS BEING DETAINED, THIS PERPETUATED EVERYTHING ELSE TO HAPPEN. 5. NO QUESTION REASONABLE SUSPICION EXISTED – IT WAS THE COMMUNICATION AS TO WHY CONTACT WAS OCCURRING, THIS DID NOT OCCUR WHICH PERPETUATED THE INDIVIDUAL'S BEHAVIOR.

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☒ YES ☐ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☒ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO TRAINING. THE TRAINING ACADEMY WILL USE THIS INCIDENT AS AN

	EXAMPLE IN THE EPIC CURRICULUM FOR WHEN OFFICERS SHOULD INTERVENE ANOTHER OFFICER'S ACTIONS
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	A/ COMMANDER [redacted]
DEADLINE: (P78e)	JUNE 7, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☒ YES ☐ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☒ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO TRAINING. THE TRAINING ACADEMY WILL COMPLETE RETRAINING WITH OFFICER [redacted] IN ADDITION, OFFICER SHROUF WILL NOT RECEIVE ANOTHER RECRUIT UNTIL THE RETRAINING AND INTERNAL AFFAIRS INVESTIGATION IS COMPLETE.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	A/ COMMANDER [redacted]
DEADLINE: (P78e)	JULY 5 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☒ YES ☐ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☒ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO SUPERVISION. DEPUTY CHIEF DONOVAN OLVERA WILL COMPLETE A

	MANDATORY BEHAVIOR SERVICES REFERRAL FORM FOR OFFICER [redacted]
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	DEPUTY CHIEF
DEADLINE: (P78e)	JUNE 7, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☒ YES ☐ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☒ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO SUPERVISION. FOLLOWING SOP 6-1-5 D.7.C., LIEUTENANT [redacted] WILL PROVIDE THIS CASE TO THE FTO BOARD FOR CONSIDERATION AS TO WHETHER OFFICER SHROUF SHOULD BE REMOVED FROM THE FTO PROGRAM
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	LIEUTENANT [redacted]
DEADLINE: (P78e)	JULY 19, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☐ NO ☒ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☒ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	DEPUTY CHIEF [redacted] WILL COMPLETE AN INTERNAL AFFAIRS REQUEST (IAR) FOR THE INTERNAL AFFAIRS PROFESSIONAL

	STANDARDS DIVISION (IAPS) TO ASSESS THE POTENTIAL POLICY VIOLATIONS FROM SOP 2-52-5-C. OFFICERS SHALL NOT USE FORCE AGAINST A RESTRAINED OR HANDCUFFED INDIVIDUAL UNLESS THE FORCE IS NECESSARY 1. TO PREVENT IMMINENT BODILY HARM TO THE OFFICER OR ANOTHER PERSON OR PERSONS; 2. TO OVERCOME ACTIVE RESISTANCE OR 3. TO MOVE AN INDIVIDUAL WHO IS PASSIVELY RESISTING; AND SOP 2-52-4-B, C, AND D: B. REASONABLE FORCE 1. FORCE IS REASONABLE WHEN IT IS THE MINIMUM AMOUNT OF FORCE NECESSARY TO EFFECT AN ARREST OR PROTECT AN OFFICER OR OTHER INDIVIDUAL UNDER THE CIRCUMSTANCES. C NECESSARY FORCE. 1. FORCE IS NECESSARY WHEN NO REASONABLE ALTERNATIVE TO THE USE OF FORCE EXISTS. WHEN FORCE IS NECESSARY, OFFICERS SHALL USE THE MINIMUM AMOUNT OF FORCE REQUIRED THAT IS REASONABLE D PROPORTIONAL FORCE 1. FORCE IS PROPORTIONAL WHEN IT INCLUDES CONSIDERATION OF THE TOTALITY OF THE CIRCUMSTANCES SURROUNDING THE SITUATION, INCLUDING THE PRESENCE OF ARTICULABLE IMMINENT DANGER TO THE OFFICER OR OTHERS. 2 THE USE OF PROPORTIONAL FORCE BY AN OFFICER DOES NOT REQUIRE THE USE OF THE SAME TYPE OR AMOUNT OF FORCE AS THAT USED BY THE INDIVIDUAL. IAPS COMMANDER COTTRELL WILL PROVIDE THE POLICIES INVESTIGATED, FINDINGS OF THE INVESTIGATIONS, AND RESPONSE OF THE FINDINGS
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	DEPUTY CHIEF
DEADLINE: (P78e)	MAY 21, 2021 (DEPUTY CHIEF MICHAEL SMATHERS) AUGUST 23 2021 (COMMANDER ZAK COTTRELL)

CASE #: 20-0079971	DATE OF INCIDENT: OCTOBER 3, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1930 HOURS CALL TO TACTICAL: 2109 HOURS SWAT ACTIVATION: 2219 HOURS
TYPE: SOD (P78)			
CASE PRESENTER	LIEUTENANT		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☒ YES ☐ NO		
DAMAGE TO PROPERTY	☒ YES ☐ NO		

DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE" TO BE ANSWERED "YES")	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. CONCERNS REFERENCE THE OFFICER TELLING THE INDIVIDUAL "STOP BITING MY DOG". A. INGRAINED IN OFFICER TO VERBALLY INTERPRET THE RESISTANCE TO THE INDIVIDUAL. B. DURING K-9 ANNOUNCEMENTS THE OFFICER TELLS THE INDIVIDUAL, "IF YOU MOVE, THE DOG WILL BITE YOU." 2. PERHAPS RE-EVALUATE THE STATEMENT TO AN INDIVIDUAL? A. YES APPROPRIATE TO DO SO. 3. IS THIS PSD STILL WORKING? A. YES. B. SOD PRESENTER DESCRIBED HOW A PSD HANDLER REMOVES THE PSD. I. HANDLER GETS COLLAR AND TAKES PSD UNDER THE JAW TO REMOVE WITHOUT PULLING IN ORDER TO MINIMIZE INJURY. 4. IS THERE AN AUDIBLE RELEASE COMMAND? A. YES AND OFFICER GAVE VERBAL RELEASE COMMAND. 5. DOES TACTICAL FIRE FERRET ROUNDS FROM THE SAME TYPE OF WEAPON AS A 40MM? A. YES. 6. SHOULD THE WEAPONS BE LABELED SIMILARLY TO HOW THE DEPARTMENT LABELS A BEANBAG SHOTGUN?

	7. HOW DID THIS ACTIVATION FIT THE RISK ASSESSMENT MATRIX? A. THIS WAS NOT A PREPLANNED SO IT IS NOT EVALUATED UNDER THE RISK ASSESSMENT. 8. WAS THE NIGHTTIME AUTHORIZATION CONCERNS DISCUSSED WITH THE DETECTIVES? A. YES. 9. NEED TO FOLLOW-UP WITH INVESTIGATIVE PERSONNEL TO ENSURE PROPER LANGUAGE IS INCLUDED? A. NOT A SYSTEMIC CONCERN AND IS VERIFIED BY SOD ON EVERY WARRANT. 10. WHAT CRITERIA IS USED TO DETERMINE WHETHER AN INCIDENT MEETS SOD'S CRITERIA FOR AN ACTIVATION? A. THREAT ASSESSMENT COMPLETED AS WELL AS HOMEWORK COMPLETED BY SOD INCIDENT COMMANDER ON EACH REQUEST TO DETERMINE IF AN ACTIVATION IS APPROPRIATE. 11. ARE THERE TIMES A REQUEST MADE FOR AN ACTIVATION IS DENIED BY SOD? A. YES. THERE HAVE BEEN 18 REQUESTS DENIED THUS FAR IN 2021. 12. EVOLUTION IN SOD SINCE THIS CALL. WHY DID THIS INCIDENT FIT THE ACTIVATION CRITERIA? A. THE INDIVIDUAL AND THE VICTIM LIVED NEXT TO EACH OTHER IN THE SAME APARTMENT COMPLEX. THE POSSIBILITY HE COULD REOFFEND IS TAKEN INTO CONSIDERATION. 13. POSSIBILITY THE INDIVIDUAL SUFFERED FROM SCHIZOPHRENIA. ARE THERE CONSIDERATIONS MADE BY CNT IN REGARDS TO PAS AND/OR COMMANDS? A. YES. PA'S ARE KEPT CONCISE SO NOT TO OVERWHELM THE INDIVIDUAL OR THEIR THOUGHTS. CNT CAN COACH THE OFFICERS ON HOW TO BEST COMMUNICATE DURING COMMANDS. B. CNT SERGEANT ALSO GOES OUT PRIOR TO THE ACTIVATION TO COACH FIELD SERGEANT WITH NEGOTIATIONS TO ASSIST THE PROCESS AS WELL.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE

TYPE: SOD (P78)	SWAT ACTIVATION: 1112 HOURS
CASE PRESENTER	LIEUTENANT
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. DECISION TO DEPLOY PSD AFTER CHEMICAL MUNITIONS? A. PSD USED AS A LOCATING TOOL ONLY. B. USE THE OLFACTORY SENSES OF A PSD TO LOCATE. I. ONCE LOCATED, PSD IS RECALLED AND THE PROCESS OF PROGRESSION STARTS OVER.

	2. PSD WOULD SEARCH UN-MUZZLED CORRECT? A. YES. 3. IF THE PSD IS SEARCHING AND THE INDIVIDUAL MOVES, THE PSD WILL BITE THEM? A. YES. HOWEVER, AS SOON AS THE PSD INDICATES ON AN AREA, THE HANDLER WILL RECALL THE PSD; HOWEVER, IF THE INDIVIDUAL MOVES WHEN THE PSD IS CONTACTING THEM, THEY WILL BITE DUE TO RECOGNIZING THE THREAT AS THEY WERE TRAINED. 4. THE CALL INDICATED THE INDIVIDUAL WAS INSIDE AND UNARMED. WHY NOT MAKE AN ENTRY PLAN IN LIEU OF INTRODUCING CHEMICAL MUNITIONS? A. INFORMATION ON CALLS HAS BEEN HIGHLY INACCURATE IN THE PAST SO THE RISK OUTWEIGHS THE USE OF CHEMICAL MUNITIONS. 5. THE DRONE DEPLOYED WENT DOWN. EQUIPMENT ISSUE? A. YES AND HAS BEEN RESOLVED. 6. INDIVIDUAL IN THE CIT DATABASE? A. YES BUT MIGHT NOT HAVE BEEN ACTIVE DURING THIS INCIDENT.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1 NONE

Next FRB Meeting: May 27, 2021

Signed: _____

Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

MARCH 4, 2021

TIME: 1004 TO 1147 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP [redacted] (Management Services and Support Bureau) – via teleconference
VOTING-MEMBERS (P78)	DCOP [redacted] (Special Operations Bureau) – via teleconference DCOP [redacted] (Investigative Bureau) – via teleconference DCOP [redacted] (Field Services Bureau) – via teleconference
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (Legal) – via teleconference Lindsay Van Meter (City Legal) – via teleconference Edward Harness (CPOA Director) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) – via teleconference Julie Jaramillo (FRB Admin Personnel/AOD) – via teleconference
REPRESENTATIVES	Commander [redacted] IAFD) – via teleconference A/Commander [redacted] (SOD) – via teleconference Lieutenant [redacted] – (CIT) – via teleconference Sergeant [redacted] – (CNT) – via teleconference Patricia Serna (OPA) – via teleconference
OBSERVERS (P78b)	Detective [redacted] (Presenter / IAFD) – via teleconference Sergeant [redacted] (Presenter / SOD) – via teleconference DCOP [redacted] (Compliance) – via teleconference A/ Chief of Staff [redacted] (Chief's Office) – via teleconference A/ Deputy Commander [redacted] (TDY – IAFD) – via teleconference A/ Deputy Commander [redacted] (TDY – IAFD) – via teleconference Sergeant [redacted] (Observing for IAFD) – via teleconference Sergeant [redacted] (IAFD) – via teleconference Detective [redacted] (IAFD) – via teleconference Officer [redacted] (TDY – IAFD) – via teleconference Officer [redacted] (TDY – IAFD) – via teleconference Christine Bodo (DOJ Policy and Training) – via teleconference Patrick Kent (USDOJ) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Yvonnie Demmerritte (USDOJ) – via teleconference
PREVIOUS MINUTES	February 25, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS

20-0016293	10/16/2021	DCOP [redacted] will complete an Internal Affairs Request (IAR) for the Internal Affairs Professional Standards Division (IAPS) to assess the facts of the case to determine whether the search was legal. IAPS Commander [redacted] will provide the Force Review Board with an update at the conclusion of the investigation.	Commander [redacted]	Pending	Update due to board on March 11, 2021
20-0064745	2/4/2021	IAFD shall research and address in the IAFD Newsletter information regarding an individual having the ability to speak and still risk positional asphyxia.	Sergeant [redacted]	Sergeant [redacted] completed an extension request for March 31, 2021.	Update due March 31, 2021.

CASE #: 20-0043667 TYPE: LEVEL 3 / OIS (P78)	DATE OF INCIDENT: MAY 31, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1022 HOURS

CASE PRESENTER	DETECTIVE [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT

INELIGIBLE TO VOTE ON THE CASE THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)

MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WHEN OFFICER #1 SHOT, HE HIT A VEHICLE. HOW WAS THIS ADDRESSED WITH SKILL SET AND DRAMATIC MISS. A. OFFICER #1 WAS ORIGINALLY SET UP ON APARTMENT #2169. B. HE HAD TO REPOSITION AND CHANGE POINT OF AIM FROM HIS INITIAL SET UP WHEN THE INDIVIDUAL EXITED FROM APARTMENT #2170 AND HE DID NOT ACCOUNT FOR THE MECHANICAL OFFSET BETWEEN THE OPTIC AND BARREL. C. THERE IS ONGOING TRAINING AND RECENTLY ADDITIONAL EQUIPMENT ORDERED TO ASSIST WITH FUTURE TRAINING. D. OFFICERS AND ARE SCHEDULED TO ATTEND PRECISION RIFLE TRAINING 2. COULD ANYTHING HAVE BEEN DONE DIFFERENTLY TO PREVENT SOD FROM GASSING WRONG APARTMENT? A. SUPERVISOR COMPLETED A CRITICAL ANALYSIS OF THIS INCIDENT. B. SUPERVISOR ALSO SPOKE TO PAST SOD PERSONNEL FOR THEM TO ANALYZE THE INCIDENT. C. DETERMINATION MADE THAT DUE TO DYNAMIC SITUATION AND IMMEDIACY TO STOP THE INDIVIDUAL'S ACTIONS, SOD MOVED FORWARD WITH THE MOST ACCURATE INFORMATION THEY HAD AVAILABLE AT THE TIME. 3. WHY WERE THERE SO MANY VOLLEYS OF GAS DEPLOYED WITHOUT PROVIDING GUIDANCE OR PUBLIC ANNOUNCEMENTS (PA'S) TO PROVIDE AN OPPORTUNITY FOR THE INDIVIDUAL TO SUBMIT TO ARREST? A. THERE WAS AN UNKNOWN SITE OF FIRE WHEN THE INDIVIDUAL BEGAN FIRING HIS HIGH-POWERED RIFLE. THIS ALLOWED FOR THE USE

OF AN EMERGENCY CHEMICAL DEPLOYMENT, IN ORDER TO STOP THE INDIVIDUAL'S ACTIONS IMMEDIATELY.

B. STANDARD DEPLOYMENT IS TWO VOLLEYS PER OPENING.

4. WHAT INFORMATION DID OFFICER [redacted] HAVE TO BELIEVE THE WINDOW OF APARTMENT #2169 BELONGED TO APARTMENT #2170?
   A. BASED ON THE AVAILABLE INFORMATION, HE BELIEVED IT WAS AN EXTENSION OF APARTMENT #2170.
   B. AFTER HE FIRED THE CHEMICAL MUNITION, HE WAS ADVISED THE WINDOW IN FACT BELONGED TO APARTMENT #2169.
   C. THIS WAS AN OPERATIONAL MISTAKE; HOWEVER, HE DID NOT HAVE THE FLOOR PLAN AND DUE TO THE EMERGENCY SITUATION OF BEING FIRED UPON, HE OPERATED WITH THE BEST INFORMATION HE HAD AT THE TIME OF DEPLOYMENT.
5. OFFICER CAN BE HEAR ADVISING HIS "ZERO" IS OFF. WAS THIS REFERENCE HIS RIFLE?
   A. NO. THIS WAS REFERENCE THE DEPLOYMENT OF A FERRET ROUND FROM THE PAST, WHICH IS DIFFERENT FROM THE FERRETS SOD IS CURRENTLY USING.
6. CONCERNS THE INCIDENT WAS RUSHED. CHARACTERIZED AS AN ACTIVE SHOOTER; HOWEVER, HE WAS SHOOTING AT A WALL.
   A. SOD REPRESENTATIVE DOES NOT BELIEVE THE REACTION WAS RUSHED.
   B. UNABLE TO DETERMINE AT THE TIME THE INDIVIDUAL'S PLANNED ACTIONS.
      I. HE HAD ALREADY SHOT AT VEHICLES AND IN THE AIR.
      II. HE COULD HAVE EASILY SHOT THROUGH THE APARTMENT WALLS, AT PASSERBY'S, AND OFFICERS.
   C. IT WAS NOT IMMEDIATELY KNOWN WHERE THE INDIVIDUAL WAS SHOOTING.
7. CAN A RIFLE SHOOT THROUGH AN ARMORED VEHICLE?
   A. YES IT CAN AND IN THE EVENT IT DOES PIERCE THE ARMOR, IT WILL RICOCHET INSIDE CAUSING RISK OF SERIOUS INJURY/DEATH TO OFFICERS INSIDE.
   B. WHEN IT DOESN'T PIERCE THE ARMOR, IT WILL RICOCHET OFF THE VEHICLE, CAUSING RISK TO CITIZENS AND OFFICERS OUTSIDE THE VEHICLE.
8. COULD INTRODUCING CHEMICALS INTO THE ENVIRONMENT TO GET THE INDIVIDUAL TO STOP SHOOTING CAUSE HIM TO EXIT THE APARTMENT WITH THE RIFLE, IN TURN INDUCING AN OFFICER INVOLVED SHOOTING?
   A. IMMEDIACY WAS PRESENT, REQUIRING EMERGENCY CHEMICAL DEPLOYMENT.

B. THE INDIVIDUAL'S ACTIONS WILL DETERMINE OFFICER'S RESPONSE.

C. THE IMMEDIACY OF THE THREAT MADE IT NECESSARY TO GET THE INDIVIDUAL TO CHANGE HIS THOUGHT PROCESS IN ORDER TO STOP HIS ACTIONS.

D. THE FAMILY NEXT DOOR EXPRESSED CONCERN FOR THEIR SAFETY DUE TO THE SHOTS BEING FIRED. THE FAMILY ADVISED THEY LAID ON THE GROUND FEARING THEY WOULD BE SHOT.

9. HOW MANY ATTEMPTS TO CONTACT THE INDIVIDUAL WERE MADE.

A. UPON THE INDIVIDUAL CALLING 911 WHEN THE DRONE WAS DEPLOYED INSIDE THE APARTMENT, THEY WERE ABLE TO IMMEDIATELY GET CNT ON THE PHONE WITH HIM AND STOPPED CHEMICAL DEPLOYMENT. HE WENT ON AND OFF LINE; HOWEVER, WHEN HE WENT BACK ON LINE, THEY WERE ABLE TO GET HIM TO EXIT THE APARTMENT WITH HIS HANDS FREE.

10. WAS AN IAR GENERATED WHEN OFFICER [redacted] SAID HE DID NOT USE FORCE AND IAFD IDENTIFIED IT AS A LEVEL 1?

A. NO. PAST PRACTICE DID NOT HAVE IAFD GENERATE IARS, IT WAS ADDRESSED THROUGH THE INVESTIGATION.

B. THIS PRACTICE HAS BEEN CHANGED MOVING FORWARD.

C. NEW PRACTICE OF INTERVIEWING EVERYONE INVOLVED/WITNESS TO USE OF FORCE WILL ALSO MITIGATE THIS FROM OCCURRING MOVING FORWARD.

I. DIRECT ORDER FOR INTERVIEWS GIVEN ON MARCH 2, 2021.

11. WHAT DETERMINATION MADE TO CONCLUDE THIS WAS A LEVEL 1 AND NOT A LEVEL 3?

A. DEFINITION OF LEVEL 1 – TRANSITORY PAIN, NOT ACTUAL INJURY OR COMPLAINT OF INJURY, OF WHICH HE NEVER HAD COMPLAINTS OF INJURY.

12. DOES SOD TRAIN LOW-LEVEL CONTROL TACTICS?

A. YES, THROUGH QUARTERLY TRAINING OF DEFENSIVE TACTICS.

13. CONCERN OF PRACTICE THAT AS LONG AS AN OFFICER DESCRIBES WHAT THEY DID BUT SAYS THEY DID NOT USE FORCE, IT IS ACCEPTABLE.

A. COMPLETING INTERVIEWS WILL HELP CURTAIL THIS FROM HAPPENING BECAUSE THEY WILL IMMEDIATELY ACCOUNT FOR THESE CONCERNS.

B. EVEN WITH OFFICERS NOT BELIEVING THEY USED FORCE, THE DETERMINATION IS ULTIMATELY MADE BY THE SUPERVISOR/INVESTIGATOR.

I. OFFICERS MIGHT NEED GUIDANCE ON ODD CIRCUMSTANCES; HOWEVER, IN GENERAL, THEY NEED TO RECOGNIZE WHEN THEY ARE USING FORCE.

	14. WAS THE INDIVIDUAL ASKED WHY HE EXITED WITH THE RIFLE? A. NO. I. HIGHLIGHTS WHY WE NEED INTERVIEWS CONDUCTED. 15. COMMANDS SHOULD NOT BE LISTED AS DE-ESCALATION. A. THEY WERE NOT IDENTIFIED AS DE-ESCALATION IN THE INVESTIGATION. IT IS ONLY ON THE SAME SLIDE ON THE TEMPLATE OF THE POWERPOINT. THIS CAN BE CHANGED TO ELIMINATE CONFUSION. 16. IN IAFD REPORT, INDIVIDUAL WAS ASKED ABOUT INJURIES. ASSUMING THIS WAS COMPLETED BY THE DETECTIVE, DID AN ON SCENE SUPERVISOR DO THIS, AS REQUIRED BY POLICY? A. INDIVIDUAL WAS EVALUATED ON SCENE BY RESCUE AND OBSERVED BY THE ON SCENE SUPERVISOR. HE WAS NOT MIRANDIZED AND ASKED DUE TO IT BEING AN OFFICER INVOLVED SHOOTING AND LEVEL 2 INVESTIGATION.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. WAS SHOTSPOTTER AVAILABLE? A. NOT AVAILABLE IN THE AREA OF THIS INCIDENT. 2. AGREES WITH FRB DETERMINATION THE FORCE WAS IN POLICY.

CASE #: 20-0043652 TYPE: SOD (P78)	DATE OF INCIDENT: MAY 31, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1023 HOURS CALL TO TACTICAL: 1040 HOURS SWAT ACTIVATION: 1100 HOURS
CASE PRESENTER	SERGEANT		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☒ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☐ YES ☒ NO		

DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?

MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WAS THE CONCERN REGARDING THE DRONE'S BATTERY DYING ADDRESSED? A. THE DRONE PROGRAM WAS NEW WHEN THIS CALL OCCURRED. B. NEED FOR A LARGER DRONE WITH BETTER OPTIONS WAS IDENTIFIED AND THE PROCESS IS UNDERWAY TO OBTAIN A BETTER DRONE. C. THE PLAN IS TO BE ABLE TO IMMEDIATELY DEPLOY ANOTHER DRONE, WHEN THE FIRST HAS TO GO DOWN FOR A DYING BATTERY. I. FEDERAL AVIATION ADMINISTRATION (FAA) GUIDELINES DO NOT ALLOW FOR TWO DRONES IN THE AIR AT THE SAME TIME, CAUSING A GAP IN INFORMATION GATHERING BY THE DRONE. 2. WHAT ARE THE FIREARM QUALIFICATIONS FOR SOD'S HIGH GROUND POSITION? A. QUARTERLY QUALIFICATIONS, WHICH INCLUDE SHOOTING FROM 100 AND 300 YARDS. I. IF THEY FAIL THE PRECISION PORTION OF THE QUALIFICATIONS, THE OFFICER IS REMOVED AS HIGH GROUND. B. WEEKLY FIREARMS TRAINING, WHICH INCLUDES MOVING TARGETS AND ACCURACY DRILLS.

	3. OBRD CONCERNS A. STUDY WAS COMPLETED FOR ADDITIONAL CAMERA AND/OR MOUNTING OPTIONS; HOWEVER, NO VIABLE OPTION WAS IDENTIFIED. 4. WOULD RIFLE MOUNTED OBRDS BE AN OPTION? A. NO NOT FOR HIGH GROUND AS IT COULD JEOPARDIZE THE ACCURACY OF THE RIFLE. 5. HOW ARE PRECISION RIFLE OPERATOR'S (PRO'S) SELECTED? A. THE SELECTION IS MADE BY SOD'S CHAIN OF COMMAND AND THE OFFICER'S PERFORMANCE QUALITY. B. ONCE SELECTED, THE OFFICER GOES THROUGH PRECISION RIFLE TRAINING.

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1 IF APARTMENT #2169 WAS OCCUPIED WHEN CHEMICAL MUNITIONS WERE DEPLOYED, SHOULD THIS NOT HAVE BEEN INVESTIGATED AS A USE OF FORCE? A. YES AND IT WAS EVALUATED AND INVESTIGATED AS A USE OF FORCE.

Next FRB Meeting: March 11, 2021

Signed: [redacted]
[redacted] Interim Chief of Police

Force Review Board

CHIEF'S REPORT (P78F)

AUGUST 12, 2021

TIME: 1003 TO 1236 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau)
VOTING MEMBERS (P78)	DCOP Michael Smathers (Special Operations Bureau) – first presentation only DCOP Arturo Gonzalez (Investigative Bureau) Interim DCOP Joshua Brown (Field Services Bureau) Commander James Collins (Foothills Area Command) A/Commander [redacted] (Training Academy)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (City Legal) Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Lieutenant [redacted] (CIU) – via teleconference A/ Lieutenant [redacted] (SOD) – via teleconference Sergeant [redacted] (SOD) Sergeant [redacted] (CIU) – via teleconference Policy Manager Patricia Serna (Policy and Procedure) – via teleconference Detective [redacted] (IAFD/Presenter) Sergeant [redacted] (SOD/Presenter) Superintendent Sylvester Stanley (Police Reform) Chief of Staff Cecily Barker (Chief's Office) – via teleconference Interim DCOP Cori Lowe (Compliance Bureau) – via teleconference Commander Renae McDermott (Training Academy) A/Commander Richard Evans (IAFD) – via teleconference
OBSERVERS (P78b)	A/ Commander [redacted] (COD) – via teleconference Lieutenant [redacted] (TDY SOD) – via teleconference Sergeant [redacted] (IAFD) Sergeant [redacted] (Training Academy) – via teleconference Officer [redacted] (IAFD/FRB) Dr. Jessica Henjy (Training Academy) – via teleconference Carlos Pacheco (City Legal) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Corey Sanders (USDOJ) –via teleconference Patrick Kent (USDOJ) – via teleconference Yvonnie Demmerritte (USDOJ) – via teleconference Sarah Lopez (USDOJ) – via teleconference Laura Kunard (IMT) – via teleconference Darryl Neier (EFIT) – via teleconference
PREVIOUS MINUTES	August 5, 2021
UNFINISHED BUSINESS	• None

CASE # 20-0044826 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: JUNE 4, 2020	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1355 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☒ YES ☐ NO		
DAMAGE TO PROPERTY	☐ YES ☒ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE" TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT		
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO		
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO		
DISCUSSION	☒ YES ☐ NO		
DISCUSSION TOPICS	1. WAS IT EVER DETERMINED WHETHER THE INDIVIDUAL WAS ARMED WHEN HE WENT BACK INTO THE HOUSE OR IF HE ARMED HIMSELF AFTER HE ENTERED?		

A. UNKNOWN, NO PAT DOWN WAS DONE.

2. A/COMMANDER EVANS EXPLAINED IAFD ONLY LOOKED AT THE FORCE ON THIS CASE ONLY AND NOT THE TOTALITY OF THE INCIDENT AS A WHOLE. USING TODAY'S STANDARDS, IT WOULD BE OUT OF POLICY.
3. PERFECT EXAMPLE AS WHY WE NEED A DIFFERENT STANDARDS OF RESPONDING TO THESE TYPES OF CALLS (EG. MENTAL HEALTH, INEBRIATED PEOPLE, DRUG ABUSE ETC.)
4. WOULD THIS TYPE OF CALL FALL UNDER AN MCT RESPONSE?
    A. IN DETERMINING WHETHER THEY WILL RESPOND, MCT LOOKS AT WHETHER THE SUBJECT NEEDS TO BE HANDCUFFED AND WHETHER THE TRANSPORT IS VOLUNTARY VERSUS NON VOLUNTARY.
    B. THIS CALL WOULD NOT HAVE LIKELY FIT THE REQUIREMENTS INITIALLY.
    C. THIS BEING SAID, HAD THEY RESPONDED, LT. [redacted] BELIEVES THE INDIVIDUAL WOULD HAVE GONE VOLUNTARILY WITH THEIR ASSISTANCE.
5. PROHIBITION IN POLICY OF IF THE OFFICER CAUSED THE FORCE DUE TO THEIR ACTIONS, DOES THIS NOT HELP DETERMINE WHETHER IT WAS REASONABLE?
    A. NOT NECESSARILY. THE OFFICER WANTED TO RENDER AID, WHICH IS WHY HE MADE THE DECISION TO ALLOW THE MOTHER TO OPEN THE DOOR.
    B. ONCE THE DOOR WAS OPEN, HE FOUND HIMSELF IN A SITUATION WHERE HE WAS PRESENTED WITH AN IMMEDIATE THREAT OF THE INDIVIDUAL ARMED WITH A KNIFE.
    C. THERE IS NO KNOWN TRAINING THAT WHEN AN INDIVIDUAL IS APPROACHING AN OFFICER WITH A KNIFE WITHIN 3-5 FEET, IT SHOULD BE ANYTHING OTHER THAN DEADLY FORCE.
6. DO YOU THINK IT WAS THE WRONG DECISION TO HAVE MOM OPEN DOOR?
    A. 20/20 HINDSIGHT? YES OF COURSE.
7. OPTIC VIEW OF ONLY LOOKING AT FORCE WOULD BE LIKE AN OFFICER JUMPING IN FRONT OF A CAR, IT WOULD BE REASONABLE.
    A. REGARDING OFFICER INDUCED JEOPARDY, WE HAVE A SPECIFIC SOP WHICH PREVENTS THIS ACT. WE DO NOT HAVE AN SOP TO COVER THIS ACTION.
8. TRUTHFULNESS OF THE OFFICER?
    A. IAFD NOW GOES DOWN THE "RABBIT HOLE" TO UNPACK AN OFFICER'S STATEMENT.
    B. DIFFICULT TO KNOW IF IT WAS UNTRUTHFUL OR NOT REMEMBERING.
        I. THE QUESTIONS WERE NOT ASKED SO IT IS IMPOSSIBLE TO KNOW.
        II. ONE EXAMPLE, THE OFFICER SAID MOM INTERFERED THE WHOLE TIME, WHICH CLEARLY DID NOT OCCUR UPON

REVIEWING THE OBRD. IT IS IMPOSSIBLE TO DETERMINE WHETHER THIS WAS HIS PERCEPTION OR IF HE WAS BEING UNTRUTHFUL WITHOUT A FOLLOW-UP INTERVIEW.

III. NOW REGARDING THE INDIVIDUAL BLEEDING OUT, IT DOES SEEM LIKE HE WAS TRYING TO RENDER AID. IT WAS ONLY AFTER THE MOTHER ADVISED HE WAS STABBING HIMSELF IN THE NECK THE OFFICER TOLD HER TO OPEN THE DOOR.

9. WAS THE OFFICER AFFORDED THE ABILITY TO WATCH HIS OBRD PRIOR TO HIS INTERVIEW?
    A. HE SHOULD HAVE BEEN.
10. THEN HOW WOULD HE NOT HAVE THE OPPORTUNITY TO CLARIFY HIS PERCEPTION?
11. SPECIFIC POLICY PROHIBITION OF JUMPING IN FRONT OF CAR 2-52-5 DOES COVER THIS CONCERN BUT SEEMS IT WAS ANALYZED DIFFERENTLY.
    A. HE WAS SUSTAINED ON 2-55
12. NO ONE SAYS HE SHOULD HAVE GOTTEN STABBED; HOWEVER, 2-52-5, WAS GROSSLY VIOLATED. WHY DOES THE OTHER POLICY TRUMP THE VIOLATION OF THIS ONE OVER AND OVER?
    A. BECAUSE IN THE MOMENT THE 34 DID NOT HAVE ANY OTHER OPTIONS. IF IT DOES NOT COVER THESE THINGS
    B. IF WE ARE SAYING IT WAS 34 INDUCED BUT IT IS NECESSARY, THEY MADE THE DETERMINATION ON THIS BECAUSE AT THE TIME OF THE SHOOTING, THERE ARE NO OTHER OPTIONS, IAFD HAD TO MAKE THE DETERMINATION BASED ON THE PRONGS
13. HOW ARE YOU LOOKING AT IT NOW? THAT VERY SECOND, YES. BUT EVERYTHING THAT LED UP CAUSES THE ACTIONS TAKEN, HOW IS THAT NOT USED TO DETERMINE?
14. REGARDING GRAHAM AND CHARGING AN OFFICER, YES THEY ARE COVERED. BUT THE POLICY IS MORE RESTRICTIVE AND IT SHOULD NOT HAVE HAPPENED. THESE CONSIDERATIONS HAVE TO PLAY INTO THE ROLE OF MAKING THE DETERMINATION.
15. WHEN INVESTIGATING LEVEL 1 USE OF FORCE, THERE ARE A LOT OF CONSIDERATIONS REGARDING THE PRELIMINARY THINGS DONE PRIOR TO USING FORCE, WHICH OUR POLICIES DO TO ENCOURAGE US TO NOT USE FORCE.
16. THE JEOPARDY BEGAN AT THE BEGINNING OF ARRIVAL. THE OFFICER'S CONDUCT HELP DETERMINE THE STEPS LEADING UP TO THE FORCE USED. THERE ARE SEARCH AND SEIZURE LAWS TO DETERMINE WHETHER THEIR PRESENCE WAS LAWFUL.
    A. YES COMMANDER OF IAFD SAID IT WOULD BE OUT OF POLICY SO THAT IS THE OPINION OF THE PRESENTER.

17. DIFFERENCE BETWEEN MISTAKES AND MISCONDUCT. THEY ARE STILL HELD ACCOUNTABLE FOR THE POLICY. THE MISTAKES MADE CAUSED THIS SHOOTING. THE FACT THE OFFICER DID NOT RECOGNIZE THE MISTAKES IS TERRIBLY CONCERNING.
18. THE REASONABLE OFFICER ON THIS CALL WAS THE ROOKIE OFFICER WHO SAID THINGS WERE NOT RIGHT ON THE CALL.
19. WERE THE ACTIONS OF THE OFFICERS CONGRUENT WITH ECIT TRAINING?
    A. NO, THE ACTIONS WERE IN CONFLICT OF BOTH CADET TRAINING, CIT TRAINING, AND ECIT TRAINING.
    B. THE FAMILY MEMBER EVEN SAID THEY DID NOT WANT TO CALL OFFICERS BECAUSE OF THIS EXACT OUTCOME.
    C. THE INDIVIDUAL SHOULD HAVE NEVER BEEN ALLOWED TO GO BACK INSIDE.
20. IT WAS MENTIONED IN PRESENTATION THERE WAS MANDATORY TRAINING; HOWEVER, GIVEN THE NATURE OF THE CALL AND ONGOING LITIGATION, THE ACADEMY STAFF AND CIT WERE NOT PERMITTED TO COMPLETE THE TRAINING. THE TRAINING FOR OFFICER RUIZ NEEDS TO BE COMPLETED IMMEDIATELY.
21. REFERRAL: THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO POLICY. POLICY AND PROCEDURE MANAGER PATRICIA SERNA WILL CREATE A SPECIAL ORDER TO AMEND POLICY THAT INCLUDES SPECIALTY PAY. THIS AMENDMENT WILL INCLUDE REMOVAL FROM THE UNIT OR PROGRAM BASED ON PERFORMANCE, FAILURE TO MEET MINIMUM STANDARDS, AND/OR NEGLIGENCE IDENTIFIED TO BE DETERMINED BY THE AFFECTED CHAIN OF COMMAND AND/OR PROGRAM LEAD. DEADLINE: 30 DAYS
22. WILL HE BE TDY'D TO THE ACADEMY?
    A. LIKELY; HOWEVER, HE IS CURRENTLY ON SERGEANT OJT, SO HE IS ALREADY ASSIGNED TO THE ACADEMY.
23. CAN HE SIT IN THE CURRENT CADET TRAINING COURSES?
    A. NO THE ACADEMY WILL BE SITTING DOWN INDIVIDUALLY WITH OFFICER [redacted]
    B. THERE WILL BE A FULL CURRICULUM TO DEAL WITH THE TRAINING NEEDS.
24. WORKING IN CONCERT WITH ANOTHER OFFICER IS ALSO A TRAINING CONCERN THAT SHOULD BE INCLUDED IN HIS TRAINING.
    A. AGREED AND IF HE FAILS TO ADEQUATELY PERFORM DURING THIS TRAINING, IT WILL BE ADDRESSED ACCORDINGLY.
25. HE IS ON OJT; HOWEVER, HE WILL NEED TO REPORT TO THE ACADEMY IMMEDIATELY.
26. REGARDING ECIT TRAINING AND EVALUATION, IS THERE TALK OF REMOVING OFFICER RUIZ FROM THE ECIT PROGRAM?

<table>
<tr><td></td><td>
A. ECIT COMES WITH INCENTIVE PAY SO WILL HAVE TO DEAL WITH THE REGULATIONS; HOWEVER, HIS CERTIFICATION ENDS AT THE END OF 2021 AND HE WILL NOT BE INVITED BACK TO THE RE-TRAINING.
27. THIS BRINGS UP THE NEED FOR A REFERRAL THAT IF SOMEONE IS THAT NEGLIGENT WITH THEIR SPECIALIZED TRAINING, THE DEPARTMENT HAS THE ABILITY TO REMOVE THE PERSON FROM THE SPECIALIZED UNIT/COLLARTERAL DUTY.
28. REFERRAL: THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO POLICY. POLICY AND PROCEDURE MANAGER PATRICIA SERNA WILL CREATE A SPECIAL ORDER TO AMEND POLICY THAT INCLUDES SPECIALTY PAY. THIS AMENDMENT WILL INCLUDE REMOVAL FROM THE UNIT OR PROGRAM BASED ON PERFORMANCE, FAILURE TO MEET MINIMUM STANDARDS, AND/OR NEGLIGENCE IDENTIFIED, WHICH WILL BE DETERMINED BY THE AFFECTED CHAIN OF COMMAND AND/OR PROGRAM LEAD. DUE DATE: 9/13/2021.
29. SPECIALIZED FOR SEVERAL UNITS SO IT SHOULD BE A GLOBAL POLICY TO COVER ANY SPECIALIZED UNIT OR COLLATERAL DUTY TO REMOVE AT ANY TIME.
30. IS THE ACADEMY LOOKING AT THE MISSED TRAINING REFERRAL?
A. IT WAS NOT MISSED. ACADEMY PERSONNEL WERE TOLD NOT TO PROCEED WITH TRAINING FROM PREVIOUS ADMINISTRATION DUE TO ONGOING LITIGATION.
B. SUBMITTED A TICKET TO PULL EMAILS TO ACCESS THE ORDER TO STOP THE TRAINING.
</td></tr>
<tr><td>DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td>DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:</td></tr>
</table>

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☐ YES ☒ NO (NOT PRESENT)	
DISCUSSION TOPICS	1. N/A

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☒ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO TRAINING A/ COMMANDER [redacted] WILL COMPLETE A

	TRAINING REFERRAL FOR OFFICER [redacted] REGARDING THE FOLLOWING TOPICS: ACTIVE LISTENING, DE-ESCALATION, DISENGAGEMENT, DEVISING AN APPROACH PLAN, DETERMINING LAWFUL OBJECTIVES, PROPER HANDCUFFING AND PAT DOWN TECHNIQUES (WITH SOP), RESPONSE TO BARRICADED INDIVIDUALS, INVESTIGATION, SCENE MANAGEMENT AND CONTROL, MENTAL HEALTH TRANSPORT, AND FIREARM SAFETY RULES
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	A/ COMMANDER [redacted]
DEADLINE: (P78e)	SEPTEMBER 13, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	**REFERRAL INFORMATION**
TYPE OF REFERRAL(S): (P78e)	☒ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO POLICY. POLICY AND PROCEDURE MANAGER PATRICIA SERNA WILL CREATE A SPECIAL ORDER TO AMEND POLICY THAT INCLUDES SPECIALTY PAY. THIS AMENDMENT WILL INCLUDE REMOVAL FROM THE UNIT OR PROGRAM BASED ON PERFORMANCE, FAILURE TO MEET MINIMUM STANDARDS, AND/OR NEGLIGENCE IDENTIFIED WHICH WILL BE DETERMINED BY THE AFFECTED CHAIN OF COMMAND AND/OR PROGRAM LEAD
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	POLICY AND PROCEDURE MANAGER PATRICIA SERNA
DEADLINE: (P78e)	SEPTEMBER 13, 2021

(P78)	SWAT ACTIVATION: PREDETERMINED WARRANT
CASE PRESENTER	SERGEANT
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE " TO BE ANSWERED 'YES ')	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WHAT WAS THE BASIS FOR THE SEARCH WARRANT? A. IT WAS A SEARCH WARRANT ONLY. I. THE INDIVIDUAL WHO WAS PLACED INTO HANDCUFFS WAS DUE TO THE PRIOR

	KNOWLEDGE OF HIM BEING ARMED FROM THE PREVIOUS INCIDENT. II. THE OTHER INDIVIDUALS WHO EXITED WERE DETAINED BRIEFLY TO RENDER IT SAFE. THEY WERE NOT PLACED IN HANDCUFFS AND WERE PERMITTED TO LEAVE AFTER DETECTIVES ON SCENE MADE CONTACT.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☐ YES ☒ NO (NOT PRESENT)	
DISCUSSION TOPICS	1. N/A

CASE #: 21-0041827 TYPE: SOD (P78)	DATE OF INCIDENT: MAY 31, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1004 HOURS CALL TO TACTICAL: 1116 HOURS SWAT ACTIVATION: 1313 HOURS
CASE PRESENTER	SERGEANT [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☐ YES ☒ NO		
DAMAGE TO PROPERTY	☒ YES ☐ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE" TO BE ANSWERED "YES")	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE		

	☒ YES ☐ NO ☐ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. NONE

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e)	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	<u>FOR TACTICAL ACTIVATIONS ONLY</u>: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	<u>FOR TACTICAL ACTIVATIONS ONLY</u>: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	<u>FOR IAFD INVESTIGATIONS ONLY:</u> DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	

	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☐ YES ☒ NO (NOT PRESENT)	
DISCUSSION TOPICS	1. N/A

Next FRB Meeting: August 19, 2021

Signed: _____
Harold Medina, Chief of Police