

Civilian Police Oversight Agency

Finding Letters of the CPOA

The CPOA Executive Director's findings in each case are listed below. The following notifications of the findings were provided to the citizen(s) during June 2026. If applicable, these findings will become part of the officer's file.

005-26	008-26	010-26	011-26	013-26
013-26	014-26	015-26	016-26	017-26
018-26	019-26	020-26	021-26	024-26
025-26	027-26	028-26	029-26	030-26
033-26	034-26	035-26	036-26	037-26
051-26	165-25	175-25	172-25	183-25
185-25	192-25	196-25	198-25	202-25

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

Re: CPC # 005-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Ms. T : submitted a complaint about an incident where she called 911 because her daughter, Ms. D , who was homeless, pregnant, addicted to drugs, and mentally unstable, was punching herself in the head and threatening suicide. Ms. D was in need of medical intervention as she was barely able to walk. The responding ofc's were only worried about finding drugs and issuing a citation. An "Asian officer" told her that Ms. D didn't meet the criteria and that she couldn't be forced to go to rehab. She requested the Mobile Crisis Team, but the ofc. said Ms. D didn't meet the criteria, which she didn't understand, as Ms. D was "out of her mind." She asked, "what about my grandchild," and the ofc. stated, "her body, her choice." She felt the ofc's should've called for medical assistance.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer A

Other Materials: Email Communications, SOP 2.16, & SOP 2.19.

Date Investigation Completed: April 21, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4 (Public Welfare)

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



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



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



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



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



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



Additional Comments:

1.1.5.A.4: It was determined that Officer A obtained information from the public in a professional, prompt, and courteous manner and then acted upon it in a proper and judicious manner within the scope of his duties. Ms. D was offered medical assistance and resources, but declined them. Ms. D was not issued any citations and appeared to be of sound mind during the interaction with the officers. Ms. D advised the officers that she did not want contact with her family. The officers used the trespassing issue to continue contact and attempt to provide assistance and resources to Ms. D. Ms. D was also asked about drug usage as it related to a medical issue, not a criminal issue.

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

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

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

If you are not satisfied with the final disciplinary decision of the Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

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

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

Re: CPC # 005-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Ms. T : submitted a complaint about an incident where she called 911 because her daughter, Ms. D , who was homeless, pregnant, addicted to drugs, and mentally unstable, was punching herself in the head and threatening suicide. Ms. D was in need of medical intervention as she was barely able to walk. The responding ofc's were only worried about finding drugs and issuing a citation. An "Asian officer" told her that Ms. D didn't meet the criteria and that she couldn't be forced to go to rehab. She requested the Mobile Crisis Team, but the ofc. said Ms. D didn't meet the criteria, which she didn't understand, as Ms. D was "out of her mind." She asked, "what about my grandchild," and the ofc. stated, "her body, her choice." She felt the ofc's should've called for medical assistance.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer Y

Other Materials: Email Communications, SOP 2.16, & SOP 2.19.

Date Investigation Completed: April 21, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4 (Public Welfare)

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:

1.1.5.A.4: It was determined that Officer A obtained information from the public in a professional, prompt, and courteous manner and then acted upon it in a proper and judicious manner within the scope of his duties. Ms. D was offered medical assistance and resources, but declined them. Ms. D was not issued any citations and appeared to be of sound mind during the interaction with the officers. Ms. D advised the officers that she did not want contact with her family. The officers used the trespassing issue to continue contact and attempt to provide assistance and resources to Ms. D. Ms. D was also asked about drug usage as it related to a medical issue, not a criminal issue.

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 008-26

COMPLAINT:

PO Box 1293

Mr. D reported that he was pulled over by Officer C, whom he previously filed a complaint against. Officer C towed his vehicle and was being aggressive towards him. He advised that Officer C was targeting and harassing him because he pulled him over every time he saw him on the road.

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: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer C

Other Materials: Email Communications and tow report

Date Investigation Completed: May 5, 2026

FINDINGS

Policies Reviewed: 1.1.5.C.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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Additional Comments:

1.1.5.C.2: It was determined that Officer C pulled Mr. D over for not having his lights on after dark and not having his vehicle registered. Officer C had Mr. D vehicle towed due to it not being insured. Officer C complied with policy when pulling over Mr. D if he continued to not have valid registration or insurance for the vehicle. Complaints filed against Officer C do not change Officer C's responsibility if he encountered Mr. D and the violations still exist. Mr. D was given the opportunity to attempt to get insurance before the vehicle was towed. Mr. D had been given other opportunities prior to this date.

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 010-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 01/24/2026, K G submitted an online complaint to the CPOA regarding an incident that occurred on 01/24/2026 between 0032 and 0042 hours at the Hotel Andaluz. Mr. G reported that he was driving a guest vehicle when an APD patrol vehicle ran a red light and nearly collided with him. Mr. G continued to the hotel parking lot and exited the vehicle to move cones. An officer advised him that he was being stopped for operating a vehicle without the headlights. Mr. G explained that he was working, that the oversight was unintentional, and that the stop was delaying his duties. The officers questioned him in an argumentative manner and requested his identification.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer H

Other Materials: Email Communications & Complainant Submitted Evidence

Date Investigation Completed: May 14, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4 (Conduct) & 2.5.4.A.3 (Department Vehicles)

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:

1.1.5.A.4: It was determined that Officer H had probable cause to conduct the traffic stop on Mr. G for traveling on a roadway at night without headlights illuminated. Per the video evidence there was no indication that Officer H was argumentative, rude, or improperly delayed Mr. G

2.5.4.A.3: It was determined that Officer H never ran a red light or almost collided with Mr. G. The dash camera footage provided clear and convincing evidence that Officer H had a green light and the right-of-way, made a safe left-hand turn, and never came close to colliding with any vehicles.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 011-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 01/26/2026, Ruby M : submitted an online complaint to the CPOA regarding an incident that occurred on 01/25/2026 at 1731 hours via telephone. Ms. M : reported that an unknown officer called her from a private number regarding 260007046. The officer insisted that she and her daughter were harassing and threatening Rose C because that was what Ms. C had alleged after Ms. M : requested a welfare check regarding her grandchildren.

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 W

Other Materials: Email Communications, text messages

Date Investigation Completed: May 14, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4 (Conduct)

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



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



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Additional Comments:

It was determined that Officer W was firm in his conversation with Ms. M and strongly encouraged her to refrain from further communication with Ms. C. Officer W had the messages from Ms. C; that showed contact had been occurring. Ms. M characterization that Officer W was unprofessional was not supported by the evidence, as Officer W was professional and acting within the scope of his duties.

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

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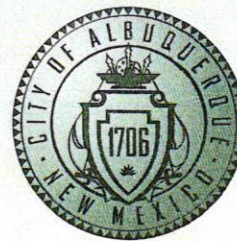
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 013-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

J K : reported Officer A sped into his parking lot and entered his restaurant upset. He reported Officer A confronted his employee and threatened to arrest him. He reported that he personally intervened and had asked Officer A why he was escalating the situation. He reported that Officer A stormed out of the restaurant and left frustrated. Mr. K : reported that Officer A had argued with his employee and had raised his voice to the point where he had to intervene. He reported A had told Mr. J that he could be arrested for warrants.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer A

Other Materials: Email Communications

Date Investigation Completed: May 26, 2026

FINDINGS

Policies Reviewed: 2.5.4.A.3 (Department Vehicles)

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.A.1 (Conduct)

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



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Additional Comments:

1.1.5.A.1: It was determined that, based on the review of the evidence, the complainant's and officer's interviews corroborated what had taken place at the restaurant insofar as Officer A advising the employee that he had warrants and raising his voice. However, the employee appeared to be the one escalating the situation, as Officer A was trying to provide him with an explanation. It should be noted that Officer A disengaged even as the employee continued to yell. Although Officer A did raise his voice in an attempt to communicate with the employee, it was not to the point of yelling, and did not rise to the level of a policy violation.

2.5.4.A.3: It was determined that, based on the limited evidence, there was no supporting evidence that showed Officer A had sped into the parking lot. Additionally, there was no supporting evidence provided by Mr. K : to substantiate the alleged speeding.

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

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If you are not satisfied with the final disciplinary decision of the Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

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

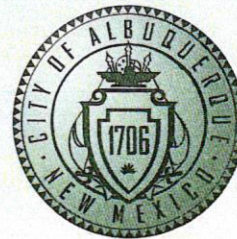
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 013-26

COMPLAINT:

PO Box 1293

K J reported he was physically assaulted by an unknown person as he was reporting to his place of employment. The police were dispatched. and he was the victim. The officer involved did not detain or arrest the assailant. The person committing the assault was let go. No pictures of injuries were taken. There were numerous witnesses.

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: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer A

Other Materials: Email Communications

Date Investigation Completed: May 26, 2026

FINDINGS

Policies Reviewed: 2.60.4.C.1.e (Primary Investigation)

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:

2.60.4.C.1.e: It was determined that, based on the evidence, Officer A had documented Mr. J ; injury in his report, documented a witness statement, and had explained to Mr. J that the other involved individual was not going to be arrested, but instead, summoned for a battery charge.

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

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

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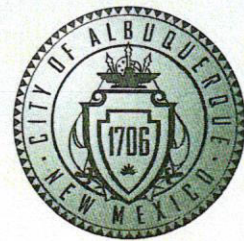
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 014-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/04/2026, J : L submitted a complaint to the CPOA for an incident on 02/03/2026 at 2345 hours at 57th and Palm Avenue. Ms. L reported that she was stopped by two officers and told to exit her vehicle. She asked why and was told the vehicle had been reported stolen. She asked to call a parent/attorney and was told no, that she was being detained. Officer S grabbed her arm and told her to get into the back of the patrol vehicle. She asked to grab her wallet to show her identification or vehicle documentation, and was told no, and was taken to the back of the patrol vehicle. Ms. L reported that an officer searched her vehicle without consent while another officer asked for her identifying information. Upon completion, she was released without an explanation.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer S

Other Materials: Email communications, radio traffic, citizens evidence & call to dispatch.

Date Investigation Completed: May 8, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4 (Conduct) & 2.71.4.A.1 (Search & Seizure)

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



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



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



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



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



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



Additional Comments:

1.1.5.A.4: It was determined that Officer S had obtained information from Ms. L in a professional, prompt, and courteous manner and had acted properly and judiciously in detaining her. Generally, auto theft incidents have a higher risk for officer safety so different tactics for the stop are prescribed by policy.

2.71.4.A.1: The ALPR read the last digit of the plate incorrectly and caused the alert to be sent. It was determined that Officer S had reasonable suspicion to detain Ms. L based on an ALPR hit for a stolen license plate, and he did not search her vehicle. Once the stop was initiated Officer S confirmed her VIN to see if the system showed it as stolen.

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

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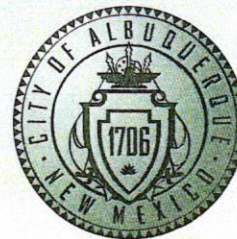
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 014-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/04/2026, J L submitted a complaint to the CPOA for an incident on 02/03/2026 at 2345 hours at 57th and Palm Avenue. Ms. L reported that she was stopped by two officers and told to exit her vehicle. She asked why and was told the vehicle had been reported stolen. She asked to call a parent/attorney and was told no, that she was being detained. Officer S grabbed her arm and told her to get into the back of the patrol vehicle. She asked to grab her wallet to show her identification or vehicle documentation, and was told no, and was taken to the back of the patrol vehicle. Ms. L reported that an officer searched her vehicle without consent while another officer asked for her identifying information. Upon completion, she was released without an explanation.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer C

Other Materials: Email communications, radio traffic, citizens evidence & call to dispatch.

Date Investigation Completed: May 8, 2026

FINDINGS

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

☐

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

☐

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

☐

Policies Reviewed: 1.1.5.A.4 (Conduct)

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

☒

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

☐

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

☐

Additional Comments:

1.1.5.A.4: It was determined that Officer C obtained Ms. Lovato's personal identifying information in a professional, prompt, and courteous manner, confirmed her identity after her detainment, and did not violate SOP. Generally, auto theft incidents have a higher risk for officer safety so different tactics for the stop are prescribed by policy.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Certified Mail

Re: CPC # 015-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/04/2026, S M I submitted a telephone complaint to the CPOA regarding incident 25-0099698 that occurred on 11/29/2025 at 0900 hours at 300 McKnight Avenue Northeast, Apartment S-101. Ms. M I reported that Officer N wrongfully charged her with 911 abuse after calling for assistance with her children. Ms. M believed that Officer N profiled her due to her satanic tattoos, her mental health, and her criminal record.

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 N

Other Materials: Email Communications and Court Documents.

Date Investigation Completed: May 19, 2026

FINDINGS

Policies Reviewed: 1.4.4.A.1.a (Bias-Based Policing)

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



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



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:

1.4.4.A.1.a: It was determined that there were no indications that Officer N profiled Ms. M or that he wrongfully charged her. Officer N charged Ms. M with an observed offense for which he established probable cause. Neither Officer N nor Ms. M mentioned tattoos, criminal records, or mental health issues.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Certified Mail

Re: CPC # 016-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

L G : reported that during the arrest of her boyfriend, T C , Officer M yelled, drew his weapon, and pointed it at him. She reported Officer M yelled at her to get back and go away. During the interview, L G : withdrew her complaint, stating that it was not a good idea, as it might lead to future issues with the police officers. She reported that her decision to withdraw the complaint was not due to any pressure from APD officers and that she had intended to do so sooner. It was determined due to the nature of the allegations the investigation would continue without Ms. G 's statement.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer M

Other Materials: Email Communications, APD SOP 2-53, and court evidence

Date Investigation Completed: May 28, 2026

FINDINGS

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

☐

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

☐

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

☐

Policies Reviewed: 1.1.6.C.1(Conduct)

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

☒

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 review of the available evidence, it was determined that Officer M drew his weapon and used an authoritative tone to gain compliance from T C , who is L G 's boyfriend, during his arrest for a felony warrant. However, Officer M held his firearm pointed downward and did not aim it at Mr. C , which is not a violation of APD policy. Additionally, Officer M directed Ms. G : to move away while Mr. C was being arrested, as she was in close proximity during the incident.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 15, 2026

Via Email

Re: CPC # 017-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/05/2026, I submitted an online complaint to the CPOA regarding an incident that occurred on 02/04/2026 at 1306 hours. Ms. E reported that she was pulled over for speeding and was upset and crying because she was late for work, and the traffic stop was taking longer than expected. She attempted to get the officers attention by waving and shouting at him to please hurry. The officer reapproached her vehicle, visibly upset, and asked if he needed her help with anything. The officer condescendingly told her, "Why would I need you help?" "i've been doing this for 10 plus years." Ms. E was upset and crying, and the officer told her that if she did not chill out, she would receive additional citations. She felt intimidated and unsafe.

EVIDENCE REVIEWED:

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

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

APD Employee Interviewed: Yes

APD Employee Involved: Officer H

Other Materials: Email Communications & Citations.

Date Investigation Completed: May 14, 2026

FINDINGS

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

☐

Policies Reviewed: 1.1.5.A.1 (Conduct)

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

☒

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

☐

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

☐

Policies Reviewed: 2.40.5.B.1.b (Traffic Stops)

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

☒

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

☐

Additional Comments:

1.1.5.A.1: It was determined that Officer H was not professional, courteous, or respectful particularly when he advised if she did not "chill out" she would receive additional citations when no additional violations were present. The CPOA recommends a written reprimand

2.40.5.B.1.b: It was determined that Officer H failed to request or include Ms. Elevario's email address and phone number on the citation as required and did not provide an explanation of all options. The CPOA recommends a verbal reprimand.

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

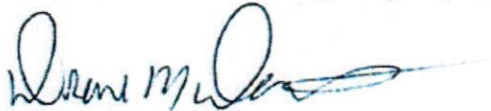
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 25, 2026

Via Email

Re: CPC # 018-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/06/2026, T S n submitted a handwritten complaint to the Albuquerque Police Department (APD) Northwest Substation. The complaint was forwarded via email on 02/06/2026 to the Civilian Police Oversight Agency (CPOA) regarding an incident that occurred on 12/13/2025 at 1424 hours on Cottonwood Drive Northwest. Mr. S n reported that it took 1 ½ months to receive a crash report taken by Officer A. In addition to the delay, Officer A did not accurately document Mr. S ; statement or vehicle positions in the report.

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes
Complainant Interviewed: Yes Witness(es) Interviewed: Yes
APD Employee Interviewed: Yes
APD Employee Involved: Officer A
Other Materials: Email Communications
Date Investigation Completed: May 7, 2026

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: Procedural Orders 2.16.5.C.1 & 2.16.5.B.5

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

☒

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

☐

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

☐

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

☐

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

☐

Additional Comments:

2.16.5.C.1-It was determined that Officer A violated the SOP in question as he did not complete his report prior to the end of his shift and did not obtain direction from a supervisor to do so.

2.16.5.B.5-Although Mr. Santistevan's statement was sufficiently accurate and Ms. S did not attempt to provide a statement, passenger information should be included in the report. What Mr. S wanted documented about the passengers, such as being checked by medical, would not necessarily need to be documented, as no one was transported. The statement and diagram provided were approximate; the crash report did not reflect that those passengers had been involved in the crash and did not include any passenger identifiers.

The CPOA recommends a written reprimand.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

1

Re: CPC # 019-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/09/2026 and 02/10/2026, E C submitted three online complaints to the CPOA regarding an incident that occurred on 07/16/2025 between 1647 and 1651 hours at 101 Ogle Avenue Southeast. Mr. C reported that he had been involved in an altercation with the neighbors, who were holding him down when the police arrived, they took him into custody, and took him to the hospital. Mr. C indicated that the officers were untruthful, used excessive force, failed to conduct a proper investigation, and lacked probable cause to arrest him.

Mr. C failed to participate in the investigative process.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: No

Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer H

Other Materials: Email, SOPs 2.82.4.C.5.a, 2-85

Date Investigation Completed: May 20, 2026

1

FINDINGS

Policies Reviewed: 1.1.6.C.1 (Conduct)

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



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



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



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



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



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



Additional Comments:

1.1.6.C.1: Officer H did not use excessive force and fulfilled his duties by transporting Mr. C to Kaseman Hospital for an emergency mental health evaluation under NMSA 43-01-10. Although Mr. C claimed he was assaulted, he provided no further details when asked about the incident and did not report pursuing charges or provide a statement during the hour at the hospital. Family members were restraining Mr. C. Officer H remained calm, polite, and professional, explaining the need for handcuffs, safety checks, and transport, and reassured Mr. C that he was not under arrest. The interaction was respectful and professional. It was determined, based on the evidence reviewed and interviews conducted, that Officer H did not violate the APD Policy in question, and that the reported allegations did not occur.

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

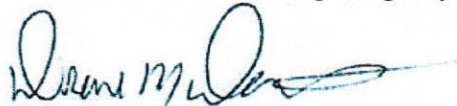
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 019-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/09/2026 and 02/10/2026, E C submitted three online complaints to the CPOA regarding an incident that occurred on 07/16/2025 between 1647 and 1651 hours at 101 Ogle Avenue Southeast. Mr. C reported that he had been involved in an altercation with the neighbors, who were holding him down when the police arrived, they took him into custody, and took him to the hospital. Mr. C indicated that the officers were untruthful, used excessive force, failed to conduct a proper investigation, and lacked probable cause to arrest him.

Mr. C failed to participate in the investigative process.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: No

Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer E

Other Materials: Email, SOPs 2.82.4.C.5.a, 2-85

Date Investigation Completed: May 20, 2026

FINDINGS

Policies Reviewed: 1.1.6.C.1 (Conduct)

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



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



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Additional Comments:

1.1.6.C.1: Officer E did not use excessive force and fulfilled his duties by locating Mr. C and assisting Officer H by following behind as Officer H transported him to Kaseman Hospital for an emergency mental health evaluation under NMSA 43-01-10, following a Certificate of Evaluation ordered by a psychiatrist. Evidence showed that although Mr. C claimed he was assaulted, he did not provide information or ask about charges during Officer E's approximately one-hour stay at the hospital with Mr. C. Family members were restraining Mr. C. Officer E explained the handcuffing and safety procedures and assured Mr. C that he was not under arrest. The interaction was calm, respectful, and professional. It was determined, based on the evidence reviewed and interviews conducted, that Officer E did not violate the APD Policy in question, and that the reported allegations did not occur.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 25, 2026

Via Email

Re: CPC # 020-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

L P reported that officers failed to summon or provide medical assistance and did not have the qualifications or certifications to make any medical-related decisions. She reported that Sergeant S told her he had checked her daughter, who looked fine, and that the injuries were "pretty common." Ms. P reported that Sergeant S's demeanor was nonchalant, dismissive, and lacked empathy, and he did not appear eager to pursue those responsible for the assault. Ms. P reported the incident raised serious concerns regarding failure to render medical aid, neglect of duty involving a minor, lack of professionalism, inadequate response to an assault on a minor, failure to investigate or enforce violations related to providing alcohol to minors, potential violations APD SOPs.

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: Sergeant S

Other Materials: Email Communications, court documents, SOP 3-31 medical services

Date Investigation Completed: May 29, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4 (Conduct)

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



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



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Additional Comments:

It was determined that, based on the evidence review, Sergeant S supervised a scene involving multiple officers and individuals regarding multiple calls for service, including the presence of weapons. The fight resulting in a battery was one of the issues. Sergeant S reported scene security necessitated priority before investigating the battery of Ms. P daughter. Numerous juveniles had fled the scene and others were released to gain control over the situation. None offered sufficient information to identify the suspects in the battery. The homeowner was charged with contributing to the delinquency of a minor. Based on training and experience he assessed Ms. P daughter as well as she denied medical assessment, saying she was fine. SOP refers to scene security before medical is dispatched. Neither parent demanded medical see their daughter nor did the sergeant refuse. Ms. P was aware another parent was taking her daughter home because she was on speaker phone when it was agreed upon. Neither parent asked Sergeant S his first name where he refused. Sergeant S was not the primary investigating officer into the misdemeanor battery, which was completed as a separate report.

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

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Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 25, 2026

Via Email

Re: CPC # 020-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

L P reported that officers failed to summon or provide medical assistance and did not have the qualifications or certifications to make any medical-related decisions. She reported that Officer A had checked her daughter and reported to Sergeant S that she looked fine. Ms. P reported Officer A had said that the injuries were “pretty common.” Ms. P reported the incident raised serious concerns regarding failure to render medical aid, neglect of duty involving a minor, lack of professionalism, inadequate response to an assault on a minor, failure to investigate or enforce violations related to providing alcohol to minors, potential violations of departmental policy, training standards, and legal obligations, and inadequate investigation and enforcement.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer A

Other Materials: Emails, court documents, SOPs 3-31 medical, 2-16 reports, 2-107 CSS.

Date Investigation Completed: May 29, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4 (Conduct)

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



Policies Reviewed: 2.60.4.D.1.b.i (Preliminary Investigations)

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



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



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Additional Comments:

1.1.5.A.4: Ms. P [redacted] daughter denied medical assessment, saying she was fine. Neither Ms. P [redacted] nor Mr. Pillera insisted upon medical being called at the scene. Officer A was observed taking statements from Ms. P [redacted] daughter, who had only a name to provide. She provided him with no other information at the scene. The homeowner was charged with providing alcohol to minors. Ms. P [redacted] knew her daughter was going home with another parent and did not express concern.

2.60.4.D.1.b.i: Officer A [redacted] A took a statement from Ms. P [redacted] daughter and documented it in a report. However, Officer A did not document his attempts or the reasons why he was unable to identify the persons who battered Ms. P [redacted] daughter or statements from witnesses, did not explain in the report what he learned from the video he received later, why an identification was still not able to be made, or what additional steps he took to identify the subjects as per policy he would remain the case agent. The CPOA recommends a written reprimand.

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

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The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 25, 2026

To File

Re: CPC # 021-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 02/11/2026, C P submitted a complaint to the CPOA for incident 260411266 on 02/10/2026 between 1630 and 2030 hours at 2510 2nd Street Southwest. Mr. P reported that he called 242-COPS multiple times, only to get the runaround regarding his vehicle and property. During the multiple calls, the operator informed him that the location was too far away. He waited about four hours for an officer to call him and say his vehicle had been towed and the company was closed for the day. Mr. P attempted to file two police reports regarding the unlawful holding of his vehicle and property, but received no assistance with filing them. Mr. P implied that he was not assisted by officers and that the officers were biased by documenting in the "police reports" that it was a civil matter.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): N/A

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: No

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Sgt. A

Other Materials: Email communications

Date Investigation Completed: May 12, 2026

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: 2.16.5.B.1.1.i

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

☒

Policies Reviewed: 2.8.5.E

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

☒

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

☐

Additional Comments:

2.8.5.E: It was determined that Sgt. A failed to activate his OBRD to record his telephone call to Mr. P as required by SOP.

2.16.5.B.1.1.i: It was determined that Sgt. A determined that a Uniform Incident Report was unnecessary because it was a civil matter, so he added information to the CAD System instead of completing one.

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

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

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

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

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 22, 2026

Via Email

Re: CPC # 024-26

COMPLAINT:

PO Box 1293

Ms. C reported that Officer H escorted her abuser back to the scene and allowed them to enter, contrary to the Temporary Order of Protection and Order to Appear D-202-DV-2026-00294

Albuquerque

NM 87103

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): No

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer H

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

Date Investigation Completed: June 3, 2026

FINDINGS

Policies Reviewed: 1.1.6.C.1

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



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



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



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



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



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Additional Comments:

1.1.6.C.1: It was determined that Officer H did not violate any APD policy by escorting M to the residence to retrieve his belongings. When an officer provides escort it is not a violation of a restraining order. M was entitled to retrieve personal belongings under police escort and still retained his key to enter since he had residency. M had not been served with a restraining order on the date he was escorted to the residence.

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

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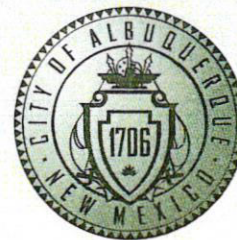
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

To File

Re: CPC # 025-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/17/2026, A C submitted a telephone complaint to the CPOA regarding an incident that occurred on 02/12/2026 at 1900 hours at 2800 Palo Verde Drive Northeast. Mr. C reported that he called 988, but not because he was homicidal or suicidal. He said that five officers showed up with their badges and guns and roughed him up, just like ICE agents. He could not recall if they had their guns drawn. He reported that one officer threw him to the ground while another officer sat on his neck. He believed the interaction was racially motivated because he was Native American and had brown skin.

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: Sergeant M

Other Materials: Email Communications

Date Investigation Completed: April 22, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.2 (Public Welfare)

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.



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Additional Comments:

1.1.5.A.2: It was determined with clear and convincing OBRD footage that Mr. C's version of events was grossly misrepresented. Mr. C alleged that five APD officers roughed him up because he was a Native American. He alleged that one officer threw him to the ground while another sat on his neck. He also alleged that he was handcuffed, placed in a police vehicle, and "kidnapped" for three days. All of Mr. C's allegations were untrue. All three responding officers recorded their interactions with Mr. C, and OBRD footage showed clear, convincing, and irrefutable evidence that he was on the ground next to his own vehicle when officers arrived. He was never handcuffed or placed in a police vehicle. Mr. C spoke calmly with officers and agreed to be transported to UNMH via ambulance. He walked into the ambulance on his own. None of the officers used any force, low-level control tactics, or anything else that could be mistaken for misconduct. The officers were seen assisting Mr. C in getting up from the ground while he was laughing. Mr. C repeatedly thanked the officers, who provided him with aid and comfort.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

To File

Re: CPC # 025-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/17/2026, A [redacted] C [redacted] submitted a telephone complaint to the CPOA regarding an incident that occurred on 02/12/2026 at 1900 hours at 2800 Palo Verde Drive Northeast. Mr. C [redacted] reported that he called 988, but not because he was homicidal or suicidal. He said that five officers showed up with their badges and guns and roughed him up, just like ICE agents. He could not recall if they had their guns drawn. He reported that one officer threw him to the ground while another officer sat on his neck. He believed the interaction was racially motivated because he was Native American and had brown skin.

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 C

Other Materials: Email Communications

Date Investigation Completed: April 22, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.2 (Public Welfare)

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



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Additional Comments:

1.1.5.A.2: It was determined with clear and convincing OBRD footage that Mr. C ; version of events was grossly misrepresented. Mr. C alleged that five APD officers roughed him up because he was a Native American. He alleged that one officer threw him to the ground while another sat on his neck. He also alleged that he was handcuffed, placed in a police vehicle, and "kidnapped" for three days. All of Mr. C ; allegations were untrue. All three responding officers recorded their interactions with Mr. C , and OBRD footage showed clear, convincing, and irrefutable evidence that he was on the ground next to his own vehicle when officers arrived. He was never handcuffed or placed in a police vehicle. Mr. C spoke calmly with officers and agreed to be transported to UNMH via ambulance. He walked into the ambulance on his own. None of the officers used any force, low-level control tactics, or anything else that could be mistaken for misconduct. The officers were seen assisting Mr. C in getting up from the ground while he was laughing. Mr. C repeatedly thanked the officers, who provided him with aid and comfort.

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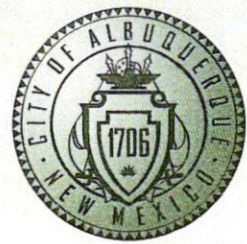
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

To File

Re: CPC # 025-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/17/2026, A C submitted a telephone complaint to the CPOA regarding an incident that occurred on 02/12/2026 at 1900 hours at 2800 Palo Verde Drive Northeast. Mr. C reported that he called 988, but not because he was homicidal or suicidal. He said that five officers showed up with their badges and guns and roughed him up, just like ICE agents. He could not recall if they had their guns drawn. He reported that one officer threw him to the ground while another officer sat on his neck. He believed the interaction was racially motivated because he was Native American and had brown skin.

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 T

Other Materials: Email Communications

Date Investigation Completed: April 22, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.2 (Public Welfare)

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:

1.1.5.A.2: It was determined with clear and convincing OBRD footage that Mr. C ; version of events was grossly misrepresented. Mr. C alleged that five APD officers roughed him up because he was a Native American. He alleged that one officer threw him to the ground while another sat on his neck. He also alleged that he was handcuffed, placed in a police vehicle, and "kidnapped" for three days. All of Mr. C allegations were untrue. All three responding officers recorded their interactions with Mr. C and OBRD footage showed clear, convincing, and irrefutable evidence that he was on the ground next to his own vehicle when officers arrived. He was never handcuffed or placed in a police vehicle. Mr. C spoke calmly with officers and agreed to be transported to UNMH via ambulance. He walked into the ambulance on his own. None of the officers used any force, low-level control tactics, or anything else that could be mistaken for misconduct. The officers were seen assisting Mr. C in getting up from the ground while he was laughing. Mr. C repeatedly thanked the officers, who provided him with aid and comfort.

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

[Redacted]

Re: CPC # 027-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

W N filed complaints on 02/18/2026 and 02/29/2026 alleging that APD personnel failed to act on his request to pursue assault and battery charges after he was pushed by the other driver during a traffic crash on 11/30/2025. He initially believed he had spoken with Officer F, but later learned that the officer who asked him about charges was Officer B. Mr. N alleged that no officer followed up with him and that the criminal portion of the incident was not handled.

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 B

Other Materials: Email Communications and Sharebase Evidence.

Date Investigation Completed: June 11, 2026

1

FINDINGS

Policies Reviewed: 1.1.5.A.4

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:

1.1.5.A.4 - It was determined Officer B briefly interacted with Mr. N. Officer B was not the primary officer assigned to the criminal portion of the incident. The responsibility to act upon the criminal allegation rested with Officer H, the primary officer. There is no evidence that B failed to act upon information he was required to act upon.

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

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The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

Re: CPC # 027-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

W N filed an online complaint with the Civilian Police Oversight Agency (CPOA) on 02/18/2026 regarding incident 250099974, which occurred on 11/30/2025. He stated that he was pushed by another driver, and after confirming with Officer F that he wanted to press charges for assault and battery, he received no response to his follow-up calls.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer F

Other Materials: Email Communications and Sharebase Evidence.

Date Investigation Completed: June 11, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.4

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



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



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



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



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



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



Additional Comments:

1.1.5.A.4 - It was determined that Mr. N mistakenly believed he had spoken with Officer F because of the case card he received. However, per OBRD evidence, when TSO T gave Mr. N the case card for the crash incident, Officer F's name was NOT written on the back of the card, where the case number was documented. It is believed that the Nelsons wrote Officer F's name on the back of the case card when they called to follow up on the status of the crash report and criminal investigation. Officer F never spoke with Mr. N or his wife. When Officer F arrived on scene and asked about a battery incident, Officer B told him, "Not here." There is no SOP requiring officers to return a citizen's phone call. The alleged misconduct did not involve Officer F.

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

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

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

If you are not satisfied with the final disciplinary decision of the Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

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

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

Re: CPC # 027-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

W N filed an online complaint with the Civilian Police Oversight Agency (CPOA) on 02/18/2026 regarding incident 250099974, which occurred on 11/30/2025. He stated that he was pushed by another driver, and after confirming with Officer F that he wanted to press charges for assault and battery, he received no response to his follow-up calls. In a subsequent complaint on 02/29/2026, Mr. N reiterated these issues, highlighting that there had been no response from APD and no charges had been filed against Ms. R.

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 H

Other Materials: Email Communications and Sharebase Evidence.

Date Investigation Completed: June 11, 2026

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: 1.1.6.C.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.

☐

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

☐

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

☐

Additional Comments:

It was determined Mr. N clearly expressed his desire to pursue assault and battery charges. Mrs. N corroborated that her husband expressed his desire to pursue charges. TSO T followed protocol by requesting a sworn officer and informing that officer that charges were being requested. The CAD confirmed that Officer H was the primary officer dispatched to investigate the battery. Officer H did not document the allegation, initiate charges, or complete any follow-up. Officer H's belief that transit personnel were handling the criminal portion was incorrect and inconsistent with his responsibility as the dispatched primary officer. The CPOA recommends a written reprimand.

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

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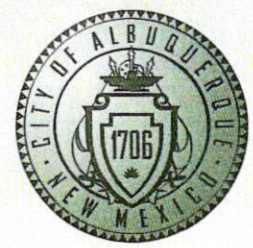
Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

Re: CPC # 027-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

W N filed an online complaint with the Civilian Police Oversight Agency (CPOA) on 02/18/2026 regarding incident 250099974, which occurred on 11/30/2025. He stated that he was pushed by another driver and confirmed with Officer F that he wanted to press charges for assault and battery. Mr. N also noted that TSO T did not return his phone calls, highlighted that TSO T allowed the other driver, Ms. R to leave the scene despite her vehicle having defective steering, and that Ms. R contacted TSO T on his department-issued cell phone.

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: TSO T

Other Materials: Email Communications and Sharebase Evidence.

Date Investigation Completed: June 11, 2026

FINDINGS

Policies Reviewed: 2.40.5.A.3

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



Policies Reviewed: 2.16.5.B.5

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



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



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



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



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



Additional Comments:

2.40.5.A.3 - It was determined TSO T followed policy by requesting a sworn officer through ECC. He informed the sworn officer that both drivers wished to pursue charges. He completed the crash investigation portion consistent with his role. There is no SOP requiring PSAs or TSOs to return citizen phone calls. The decision to release Ms. R from the scene was made by Officer H, not TSO T. TSO T's communication with Ms. R on his department-issued phone occurred only when she requested a supplemental report, which is permitted. There was no evidence to support association.

2.16.5.B.5 - It was determined TSO T was responsible for completing an accurate crash report. The report contained multiple factual inaccuracies. These inaccuracies were not corrected in the revised report obtained by the Nelsons. TSO T acknowledged the errors and provided explanations but did not correct the inaccuracies affecting the Nelsons. The CPOA recommends a verbal reprimand.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 26, 2026

Via Email

Re: CPC # 028-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 02/19/2026, R C submitted an online complaint to the CPOA regarding an incident that occurred on 12/02/2025 at 1400 hours at 2524 4th Street Northwest. Mr. C reported that he was humiliated by the things Officer C said to him and disrespecting him in front of his parents. He indicated that she had damaged his hands and vehicle. He indicated that she threatened and abused him, his property, and his business. He indicated that the stop was improper, the court hearing was incorrect, and that he wanted his case (T-4-TR-2025-021397) dismissed.

During his interview R C confirmed and the evidence supported that Officer C did not damage his hands or his vehicle.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer C

Other Materials: Email Communications, Citations, & Court Documents.

Date Investigation Completed: May 19, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.1 (Conduct)

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



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



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



Policies Reviewed: 2.40.5.B.1.b (Misdemeanor, Traffic, and Parking Enforcement)

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



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



Additional Comments:

1.1.5.A.1: It was determined that there was no evidence to support R Cano's complaints against Officer C. Officer C's OBRD video also refuted his accusations. The OBRD evidence showed that Officer C informed him he was stopped for not having insurance, which was a lawful stop, and that her interaction with Mr. C was professional and respectful throughout the encounter. She provided him a break due to his parents being present and did not tow his vehicle, which by law and policy she could have.

2.40.5.B.1.b: A review of the OBRD recordings showed that while the officer was issuing citations to Mr. C she did not ask for an email address or phone number to include on the citations. The citations showed no email or telephone number was listed, and no reason for their omission was provided. Mr. C received a failure to appear warrant. The lack of contact information may have contributed to that outcome.

The CPOA recommends a verbal reprimand.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

Re: CPC # 029-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 2/22/2026, J T submitted 3 complaints to the CPOA and 3 complaints to 311 for an incident on 2/20/2026 at 0800 hours at 9610 Eagle Ranch Road Northwest. Ms. T reported that Officer M illegally stopped her, illegally entered her vehicle, illegally forced her out of her vehicle, and broke multiple laws. Ms. T reported that Officer M never asked for her driver's license and screamed at her for over 20 minutes before she requested a sergeant. Ms. T reported being shocked and traumatized over the encounter as Officer M intimidated her and treated her "like shit." Ms. T reported that Officer M never gave her a ticket because he was unable to, because if she went to court, he would get in trouble for all the lies. Ms. T reported that it was harassment.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): N/A

CAD Report(s): Yes

Complainant Interviewed: No

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer M

Other Materials: Email communications, citizens submitted evidence, nmcourts.gov record

Date Investigation Completed: May 26, 2026

FINDINGS

Policies Reviewed: 2.71.4.A.1

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



Policies Reviewed: 1.1.5.A.1

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



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



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



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Additional Comments:

1.1.5.A.1: Ms. Todd's characterization of the traffic stop was inaccurate based on video evidence. She did not let Officer M explain the stop. Officer M did not call her names or scream at her; he raised his voice. She exaggerated the length of the stop; it was about 11 minutes. Officer M admitted she frustrated him, which was visible in the OBRD evidence. Officer M stated he tried to de-escalate the situation, but did not allow Officer C to take over when she seemed to have a better response from Ms. T. While Ms. Todd's behavior was inappropriate, Officer M should have maintained professionalism and not continued to argue since he decided not to issue citations.

2.71.4.A.1: Officer M reported that the reason for stopping Ms. T was a combination of erratic driving, where she had cut him and a Tesla off, nearly struck the Tesla, and had used her cellphone while driving. He reported that he opened Ms. Todd's driver's door and told her to exit the vehicle because she became argumentative; he did not know what was inside her vehicle, and she was non-compliant. Ms. T denied the driving allegations and that there even was a Tesla. RTCC cameras confirmed there was a Tesla, but could not see the plate to contact the other driver. Officer M's stop and actions were within policy. The CPOA recommends a written reprimand.

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

June 29, 2026

Via Email

Re: CPC # 030-26

COMPLAINT:

PO Box 1293

Ms. D reported that Officer M was negligent because he confiscated Mr. D's mental health medications, but did not turn them over to the detention center or submit them with his other property, resulting in them not being returned and Mr. D being forced to discontinue taking his medications.

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: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer K

Other Materials: Email Communications

Date Investigation Completed: June 9, 2026

FINDINGS

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

☐

Policies Reviewed: 2.73.5.A.1

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

☒

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

☐

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☐

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☐

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☐

Additional Comments:

2.73.5.A.1: It was determined that Officer K knew Mr. D had a backpack, told him he would retrieve it, and failed to secure Mr. D's property.
The CPOA recommends a written reprimand.

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

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The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE

CIVILIAN POLICE OVERSIGHT AGENCY



June 29, 2026

Via Email

Re: CPC # 030-26

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Ms. D indicated that she disagreed with the validity of Mr. D charges and that Officer M failed to conduct a proper investigation and covered up an attack on Mr. D, who was injured and mentally ill. Ms. D reported that Officer M discriminated against Mr. D and intentionally inflicted mental and emotional distress by manipulating the facts in the report to create probable cause and make a false arrest. Officer M was negligent because he confiscated Mr. D mental health medications, but did not turn them over to the detention center or submit them with his other property, resulting in them not being returned and Mr. D being forced to discontinue taking his medications

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EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer M

Other Materials: Email Communications, CSS photos, and surveillance video

Date Investigation Completed: June 9, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.2, 1.1.5.A.4, 1.1.6.A.6.a & 2.73.5.A.1

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



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



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



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



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



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



Additional Comments:

1.1.5.A.2: No evidence suggested Officer M discriminated against Mr. D due to mental illness or that it was known at the time of contact.

1.1.5.A.4: The evidence showed Officer M gathered evidence from the scene, conducted an investigation, made the appropriate determinations, and was professional to all parties involved.

1.1.6.A.6.a: After a review of all the available evidence such as surveillance videos and witness statements, the report accurately reflected the incident. There were no misleading or intentional false statements as alleged. Ms. D was not a witness to the event and received the information afterward from her husband who received charges.

2.73.5.A.1: It was determined that Officer M never had possession of Mr. D backpack and didn't see Mr. D with his property in the back of the ambulance.

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

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

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

If you are not satisfied with the final disciplinary decision of the Office of Police Reform or any matter relating to the Office of Police Reform's handling of the complaint you may request a review of the complaint by the City's Chief Administrative Officer by sending a letter to the Office of the Mayor, P.O. Box 1293, Albuquerque, NM 87103. Your request must be in writing and within 30 calendar days (inclusive of holidays and weekends) of receipt of the Office of Police Reform letter. Include your CPC number. The review by the Chief Administrative Officer is independent of the Advisory Board.

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

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police