



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 September 2025. If applicable, these findings will become part of the officer's file.

339-24	057-25	070-25	075-25	084-25
085-25	091-25	094-25	095-25	098-25
101-25	104-25	105-25	106-25	152-25
176-25				

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 29, 2025

Via Certified Mail

Re: CPC # 339-24

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 12/19/2024, Ms. M submitted an online complaint to the CPOA regarding an incident that occurred on 12/06/2024 at 1045 hours at Montgomery Boulevard and Wyoming Boulevard. Ms. M reported that Officer C had conducted a traffic stop on her for a registration violation, which she had received a warning for from another officer two days before. Ms. M explained her intentions of getting the registration issue resolved that day, but Officer C issued her a citation anyway. Ms. M felt that Officer C was abusing his power and wasting her and the courts time.

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: No

APD Employee Involved: Officer C

Other Materials: Email Communications, Citations, & SOP 2.41.

Date Investigation Completed: February 21, 2025

FINDINGS

Policies Reviewed: 1.1.6.C.1 (Obey Orders)

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: It was determined that Officer C was professional, properly attired, and issued citations for perceived violations. Officer C did not abuse his authority or waste time as he was assigned to the APD Traffic Unit and his role and responsibility was the enforcement of traffic related offenses.

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

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

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

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

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

September 12, 2025

Via Email

Re: CPC # 057-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 04/02/2025, D submitted a telephone complaint to the Civilian Police Oversight Agency (CPOA) staff regarding an incident that occurred on 03/21/2025 at 1015 hours. Mr. D reported that Sergeant M took report number 250022884 regarding him being harassed and assaulted at the Los Volcanes Community Center. Sergeant M advised Mr. D that she would speak with Jose, the Center's supervisor, but assumed that she didn't do so because he never heard back from her. Mr. D reported that Sergeant M blew the situation off as a civil matter.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes APD Report(s): Yes CAD Report(s): Yes
Complainant Interviewed: Yes Witness(es) Interviewed: N/A
APD Employee Interviewed: Yes
APD Employee Involved: Sergeant M
Other Materials: Email Communications
Date Investigation Completed: July 28, 2025

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.



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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:

It was determined that Sergeant M did not violate the policy in question, as she did follow up with the Management staff of the community center. She did not follow up with Mr. D as she never told him that she would. Mr. D was provided with the police report number and was made aware of how to request a copy of the report. Sergeant M did not blow off the situation as a civil matter, but did advise that she did not have sufficient evidence that the incident rose to the level of a criminal matter based on statute definitions and experience. She informed Mr. D that if he chose to, he could pursue the matter civilly.

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 have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. There was a delay in the issuance of findings due to the resignation of the Executive Director, another not being appointed by City Council until some months later, and a high volume of reviews to process. Thank you for your patience and participation 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

September 22, 2025

Via Email

Re: CPC # 070-25

COMPLAINT:

On 04/15/2025, S submitted a telephone complaint to the Civilian Police Oversight Agency (CPOA) staff regarding an incident that occurred on 03/31/2025 at 1600 hours at 1923 Silver Avenue Southeast regarding report 250025680. Mr. S reported that he was assaulted and told by Officer R that Mark G ; would be charged, but instead, Officer A charged Mr. S. Mr. S reported that he had overwhelming evidence against Mr. G ; and did not understand why he was being charged despite his conversation with Officer R.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: Yes

APD Employee Interviewed: Yes

APD Employee Involved: Officer A

Other Materials: Email Communications, SOP 2-60, evidence provided by citizen

Date Investigation Completed: August 5, 2025

FINDINGS

Policies Reviewed: 2.80.4.B.1.

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



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: 1.1.5.A.4.

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. - A review of the OBRD Videos confirmed that Officer A violated the policy in question. Officer A made unnecessary and unprofessional comments during the interaction and failed to complete his incident report by the end of his shift per policy.

2.80.4.B.1. - Per the OBRD recordings, no officers told Mr. S that Mr. G would be getting charged. The videos showed the officers interviewed all parties involved and reviewed relevant evidence prior to making their decision. No evidence was provided or noted to confirm that the officers incorrectly charged Mr. S per his complaint. Officer A's investigation determined a summons was appropriate for the situation and that Mr. S was the primary aggressor.

The CPOA recommends a written reprimand for the policy violation.

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

September 19, 2025

Via Email

Re: CPC # 075-25

COMPLAINT:

PO Box 1293

On 04/21/2025, [REDACTED] L submitted an online complaint to the CPOA regarding an incident that occurred on "Nov 19, 2025 03:00 AM" at 920 Louisiana Boulevard Southeast. Mr. L reported calling the police regarding a noise complaint and requesting contact, but no officers contacted him.

Albuquerque

NM 87103

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 S

Other Materials: Email Communications & SOP 2.10.

Date Investigation Completed: August 19, 2025

FINDINGS

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

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Policies Reviewed: 1.1.6.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.

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

☐

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:

It was determined that Officer S was the primary officer assigned to the call for service related to the complaint investigation. She was the initially assigned officer, completed the disposition notes, and took it upon herself to dictate that contact would not be made with Mr. L. It is a primary officer's responsibility to review CAD notes to properly resolve the call for service.

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:

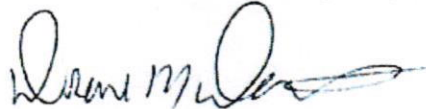
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 26, 2025

Via Email

Re: CPC # 084-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

P submitted an email complaint to the Civilian Police Oversight Agency on 04/27/2025, reporting she waited for almost three weeks for a disastrous, shocking, disappointing, and biased police report completed by PSA U. She added that PSA U spoke to the other female driver more than her, didn't know the speed limit on the roadway in question, and documented that there was no alcohol consumption, even though he did not test for it. Ms. P reported that PSA U misspelled her last name, made up her first name, and documented contradicting information that did not match the evidence, including incorrect roadway directions and documenting that neither vehicle was towed, which was untrue.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: PSA T

Other Materials: Email Communications, complainant provided information

Date Investigation Completed: August 22, 2025

FINDINGS

Policies Reviewed: 1.1.5.A.5 (Conduct)

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



Policies Reviewed: 2.16.5. B.1 (Traffic Crashes)

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:

2.16.5.B.5: The available evidence showed PSA T did not catch inaccuracies in the crash report, as he was training PSA U. The report showed that PSA U did not know the roadway's speed limit, he misspelled the complainant's name in the report, and documented information that did not match or was contrary to the evidence of the crash and the crash diagram. PSA U agreed his narrative did not properly describe the situation of the accident and focused on the statements from the drivers and PSA T did not make corrections.

Note: No personnel at the scene observed indications of alcohol consumption so additional testing was not warranted. Towing was performed privately and not by APD, thus the statement of not being towed.

1.1.5.A.2: Although inaccurate, it was determined that PSA T conducted the investigation without bias against Ms. P at the scene and within the report. Both drivers' statements were taken, but some additional time was spent regarding the collision with the shed due to the additional damage to home owner's property. Ms. P remained in the car due to her child being present. The CPOA recommends a written reprimand according to APD's discipline policy and additional training.

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:

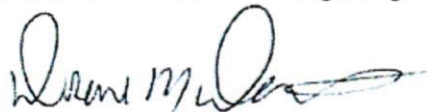
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 26, 2025

Via Email

Re: CPC # 084-25

COMPLAINT:

PO Box 1293

P submitted an email complaint to the Civilian Police Oversight Agency, reporting she had to wait three weeks for a disastrous, shocking, disappointing, and biased police report.

Albuquerque

NM 87103

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Lieutenant H

Other Materials: Email Communications and timecards.

Date Investigation Completed: August 22, 2025

FINDINGS

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

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

☐

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Policies Reviewed: 2.16.5.C.1.b Reports

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:

2.16.5.C.1.b: It was determined that Lieutenant H, a sergeant at the time, had been off on regular days off and vacation when the report was submitted; however, he approved the report upon returning to work. The report was approved, after considering allowed time off, within the required time by policy.

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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

September 26, 2025

Via Email

Re: CPC # 084-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

P submitted an email complaint to the Civilian Police Oversight Agency on 04/27/2025, reporting she waited for almost three weeks for a disastrous, shocking, disappointing, and biased police report completed by PSA U. She added that PSA U spoke to the other female driver more than her, didn't know the speed limit on the roadway in question, and documented that there was no alcohol consumption, even though he did not test for it. Ms. P reported that PSA U misspelled her last name, made up her first name, and documented contradicting information that did not match the evidence, including incorrect roadway directions and documenting that neither vehicle was towed, which was untrue.

www.cabq.gov

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: PSA U

Other Materials: Email Communications, complainant provided information

Date Investigation Completed: August 22, 2025

FINDINGS

Policies Reviewed: 1.1.5.A.5 (Conduct)

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



Policies Reviewed: 2.16.5. B.1 (Traffic Crashes)

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.B.5: The available evidence showed PSA U documented inaccuracies in the crash report, some more material than others. The report showed that PSA U did not know the roadway's speed limit, he misspelled the complainant's name in the report, and documented information that did not match or was contrary to the evidence of the crash and the crash diagram. PSA U agreed his narrative did not properly describe the situation of the accident and focused on the statements from the drivers.

Note: No personnel at the scene observed indications of alcohol consumption so additional testing was not warranted. Towing was performed privately and not by APD, thus the statement of not being towed.

1.1.5.A.2: Although inaccurate, it was determined that PSA U conducted the investigation without bias against Ms. P at the scene and within the report. Both drivers' statements were taken, but some additional time was spent regarding the collision with the shed due to the additional damage to home owner's property. Ms. P remained in the car due to her child being present. The CPOA recommends a verbal reprimand according to APD's discipline policy and additional training.

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

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

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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

September 26, 2025

Via Email

Re: CPC # 085-25

COMPLAINT:

Mr. H reported that backup officers, who also did not identify themselves, further harassed him and his passenger, B, by shining lights into their vehicle despite their requests to stop. The officers attempted to engage them in unwanted conversation to entrap them. One officer touched his vehicle and damaged it.

Mr. H witness did not participate in the investigative process.

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 A

Other Materials: Email and Text Communications, citizen provided pictures, SOP 2-53

Date Investigation Completed: September 12, 2025

FINDINGS

Policies Reviewed: 1.1.6.A.2 and 2.7.4.B

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



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.



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 Some allegations made were inaccurate. Officer A did not have his hand on his weapon in a menacing way. Officer A did not try to entrap him in conversation or shine his light in his face. However, Officer A did not provide a sufficient reason to continue touching Mr. H car after being asked not to. It is acknowledged that Officer A needed to remain close to the vehicle, but with his hand on the vehicle or in the often-observed position, he would not be in a position of readiness to react, such as was the reason to remain close. Officer A complied, but then told Mr. H no when asked to remove his hand. The videos showed an unnecessary, apparent contest of wills. This escalated the situation and was not professional. 1.1.6.A.2 The video recordings showed Mr. H asked Officer A for his name, which he provided. Officer A had no reason to introduce himself initially. 2.7.4.B Pictures were provided of alleged scratches caused by the officer. After reviewing the videos none showed Officer A's belt scratching the car and Officer A did not wear a watch as claimed. Officer A would have had to have known he caused damage to report it. The CPOA recommends an 8 hour suspension for the policy violation.

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

September 26, 2025

Via Email

Re: CPC # 085-25

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

Mr. H reported that backup officers, who also did not identify themselves, further harassed him and his passenger, B, by shining lights into their vehicle despite their requests to stop. The officers attempted to engage them in unwanted conversation to entrap them.

Mr. H ; witness did not participate in the investigative process.

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 G

Other Materials: Email and Text Communications, citizen provided pictures, SOP 2-53

Date Investigation Completed: September 12, 2025

FINDINGS

Policies Reviewed: 1.1.6.2 and 1.1.5.A.1

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



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



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Additional Comments:

1.1.6.2.A The video recordings showed Mr. H never asked Officer G for his name or badge number. Officer G had no reason to introduce himself as he was a backup officer not conducting any investigation.

1.1.5.A.1 The video recordings showed Officer G was professional with Mr. H throughout their interaction. Officer G used his light to see inside the vehicle when Mr. H rolled up his very darkly-tinted window. The beam appeared mostly focused on the dash and steering wheel, which was necessary given the totality of the situation. The conversation appeared to be geared toward relaxing the situation, but Mr. H was uninterested in engaging in a conversation.

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

September 26, 2025

Via Email

Re: CPC # 085-25

COMPLAINT:

Mr. H reported that backup officers, who also did not identify themselves, further harassed him and his passenger, B, by shining lights into their vehicle despite their requests to stop. The officers attempted to engage them in unwanted conversation to entrap them.

Mr. H ; witness did not participate in the investigative process.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

EVIDENCE REVIEWED:

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

Complainant Interviewed: Yes Witness(es) Interviewed: No

APD Employee Interviewed: Yes

APD Employee Involved: Officer S

Other Materials: Email and Text Communications, citizen provided pictures, SOP 2-53

Date Investigation Completed: September 12, 2025

FINDINGS

Policies Reviewed: 1.1.6.A.2 and 1.1.5.A.1

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



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Additional Comments:

1.1.6.2.A The video recordings showed Mr. H never asked Officer S for his name or badge number. Officer S had no reason to introduce himself as he was a backup officer not conducting any investigation.

1.1.5.A.1 The video recordings showed Officer S was professional with Mr. H throughout their interaction. Flashlights were used when needed due to the dark tint on Mr. H's windows. The conversation appeared to be geared toward relaxing the situation, but Mr. H was uninterested in engaging in a conversation.

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:

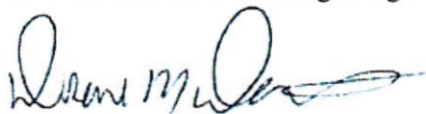
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 26, 2025

Via Email

Re: CPC # 085-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. H alleged that Sergeant G acted with gross negligence and violated his civil rights during a traffic stop. He claimed that Sergeant G did not identify himself, threatened him with physical force for exercising his First Amendment rights, and attempted to open his vehicle door without cause, thereby violating his Fourth Amendment rights. Mr. H described Sergeant G's behavior as unstable and intimidating, especially when he drew and charged his Taser. He felt that Sergeant G's actions constituted harassment and bullying.

Mr. H witness did not participate in the investigative process.

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: Sergeant G

Other Materials: Email and Text Communications, citizen provided pictures, SOP 2-53

Date Investigation Completed: September 12, 2025

FINDINGS

Policies Reviewed: 1.1.6.A.2

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



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



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



Policies Reviewed: 1.1.5.A.4

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.A.2 The video showed Sgt. G identified himself by name and title and said that he was with the Albuquerque Police Department initially. Mr. H called him by name during part of the stop. Mr. H was given a copy of the citation issued, which also had his name on it.

1.1.5.A.4 The videos showed Sgt. G was professional with Mr. H despite Mr. H's refusal to comply with instructions. Sgt. G had to become firm and raise his voice with Mr. H, who was not complying and being argumentative. Sgt. G did charge up his Taser, but it was justified per SOP given the totality of the circumstances and is not considered reportable force. Training and experience supported Sgt. G's decision to call for additional officers. Mr. H was identified by radar for speeding and pleaded guilty in court. He was not stopped for having a "nice car" as he claimed. Parts of his allegations were untrue, but others partially occurred, but not in the manner he described or had additional context for identified reasons.

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

September 12, 2025

Via Email

Re: CPC # 091-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 05/02/2025, F submitted a complaint to the CPOA for an incident on 04/14/2025. Mr. F reported that he was parked and working as a private investigator when an APD vehicle pulled up behind him with its emergency lights and siren activated. The officer took a position behind the patrol vehicle's passenger side door, pointed a firearm in Mr. F's direction, and began giving commands via the public address (PA) system. The officer attempted to conduct a felony stop on him alone for just sitting in his vehicle. He had advised the first officer he had a weapon in his car, but the officer told him to enter in his vehicle to obtain documentation. A second officer arrived and a second felony stop occurred and he was handcuffed.

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 A

Other Materials: Email communications

Date Investigation Completed: August 26, 2025

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: 1.1.6.C.1 & 2.16.5.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.



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Additional Comments:

1.1.6.C.1: It was determined that Officer A did not give clear and specific instructions about what he wanted Mr. F to do after he was informed that he had a firearm in his truck, which caused a misunderstanding between them. Officer A put himself in a precarious position. Officer A did not verify Mr. F's private investigator credentials. Officer eA was not clear about his expectations for a pat search. Officers must give clear and specific instructions to produce specific results when dealing with individuals, and they must identify individuals to ensure the efficient and effective operation of the Department.

2.16.5.C.1: It was determined that Officer A did not submit the Uniform Incident Report (25-0029857) for this incident by the end of his shift, per the procedural order.

2.71.4.A.1: It was determined that Officer A detained Mr. F within policy as he had reasonable suspicion to detain him based on what the reporting party had reported and his observations. He did so per related SOPs, as there is no restriction on utilizing the PA system during a stop or handcuffing someone to detain them. The CPOA recommends an 8 hour suspension and a verbal reprimand for the policy violations.

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

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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

September 10, 2025

Via Email

Re: CPC # 094-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 05/05/2025, Garcia submitted a telephone complaint to the CPOA staff via VCI Language Services regarding an incident that occurred on an unreported date at an unreported time on Cooper Avenue. Ms. G reported being involved in a crash, but the diagram was inaccurate, and the insurance company denied her claim because the report (250025667) made it seem like it was her fault.

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: PSA M

Other Materials: Email Communications

Date Investigation Completed: August 22, 2025

FINDINGS

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

☐

Policies Reviewed: 2.16.5.B.5 (Reports)

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

☒

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

☐

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

☐

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

☐

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

☐

Additional Comments:

2.16.5.B.5: It was determined that PSA M failed to accurately document the correct vehicle information in the crash report, creating an inconvenience for Ms. G and affecting the department's efficiency by requiring a sergeant to take steps to remedy the issues. PSA M had all of the correct information, but still failed to document it accurately. The narrative and diagram were consistent with the reviewed evidence, and no fault was assigned. No witness was interviewed or documented because there was no known witness to the crash. These additional issues Ms. G had with the report were not inaccurate to the information available at the time.

The CPOA recommends a verbal reprimand for the policy violation.

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

September 10, 2025

Via Email

Re: CPC # 095-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 05/05/2025, J A : submitted an online complaint to the CPOA regarding an incident that occurred on 04/28/2025. Ms. A : reported that she was involved in an altercation, and Officer C approached her very rudely. Ms. A : felt disrespected and discriminated against by Officer C because he did not want to listen to her, refused to listen to her, called her a liar, and accused her of being the violent one. Ms. A : reported that Officer F grabbed her rudely and hard by the arm. Ms. A : reported that she felt harassed and discriminated against. Ms. A : indicated that she was improperly charged with battery.

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: Sergeant F

Other Materials: Email Communications & SOPs 2.52 & 2.55.

Date Investigation Completed: August 25, 2025

FINDINGS

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

☐

Policies Reviewed: 1.1.5.A.4

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

☒

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

☐

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

☐

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

☐

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

☐

Additional Comments:

It was determined that Sergeant F did not grab Ms. A hard by the arm. He did place his hands on her arms, but did not appear to apply any significant pressure, and she did not make any indications that the physical interaction was causing her pain. Sergeant F made no meaningful or obvious attempts to de-escalate Ms. A and, to the contrary, engaged her in an escalating argument as members of the fire department had accompanied him to conduct their medical assessment. Instead of de-escalating and disengaging, Sergeant F continually engaged in an argument with Ms. A in which he repeatedly cursed at her and derogatorily told her to act like an adult, while engaging with her in a similar manner. 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

September 10, 2025

Via Email

Re: CPC # 095-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 05/05/2025, J A : submitted an online complaint to the CPOA regarding an incident that occurred on 04/28/2025. Ms. A : reported that she was involved in an altercation, and Officer C approached her very rudely. Ms. A : felt disrespected and discriminated against by Officer C because he did not want to listen to her, refused to listen to her, called her a liar, and accused her of being the violent one. Ms. A : reported that Officer F grabbed her rudely and hard by the arm. Ms. A : reported that she felt harassed and discriminated against. Ms. A : indicated that she was improperly charged with battery.

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

Date Investigation Completed: August 25, 2025

FINDINGS

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

☐

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

☐

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

☐

Policies Reviewed: 1.1.5.A.4

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.1: The evidence showed that Officer C had to ask Ms. A for information several times because she was intoxicated. He was stern with Ms. A but remained professional the entire time. He had not shown any discriminatory behavior towards her. His decisions were based on the evidence provided to him.

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

September 18, 2025

Via Email

Re: CPC # 098-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Ms. S reported that the Sergeant told her it was not her right to change the report, but allowed her to do so anyway. She would later provide the investigator with a timeline of events statement and identify Sergeant B as the sergeant who made that statement. Ms. S reported that the Sergeant told her it was not her right to amend the report, and asked why would she want to amend the report anyway.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Sergeant B.

Other Materials: Email correspondence and Audio recording.

Date Investigation Completed: August 26, 2025

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.



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Additional Comments:

SOP 1.1.5.A.4: The investigation determined, by clear and convincing evidence, that Sergeant B did not converse with Ms. S on 3/14/2025, as alleged in her complaint and timeline of events statement. On 8/18/2025, Ms. S provided the investigator with an audio recording of a person she spoke with about amending the report and legal issues. However, who Ms. S spoke with was not identified, and it was not Sergeant B, as alleged in the complaint. Sergeant B provided clear and convincing evidence that he was not on duty during the alleged phone call with Ms. S

After a review of the recording, the Investigator did not observe any violations of SOPs made by the male that was on the phone call with Ms. S

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

September 18, 2025

Via Email

Re: CPC # 098-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Ms. C S filed an complaint with the Civilian Police Oversight Agency (CPOA) about an incident on 03/08/2025 at 1600 Silver Avenue Southeast. She reported being assaulted by two men and believed police response and handling deviated from standard protocol and fairness. She felt she was not treated as a victim and was later charged with battery. Ms. S said she wasn't offered medical care, emotional support, or protection. She noted that officers didn't ask clarifying questions or review details. She believed her demeanor was misread as guilt, while the attacker's demeanor was seen as credible.

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 S.

Other Materials: Email Communications

Date Investigation Completed: August 26, 2025

FINDINGS

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

☐

Policies Reviewed: 2.60.4.C.1.e

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:

The investigation found that Officer S' battery investigation lacked the necessary details and evidence to support a criminal battery charge. In her incident report, Officer S did not include the elements of the crime of battery to support her findings that Ms. S was the predominant aggressor and why it was not self-defense, as Ms. S claimed when two men attacked her. Officer S only listed statements of what happened from both parties. Based on those statements alone, she concluded that Ms. S would be sent a criminal summons for battery without explaining why or how or listing the elements of the crime of battery in her incident report. Additionally, Officer S' report did not include all the witnesses on the scene or their statements of what they observed or heard; evidence that Officer S discarded that supported Ms. S claim that both men, Mr. L and an unidentified male, attacked her and she acted in self-defense. There was no evidence to prove that Officer S was biased toward Ms. S. Ms. S alleged certain untrue elements, but there were deficiencies when reviewing the totality of the circumstances regarding the investigation conducted. The CPOA recommends a written reprimand.

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

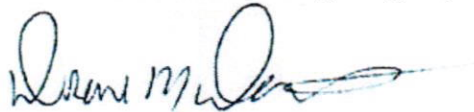
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 19, 2025

Via Email

Re: CPC # 101-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 05/19/2025, Jeremiah B submitted a complaint to the CPOA via the APD regarding an incident that occurred on 05/19/2025 at 0110 hours at 9000 Trumbull Avenue Southeast. Mr. B reported receiving three calls regarding a suspicious vehicle parked in the middle of the roadway with its lights off. Upon arrival, Mr. B found the driver of the vehicle, PSA S, sleeping. Mr. B called 242-COPS and reported the incident. While collecting the vehicle information for the operator, the PSA woke up, said, "I'm sorry" multiple times, and left. A sergeant reported that PSA S worked overtime from 2200 to 0200 hours and was logged out at the location on a call for service when the incident occurred.

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: PSA S

Other Materials: Email Communications, Evidence.com Log, & SOP 2.8.

Date Investigation Completed: August 26, 2025

FINDINGS

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

☐

Policies Reviewed: 1.1.6.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.

☐

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☐

Additional Comments:

It was determined that PSA S had fallen asleep in a marked patrol vehicle in a public location while conducting an extra patrol for possibly armed individuals. He was unsafe, failed to meet his roles and responsibilities, and failed to maintain the Department's functions, objectives, and standards of efficiency. Not only was he sleeping while collecting overtime pay, but a sergeant had to spend multiple hours dealing with the incident. In addition, PSA S also failed to activate his OBRD for his interaction with Mr. B. Still, an additional SOP violation was not utilized, as the definitions utilized in the description of what constitutes a mandatory recording event may be perceived by the Department outside of the normal interpretation.

The CPOA recommends a written reprimand. Two additional concerns were raised with the department concerning the utilization of PSAs for certain types of calls and overtime.

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

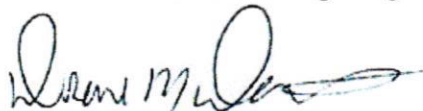
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

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

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

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 29, 2025

Via Email

Re: CPC # 104-25

COMPLAINT:

On 05/23/2025, Mr. S (Anonymous) submitted an online complaint to the CPOA regarding an incident that occurred on 05/15/2025. He reported that he was unlawfully detained and held against his will by an unmarked law enforcement vehicle. He was terrorized, terrified, and feared for his life due to the officer being heavily armed and tactically dressed. He reported that he was not stopped for a traffic violation and claimed his 4th Amendment rights were violated because he had the right to travel freely and unharassed. He was issued two citations for no proof of insurance and no registration. He was under duress, and his Due Process rights were violated because Officer P did not immediately submit the citations. He reported that he was robbed by an armed individual under the color of law.

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 P

Other Materials: Email Communications & Citations.

Date Investigation Completed: September 10, 2025

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.



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 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.4: It was determined that Officer P conducted a traffic stop for a valid reason. He was utilizing a Department-approved vehicle and wearing a Department-approved uniform, which plainly displayed his badge of office and Department name. Officer P advised Mr. S of his name and badge number and that he was the police. Officer P was calm, patient, polite, and professional, and answered all questions asked of him. Officer P issued Mr. S two citations for perceived violations, which were submitted but were not immediately available to the courts, as they had to go through the submission process.

2.40.5.B.1.b.1: It was determined that Officer P did not attempt to collect or document the mandated telephone number and email address on the issued citations.

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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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

September 29, 2025

Via Email

Re: CPC # 105-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 05/27/2025, T submitted a telephone complaint to the CPOA staff regarding an incident that occurred on an unreported date and time at "Montano/Pan American Fwy." Ms. T reported that the crash report 240038149 was inaccurate. The PSA claimed that the motorcycle was at fault when it was obviously the car. Ms. T reported that her husband was involved in the crash and could not articulate his side. Ms. T wished the PSA had sent someone who could speak her husband's language and felt the APD took advantage of his inability to speak English. Ms. T wanted to know why an interpreter was unavailable during the incident and believed those involved should have been given time to recover and then explain their actions.

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: PSA H

Other Materials: Email Communications.

Date Investigation Completed: September 22, 2025

FINDINGS

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

☐

Policies Reviewed: 2.16.5.B.4 (Reports)

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

☒

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

☐

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

☐

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

☐

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

☐

Additional Comments:

The evidence showed PSA H did not accurately report the information provided by another PSA and failed to complete the diagram, misrepresenting what occurred properly. PSA H documented that there was no driver error or apparent contributing factors on the other driver's part when he turned left, striking the oncoming motorcycle, which was eastbound, not westbound. PSA H documented that the apparent contributing factor was driver inattention on the part of Mr. T. PSA H did not directly report that Mr. T was at fault for the crash, but the inaccuracies in the report affected the report's interpretation. A supplemental report was taken and deemed accurate by the complainant when read to her. There was no indication that Mr. T who seemed to be communicating in English with the medical personnel, needed or had requested an interpreter. Reports are required to be completed and submitted by the end of the shift; anything that needs to be added afterwards would be completed in the form of a supplemental report initiated by those wanting to add the additional information. A statement could not be made that day because Mr. T required medical care. 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

September 30, 2025

Via Email

Re: CPC # 106-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 5/28/25, the CPOA received a complaint via U.S. Mail from P, dated 5/17/25, for an incident on 5/4/25 at "Eubank & Copper." Mr. P reported that crash report 250036089, by PSA S, contained significant inaccuracies. He was not involved in the crash or on the scene but was the owner of the 2018 Tesla, driven by his stepson, F. The crash location was incorrect because it occurred at Eubank Blvd NE and Copper Ave NE, not "Central Ave E and Eubank Ave." The narrative and diagram also had the incorrect crash location. The driver identification was incorrect. The vehicle owner's information was incorrect. Mr. P also asked for PSA S' supervisor, but never received a call from one.

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: APD Records Supervisor R

Other Materials: Email communications, evidence submitted by complainant, TraCS info.

Date Investigation Completed: September 22, 2025

FINDINGS

Policies Reviewed: 2.111.4.F.1.b

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



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



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:

2.111.4.F.1.b: It was determined that APD Records Supervisor R acted within her responsibilities for accurately verifying and processing data and attachments on the Uniform Crash Report 25-0036089 into the Department's systems.

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:

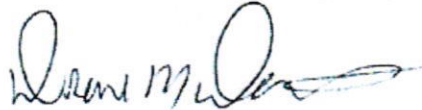
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 30, 2025

Via Email

Re: CPC # 106-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 5/28/25, the CPOA received a complaint via U.S. Mail from P, dated 5/17/25, for an incident on 5/4/25 at "Eubank & Copper." Mr. P reported that crash report 250036089, by PSA S, contained significant inaccuracies. He was not involved in the crash or on the scene but was the owner of the 2018 Tesla, driven by his stepson, F. The crash location was incorrect because it occurred at Eubank Blvd NE and Copper Ave NE, not "Central Ave E and Eubank Ave." The narrative and diagram also had the incorrect crash location. The driver identification was incorrect. The vehicle owner's information was incorrect. Mr. P also asked for PSA S' supervisor, but never received a call from one.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: PSA S

Other Materials: Email communications, evidence submitted by complainant, TraCS info.

Date Investigation Completed: September 22, 2025

FINDINGS

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

☐

Policies Reviewed: 2.16.5.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.

☒

Policies Reviewed: 1.1.5.C.1

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

☒

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

☐

Policies Reviewed: 2.8.5.A & 2.60.4.C.1.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:

1.1.5.C.1: It was determined that Mr. P and PSA S' accounts of their telephone conversation differed. Still, the investigation could not determine if PSA S had followed the procedures for policy violations, consistent with SOP Complaints Involving Department Policy or Personnel.

2.8.5.A: It was determined that PSA S did not activate his OBRD for the telephone conversation with Mr. P as required by SOP.

2.16.5.B.5: The Uniform Crash Report 25-0036089, completed by PSA S, contained significant inaccuracies and failed to document information accurately.

2.60.4.C.1.e: It was determined that PSA S did not ensure that all tasks necessary to complete the preliminary investigation, such as collecting necessary evidence and information about witnesses, were completed.

The CPOA recommends two written reprimands and a verbal reprimand in accordance with APD's disciplinary policy for the various violations.

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

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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

September 22, 2025

To File

Anonymous

Re: CPC # 152-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On 07/21/2025, Anonymous submitted an online complaint to the CPOA regarding an incident that occurred on 06/28/2025 at 0223 hours at the 2nd Street and Gold Avenue parking structure. Anonymous reported that multiple officers did not read Miranda rights to the individuals being arrested, took telephones from juveniles when they began recording, and seized vehicles without a warrant. Anonymous reported that they felt discriminated against by the officers.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: N/A

Witness(es) Interviewed: N/A

APD Employee Interviewed: N/A

APD Employee Involved: Not Applicable

Other Materials: Not Applicable

Date Investigation Completed: September 2, 2025

FINDINGS

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

☐

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:

This case was administratively closed as the complaint did not provide a means of contacting the parties involved to ask clarifying or follow-up questions, and no evidence of misconduct or policy violations in reference to this complaint investigation was discovered during a review of the available evidence. In addition, OBRD recordings offered substantial evidence to disprove the reported allegations.

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:

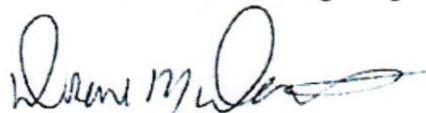
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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

September 16, 2025

Via Email

Re: CPC # 176-25

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

On 08/14/2025, [REDACTED] G [REDACTED] submitted an online complaint to the CPOA regarding an incident that occurred on 07/03/2025 at 0243 hours at "1ST AND CENTRAL." Ms. G [REDACTED] reported that her son, Brandon Ma [REDACTED] was a minor and arrested for a firearms violation. The APD published images and videos of him on Instagram, Facebook, and TikTok, which displayed his face and identity. Ms. G [REDACTED] believed that publishing identifiable images of a minor child in this manner was irresponsible, damaging, and a violation of Mr. Ma [REDACTED]'s rights to privacy and protection.

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: N/A

APD Employee Involved: Not Applicable

Other Materials: Email Communications & Facebook Video.

Date Investigation Completed: September 16, 2025

FINDINGS

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

☐

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

☐

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

☐

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

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

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

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Additional Comments:

This case was Administratively Closed because an investigation could not be conducted due to the lack of information provided in the submitted complaint and by the complainant. In addition, no evidence of the existence of the incident, misconduct, or policy violations in reference to this complaint investigation was discovered during a review of the available evidence.

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