

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

May 14, 2026

Via Email

Re: CPC # 274-23

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

On November 14, 2022, I S submitted a complaint to the Civilian Police Oversight Agency (CPOA) regarding an incident that occurred on October 24, 2022, at 2140 hours. Ms. S reported she and her former partner were involved in a domestic violence dispute. Ms. S alleged Officer M, did not allow her to relate other incidents of abuse by her partner, nor his mental illness and anger issues. She further alleged Officer M "victim-blamed" her for following her partner into the street. Ms. S in an email later alleged Officer M had not allowed her to provide a written statement as per APD policy and had also called her a "bitch" while waiting in his unit for the supervisor to respond.

EVIDENCE REVIEWED:

Video(s): Yes

APD Report(s): Yes

CAD Report(s): Yes

Complainant Interviewed: Yes

Witness(es) Interviewed: N/A

APD Employee Interviewed: Yes

APD Employee Involved: Officer M

Other Materials: Court case detail report

Date Investigation Completed: April 21, 2026

FINDINGS

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

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Policies Reviewed: General Orders 1.1.5.C.2

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

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

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Policies Reviewed: Procedural Orders 2.78.4.A.1.e

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

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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.

☐

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.2: OBRD depicted Officer M, while sitting in his unit next to another Officer, stating, "This bitch would have fucking COVID." It was determined that Officer M used profanity to refer to the complainant, though it was not directed toward her, it was observable via IPRA and a violation. 2.78.4.A.1.e: Officer M gave Ms. S a DV packet listing available resources and explained how to obtain a restraining order. Officer M had to establish charges for the incident that occurred that night; previous encounters generally are not part of the reporting. Though she was not asked to provide a written statement, Officer M took statements from her on-scene, wrote about her boyfriend's escalating behavior and established charges based on the statements and evidence provided by Ms. S. Ms. S perceived Officer M as unconcerned and chastising on occasions during the encounter; OBRD showed things said were not in the same context as reported and did not rise to a violation. For the violation, the CPOA would recommend an 8 hour suspension. Due to multiple staffing issues exceeding the CBA timeline the discipline cannot be imposed but is still used for training purposes.

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.

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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 multiple staff changes including investigators and the Director along with a high volume of investigations and reviews to process. Thank you for your patience and participation in the process of civilian oversight of the police.

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

May 8, 2026

Via Certified Mail

Re: CPC # 137-24

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. T said that Officer C told him that he was not allowed to be on the property and that the property belonged to the city. Mr. T had a letter from the City's Code Enforcement stating that the homeowner was authorized to do remodeling during certain hours. Mr. T said that Officer C did not acknowledge that Mr. T was correct and didn't accept that they were incorrect. Mr. T said Officer C stuck his phone in the room, took pictures, and said, "That room is full of junk; no one could have gotten in there." Mr. T said the responding officers believed Mr. Turrieta's report was unbelievable, and Mr. T felt belittled. Mr. T said he had to continuously tell the officers what happened because they didn't believe him.

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: June 2, 2025

FINDINGS

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

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

☐

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

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Policies Reviewed: 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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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 recordings was completed, and it was confirmed that Officers C spoke with Mr. T and told him he was not allowed on the property due to the city condemning it. Mr. Turrieta showed them a permit the city gave him, showing that he could work on the property during certain hours of the day. None of the officers were demeaning; however, Officer C did say the house was full of junk.

OBRD Video confirmed officers and Mr. T attempted to enter Mr. Turrieta's house regarding the allegation that someone had broken into the home; however, the doors would not open due to the number of items blocking the door from opening.

Officer C did make some of the comments reported in Mr. Turrieta's complaint, however the comments made did not rise to the level of violating the SOP in question.

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

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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 multiple staff changes including investigators and the Director along with a high volume of investigations and reviews to process. Thank you for your patience and participation in the process of civilian oversight of the police.

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

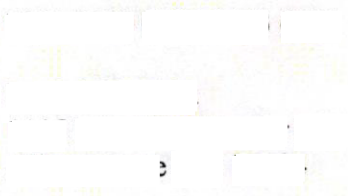
CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

May 8, 2026

Via Certified Mail



Re: CPC # 137-24

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. T said that the female officer told him that he was not allowed to be on the property and that the property belonged to the city. Mr. T had a letter from the City's Code Enforcement stating that the homeowner is authorized to do remodeling during certain hours. Mr. T said neither officer acknowledged that he was correct, nor did they accept that they were incorrect. Mr. T said the responding officers believed Mr. Turrieta's report was unbelievable, and he felt belittled. Mr. Turrieta said he had to continuously tell the officers what happened because they didn't believe him.

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-L

Other Materials: Email Communications

Date Investigation Completed: June 2, 2025

FINDINGS

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

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

☐

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

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Policies Reviewed: 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.

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☐

Additional Comments:

1.1.5.A.4 - OBRD Video confirmed officers and Mr. T attempted to enter Mr. Turrieta's house regarding the allegation that someone had broken into the home; however, the doors would not open due to the number of items blocking the door from opening.

The OBRD Video review confirmed that Officer C-L did make some of the comments reported in Mr. Turrieta's complaint; however, the comments did not rise to the level of violating the SOP in question. At no time during the OBRD video review did the Investigator observe Officer C-L belittle or harass Mr. T per the complaint.

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

May 8, 2026

Via Certified Mail

Re: CPC # 137-24

COMPLAINT:

PO Box 1293

On April 22, 2024, P : T submitted a complaint via telephone to CPOA regarding an incident that occurred on April 13, 2024, at 1400 hours. Mr. T reported that his issue with the officer who never spoke was that he did not intervene.

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 V

Other Materials: Email Communications

Date Investigation Completed: June 2, 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:

1.1.5.A.4 - A review of the OBRD recordings was completed and it was confirmed that there was nothing said or done by the other officers on the scene that would have required Officer V to intervene, per Mr. Turrieta's complaint.

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:

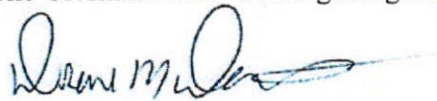
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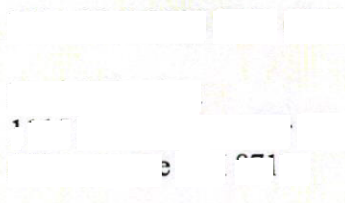
CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

May 8, 2026

Via Certified Mail



Re: CPC # 138-24

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. T reported that Sergeant M responded to his call, and as soon as she approached his gate, she immediately said to him, "We are coming here way too many times, and APD cannot be coming out here and continuing to use resources." Mr. T reported that Sergeant M told him he could not be on the property and did not have authorization. Mr. T reported that the signage authorized the homeowner to be on the property. Mr. T reported that Sergeant M told him everyone (ACS, etc.) was trying to help him, but that he wasn't accepting the help. Mr. T reported that Sergeant M told him she had spoken to ACS, and they told her that he did not want the help. Mr. T reported that Sergeant M told him APD wasn't going to go out there anymore. Mr. T reported that Sergeant M handed him a card with no information on the card

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: Sergeant M

Other Materials: Emails and code enforcement documentation

Date Investigation Completed: September 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.

☐

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: General Order 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.4- A review of the OBRD Videos confirmed that Sergeant M made some of the comments noted in Mr. T's complaint. However, during the interview, Sergeant M provided valid reasoning for some of the comments made, and nothing Sergeant M said or did violated the policy in question.

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

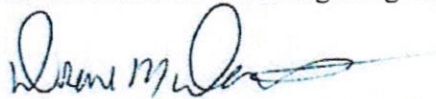
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cc: Albuquerque Police Department Chief of Police

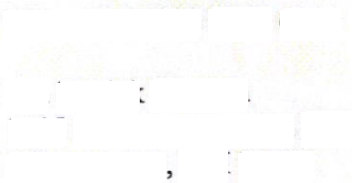
CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

May 8, 2026

Via Certified Mail



Re: CPC # 158-24

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. P : Turrieta contacted the CPOA as a result of a call for service with the police on 5/12/2024 concerning a residential burglary. In his complaint, Mr. T reported that the female officer who responded said to him, "We are getting sick and tired of coming out here. Mr. T stated that those were the types of continued insults from the female officer, and she was argumentative with him. A male officer argued with him about his property and whether Mr. T had the right to be on his property because there had been a sign that said the property was owned by the city and questioned his mental health because he suffered from vertigo.

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 C

Other Materials: N/A

Date Investigation Completed: April 20, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.1

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



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



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



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



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



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Additional Comments:

1.1.5.A.1: After review, the investigation determined that Officer C did not violate policy during her interaction with Mr. T. During a review of Officer C's OBRD video footage, it was corroborated that what she said had happened during her interview and during her encounter with Mr. T. No misconduct was observed. The specific comments alleged were not said as reported, but the officers were familiar with the situation.

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:

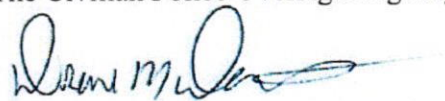
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If you have a computer available, we would greatly appreciate your completing our client survey form at <http://www.cabq.gov/cpoa/survey>. There was a delay in the issuance of findings due to multiple staff changes including investigators and the Director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

Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

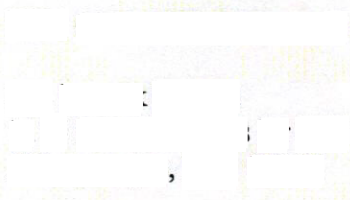
CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

May 8, 2026

Via Certified Mail



Re: CPC # 158-24

COMPLAINT:

PO Box 1293

Albuquerque

NM 87103

Mr. P : T contacted the CPOA as a result of a call for service with the police on 5/12/2024 concerning a residential burglary. In his complaint, Mr. T reported that the female officer who responded said to him, "We are getting sick and tired of coming out here. Mr. T stated that those were the types of continued insults from the female officer, and she was argumentative with him. A male officer argued with him about his property and whether Mr. T had the right to be on his property because there had been a sign that said the property was owned by the city and questioned his mental health because he suffered from vertigo.

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: N/A

Date Investigation Completed: April 20, 2026

FINDINGS

Policies Reviewed: 1.1.5.A.1

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



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



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



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



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



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



Additional Comments:

1.1.5.A.1: After review, the investigation determined that Officer S did not violate policy during his interaction with Mr. T. During a review of Officer S' OBRD video footage, it was corroborated that what he said had happened during his interview and during his encounter with Mr. T. No misconduct was observed. The specific comments alleged were not said as reported, but the officers were familiar with the situation.

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

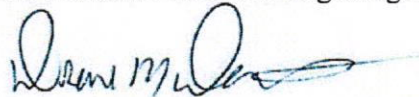
- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

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Sincerely,
The Civilian Police Oversight Agency by



Diane McDermott
Executive Director
(505) 924-3770

cc: Albuquerque Police Department Chief of Police

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT AGENCY

May 14, 2026

Via Email

Re: CPC # 191-24

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

COMPLAINT:

M I K submitted a complaint on 07/11/2024 regarding the investigation of an alleged hate crime against him that occurred on 08/16/2022. Mr. K reported that Detective M did nothing in the investigation for two (2) years. Mr. K reported that Detective M spoke to him in a manner as if he had Alzheimer's, tried to convince him he forgot who attacked him, and that he was delusional or stupid. Mr. K wanted Det. M to move forward with the case and not do anything because it is only a misdemeanor.

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: Detective M

Other Materials: Email Communications

Date Investigation Completed: October 30, 2024

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.



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Additional Comments:

1.1.5.A.4: It was determined Detective M did not tell Mr. K that he was hallucinating or try to convince him he forgot who attacked him. Detective M did not speak to Mr. Khan in any way that indicated Mr. K was delusional, stupid, or had Alzheimer's. It was determined Detective M did not tell Mr. K, "What do you think will happen?" and did not indicate the suspect would only get a slap on the hand. It was determined Detective M spoke to Mr. K respectfully, courteously, and with professionalism at all times, which was captured on his OBRD. The FBI was consulted regarding the allegations of a hate crime, but it did not fit the criteria. Detective M conducted a follow-up investigation including facilitating the collection of evidence, analysis of evidence, and conducting follow-up interviews with the victim and potential witnesses. Detective M facilitated the administration of a photo array to Mr. K, but a confirmed uninvolved individual was identified by Mr. K in the line-up. The evidence showed Mr. K provided conflicting offender descriptions over the course of the investigation, limiting Detective M's options to proceed with an arrest.

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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