CITY OF ALBUQUERQUE

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October 6, 2020

Harold Medina, Interim Chief of Police
C/O Internal Affairs Unit
Albuquerque Police Department
400 Roma NW
Albuquerque, NM 87102

RE: APD Case # 19-0051283, IAFD Case # C2019-000046

Dear Interim Chief Medina:

My review of this case included:

- Computer Aided Dispatch Reports
- APD Field Services Reports
- Internal Affairs Reports
  - Officer Interviews
- Internal Affairs Force Division Reports
  - Command Review
- On Body Recording Device Videos
- APD Policy 2-23 Use of Canine, APD Procedural Order 6-9 K9 Unit
- Attending the Force Review Board Briefing March 12, 2020

My review of the evidence shows on June 4, 2019 the victim (Mr. D) was observed by members of the Southeast Area Command Proactive Response Team at Officers approached Mr. D and advised him he was under arrest for an active felony warrant. Mr. D. fled on foot into the residence at , then out the backdoor and over a fence into a neighbor’s yard. Additional officers were dispatched to establish a perimeter. A K9 Unit responded to conduct an area search. The K9 Unit arrived on the scene and began issuing pre-deployment warnings.

Mr. D was located in a city owned lot on San Pablo and Zuni. He was placed under arrest having been contacted and found by the K9. Mr. D was holding a soccer ball when contacted by the K9. Mr. D was using the soccer ball to engage the K9 with one and with the other attempting to control the K9 by it’s collar. Officers were able to place Mr. D in custody and
the K9 disengaged. Mr. D was transported to the hospital for treatment although he did not suffer a K9 bite.

**Finding:** The CPOA finds Officer 1’s conduct “Exonerated,” regarding the allegation of a violation of this SOP, which means the investigation determined, by preponderance of the evidence that the alleged conduct did occur but did not violate APD policies, procedures, or training.

Sincerely,

/s/Edward Harness  
Edward Harness, Esq.  
Executive Director  
Civilian Police Oversight Agency  
(505) 924-3770