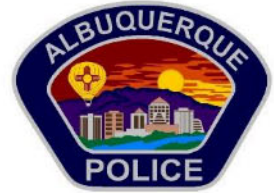




Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Superintendent of Police Reform

June 6, 2024

Interoffice Memorandum

To: Diane McDermott, Executive Director, CPOA
From: Jimmy Collins, Major, Office of the Superintendent
Subject: Non-Concurrence of Action re: CPC-4-2024

This memorandum serves to convey the articulation for APD’s points of non-concurrence in the above captioned administrative investigation conducted by the Civilian Police Oversight Agency.

Policy	CPOA Finding	APD Finding
2-8-4-G	Sustained NBOOC/Verbal Reprimand	Sustained/NDCA

Rationale for non-concurrence of action for 2-8-4-G:

APD concurs with the sustained finding for this policy violation regarding the recruit officer failing to properly attach a case number to his uploaded OBRD video. Without a case number attached, this will prompt the system to automatically delete the video 120 days after upload. At the time of the violation, the recruit officer was in the first phase of on the job training and assigned to a field training officer and there is a reasonable expectation mistakes will be made as part of the learning process. Usually with recruit officers, APD will permit the Academy FTO program to address minor violations related to the recruit officer’s training. Although this was a clear violation policy and a thorough investigation was conducted, APD has elected to document this as a corrective action and notify the APD Academy for correction.

Conclusion:

The non-concurrence is only related to the action taken. This violation is sanctioned as a class 7/Performance offense and under SOP 3-46 the range of acceptable correction/discipline is a non-disciplinary corrective action (NDCA) up to a written reprimand for a first offense. Based on the totality of the circumstances which include the training status of the recruit officer, the lack of disciplinary history on his retention record, and the minor nature of the offense (class 7), I have concluded a slight deviation from the recommended discipline of a verbal reprimand to a NDCA is appropriate.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Collins', with a stylized flourish at the end.

Major Jimmy Collins,
Deputy Director of Reform
Albuquerque Police Department

Cc: Eric Garcia, Superintendent of Police Reform