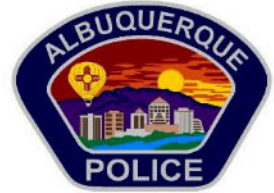




Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Superintendent of Police Reform

July 5, 2024

Interoffice Memorandum

To: Diane McDermott, Executive Director, CPOA

From: Jimmy Collins, Major, Office of the Superintendent

Subject: Non-Concurrence of Action re: CPC-105-2024

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
2-40-6-C-1-a	Sustained/Verbal Reprimand	Sustained/NDCA

Rationale for non-concurrence of action for 1-1-5-A-1:

Professional integrity concurred with the sustained finding of the investigation but concluded issuing the PSA a Non-Disciplinary Corrective Action (NDCA) was more appropriate. The primary reason for this conclusion was the fact the PSA was engaged in on-the-job training (OJT) and, with all training environments, there is a reasonable expectation mistakes might occur with performance or procedural matters and should be corrected without disciplinary action. Generally, when policy violations come to the attention of Professional Integrity and it involves an officer or PSA on OJT (also known as a recruit officer or recruit PSA) a NDCA will be issued for a minor infraction. It is worth noting the recruit PSA noticed the handicap placard in the vehicle and attempted to review the SOP while still on-scene and also spoke with a supervisor. Therefore, the citation was issued but it was voided prior to it being processed for adjudication. Additionally, this recruit PSA had no prior discipline or NDCA’s on their discipline record.

Conclusion:

The recruit PSA was issued an NDCA based on the circumstances of the violation and the training status the recruit was engaged in at the time of the violation.

Respectfully,

Major Jimmy Collins,
Deputy Superintendent of Reform
Albuquerque Police Department

Cc: Eric Garcia, Superintendent of Police Reform