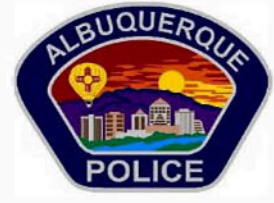




Timothy M. Keller
Mayor

City of Albuquerque

Albuquerque Police Department



Eric J. Garcia
Superintendent of Police Reform

March 18th, 2025

Interoffice Memorandum

To: Diane McDermott, Executive Director, CPOA

From: Jimmy Collins, Major, Office of the Superintendent

Subject: Non-Concurrence of Finding re: CPC-195-2024

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
1-1-6-B-1	Sustained	Not Sustained

Rationale for non-concurrence of action for 1-1-6-B-1:

The review of the investigation determined that it could not be proven by a preponderance of the evidence that Detective H. violated this policy. Commanders Waite and Landavazo both agreed in their respective reviews that since Detective H. and family members left prior to the commencement of the autopsy. The following is an excerpt from Commander Waite's review: "In fact, OMI employees testified the decedent was never removed from the body-bag. Det. H. testified he never shared confidential information regarding the decedent but noted that some information is already shared publicly, via APD public affairs and media outlets. As Det. H. was not the initial primary investigator, it is reasonable to believe his knowledge of the case was limited. Reviewing the SOP cited for this sustained violation, both 1-1-6-B-1 and 1-1-6-B-2 refer to dissemination and release, leading me to believe that an actual exchange of information must occur. Det. H. denied releasing information and I could not locate an interview with his family members to confirm a breach of confidentiality." Commander Landavazo had similar reasoning: "The investigation does not establish that Det. H. violated policy as the autopsy was not completed. The investigation details that Det. H. and his relatives did not view the autopsy as they were asked to leave. The investigation further details that the body was never removed for the body bag. Had the autopsy been completed, Det. H. would have breached confidentiality, in violation of SOP 1.1.6.B.1. I concur with Cmdr. Waite and the finding of not-sustained.

During my review of this policy violation, I concurred with Commanders Waite and Landavazo.

Conclusion:

I have recommended the finding be changed to not-sustained and no action be taken against Officer W. Superintendent Garcia reviewed these circumstances and concurred.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Collins', with a long horizontal flourish extending to the right.

Major Jimmy Collins,
Deputy Superintendent of Reform
Albuquerque Police Department

Cc: Eric Garcia, Superintendent of Police Reform