

WORK SESSION AGENDA

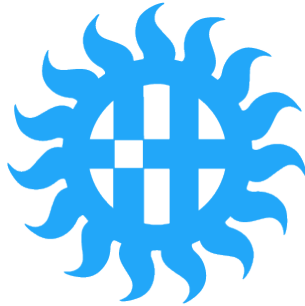
Monday, July 27, 2026 at 1:00 PM

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1.1. 10TH SEMI-ANNUAL POLICE AUDIT SUMMARY EVALUATION REPORT PRESENTED BY THE OIR GROUP. WS #26-027 - Pdf	2 - 81



Council Work Session Summary

Meeting: Work Session - Jul 27 2026

TITLE: 10TH SEMI-ANNUAL POLICE AUDIT SUMMARY EVALUATION REPORT PRESENTED BY THE OIR GROUP.

PURPOSE(S) OF DISCUSSION: ☒ Inform/Update ☐ Direction/Guidance ☐ Legislative Development/Policy

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

In accordance with their contract, # 25-26-010, the OIR group will present their semi-annual summary evaluation report of completed Las Cruces Police Department internal affairs complaints.

SUPPORT INFORMATION:

[OIR Group Tenth Semi-Annual Report Quarterly Review of LCPD - Q1 and Q2 2026 - With Appendix](#)

PLAN(S):

None

COMMITTEE/BOARD REVIEW:

None

City of Las Cruces

Independent Police Auditor Quarterly Report: Q1 & Q2 2026

July 27, 2026

OIR
GROUP

Agenda Item #1.1.



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Introduction

In our role as the City of Las Cruces' Independent Police Auditor, OIR Group reviews administrative investigations completed by the Las Cruces Police Department (LCPD) to ensure they are complete, objective, thorough, and fair and that findings and actions taken in response to the investigations were appropriate.

In this capacity, we have full access to LCPD's otherwise confidential internal investigative files and evidence, including body-worn camera footage, for the purpose of reviewing how allegations of officer misconduct are investigated, whether the complaints originate from members of the public or from within the Department. This level of access allows us to make informed, independent assessments of LCPD's investigative practice. A careful evaluation of each case also serves as the foundation for recommendations intended to enhance future operations.

Our role also includes reviewing closed litigation involving LCPD officers to identify potential performance issues or patterns that may present liability risks, thereby offering the City a "lessons learned" perspective that extends beyond the immediate legal disposition of individual cases.

Another key feature of our work in Las Cruces has been the semi-annual publishing of a report about our activities. In conjunction with presentations to the City Council, these reports provide a window into the number and types of issues that have prompted misconduct investigations by the Department during the relevant period. They also offer insight into the quality and effectiveness of LCPD's approach to review, decision-making, and accountability.

For more than five years, our Semi-Annual Reports have followed the same basic format: an overall assessment of key issues and trends, followed by a detailed written memo for each investigation. Over time, this work has helped establish a strong foundation for accountability, and LCPD has demonstrated a consistent willingness to consider and implement feedback and recommendations. Building on that foundation,

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the City and our office have transitioned to a new quarterly reporting model. This change has two primary components.

The first is the expansion of our ambit to now encompass *all* complaints of misconduct made by the public. (We have always received all complaints initiated by the Department itself and continue to do so.) Previously, we were limited to Category 1 External complaint cases, which are those that required a complete, formal investigation in order to reach conclusions about the allegations. As of the second quarter of 2026, we are receiving everything, including complaints that can be resolved without a full investigation.¹

¹ We now also review Category 2 and 3 complaints, which are defined by LCPD as follows:

Category 2 (EIC2) Cases: These cases involve relatively minor concerns where the individual who raised the issue does not wish to move forward with a formal investigation and/or is seeking information from the Department. The concern may be shared with a supervisor for awareness only. Because the person is not seeking a full investigative process, these matters are documented in a memo and closed by Internal Affairs.

Category 3 (EIC3) Cases:

These cases involve situations where a concern is raised, but there is not enough specific information to support a formal or informal complaint, or the issue does not appear to involve a violation of Department policy. In practical terms, these are matters that do not require a full investigation or a formal interview of the officer.

In some instances, the Department may be able to determine early on that the allegation would not be sustained and can close the matter without additional investigation. In other cases, if a minor issue is identified, it may be referred to a supervisor for quick follow-up at the unit level. Even when handled this way, the matter is still documented in Department records.

Category 3 cases allow the Department to track and address lower-level concerns efficiently, while focusing investigative resources on more serious or clearly defined allegations.

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The original focus on matters that were substantively more significant made practical sense while still providing a sizable basis for evaluating LCPD's process; that workload is reflected in the eight Semi-Annual Reports we have produced to date. But there are good reasons for the new, more inclusive approach.

One relates to responding to an issue articulated by the community. Because the Department was applying its internal standards in deciding which complaints belonged in the respective categories (and by extension determining which cases would go to us), there had been expressions of concern that this protocol was an opportunity for LCPD to keep potentially worthy issues from review without the Auditor – or the public – ever knowing. In the interest of more complete transparency, the Department helped ensure that all submissions are now provided for our consideration and reporting.

This expanded scope has provided a more complete picture of the different grievances that the public brings to LCPD for resolution, and how the Department responds across the full spectrum of complaints, not just those that result in formal Internal Affairs investigations. In addition to reviewing serious allegations and critical incidents, we now have visibility into the smaller, day-to-day concerns that community members bring to the Department, as well as the processes LCPD uses to resolve them.

The change resulted in us seeing seven cases in this quarter that previously would not have come to our attention. We hope this new comprehensive approach will be reassuring to members of the community who have expressed qualms about the original screening process. And, as we discuss below, our initial exposure to new categories has already led to new questions and insights that have helped us better understand LCPD's internal accountability systems.

The other significant change as we enter our sixth year of work in Las Cruces is an adjustment to the mechanics of our reporting.

Though we continue to assess the thoroughness, quality, and integrity of individual investigations (and to raise our questions and concerns with the Department throughout each audit period) our reporting about their individual details has been streamlined. While preserving transparency, this updated approach places greater emphasis on identifying broader patterns, trends, and opportunities for organizational learning – with more

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frequent ability to provide updates regarding identified areas of concern and/or improvement.

Because this structural change occurred partway through the reporting period, this report includes work completed under both the prior and current approaches and covers all cases closed during the first and second quarters of 2026.

- **Cases under the new quarterly model:** Seventeen cases were completed after the revised scope of work was implemented in March 2026. For these cases, we drafted brief case summaries, which are included as Appendix A of this report. These summaries are designed not only to assess investigative quality, but also to highlight strengths, identify opportunities for improvement, and support LCPD's continued development. This reporting format – brief summaries with a focus on larger trends and themes in the style of our Semi-Annual Reports -- will guide our reporting going forward.
- **Quarter 1 cases under the prior model:** Four cases were completed before the new scope of work took effect (2025II-012, 2025II-016, 2025II-018, and 2025II-020). For these cases, we prepared a stand-alone memo, consistent with our past practice. These memos are included in Appendix B, and the findings from those reviews also informed the broader observations in this report.

With regard to accountability mechanisms and culture, LCPD has evolved as an agency in the five years of our tenure. New leadership, new policies, and new protocols for internal review have strengthened operations in a variety of ways. We consider the changes to be positive and are pleased to have been able to contribute to them through our past recommendations and candid exchanges with Department officials over the years. We expect the observations in this Report, and our ongoing opportunities to solicit community feedback and use that to guide our assessments, will be further steps to advance LCPD's continuous improvement and its responsiveness to the residents of Las Cruces.

Overall Trends & Demographics

In this first section, we provide a high-level overview of both complaint types -- Internal and External – and additional case demographics as required by our scope of work. In total, we reviewed 21 cases in this reporting period.

For additional context, we encourage readers to review our case summaries of each case, which can be found in Appendix A. And, as noted in our introduction, four cases (2025II-012, 2025II-018, 2025II-016 and 2025II-020) were reviewed under the previous mechanism: a stand-alone memo that was submitted to LCPD for a documented “Management Response.” These case memos are attached as Appendix B.

Internal Investigations

We reviewed 12 Internal Investigations in this reporting period. These internally generated complaints resulted in 42 unique allegations of misconduct.

These cases reflect concerns identified within the agency, and the allegations spanned a wide range of conduct. The largest concentration of internal allegations in this period resulted from major incidents: vehicle pursuits and uses of force. Additional recurring categories included police reporting requirements, evidence handling, and physical arrests. Beyond these areas, the remaining allegations were distributed across a broad set of policy violations, with most occurring only once or twice; this indicates that some internal complaints arise from varied operational issues rather than a single recurring problem.

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Of the 42 internal allegations, the majority were sustained.² Sustained findings were most common in areas where policy violations are more clearly defined and documented, such as reporting accuracy, evidence handling, and certain use-of-force applications.

Notably, use of force allegations were frequently sustained when they involved clearly defined procedural requirements, such as how force is applied or documented. In contrast, allegations involving failures to de-escalate or poor officer judgment were less likely to be sustained. This pattern is not necessarily problematic; it may reflect the fact that LCPD's policies in these areas often require investigators to evaluate reasonableness within a range of acceptable responses rather than determine compliance with a clear, bright-line requirement. While such flexibility is appropriate given the realities of police work, it also highlights the importance of thorough documentation and analysis so that the reasoning underlying these decisions remains transparent and understandable to future reviewers.

Overall, internal complaints provide an important mechanism for identifying and addressing operational and procedural issues within the Department. The relatively high rate of sustained findings indicates that internal review processes are effectively identifying policy violations, particularly in areas where expectations are clearly established and supported by documentation.

External Complaints

During the same period, we reviewed nine external cases, resulting in 18 allegations of misconduct. These complaints are initiated by members of the public and reflect community perceptions and concerns about officer conduct.

² This is quite typical, in our experience. The opening of the case is itself based on a managerial identification of a potential shortcoming on the part of the named employee.

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External complaints were more narrowly concentrated in their allegations than internal cases: nearly half of all external allegations involved either unsatisfactory performance or issues related to police reporting, such as failure to take or properly document a report. Additional categories included conduct toward the public and evidence or property handling, each representing a smaller share of the total. The remaining allegations were distributed across several isolated categories, including truthfulness, complaint intake, and arrest authority.

At the same time, this external complaint data represents only a small subset of police-public interactions: in this reporting period, LCPD reported that it responded to 51,268 total calls for service.

Of the 18 external allegations, 2 were sustained and 16 were not sustained. The sustained cases involved more clearly verifiable violations, specifically truthfulness and a personnel-related matter. In contrast, the most common external allegations — unsatisfactory performance and reporting issues — were not sustained in any instance.

The relatively low sustained rate among external complaints reflects the nature of these complaints, which typically involve perceptions of officer demeanor, quality of service, or discretionary decision-making.

Despite the lower sustained rate, external complaints remain a critical component of accountability. They provide insight into community concerns and highlight areas where public expectations may differ from Department practices. In this reporting period, the concentration of complaints related to performance and reporting suggests that community members are particularly attentive to how officers communicate, document incidents, and deliver services.

Additional Complaint Demographics

The City's interest in ensuring transparency in LCPD operations is central to our work, including the expectation that we report demographic information about participants in the complaint cases we review.

Race/Ethnicity

Most cases involved at least some interaction with a member of the public; since the start of our engagement, we have tracked the race/ethnicity of these individuals where their race/ethnicity was known. Across all cases, we were able to identify the race/ethnicity of 73 complainants: 55% were identified as Hispanic, 38% were identified as White Alone, not Hispanic or Latino, and 7% were identified as Black. While this reporting period included a modest increase in the proportion of White complainants relative to prior periods, the available data did not reveal any clear demographic patterns or disparities that would warrant further inquiry.

We also track the race/ethnicity of Department employees involved in cases. Here again, the race/ethnicity of employees who were the subjects of complaints generally reflected the makeup of the Department itself: 68% were Hispanic, 27% were White, 3% were Black, and 2% were Asian.

As with prior reporting periods, we did not identify any trends within the cases reviewed that suggested race or ethnicity was a significant factor in the complaints themselves, the outcomes of investigations, or the employees who became the subjects of those complaints.

We will continue to monitor this data as additional cases are reviewed and reported.

Location

Our scope of work requires that we track the location of complaint incidents to identify potential geographic trends. In prior reports, this analysis has been limited by the fact that many internally generated investigations use the Department's address as the recorded location, even when the underlying incident occurred elsewhere. Because internal investigations often involve employee conduct identified through audits, supervisory review, training, or other administrative processes, the Department address may be an appropriate administrative location but does little to illuminate where the underlying events occurred.

As a result, for purposes of this report, we focused our location analysis on *external* complaints, where the reported zip code is more likely to

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reflect the location of the underlying incident or the complainant's residence.

Among external complaints reviewed since the start of our engagement, the largest share originated from zip code 88001 (31%), followed by 88012 (21%) and 88005 (21%). Smaller numbers of complaints came from 88007 (9%) and 88011 (4%), with the remaining complaints distributed among several other zip codes. Some complaints were submitted anonymously, and others originated from outside the Las Cruces area.

At a high level, these figures do not reveal a clear geographic concentration that would suggest a particular neighborhood, population group, or part of the city is disproportionately generating complaints. The three most common zip codes - 88001, 88012, and 88005 - are among the city's most populous areas. Reviewing available Census data also does not reveal an obvious socioeconomic or demographic explanation for the distribution of complaints.

Accordingly, we did not identify any clear pattern suggesting that complaints are concentrated in any given neighborhood or any specific geographic area of the city. We will continue to monitor location data as additional complaints are reviewed, but the current sample does not support any meaningful conclusions regarding geographic disparities in complaint activity.

Findings & Recommendations

We now turn to a discussion of key trends and themes, much like our Semi-Annual Reports previously presented to City Council on a twice-annual basis.

While each individual investigation reviewed during the reporting period is important as a measure of agency accountability, our experience has been that meaningful and impactful insights often emerge when cases are viewed collectively. Taking a step back and evaluating investigations in this way allows us to identify recurring strengths, emerging challenges, and areas for organizational learning that may not be apparent when incidents are considered in isolation.

The observations that follow are informed by our review of all cases closed during the first and second quarters of 2026. As part of our oversight role, we review investigations only after LCPD has completed its review and reached a final disposition. For this reporting period, the Department provided 21 completed investigative files for our assessment, including body-worn camera footage, police reports, witness statements, investigative memoranda, and other relevant evidence.

As we noted in our introduction, our reviews historically focused on Internal Investigations (II) and Category 1 External Investigations (EIC1): cases that were formally investigated by Internal Affairs because they involved potential misconduct allegations. As part of the City's updated scope of work, our review now also includes Category 2 (EIC2) and Category 3 (EIC3) complaints, which generally involve lower-level concerns, requests for information, or matters that do not initially warrant a full administrative investigation.

This broader view improves our ability to identify recurring patterns, assess the effectiveness of the Department's accountability systems, and evaluate how concerns are addressed before they rise to the level of formal misconduct investigations.

Strong Self-Evaluation & Correction

One of the most consistent themes we have identified throughout our work in Las Cruces is LCPD's willingness to critically examine its own performance and take corrective action when concerns are identified. Many of the most significant cases reviewed by our office over the years, and during this reporting period, did not originate with public complaints. Instead, they were identified through the Department's own supervisory, auditing, review, and accountability processes.

This pattern was evident throughout the first half of 2026. In Case #2026II-005, the Department's routine pursuit review process identified concerns regarding an officer's conduct and elevated the matter for Internal Affairs review, resulting in sustained findings, discipline, retraining, and Department-wide lessons regarding pursuit tactics and emerging technologies. In Case #2025II-022, a Force Review Cadre determined that an officer's Taser deployment was unreasonable, leading to a formal Internal Affairs investigation and accountability measures. Similarly, in Case #2026II-002, the Department not only investigated misconduct involving missing evidence but also reviewed broader system controls and implemented policy changes to strengthen evidence-handling practices. Even in less serious matters, such as Case #2026II-001, supervisors identified deficiencies, sustained policy violations, and required corrective action.

Importantly, these cases demonstrate that LCPD's accountability systems function as more than disciplinary mechanisms. Accurate reporting, evidence management, body-worn camera compliance, supervisory review, and auditing processes create opportunities to identify weaknesses before they develop into larger problems. No organization can completely eliminate errors or lapses in judgment. The more meaningful measure of organizational health is whether systems exist to detect those issues, address them appropriately, and improve future performance. Throughout this reporting period, we repeatedly observed LCPD's internal review systems doing so.

We also observed examples of accountability occurring in real time rather than only after an investigation. In Case #2025II-012, officers who responded to an unfolding confrontation recognized that the supervising officer had become frustrated, intervened appropriately, assumed control

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of the situation, and helped de-escalate the encounter. The officers' actions, combined with the Department's later review of the incident, reflected a culture in which personnel are willing to step in when circumstances warrant and where accountability is reinforced through both immediate decision-making and subsequent review.

As we have noted in prior reports, accountability is most effective when agencies are willing to identify concerns internally rather than waiting for external criticism. The cases reviewed during this period continue to reflect a culture of self-assessment and corrective action that remains one of LCPD's strongest organizational attributes.

Further Procedural Refinements

The cases reviewed this period demonstrate that LCPD continues to use its mature accountability framework to identify concerns, conduct thorough reviews, and implement corrective action when appropriate. As we noted above, that foundation is firmly in place and continues to represent significant organizational strength.

At the same time, effective accountability also depends on how completely issues are examined, how findings are categorized, and whether the review process captures all opportunities for learning and improvement. Accordingly, the next themes focus not on shortcomings in LCPD's commitment to accountability, but rather on opportunities to further strengthen how the Department's review systems translate observations into organizational learning and evidence-based findings

Looking Beyond Policy Compliance to Organizational Learning

Throughout our oversight work, we have encouraged LCPD to view critical incidents and other high-risk events not only as opportunities to assess policy compliance, but also as opportunities to evaluate tactics, decision-making, supervision, training, and broader organizational lessons. To its credit, the Department has developed several mechanisms to facilitate this type of review over the past five years, including the Force Review Cadre and "Training and Equipment" debriefs.

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Case #2026II-005, involving a vehicle pursuit, demonstrates the value of this approach. Although the investigation addressed whether individual employees complied with the pursuit policy, the review went further by examining how emerging technologies, including Real Time Crime Center (RTCC) drone support and StarChase deployment, affected operational decision-making. The review identified Department-wide training needs and broader lessons regarding coordination between field personnel and RTCC staff. In our view, this reflects a mature review process focused not only on accountability, but also on improving future performance.

By contrast, two officer-involved shootings reviewed during this reporting period could have benefited from broader review mechanisms to ensure that the Department's consideration of these major events is appropriately holistic and comprehensive. As we discuss in the case summaries in Appendices A and B, we agreed with the Department's ultimate findings in both Case #2025II-019 and Case #2025II-016 that the involved officers' uses of deadly force were objectively reasonable and within policy. However, in neither case was a Force Review Cadre evaluation conducted.

As we have stated before, we have been impressed with the rigor and insight that the Force Review Cadre brings to bear when asked to assess a given incident. Its in-depth knowledge helps ensure that the Department is embracing the learning opportunities that often arise in critical incidents. And a Cadre review also provides a concrete way for LCPD to document its own issue-spotting and relevant responsive actions.³

In Case #2025II-019, for example, the administrative investigation (in conjunction with the criminal review) did address officer accountability issues. However, we think a documented assessment of principles such as de-escalation and tactical decision-making would be a valuable additional step.

Similarly, in Case #2025II-016, which involved a subject armed with a

³ Our understanding from LCPD is that a full evaluation is intrinsic to officer-involved shooting events within the agency, and that identified concerns are referred for further action. However, unless that process is captured somehow, it is obviously difficult to confirm its thoroughness and effectiveness.

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realistic-looking replica firearm, the investigation appropriately focused on policy compliance but did not include the kind of structured after-action review that could have examined broader issues such as crisis response, tactical decision-making, restraint practices, officer coordination, and other training considerations presented by a complex and high-risk event. The officers performed well in many respects, making the incident particularly well-suited for a lessons-learned review focused on reinforcing successful practices as well as identifying opportunities for improvement.

While we recognize that specialized review processes require significant time and resources, we continue to urge the Department to use them as frequently as possible. As we have expressed in past reports, ideally, the Department would use them to evaluate every critical incident. An officer's decision to use deadly force is the ultimate use of authority deserving of documented scrutiny from a multitude of lenses.

When LCPD chooses not to employ these broader review mechanisms, the Internal Affairs process – including interviews of the involved officers -- should fill that gap by incorporating a more structured examination of tactical decision-making, supervision, risk assessment, and lessons learned. As such, IA investigations should be leveraged not only to determine whether conduct was within policy, but also to identify opportunities for organizational learning and future improvement.

Recommendation 1

When a Cadre review or similar after-action process is not conducted, LCPD should use the administrative investigation to document its analysis of key tactical and decision-making issues.

Recommendation 2

If initial interviews, particularly those conducted by criminal investigators, do not sufficiently address administrative or policy-relevant issues, LCPD should conduct follow-up administrative interviews to ensure a complete record.

Reviewing Category 3 Cases

One of the most significant changes reflected in this report is not a particular incident, but rather the expansion of the types of cases subject to our review. As noted above, under our previous scope of work, our reviews focused primarily on Internal Investigations (II) and Category 1 External Investigations (EIC1): cases involving allegations of misconduct that warranted a formal Internal Affairs investigation. Beginning in 2026, our review authority expanded to include Category 2 (EIC2) and Category 3 (EIC3) complaints. See Footnote 1, above for a detailed explanation of each category.

This reporting period therefore marks our first opportunity to evaluate how these newer complaint classifications function in practice.

At first glance, Category 3 cases might appear relatively minor. By definition, they are matters in which a complainant has not framed an allegation that constitutes a specific policy violation, where the available information does not support a formal investigation, or where the Department determines that the articulated concern does not warrant a full administrative inquiry. As a result, all Category 3 cases are resolved through a preliminary review rather than a traditional Internal Affairs investigation.

A potential line of demarcation in some of these matters is whether the Department can “clear” the employee of misconduct allegations without an interview being necessary. This often occurs as a function of body-worn camera review of the encounter in question.

As is true in many of the agencies where we provide external oversight, body-worn camera evidence in Las Cruces often provides a clear basis for refuting allegations efficiently and definitively. We think it makes sense for LCPD to limit its investigative efforts in these cases – particularly regarding interviewing officers. At the same time, we are glad that we can review these cases, as well as to look more holistically at whether and how the Department is maximizing learning opportunities.

In fact, our initial sampling of these “Category 3” cases suggests that their larger significance often lies less in the seriousness of the original complaint and more in what ancillary concerns may be discovered during the review process.

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Because Category 2 and Category 3 complaints are newly within our scope of review, this reporting period provided our first meaningful opportunity to observe how these classifications function in practice. Several of the cases reviewed raised questions about how concerns identified during a preliminary complaint review are ultimately addressed when they do not warrant a formal Internal Affairs investigation.

In discussions with Department leadership, we learned that issues identified during Category 3 reviews may, when appropriate, be addressed through the Department's Supervisor Matter (SM) process. As we understand it, this mechanism provides a means of documenting concerns, implementing corrective action, and addressing performance issues. This information provided important context for several of the cases discussed below.

At this stage, however, our observations remain preliminary. Because our review of Category 2 and Category 3 complaints is still relatively new and the number of cases we have examined remains limited, we are continuing to develop our understanding of how these classifications fit within the Department's broader accountability structure. While the cases reviewed suggest that the Department has processes in place to address concerns that arise during preliminary reviews, we have not yet observed a sufficient range of matters to draw firm conclusions about how these processes operate across different circumstances.

For example, in Case #2026EIC3-008, the primary allegations were appropriately examined and ultimately found unsupported by the available evidence. During the review, investigators identified separate concerns involving body-worn camera compliance and supervisory documentation. We initially questioned whether the handling of these issues as "ancillary matters" provided an adequate mechanism for accountability. Subsequent discussions with Department leadership clarified that the concerns were addressed through the SM process.

Similarly, in Case #2026EIC3-007, the Department reviewed the available evidence, including body-worn camera footage, and concluded that allegations of unprofessional conduct and harassing or threatening language were unfounded. However, our assessment of the employee's communication differed somewhat from the Department's ultimate finding. The case highlighted how conduct that may not clearly constitute policy misconduct can nevertheless raise questions regarding professionalism,

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communication style, customer service, and public perception. Such concerns do not always fit neatly within the complaint-disposition framework, but may nevertheless present opportunities for supervisory engagement, coaching, or other corrective action.

Importantly, our observation is not that LCPD failed to identify or address these issues. Rather, our first review of Category 3 complaints suggests that these cases may play a meaningful role in identifying concerns that warrant supervisory attention, even when a formal misconduct finding is not appropriate. As we continue reviewing a broader range of Category 2 and Category 3 complaints in future reporting periods, we expect to develop a more complete understanding of how these matters are addressed and how they contribute to the Department's overall accountability, supervision, and organizational learning efforts.

A slightly different concern emerged in Case #2026EIC3-012. Here, the Department accurately assessed the performance of personnel in rejecting allegations of misconduct that were lodged by an unhappy pet owner. At the same time, the memo that exonerated the employees was not as methodical as we had come to expect. The complainant had highlighted eight specific concerns with the action of the parties involved; while none of these had merit in our view, they ideally would have been individually addressed at some point in the analysis. We encourage LCPD to “show its work” when it comes to the processing and documenting of public complaints, even when it has determined that they are meritless overall.

Recommendation 3

Even in Category 3 cases, the Department should ensure that all aspects of a complaint are addressed in some form as part of the Preliminary Inquiry process.

The Importance of Classification and Allegation Framing

As accountability systems mature, questions increasingly arise not about whether issues are identified, but about how they are categorized, analyzed, and documented. This is an area we have commented on repeatedly throughout our work in Las Cruces. Over several years, we have encouraged the Department to frame all relevant allegations, select the most appropriate policy provisions, and ensure that findings accurately reflect the conduct identified during an investigation. We have also noted significant improvement in this area, as Internal Affairs has increasingly framed more nuanced allegations and incorporated issues discovered during the investigative process itself.

Several cases reviewed during this reporting period suggest that this remains an important area for continued refinement. In Case #2025II-018, for example, we questioned the Department's decision to narrow its final accountability analysis to a notification issue despite earlier findings that identified broader concerns regarding the officer's handling of a modified firearm.

Similarly, as discussed in the preceding section, several Category 3 cases raised questions regarding how issues identified during a review should be classified, documented, and tracked. Cases #2026EIC3-007 and 2026EIC3-008 are particularly illustrative. In these cases, we agreed that the employee's conduct did not clearly constitute the type of serious misconduct typically associated with formal discipline. At the same time, we concluded that the employee's interactions reflected communication and professionalism concerns that were similar to issues the Department was already aware of with respect to that employee. The Department agreed, and reported that it was already taking action to correct the identified pattern of behavior; here, while any single incident may not independently warrant formal corrective action, accountability systems appear to be capable of recognizing patterns that emerge over time.

None of these situations reflected a failure to identify the underlying concern. Rather, they highlight the importance of ensuring that policy selection, allegation framing, classification decisions, and documentation practices consistently capture the full scope of the issues presented.

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Clear and consistent framing serves several purposes. It promotes fairness by ensuring similar conduct is analyzed in similar ways across cases. It improves transparency by making the Department's reasoning easier to understand. And it strengthens the Department's ability to identify trends, track recurring issues, and implement targeted corrective action over time. This has been a recurring theme in our prior reports and remains an important element of an effective accountability system.

Recommendation 4

LCPD should continue to refine its investigative process to ensure that allegations, findings, and final dispositions are framed in a manner that fully and accurately reflects the conduct at issue, including issues identified during the investigative process itself.

Communication and Customer Service

Another theme that emerged from several cases reviewed during this reporting period involves communication and customer service. These cases did not generally involve serious misconduct, unlawful conduct, or significant policy violations, and the majority were determined to be unfounded. Rather, they reflected the reality that a large portion of law enforcement work consists of interactions with people who may be frustrated, upset, confused, experiencing a crisis, or dissatisfied with an outcome. In those circumstances, even when personnel act within policy and make appropriate decisions, the quality of the interaction can significantly shape how members of the public perceive the Department.

This theme appeared in several cases, including Cases #2026EIC1-003, 2026EIC3-007, and #2026EIC3-008. As we detailed in each case summary, in some instances, we agreed with the Department's findings that available evidence did not establish misconduct. In others, we questioned whether the tone or phrasing used by employees fully reflected the Department's expectations regarding professionalism, patience, and de-escalation. Notably, these concerns often arose even where the underlying enforcement decisions or investigative actions themselves appeared reasonable and supported by the evidence.

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These cases illustrate an important challenge: “customer service” in policing is often more difficult to evaluate than technical policy compliance. Whether an arrest was lawful, a report was completed, or evidence was handled properly can generally be determined through objective evidence. Assessing communication, however, is inherently more nuanced. Human interactions involve tone, word choice, listening skills, expectations, and, most importantly, individual perceptions. A comment intended as informational may be perceived as dismissive. An attempt to explain enforcement options may be interpreted as a threat. Two people can experience the same interaction very differently, particularly when emotions are high.

These cases highlight the importance of continually reinforcing communication skills as a core component of professional police service. In many cases, public dissatisfaction stems not from the ultimate outcome, but from whether individuals felt heard, respected, and adequately informed throughout the process. As we have noted in prior reports, professionalism is not limited to avoiding misconduct; it also includes fostering public trust through clear communication, patience, empathy, and procedural fairness.

Encouragingly, we found that LCPD personnel often demonstrated these qualities, particularly during prolonged or difficult encounters. At the same time, several cases suggest opportunities for continued coaching and supervisory attention regarding communication strategies, expectation-setting, and de-escalation during challenging interactions. Because these issues often fall into the space between clear misconduct and exemplary performance, they can be difficult for accountability systems to capture. Nevertheless, they remain important because they directly influence public trust and confidence in the Department.

Other Notables

CALEA Accreditation Process

During this reporting period, LCPD continued its work toward accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA), a nationally recognized credentialing program that evaluates law enforcement agencies against professional standards related to policy, operations, training, accountability, and service delivery. CALEA accreditation is a voluntary process that includes extensive self-assessment, external review, and periodic re-evaluation to ensure ongoing compliance with contemporary policing standards.

In March 2026, LCPD hosted a CALEA on-site assessment that included interviews, document review, and evaluation of Department practices. OIR Group participated in this process by engaging in an interview regarding our oversight work and findings. Following the assessment, Department leadership reported that the assessor was impressed by the professionalism, knowledge, and organization demonstrated by personnel.

The Department subsequently advanced to the next stage of the accreditation process, with final consideration by the CALEA Commission scheduled for July 2026. Regardless of the outcome, the accreditation process itself reflects LCPD's commitment to continuous improvement, accountability, and adherence to nationally recognized best practices.

IACP Trust Campaign

LCPD recently completed the International Association of Chiefs of Police (IACP) Trust Building Campaign, a national initiative designed to strengthen trust between law enforcement agencies and the communities they serve. Participating agencies commit to implementing policies,

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practices, and organizational strategies across six focus areas: bias-free policing, use of force, leadership and culture, recruitment and retention, victim services, and community relations.

The campaign aligns closely with several efforts we have observed during our oversight work, including the Department's emphasis on transparency, community engagement, accountability systems, and communication with the public. LCPD's participation reflects a willingness to benchmark its practices against nationally recognized standards and to engage in a structured process focused on building and sustaining community trust.

The Department's completion of the campaign represents another example of its continued investment in organizational improvement and strengthening relationships with the community it serves.

Conclusion

The first half of 2026 marked a significant transition in both the scope and format of our oversight work in Las Cruces. In addition to moving from semi-annual to quarterly reporting, we also began reviewing all public complaints, including Categories 2 and 3 matters that previously fell outside our scope. As a result, this reporting period provided a broader view of the concerns brought to the Department and the mechanisms LCPD uses to address them.

Overall, the cases reviewed during this period continued to reflect a Department with mature accountability systems and a demonstrated willingness to identify, investigate, and address concerns internally. Many of the most significant matters originated from supervisory review, audits, force review processes, or other internal mechanisms rather than from public complaints. We continue to view this capacity for self-assessment and corrective action as one of LCPD's strongest organizational attributes.

At the same time, our review identified opportunities for continued refinement. These included maximizing organizational learning following critical incidents and evaluating how emerging Category 3 complaint processes can best capture and address issues identified during review. None of these observations call into question the Department's commitment to accountability; rather, they reflect the type of incremental improvements that become possible as accountability systems mature and evolve.

We appreciate the professionalism and cooperation of LCPD personnel throughout this reporting period and remain encouraged by the Department's willingness to engage constructively with outside review. We look forward to continuing our work with the City and Department as these newer reporting processes develop and as additional opportunities for organizational learning and improvement emerge

Appendix A: Brief Case Summaries

Critical Incident: Case #2025II-019

Summary: During a call for service involving an armed subject threatening patrons of a local restaurant, an LCPD officer used deadly force. The Critical Incident Protocol was initiated. The Department found the use of deadly force to be reasonable and necessary and exonerated the officer. The IPA found the findings to be appropriate, while also identifying room for more rigorous analysis of tactical decision-making.

A restaurant employee called LCPD to report a disorderly man who was yelling at employees, trying to fight other patrons, and was reportedly armed. Two LCPD officers were dispatched, but a third, Officer 1, arrived at the location first. Officer 1 exited his patrol vehicle and approached the front area of the business, intending to enter and stop what he believed was a threat in progress. Before reaching the door, an employee directed Officer 1's attention to a parked vehicle. Officer 1 observed a man matching the description of the subject sitting in the car listening to music.

According to Officer 1, to prevent the man's escape, he ordered the subject to step out of the car.

As the subject opened the car door, he armed himself with a hammer and began advancing toward Officer 1. Officer 1 unholstered his firearm and moved backward through the parking lot, repeatedly giving verbal commands to the subject to show his hands and stop coming closer. At one point, concerned that he would walk back into a busy roadway, and intending to show the subject that he was standing his ground, Officer 1 stopped moving back and issued more commands to stop. The subject continued to close distance despite those commands. Officer 1 observed that the subject appeared to have a vacant stare that appeared "evil." He reported that he believed that the subject intended to kill him. Officer 1 took two steps back and fired three rounds, striking the subject.

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The subject fell backwards onto the ground. Officer 1 holstered his firearm, broadcast “shots fired,” and began rendering medical aid until additional personnel arrived and took over scene responsibilities.

A hammer was recovered from the subject. The subject was pronounced deceased on scene. Pursuant to LCPD protocols, Officer 1 was placed on administrative leave.

As we have noted in previous reports, officer-involved shootings are initially investigated on the criminal side by the Officer-Involved Incident Task Force (“OITF”), a multi-agency team. This team responded to the scene to conduct the initial scene investigation and conducted interviews of witnesses and Officer 1. As of publication of this report, the OITF’s criminal investigation has been submitted to the District Attorney for a determination regarding criminal legality, and the DA’s findings are pending.

Separate from that criminal review, LCPD conducts an administrative review of the incident. LCPD framed two allegations against Officer 1. The first allegation was under **General Order 255.03(A), De-Escalation**. LCPD exonerated that allegation, finding that after making contact, Officer 1 created distance and repeatedly gave verbal commands while attempting to de-escalate the encounter. But the subject did not respond to or acknowledge those commands and instead continued to advance. LCPD found that Officer 1’s actions did not violate the de-escalation policy.

The second allegation was under **General Order 255.04(A)(1)(a)(b)(3)(a), Use of Force – Levels of Force**. LCPD also exonerated that allegation. LCPD found that Officer 1 responded to a call involving reports of a violent and armed subject; that, upon contact, the subject exited the vehicle, armed himself with a hammer, and immediately closed distance on the officer; and that he continued advancing despite repeated commands to stop. LCPD concluded that the subject posed an immediate and imminent threat to Officer 1 and others, and that the decision to use deadly force was objectively reasonable under the circumstances.

The memo did not identify any ancillary issues.

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We were provided with and reviewed all available documentation related to this case, including body-worn camera footage, recorded interviews, and police reports.

As we noted in our most recent Ninth Semi-Annual Report, the Department has made meaningful progress in moving toward concurrent administrative review rather than waiting until the criminal or any related litigation processes are complete: this investigation followed that trend and was completed within five months of the incident.

We agree with the Department's ultimate findings that Officer 1's conduct was within policy under the allegations that were formally framed. As reflected in the body-worn camera summary and investigative record, the encounter evolved rapidly once the subject exited the vehicle armed with a hammer and advanced on the officer despite repeated commands to stop. Under those circumstances, we do not disagree with LCPD's conclusion that the use of deadly force was objectively reasonable.

LCPD has developed and, in other cases, utilized more rigorous post-incident review mechanisms, including Force Review Cadre analysis and after-action "Training and Equipment" debriefs. Those processes are designed to examine decision-making, tactics, and training considerations beyond policy compliance alone. Neither process was used in this case. Based on our understanding of LCPD's practices, this appears to reflect a determination that the incident was relatively straightforward and did not warrant the additional investment of time and resources those reviews require. We recognize the practical constraints departments face and the need to prioritize among competing demands.

Where those more comprehensive review mechanisms are not employed, however, it becomes especially important that the administrative investigation fully explores the types of decision points that those processes are intended to address. In this case, the administrative review did demonstrate some of that broader focus. By framing and analyzing a de-escalation allegation, the Department recognized that the officer's efforts to create distance and issue commands were central to the encounter and evaluated that conduct under policy. The record also supports that the officer's initial response was appropriate given dispatch information indicating an actively assaultive subject armed with a hammer and knife and posing an immediate risk to the public.

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At the same time, in our view, the administrative investigation could have more fully examined the totality of the officer's decision-making from start to finish. Because a Cadre review was not conducted, the administrative investigation became the primary mechanism for exploring these issues.

While these considerations do not alter our agreement with the Department's policy findings, they are important to a complete understanding of the incident and to identifying potential lessons for training and future response. Accordingly, when more formal after-action review processes are not utilized, a more probing and structured administrative inquiry becomes essential to ensure that these issues are identified and evaluated.

Case #2025II-022

Summary: Officers responding to a potential incident of domestic violence between adult siblings ended up focusing on one subject and then using a Taser to effectuate her arrest. Questions arose during the subsequent review as to whether the Taser deployment was a justified and reasonable use of force. The incident was referred to Internal Affairs for additional investigation. It was determined that one officer had violated policy by making entry into the woman's home and deploying the Taser without a proper legal basis for doing so. The partner officer's actions were also evaluated, but no violation was established. The IPA agreed with this outcome.

Two LCPD officers (arriving separately) responded to the scene of a conflict between two adult sisters. The reporting party was one of them, and she showed Officer # 1 cell phone video evidence of a battery that her sister had committed against her. Approaching the other sister, Officer # 1 found her to be highly agitated and antagonistic, and at one point she armed herself with a knife before discarding it.

The woman was inside her home (a trailer with a porch area) and speaking to officers through a screen door. After a few moments of unsuccessfully attempting to gain her cooperation verbally, Officer # 2 formed the intention of arresting the woman, and moved toward her door to make entry. The woman continued to be noncompliant and hostile,

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which included directing several threats at the officers. Officer # 2 put his Taser through an opening in the screen door and then fired it. The woman was struck by probes and sank to the ground.

At that point, Officer # 1 belatedly told his partner that he didn't think they could make entry. But Officer # 2 disregarded this, went inside, and was able to take the woman into custody without further incident. She was unhurt.

The Department referred the incident to its "Use of Force Cadre" for a thorough review. That process resulted in a finding that the force had been unreasonable, and the matter was then turned over to Internal Affairs for a formal investigation.

The investigation used the initial force review assessment as a foundation for its framing of issues. The initial analysis found fault with the force deployment in a couple of ways: the warrantless entry into the home without sufficient justification, and the severity of the Taser as a force option in relation to the threat being posed by the subject at the moment of deployment.

Both officers were interviewed as subjects. Officer # 2's use of force was one policy concern (**General Order 255.02**), and the other was the potential violation of **General Order 231.03: Authority to Arrest** (which applied to both officers).

Both allegations were "Sustained" against Officer # 2. He received an appropriate disciplinary consequence.

The lone allegation against Officer # 1 was "Not Sustained." It was recognized that Officer # 2, had been slow to flag his concerns with Officer # 1, but it was also acknowledged that he had limited opportunity to do so considering the way events unfolded.

As in the past, we were impressed with the thoughtful work of the Use of Force Cadre at the outset of the Department's review process. The methodical analysis was convincing in applying the nuanced facts to law and policy. And we considered the handling of the misconduct issues to be appropriate.

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The case also obviously provided a training opportunity in terms of the different Fourth Amendment issues that were implicated. Our expectation is that these points were addressed with the personnel involved.

Case #2025II-023

Summary: An LCPD non-sworn employee reported that another non-sworn employee – the subject employee - had not adhered to his scheduled work hours. In response, the subject employee alleged a hostile work environment, among other allegations. LCPD found sufficient evidence to sustain the unauthorized work hours. LCPD did not sustain any of the subject employee's workplace allegations but referred the matter to the unit's leadership. The IPA found the findings and outcome to be complete and appropriate. The IPA noted that this unit has previously had related workplace complaints.

In November of 2025, a non-sworn LCPD employee informed a supervisor that another non-sworn employee (the subject of this investigation) had not adhered to his assigned work hours. When the supervisor contacted the subject employee regarding this unauthorized scheduling change, the subject employee spoke to him in an unprofessional manner and engaged in insubordination by questioning the supervisor. Later, the subject employee called the reporting employee a "snitch" on social media.

The supervisor reported this encounter to command, who opened a formal investigation into the matter. LCPD framed allegations for violations of **General Order 103: Code of Conduct**, related to insubordination, and of the City of Las Cruces **Personnel Manual** related to Work Rules and Unauthorized Work Time.

Upon being notified of these allegations, the employee submitted a letter detailing allegations of hostile work environment and unsuitable work conditions that included failure to provide adequate tools to perform his job.

LCPD investigated the allegations through multiple interviews with witness employees, the supervisor, and the subject employee.

LCPD determined that sufficient evidence existed to sustain all allegations against the subject employee. LCPD imposed discipline, noting the absence of prior sustained misconduct by the employee. However, LCPD

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did not find sufficient evidence to sustain the employee's allegations regarding a hostile work environment or unsuitable working conditions. LCD concluded that the employee's concerns warranted follow-up by the unit's leadership.

We reviewed the complete case file, including the employee's personnel history, and found the outcome appropriate. However, we note that the same employee was the subject of a second case during this quarter. In that matter, we recommend closer supervisory oversight to address a potential pattern of behavior (see 2026EIC3-007, below).

We also note that this unit has experienced prior management challenges (see 2022II-003). While LCPD previously committed to management and procedural changes to address those concerns, we recommend that LCPD leadership revisit the unit's operations and supervision, consistent with the observations in the IA memo.

Case #2026II-001

Summary: An LCPD officer was involved in a minor, at-fault traffic collision with a parked vehicle in the Department's lot as he was leaving to respond to a call for service. He did not notify a supervisor for approximately four hours and later asserted that he did not initially believe that the impact had resulted in any damage. LCPD found he had violated policies related to both driving and reporting. He received a formal disciplinary consequence as well as re-training. The IPA found the findings and outcome to be appropriate.

At the start of his shift, an officer left the station parking lot to respond to a call for service along with a partner officer in a separate car. In backing up from his spot in a police vehicle, he struck a parked personally owned vehicle that was behind him in an authorized spot. After briefly stepping out of his car to assess the point of impact, he drove away from the scene.

When taking a break at a gas station sometime later, the officer examined the car again; according to his subsequent claims, it was at this point that he realized for the first time that some minor damage had occurred. Three hours after that, he called to speak with a supervisor and acknowledged what had occurred.

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The investigation addressed two issues: the preventable collision (per **General Order 118.02(A)**) and the failure to notify (per **General Order 119.01**). Both were sustained, and the officer received formal discipline and was assigned a defensive driving class.

The IPA found the outcomes to be appropriate. The officer's behavior was odd in a couple of respects. For example, per surveillance camera in the parking lot (which was brightly lit), he got out to assess his own vehicle. But not only did he profess not to have originally seen damage (which was quite minor but seemed plainly visible), he also made no apparent effort to check the truck that had been hit. We were also puzzled by the delay in notification to a supervisor.

While the officer's response to an unfortunate but low-level mistake did not reflect particularly well in our view, the Department's investigation did not establish an intent to deceive. Accordingly, the result was commensurate with the identified violations.

Case #2026II-002

Summary: A supervisor alleged that evidence had gone missing from the LCPD Evidence / Property Room. Internal Affairs initiated a formal investigation and determined that a non-sworn LCPD employee had taken the evidence. LCPD determined that the allegations were Sustained. The employee resigned. The IPA found the findings and outcome to be appropriate.

An LCPD supervisor reported that evidence had gone missing from a locker in the Evidence and Property Room and reported this to Internal Affairs. According to LCPD, this was the first identified evidence-handling breach of this nature within the department's institutional memory.

After a thorough review of surveillance video footage, LCPD determined that a non-sworn LCPD employee had taken the evidence. LCPD framed allegations for violations of three General Orders: **103.05 Criminal Conduct Prohibited**, **300.12 Withdrawal of Evidence/Property** and, after the employee's interview, during which he was less than forthcoming, **103.17 Truthfulness**.

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The employee submitted his resignation, which LCPD accepted. At the time of this report, the District Attorney was still deciding what, if any, charges would be filed against the employee.

LCPD also reported that it conducts regular internal inspections of the Evidence and Property Room as part of its established practices, independent of this investigation. These routine inspections coincided in time with the investigation of the evidence-handling breach but were not initiated in response to it.

The first of these inspections was a quarterly review focused on compliance with evidence-handling processes and procedures, including, for example, verification that items authorized for destruction were transferred to the appropriate location in a timely way. The second was an annual audit of the Evidence and Property Room. That audit included a review of all “high-risk” items maintained in inventory, such as firearms, controlled substances, and currency. LCPD further reported that, had these inspections not already been scheduled, it would have conducted a comparable review to ensure that no additional breaches had occurred.

As a result of this investigation and LCPD’s ongoing internal audit practices, the department updated **General Order 300**, which governs evidence and property storage. The revisions include changes related to the handling of currency, including a decision to no longer store currency in the Evidence Room. Instead, currency is now deposited monthly into a separate City bank account. The updated order also adds dual evidence checkouts to strengthen internal controls.⁴

⁴ Dual evidence checkouts require the participation or verification of two authorized employees when certain evidence items are removed from, returned to, or transferred within the evidence system. The process creates an additional layer of accountability by reducing the risk of unauthorized access, loss, or mishandling of evidence and by providing independent verification of evidence movements.

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The IPA found the investigation to be thorough, the findings to be appropriate, and the outcomes to be fair and responsive, especially the updates to policy.

Case #2026II-003

Summary: The Department became aware of an off-duty incident involving an officer and his spouse, who contacted family and friends after an argument allegedly culminated in his pushing her to the ground. The incident was investigated criminally by officers from another jurisdiction at the request of LCPD to avoid any perception of bias; meanwhile, LCPD put the officer on administrative leave pending the results of the criminal review and its own investigation. It ultimately found that the two parties' respective accounts of the incident were not reconcilable, and the Department closed its case as "Not Sustained." The IPA concurred with this outcome.

This case involved an off-duty argument between an LCPD officer and his wife. The wife alleged that a verbal dispute between them had become physical and resulted in her being pushed to the floor in their home; the officer tried to assist her in getting back up, but she did not accept his help. He left the scene shortly thereafter.

Another law enforcement agency handled the criminal investigation, with which the officer cooperated fully. Per his detailed statement, an argument did in fact occur, but his version of key events (including the physical action that resulted in her falling) differed considerably from hers.

The District Attorney's Office declined to file criminal charges.

The LCPD investigation had access to the other agency's case materials, and it also developed further evidence. This included an additional interview with the officer and his spouse, as well as a polygraph examination of him (which found his responses to be truthful). It ultimately determined that the allegations of criminal conduct and conduct unbecoming (**General Orders 103.08** and **103.28**) should be "Not Sustained."

We considered the Department's response to this incident to be appropriately rigorous. The administrative interview focused effectively on discrepancies between the parties' versions of events, and the polygraph

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exam constituted an additional effort that was unusual in our experience. Given the difficulty in conclusively establishing what occurred in the conflict, the outcome was a reasonable one.

Case #2026II-005

Summary: The Department reviewed a vehicle pursuit and found portions of it to be out of policy and unreasonable. The Chief directed the matter to IA for formal review. Internal Affairs initiated a formal investigation and determined that the first-responding officer had engaged in pursuit-like activities outside of policy, and sustained allegations of compliance with the pursuit policy; LCPD issued discipline and re-training. IA found that remaining personnel acted within policy. LCPD also identified areas for Department-wide training. The IPA found the findings and outcome to be appropriate.

LCPD officers identified a stolen vehicle through an automated license plate reader and Real Time Crime Center (RTCC) drone surveillance.⁵ The RTCC supervisor broadcast that they planned to track the vehicle using the drone until the driver exited, giving an opportunity to apprehend the driver. At that time, the only known offense was possession of a stolen vehicle, a nonviolent property crime.

Officer 1, who was in the field, possibly misheard this, and believed that he should approach the parked vehicle. But when Officer 1 approached the parked vehicle with emergency lights activated, the driver fled at a high rate of speed.

⁵ Automated License Plate Readers (ALPRs) are camera systems that scan license plates and check them against law enforcement databases to identify vehicles of interest, such as stolen cars. The RTCC is a centralized unit that supports officers in the field by providing real-time information, including live video feeds and data from various systems. As part of this effort, the RTCC operates a drone program that allows staff to monitor incidents from above, helping track movements and observe conditions without requiring officers to immediately engage on the ground.

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Officer 1 turned to follow and accelerated in an effort to close distance and deploy a StarChase tracking device.⁶ He did not broadcast that he was in a formal pursuit (this is of note because the distinction was critical to the Department's analysis: the officer's actions created the risks associated with a pursuit despite the absence of a formally declared pursuit).

Under a minute later, Officer 1 successfully deployed the StarChase device and disengaged, allowing the RTCC drone to maintain visual surveillance.

Even while not being actively pursued, the suspect continued to drive in a highly dangerous and erratic manner for approximately nine minutes out of the city limits and back into the city: traveling at high speeds, driving into opposing lanes, running traffic lights, and forcing other drivers to take evasive action.

Based on these observations, a supervisor authorized a pursuit when the vehicle re-entered the city. Officer 1 resumed the pursuit with Officers 2 and 3 following as the second unit. The driver continued to flee through city streets and residential areas, again driving recklessly and at high speeds. During this phase, the suspect struck a parked vehicle and another vehicle in the roadway. Officer 1 attempted multiple PIT maneuvers to stop the vehicle, which were unsuccessful.⁷ During one such attempt, Officer 1 crashed into a fence, disabling his patrol vehicle.

A supervisor terminated the pursuit shortly thereafter, and RTCC drone surveillance resumed until the suspect abandoned the vehicle and was apprehended.

⁶ StarChase is a vehicle-mounted tracking system that allows an officer to deploy a small GPS device onto a moving vehicle from the front of a patrol car. Once attached, the device transmits the vehicle's location in real time, allowing officers to monitor its movement without needing to remain in close proximity or continue a vehicle pursuit.

⁷ A Pursuit Intervention Technique (PIT) is a controlled maneuver in which an officer uses a patrol vehicle to make contact with a fleeing vehicle in order to cause it to lose control and come to a stop. The technique is intended to safely end a pursuit but carries risks, particularly depending on speed, location, and surrounding traffic conditions.

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LCPD initiated a pursuit review as is their standard practice for all vehicle pursuits and found the initial phase of this pursuit to be out of policy. As such, the incident was directed to Internal Affairs for a formal investigation.

The Internal Affairs investigation examined whether Officer 1, 2, and 3, and the supervisor directing the pursuit complied with Department policy governing pursuit initiation, pursuit procedures, termination tactics, and supervisory oversight. The relevant policy provisions included:

- **General Order 208.02 – Vehicle Pursuits (Pursuit Justification)**
- **General Order 208.03 – Vehicle Pursuits (Pursuit Procedures)**
- **General Order 208.05 – Vehicle Pursuits (Termination Tactics – PIT)**
- **General Order 208.14 – Vehicle Pursuits (Supervisor Duties)**

With respect to Officer 1, LCPD sustained violations of **General Orders 208.02** and **208.03**. The Department found that his initial efforts to accelerate and catch up to the fleeing vehicle to deploy StarChase constituted a pursuit under policy, and that initiating such activity for a nonviolent property crime did not meet the required threshold. The Department further found that Officer 1 failed to activate his siren during this initial phase and again delayed activating it after the later authorized pursuit began, in violation of required pursuit procedures.

The Department exonerated Officer 1 with respect to **General Order 208.05**, concluding that his use of PIT maneuvers, once the suspect's driving posed a clear and ongoing threat to public safety, was consistent with training and policy.

The Department exonerated Officers 2 and 3 and their supervisor. LCPD determined that the later decision to authorize a pursuit complied with policy based on the suspect's prolonged and dangerous driving behavior, which persisted even in the absence of police presence.

In addition to making disciplinary findings, LCPD identified several training issues arising from the incident. The Department specifically noted the need for additional training related to integration of RTCC and drone capabilities into patrol operations; proper deployment and use of StarChase in a manner that avoids the need for officers to "catch up" to

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fleeing vehicles; and application of PIT tactics, including when and where such maneuvers are appropriate. These applied both to Officer 1 specifically and Department-wide.

We received and reviewed both of the Department's reviews, as well as the underlying video evidence and police reports. We found the reviews to be thorough, well-reasoned, and consistent with the available evidence. In particular, the Department's analysis appropriately distinguished between Officer 1's initial pursuit-like conduct and the later, supervisor-authorized pursuit that was based on the suspect's continued dangerous driving.

We commend the Department for breaking down the incident into discrete phases and recognizing that pursuits are evolving events that must be continuously reassessed as conditions change. In this case, the Department explicitly applied the required "Balance Test," which weighs the risk posed to the public by the pursuit itself against the risk posed by allowing the subject to remain at large. The Department's analysis reflects an understanding that this assessment must be ongoing and can yield different conclusions at different points in the incident.

Consistent with this approach, the Department's different findings for Officer 1 and Officer 2, 3 and their supervisor reflect a best practice in pursuit review, demonstrating that actions taken at one stage of an incident may not be justified at another, and that compliance must be evaluated in light of the specific circumstances present at each point in time.

The incident also provides a useful opportunity to assess how emerging technologies are integrated into field operations. As noted by LCPD, this was the Department's first pursuit incident involving RTCC drone support, and the incident reflects that both field personnel and supervisors were working in real time to incorporate this relatively new capability into their decision-making. LCPD appropriately identified training needs related to the use of RTCC, drones, StarChase, and PIT tactics.

More broadly, the incident highlights the importance of developing clear, shared operational expectations between RTCC personnel and ground units regarding roles, coordination, and tactical decision-making.

While LCPD has already identified the need for additional training, this case suggests that continued emphasis on coordination between field

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personnel and RTCC, along with clearer guidance regarding the permissible scope of officer conduct when deploying tracking technology, would further reduce the likelihood of similar issues in future incidents. Strengthening these areas will help ensure that available technology can be used to reduce risk while maintaining alignment with pursuit policy and public safety priorities.

Case #2026II-008

Summary: This was a companion case to 2026EIC1-002, which is detailed directly below. Having placed the officer on administrative leave in conjunction with that earlier case (which ultimately resulted in his separation from the agency), the Department conducted an inspection of his assigned patrol car to ensure that Department property (and anything belonging to the officer) was accounted for. At that time, the Department located items – including a wallet and illegal drugs – that had apparently been taken by the officer in the context of enforcement activity. Though it should have been reported and submitted as evidence in conjunction with the underlying calls for service, it was not. LCPD opened a separate investigation and sustained multiple violations of policy. The IPA concurred with this handling of the discovered property. The officer is no longer with the Department.

This second case against a probationary officer began with a routine inspection of his assigned car, as part of the administrative response to another pending investigation (that resulted in his separation from the agency). That process revealed various items (plainly visible) that were apparently collected by the officer during enforcement activity that preceded his leave. These items included a wallet and different types of illegal narcotics.⁸

The Department was able to review the officer's calls for service, match the items at issue with specific events, and determine that the officer fell

⁸ The Department contacted the state Metro Narcotics unit to have the drugs analyzed and identified; they turned out to be methamphetamine and fentanyl.

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short of expectations for detailed reporting and handling/destruction of evidence.⁹ Several policy violations were implicated.

These included **General Order 141.01 and 141.02: Police Reporting** to cover the inadequate detail in two reports and the failure to prepare a report at all for one of the relevant calls for service; **General Order 300.10: Evidence/Property Possessed by Employee**, which requires timely submission; and **General Order 300.39: Drug Evidence/Narcotics and Paraphernalia**, which specifically governs the proper handling of drug contraband.

Each of these was sustained – and some were applicable more than once.

We reviewed the different body-worn camera recordings and police reports. While the officer's follow-through and attention to detail were clearly lacking in ways that eventually could have created serious consequences, there was no evidence of any malicious intent behind his behavior. Nonetheless, the decision to finish the case and reach definitive conclusions was correct in our view.

Case #2026EIC1-002

Summary: This is a companion case to 2026II-008, above. A woman contacted LCPD to raise concerns over failure to pay court-ordered child support by a man who had been employed by the Department as an officer for several months. While reviewing this issue, the Department identified several concerns that suggested the officer had misrepresented aspects of his background during the hiring process. The Department determined that these allegations were sustained – and that his interview with Internal Affairs regarding this issue had been marked by a pattern of inconsistent and intentionally misleading statements about the disputed aspects of his record. The officer was still a probationary employee at

⁹ No interview was conducted; it was apparently considered superfluous in light of the decision to separate the officer from the agency in conjunction with the other case.

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that point, and LCPD made the decision to end his tenure with the agency. The IPA concurred with the LCPD findings.

This case was initiated in response to a woman's contention that a current LCPD officer, who had been hired the previous year and was still a probationary employee, was significantly in arrears with regard to child-support payments he was obligated to provide per a court order. This allegation prompted the Department to research the records regarding this matter, at which point it confirmed the complainant's claim of a significant shortfall in the required support.

Further review of the officer's hiring process led to additional scrutiny of representations he had made while filling out the required "Personal History Statement" for all applicants. Issues were identified with regard to not only the child support payments but also the way that questions about prior arrests and drug use had been handled. His pre-employment interview with the background investigator was also evaluated: it was determined that he had willfully declined to provide relevant clarifications in response to specific questions, relying instead on "semantic distinctions."

The interview with Internal Affairs did not assuage these concerns. Instead, when confronted with multiple examples of discrepancies and inconsistencies, the officer attributed the problems to "oversight," or rushing through the application process, or matters of interpretation.

Ultimately, the Department framed two primary allegations relating to his honesty. The first was **City Personnel Manual 205.2: Recruitment and Selection**, which lists false or misleading personal information during the hiring process to be a basis for rejecting employment. The other was **General Order 103.17: Truthfulness**, which LCPD used to address its concerns over his approach to veracity in both the recruiting process and the investigative interview.

Taken together, the two "Sustained" findings provided a basis for ending the officer's employment with the agency.

We found the investigation to be impressively detailed in researching the underlying issues in the officer's background and evaluating his truthfulness in relation to the detailed information that was learned. We

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also considered the Department's assessment of the evidence and its subsequent decision-making to be appropriate.

The administrative investigation's rigor also contrasted with the background interview, which had refrained from pressing the then-applicant over issues and vague answers that perhaps should have been more concerning at the time. We spoke with the Department about that part of its hiring process.

Our understanding is that this important work is handled by a private company with whom the Department has had a contract for several years. We are also informed that LCPD leadership has provided direct feedback to the company about this experience in an effort to ensure that the quality of the vetting process appropriately high.

Case #2026EIC1-003

Summary: A member of the public contacted LCPD reporting that her case had not been properly assigned, and that the employee who received her call was unprofessional. LCPD conducted a formal investigation and determined that there was insufficient evidence to determine if the employee had been unprofessional. LCPD routed the concern regarding case classification to the supervisor level for review. The IPA found the findings and outcome to be appropriate.

A member of the public contacted LCPD regarding the status of an open case and to identify the assigned detective. During that call, she learned the case had not been assigned due to a case classification error. She subsequently filed a complaint regarding both the classification issue and the conduct of the employee who handled her call, alleging the employee was rude and unprofessional.

LCPD initiated a formal investigation addressing both concerns. LCPD framed one allegation against the original reporting officer for failure to appropriately classify the case (**General Order 141.03(A), Police Reports – Submission of Reports**), and one allegation against the employee who handled the call for unprofessional conduct (**General Order 103.05(B), Code of Conduct – Conduct Toward the Public**).

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With respect to the classification issue, the investigation determined that the assigned officer had completed and submitted the appropriate reports, but an error within the case classification system resulted in the case being misrouted and not assigned. The issue was referred for supervisory review, and the case was promptly reclassified and forwarded for investigation. Because the error was attributable to a technical system issue rather than an individual action, LCPD made “no finding” on this allegation.

With respect to the conduct allegation, LCPD interviewed both the complainant and the employee. Their accounts differed significantly regarding the tone of the interaction, including who escalated the conversation and what was said. In the absence of corroborating evidence, LCPD determined the allegation to be Not Sustained.

We reviewed the case file, including the police reports and the recorded interview of the employee. The investigation was thorough and appropriately scoped, and the findings were supported by the available evidence. In particular, the Not Sustained disposition reflects a measured approach consistent with investigative standards because conflicting statements could not be resolved through independent evidence, and no credibility determination was made based solely on one side’s account.

We also reviewed the circumstances surrounding the classification error. LCPD identified this as a known, though infrequent, issue arising from limitations in how its various records and case tracking systems interact. To catch and prevent misclassification, Records personnel conduct periodic spot checks to verify proper classification and routing, and supervisors are responsible for reviewing reports for accuracy. Case classification is also regularly reinforced through training at multiple levels, including briefings, supervisor meetings, and formal training sessions.

LCPD anticipates that an upgrade to the Axon Records Management System will improve system integration and reduce the likelihood of similar classification errors by streamlining records entry, classification, and case tracking. We will track this ongoing development.

Case #2026EIC2-005

Summary: A member of the public contacted LCPD seeking information about a protest event. LCPD provided information that satisfied the complainant. LCPD closed out the case without further investigation. The IPA found this to be complete.

A member of the public contacted LCPD seeking information about a protest on private property. She asked officers in the area how the protestor had been granted access to this private property, but the officers patrolling the event did not know. She noted that the officers were courteous and tried to assist her.

Upon receipt of the complaint, IA personnel identified paperwork related to the incident, including a letter from the property owner granting permission to use the private property, and an informal operations plan. IA personnel contacted the complainant and provided this information. The complainant appeared to be satisfied with this resolution. LCPD closed the matter with no further investigation.

LCPD classified this matter as a “Category 2” complaint: an informal complaint involving allegations of a non-serious nature, where the complainant chooses not to pursue a formal investigation. In our review, this was an appropriate classification. Not only did the complainant not make allegations of misconduct against officers (in fact, she complimented their behavior on scene), but she appeared to be satisfied with the information provided by IA and did not request any further action be taken.

The IPA found this to be an appropriate and complete resolution.

Case #2026EIC3-007

Summary: A member of the public alleged that a non-sworn LCPD employee was unprofessional and threatening when responding to a call for service. LCPD conducted a preliminary investigation and concluded that no misconduct had occurred; LCPD exonerated the allegation. While we found the investigation to be thorough, we found that the evidence did not fully support the finding and detail our rationale below.

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A non-sworn LCPD employee responded to a neighborhood complaint in the evening and contacted two adult residents regarding concerns about barking dogs and the condition of the yard. During that interaction, the employee explained relevant municipal codes, including potential citations and penalties. The residents acknowledged the issues and indicated they would address them.

Shortly thereafter, a third adult - later identified as the complainant - contacted the employee by phone, expressing concern about the late-hour visit and what she perceived to be threats directed to her household. During the call, the employee explained the purpose of the initial contact and advised that body-worn camera footage was available for review. The conversation became argumentative, with both parties speaking over one another. During the exchange, the employee stated that, if necessary, he could return to the residence, conduct further checks, and pursue enforcement action.

The complainant later filed a complaint alleging unprofessional conduct and threats.

LCPD framed one allegation under **General Order 103.05 - Conduct Toward the Public** and, following a preliminary investigation, found the allegation to be Exonerated.

The IPA reviewed the case file, including body-worn camera footage of both the initial contact and the subsequent phone call.

The initial in-person interaction with the residents was generally consistent with LCPD's finding: the employee provided information regarding applicable ordinances in a manner that was largely informational and supported voluntary compliance. However, the subsequent phone call was not as clear and warranted a closer look.

During that call, the employee's statements, particularly those indicating that he could return to the residence, "go through with a fine-tooth comb," and begin issuing citations if the matter continued to be disputed, introduced an enforcement posture that, while technically within his authority, was expressed in a manner that could reasonably be perceived as escalatory, retaliatory and/or threatening.

LCPD concluded that the employee's communication was direct but professional. Our review of the same body-worn camera footage reached

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a different conclusion. While the employee did not use profane language or explicitly threaten unlawful action, the tone and phrasing of the statements, when viewed in context, approached a level of communication that may be experienced by a reasonable member of the public as coercive or intimidating rather than purely informational. This is particularly relevant given **General Order 103.05**'s expectation that employees exercise patience, avoid argumentative exchanges, and facilitate problem-solving with the public.

In this instance, the employee continued to engage in a prolonged, increasingly adversarial exchange rather than de-escalating or disengaging, once it became clear the conversation was no longer productive. The phrasing used, linking the complainant's continued questioning or disagreement to heightened scrutiny and potential enforcement, blurred the line between education and implied "consequences" in a way that, to us, is not consistent with the spirit of the policy.

For these reasons, we found that the evidence did not fully support the conclusion that the employee's conduct was consistent with policy in tone, approach, and de-escalation.

LCPD represented that this employee is now under more careful supervisory oversight and continued monitoring of this employee's interactions presents an opportunity to address these concerns through coaching, guidance, and, where appropriate, corrective action.

Case #2026EIC3-008

Summary: A member of the public alleged that LCPD employees did not appropriately handle various calls for service. LCPD framed an allegation of unprofessional conduct, found it to be exonerated, and closed the case with no further investigation. LCPD noted an Ancillary Issue that they referred to a supervisor.

An LCPD non-sworn employee, officers, and a supervisor responded on different dates to a series of calls for service involving an ongoing dispute between neighbors, initially related to pets and later involving mutual allegations of aggressive behavior.

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A non-sworn employee first contacted the parties telephonically. During these initial calls, the employee learned that the dispute had escalated to a physical confrontation. Officers subsequently responded in person and contacted the complainant, who alleged that the neighbor pushed him to the ground. Officers documented his injuries. At that time, the complainant stated that he did not wish to pursue charges.

Later the same day, the complainant contacted LCPD again and reported that he wished to pursue charges. He alleged that the responding officer advised that both parties could be charged with assault, or that he could be charged with trespassing while the neighbor would be charged with assault.

Several months later, following additional calls for service involving the same parties, the complainant filed a complaint expressing dissatisfaction with the initial response and investigation. He also alleged that one officer may have been biased due to a possible prior relationship with the neighbor. Although the complainant did not clearly specify a policy violation, the Internal Affairs investigation reasonably evaluated the matter under **General Order 103.01 (A) – Code of Conduct: Unsatisfactory Performance**, which includes, among other provisions, failure to conform to work standards or to take appropriate action related to a reported incident.

An IA investigator reviewed the complaint, associated reports, and all available body-worn camera footage, including recordings of telephonic contacts where available. The investigation found that officers conducted a thorough investigation, collected relevant statements and evidence, and reached charging decisions that were supported by the available information. The available evidence did not substantiate the allegation that any prior relationship influenced the officers' decision-making.

During this review, LCPD also identified policy compliance issues under **General Order 151.01 – Recording Devices**, which requires that employees activate body-worn camera when responding to calls for service and record telephonic investigative contacts. Specifically, a responding supervisor did not complete a supplemental report documenting their involvement, and an officer did not record at least one telephonic contact on body-worn camera. LCPD appropriately identified these issues for further supervisory review.

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The IPA also reviewed the available evidence and concluded that the overall investigative approach and ultimate charging determinations were reasonable and supported by the information available to officers at the time. Officers remained professional and patient during multiple interactions with the complainant, including during repeated follow-up contacts.

However, we noted a challenge with case classification. While the investigation was thorough in its methodology and the evidence supports the findings related to **General Order 103.01 (A)**, it does not fully account for the identified procedural deficiencies: the failures to record required telephonic contacts and to complete supplemental supervisory documentation. These were routed to the supervisor level for review.

These, to us, are not minor issues, but rather implicate core accountability functions, including the creation of a complete and reviewable record of police activity.

As such, we questioned the classification of this matter as a “C3” complaint. It is appropriate where allegations are clearly unfounded or exonerated. However, when evidence arises during the review that may support independent policy violations, such matters warrant closer scrutiny. In such cases, reclassification may be more appropriate than routing the issues solely as “supervisory matters,” particularly where the deficiencies relate to foundational requirements such as body-worn camera compliance and documentation. Addressing these issues at the appropriate level helps ensure that accountability mechanisms function as intended and that identified gaps are not minimized by the structure of the review process itself.

In this case, while the identified procedural issues do not ultimately alter the conclusion regarding the primary allegations, they are more than technical or administrative in nature. They present a meaningful opportunity for reinforcement of expectations regarding documentation and recording requirements, as well as for continued training on maintaining clear, consistent records in complex and ongoing disputes.

We also identified a communication issue that may have contributed to the complainant’s perception that the matter was not handled appropriately. Specifically, when we reviewed the body-worn camera of the non-sworn employee’s initial contact, we noted inconsistent communication regarding

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the possible enforcement actions. The video shows the employee advising the complainant that a citation would be issued to the neighbor; however, no citation was ultimately issued, and this change in approach was not clearly explained. The complainant was later advised that he himself could face charges related to the same incident. While the ultimate charging decisions appear supported by the available evidence, these shifting explanations likely contributed to confusion regarding how and why decisions were made.

The non-sworn employee (who is the subject of a separate complaint, above, 2026EIC3-007) was not named as a subject employee in this investigation, and LCPD concluded that his conduct did not contribute to the complaint. We do not entirely agree. Although the employee was not the primary decision-maker, the initial communication regarding enforcement action(s) may have contributed to the complainant's confusion and perception that enforcement decisions were inconsistent or favored the neighbor. Here again, the employee's conduct did not rise to the level of misconduct, but contributed to a perception of less-than-ideal customer service.

Case #2026EIC3-009

Summary: A member of the public alleged that LCPD officers arrested her unlawfully and failed to properly handle her property. LCPD framed allegations of unlawful arrest and property procedures and conducted a preliminary investigation. LCPD found the allegations to be exonerated and closed the case with no further investigation. The IPA found the findings and outcome to be appropriate.

LCPD officers responded to a call from a store manager reporting that a female (the eventual complainant), who was an employee, was at the store intoxicated and causing a disturbance. The store manager requested that officers formally trespass her from the property and advised that she would no longer be employed after this incident. Officers were unable to locate her.

Later, the store manager called back, stating that the complainant was in the parking lot. Officers located the complainant, advised her that she was

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trespassed from the property, and informed her that she was no longer employed. She left but then returned a third time. Based on the manager's request and the complainant's repeated presence on the property after being advised she was no longer permitted, officers determined there was cause to arrest her for criminal trespass. They transported her to be booked. They advised that her property – a large bag -- would be taken to the Department for safekeeping.

The following day, the complainant contacted LCPD and alleged that she was unlawfully arrested for trespassing at her place of employment and that her personal property was improperly handled following her arrest. LCPD opened a preliminary investigation into the incident. The investigation addressed **General Order 231.03(A)(2) – Physical Arrests (Authority to Arrest)** and **General Order 300.10(B) – Evidence and Property**.

The investigation determined that the officers had responded to repeated calls for service regarding the complainant's presence at the location, and that the store manager wished to pursue charges. LCPD determined that the officers had probable cause to arrest the complainant.

With respect to the complainant's property, the body-worn camera and police reports documented that officers inventoried her belongings at the time of arrest and informed the complainant that they would be taken for safekeeping to the Department, consistent with Department procedures. The investigation found that the property was logged without unnecessary delay and that it was not required to accompany the complainant to the detention center due to booking limitations.

Based on these facts, the investigation concluded that officers acted within policy, and exonerated the officers

We reviewed the case file, including various body-worn camera videos and police reports. We found the investigation to be thorough and complete, and the findings supported by the evidence.

Case #2026EIC3-010

Summary: A member of the public submitted a complaint through the online portal. She had reached out to the Department several times within a one-week period, seeking assistance regarding an ongoing dispute with

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a male neighbor. She alleged that the Department had wrongfully refused to create a police report about her neighbor's conduct and had promised a referral to another support entity that had not materialized. LCPD reviewed the different contacts and determined that the involved personnel had acted appropriately. The IPA concurred with this outcome.

The female complainant in this case had been experiencing ongoing issues with the male neighbor who lived across the walkway from her in a one-story apartment complex. Though the dynamic was apparently long standing, she initiated contact with the police based on specific recent concerns. Most prominently, this included the man's daily use of the water spigot outside her apartment to tend to his own garden. She believed that this was not only inherently improper, but also an excuse to antagonize her by crossing in front of her porch and doorway repeatedly.

Her complaint ended up implicating four Department members: the two officers who spoke with her (separated by one week) in response to her calls for service, and the two supervisors with whom she dealt subsequently on the respective occasions. She believed that her issues had not received the appropriate response.

The investigation consistently primarily of a review of the relevant contacts. The woman's concerns were framed in relation to a possible violation of **General Order 141.01: Required Reporting**. Simply put, the issue was whether the Department personnel had been correct in declining to provide a police report about the conduct at issue.

The investigation determined that each of the four named officers should be "Exonerated" for their respective handling of contacts with the complainant. We agree with this resolution.

The body-worn camera videos (which primarily consisted of recorded telephone conversations) established that the conduct at issue – even as described by the complainant – was not criminal in nature. (The landlord, for example, had authorized use of the spigot and paid for all water on the property.) At the same time, officers made efforts to suggest alternative approaches and other potentially helpful resources. They showed professionalism and responsiveness.

Case #2026E1C3-011

Summary: A member of the public filed a complaint incident to arrest, alleging excessive force, unlawful arrest, and unsafe transport. LCPD initiated a preliminary inquiry into the matter. After reviewing all available evidence, LCPD determined the allegations were exonerated. The IPA concurred with this outcome.

LCPD officers responded to a call from a business reporting that a male – who eventually became the complainant - was trespassing on their property. Upon contact, the complainant refused repeated instructions to leave and argued with officers. Officers contacted the business owner to verify that they wanted the complainant moved; the business owner stated that he did. After multiple warnings, a supervisor response, and over 20 minutes of attempting to gain compliance with no success, officers determined they would arrest the complainant for trespassing.

The complainant then began to argue that he was medically disabled and had a broken back and asked officers to transport him to a hospital. The officers did. After several hours, medical staff found no medical concerns and cleared the complainant for booking. The complainant again refused to comply with officers, stating that he could not move or walk. After attempting to gain voluntary compliance over a prolonged period, officers called for additional units. They placed him in a restraint device, moved him to the police vehicle, and transported him to jail for booking.

The complainant then filed a complaint in which he alleged excessive force, false arrest, medical neglect, property loss, and unsafe transport. LCPD opened a preliminary investigation and framed allegations of **General Order 103.01 – Unsatisfactory Performance.**

LCPD reviewed over five hours of body-worn camera and reviewed police reports and related paperwork. This evidence showed that officers had lawful cause to arrest the complainant, responded to the complainant's repeated statements regarding a medical condition by transporting him to a hospital for evaluation prior to booking, and properly inventoried and booked his property. At the hospital, the complainant was treated and medically cleared. He was ultimately transported to the detention center after continuing to refuse to comply with instructions.

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Based on this, the investigation concluded that officers acted within policy and exonerated the allegations. LCPD also noted that the officers acted professionally in a challenging and prolonged encounter.

We concur; the evidence supports that officers' actions were lawful, reasonable, appropriately documented, and consistent with department policy. Like LCPD, we noted that the officers displayed considerable patience throughout this encounter.

Case #2026EIC3-012

Summary: A pet owner was the subject of visits from LCPD Animal Control on successive days, due to a neighbor's report of excessive feces on her property. She filed a written complaint about various aspects of these encounters. LCPD conducted a preliminary inquiry into the allegations. Based on the body-worn camera recordings (which captured all relevant interactions), LCPD determined that the actions of the involved personnel had been appropriate.

The IPA concurred with the assessment that no wrongdoing had occurred. However, a more methodical approach to addressing the complainant's individual allegations was warranted in our view.

An LCPD Animal Control officer went to the complainant's property to address a concern about animal feces in the fenced-in yard. She noted that the front door to the home was open, but no one responded to her efforts at making contact. Out of concern that something was wrong, she entered the property – and then used her baton to ward off the dog that approached her somewhat aggressively. Eventually, she did get the attention of the complainant's husband and explained the reason for her visit.

The complainant considered both the entry onto the property and the use of the baton to be improper. She was further frustrated by the reaction she got when calling a supervisor later that day to express her concerns; she considered the supervisor to be wrongly dismissive of her assertions and later alleged that he had refused to accept her complaint. Finally, she thought that the follow-up visit by two Animal Control officers the next day had delved into extraneous concerns (such as the number of animals on the property) out of retaliation for her initial expressions of dissatisfaction.

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The Department framed its complaint review in relation to two different policy sections. The first was **General Order 103.01: Unsatisfactory Performance**. This was applied to the actions of the Animal Control officer on the initial home visit, and it was determined to be “Exonerated.” The second was **General Order 160.01(C)(1): Complaint Intake**, which establishes the expectation for ensuring the public complaints are received and forwarded appropriately. Here, the supervisor who spoke with the complainant was the focus, and that allegation was also “Exonerated.”

This determination was reached through review of available evidence (and without an interview of employees involved). The body-worn camera recordings established that the first Animal Control officer’s actions had been reasonable (and that her assertion of entering out of a welfare concern had been supported by her contemporaneous statements to workers next door). She did not appear to have struck the dog and had clearly not injured it by using her baton to block its approach.

The supervisor recorded his phone call with the complainant. His attempts to explain and clarify were substantively accurate and appropriately professional. She did not express a desire to make a complaint during the call.

The second visit by officers was also found to be consistent with expectations. Their questions, observations, and attendant interventions were responsive to the circumstances and not retaliatory in nature.

We agreed with the Department’s findings here. The officer’s initial actions were reasonable; it is unfortunate that her seemingly genuine concern was interpreted as a pretext that then fueled a series of contentious exchanges that extended into the next day. The complainant persisted in arguing with points of disagreement that were explained correctly but to no avail on multiple occasions. This dynamic not only prompted her complaint against the supervisor but also appeared to color her experience of the officers’ actions on the second day.

Our one criticism here relates to the way that the various concerns raised by the complainant were distilled to two formal allegations. The complainant herself itemized 8 individual issues that she considered wrongful. Some were more substantive than others, and some lent

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themselves to a combined approach. We did, however, think that two of the 8 deserved more overt attention.

The first of these was the complainant's concern about the Animal Control officer's unexplained reference to a "criminal complaint" as she was leaving on the second day.¹⁰ And the second was the issue of an alleged retaliatory motivation for the officers' handling of the second visit (including the identification of additional violations).

We agree that the first allegation was not actionable as misconduct, and the second was not supported by the evidence. Neither, however, was captured by the specific findings in the case memo (or the attendant analysis). In our view, a brief discussion of each would have been helpful.

¹⁰ Our understanding is that this terminology would be commonly used by Animal Control in reference to the infractions identified during the visit; it may also have been a gratuitous comment at the end of an unpleasant exchange.

Appendix B: Stand-Alone Case Review Memos

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6510 Spring Street #613
Long Beach, CA 90815
OIRGroup.com

TO: City of Las Cruces
FROM: OIR Group
DATE: December 18, 2025
RE: Review of Administrative Investigation – #2025II-012

Introduction

In its role as the City of Las Cruces' Independent Police Auditor, OIR Group reviews internal investigations completed by the Las Cruces Police Department (LCPD) to ensure they are complete, objective, thorough, and fair and that findings and actions taken in response to the investigations were appropriate. The Department initiated this administrative investigation after concerns arose around a supervisor's treatment of a man who was seemingly ignoring traffic restrictions at a newly established crime scene.

OIR Group received the case file on December 2, 2025

Case Summary

The subject officer in this case was a supervisor who was part of the Department's response to a fatal shooting that took place on city streets on a weekday morning. With the victim (who had crashed in a parking lot) being treated by medical personnel, and with the suspect still at large and potentially nearby, LCPD stationed several police vehicles in the surrounding roadways so as re-direct traffic away from the scene.

The supervisor was on foot at the scene and helping to organize the positioning of police cars and the responsibilities of the assisting officers. A few minutes after his

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arrival, he noticed a car driving around a police vehicle blockade. He yelled to the driver and stood in the street as it drove in his direction from approximately 100 yards away. The car (which had been travelling at moderate speed), came to a stop right in front of him. The supervisor struck the hood of the car with his hand and quickly came around to the driver's side. He yelled, "Turn this fucking thing around!" and then reached to open the door as the driver -- an elderly male -- jabbed a finger in his direction and angrily noted that he had a doctor's appointment.

The supervisor then undid the man's seatbelt and forcibly removed him from the vehicle. By this point, other officers had noted the commotion and came over to assist; one urged the supervisor to let them take over, and he did.

The situation quickly de-escalated at that point. The man calmed down, and the officer who had initially begun to handcuff him in support of the supervisor's actions decided to remove the single cuff he had applied. The man also received medical attention to address a superficial injury from being pulled out of the vehicle.

A second on-scene supervisor took control of the decision-making at that point. After consulting with the first supervisor, the second supervisor authorized the release of the man at the scene, with a warning that he could potentially receive citations for the incident at a later point. Ultimately, no further action was taken, though different misdemeanors (relating to illegal driving and the obstruction of an officer) were potentially applicable. This was due to a lack of follow up by the initial supervisor.

After initial review of the incident, Department leadership requested a formal assessment of the supervisor's use of force. The findings from that review included a referral to Internal Affairs for a formal misconduct investigation.¹

LCPD's Investigation and Analysis

Applicable General Orders, Training, or Other City Policies

The Department framed allegations related to several potential policy violations.

¹ It is notable that the initial review by the Force Cadre found the physical actions of the supervisor "reasonable" within the legal and policy parameters by which officer force is evaluated. While that analysis was at least colorable, we were glad that enough issues were identified that further investigation ensued.

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1. **General Order 255.02(A)(1): Use of Force.** This related to the use of force itself, and the extent to which it was consistent with Department expectations. This policy specifically imposes an "objectively reasonable" standard for the application of physical force – a term that comes from a foundational Supreme Court decision and features several components. Here, the Department determined that the force, though minimal, failed to meet that standard for multiple reasons. These included the low-level severity of the crime, the lack of danger posed by the driver, and the speed with which the supervisor resorted to physical grabbing without efforts to communicate and provide an opportunity for compliance. The violation of this policy was therefore "Sustained."
2. **General Order 255.03(A)(1)(2): Use of Force – De-escalation.** A related policy section speaks to the idea that officers "should" make efforts to de-escalate prior using force – an effort that the supervisor did not make in his apparent frustration with the man's actions. This allegation was "Sustained."
3. **General Order 103.05 (A)(B): Code of Conduct - Conduct Toward the Public.** This policy addressed the supervisor's overall treatment of the man. This policy frames the expectations that officers will engage with the public in a respectful and patient manner, should not use objectionable language, and should work to be problem-solvers where possible. This allegation was "Sustained."
4. **General Order 231.13 (A)(B) (1)(2): Physical Arrests - Release After Arrest.** The decision to release the complainant at the scene, and then to refrain from pursuing the potential criminal charges for which he was originally stopped and detained, was evaluated in relation to two different and potentially applicable policy sections. The first was GO 231, which sets forth the requirements for releasing someone in light of a lack of probable cause. Here, the fact that the other supervisor on scene was responsible for the decision to release the complainant was sufficient for a finding of "Exonerated."²
5. **General Order 103.01(A)(1): Code of Conduct -Unsatisfactory Performance.** This second policy addresses a "lack of knowledge and correct application of laws and procedures." This was prompted by the discrepancy between the initial arrest at the initiation of the encounter and the subsequent lack of follow-up as to charges for the complainant.³ Here, the finding was "Not Sustained," in part

² In our view, this specific policy section was not only more applicable to the other supervisor, but also inapposite to the facts, insofar as there was a legal basis for arresting the man in the first place (albeit for misdemeanors that were minor in nature). Lack of probable cause was not the issue.

³As Department management later clarified for us, the choice not to take further action in pursuing charges was seen as a valid exercise of discretion under the circumstances. The

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because the Department decided that this issue was adequately addressed through other policy sections.

6. **General Order 141.02(2) Police Reports: Accuracy and Thoroughness.** This policy was applied with respect to several identified flaws in the police reports related to this incident, including the lack of explanation as to why no effort was made to advance criminal charges after the incident. Additionally, the report presented events in a non-sequential way that lent itself to justifying the supervisor's actions, and characterized other events in ways that were not fully aligned with the video evidence of the encounter. This allegation was accordingly "Sustained."

Outcome: Discipline or Other Action

The supervisor had been the subject of prior investigations for different offenses over the course of his career, some of which were sustained. However, in the nine years preceding this incident, the only disciplinary issues related to vehicle accidents. He received a disciplinary consequence for his conduct in this incident.

OIR Group Review

LCPD leadership opened this case on its own initiative, which was appropriate and commendable. The resulting investigation was thorough and effective, and we concurred with the findings.

This case illustrates the importance of having multiple levels of review in use-of-force assessments. The Force Cadre's initial determination that the supervisor's actions were "reasonable" under policy and legal standards was later reconsidered by Internal Affairs. While such differences in outcome are not uncommon, they demonstrate how additional scrutiny can surface issues that might otherwise go unaddressed. The process worked as intended here: the initial review provided a starting point, and subsequent evaluation ensured that broader context and potential implications were fully examined. It also highlights the need for ongoing evaluation of how the Cadre applies standards and whether its processes consistently promote accountability.

concern was more procedural than substantive -- that the choice to drop the matter should have been made affirmatively and documented appropriately. However, this shortcoming was ultimately seen as subsumed by the other policies listed here that covered the overall handling of the encounter.

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We also took favorable note of different aspects of the case – one relating to the incident itself, and one aspect of the investigation.

In watching the body-worn camera video from the incident, we were struck by the prompt and effective intervention of different officers who heard the confrontation and came over to assist. Along with taking over the physical handling of the driver (which is generally preferable, so that supervisors can better oversee unfolding events), the officers appeared to recognize that the supervisor had lost his temper with the driver, and that separating him from direct contact was accordingly advisable for all concerned. The officers, and the other supervisor on scene, exercised sound judgment in their subsequent handling of the man and decision to release him from custody.

As for the investigation, a key feature of the evidence-gathering was the interview of the supervisor himself. He was respectful in his dealings with the lower-ranking detective who conducted the interview,⁴ but we were nonetheless happy to see that another supervisor from Internal Affairs was present. This was a recommendation we had made after a previous case in an effort to ensure that any imbalance between subject and interviewer did not undermine the effectiveness of the questioning.

In the recent past, we have questioned the multiplicity of charges that are sometimes framed within an individual investigation, with the idea that they can seemingly overlap in ways that needless complicate the analysis. Here, though, the six identified sections reflected different identified shortcomings within the supervisor's performance. Although, as cited above, a certain amount of complication and "clutter" did result, the gesture toward thoroughness and rigor was understandable and led to an appropriate level of remediation. We hope the review process and attendant accountability had a constructive effect.

LCPD Management Response

The Las Cruces Police Department appreciates the thorough review conducted by the OIR Group. We value your input and agree that this case highlights the importance of a robust use of force review process. This case also demonstrates the overall professionalism of the Las Cruces Police Department and the automatic intervention of other officers when warranted.

⁴ Unfortunately, the supervisor's substantive answers during the interview did not reflect the level of introspection and self-critique that were seemingly warranted.

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6510 Spring Street #613
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TO: City of Las Cruces
FROM: OIR Group
DATE: January 26, 2026
RE: Review of Administrative Investigation #2025II-016

Introduction

In its role as the City of Las Cruces' Independent Police Auditor, OIR Group reviews internal investigations completed by the Las Cruces Police Department (LCPD) to ensure they are complete, objective, thorough, and fair and that findings and actions taken in response to the investigations were appropriate.

This is a review of the Department's response to a non-hit officer-involved shooting¹ that occurred on July 27, 2025. Per protocol (see **General Order 225: Use of Force**), this incident was initially investigated by the "Officer Involved Incident Task Force" (OITF), which is made up of law enforcement employees and subject matter experts from various local agencies, including LCPD. The OITF protocols are governed by an agreement between these agencies; they were created to promote the objectivity and effectiveness of investigations into these critical events.² As of the date of this memo, the OITF has not yet submitted their completed investigation to the District Attorney for an assessment of the shooting's legality.

¹ "Non-hit" means that the subject was not struck by any of the rounds.

² For a detailed description of the OITF and the critical incident review process, please see our memo related to case 2020II-005 and our 5th Semi-Annual Report.

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LCPD also initiated a concurrent Internal Affairs investigation of this critical incident. OIR Group received the completed IA case file on January 8, 2026.

Case Summary

On the date of the incident, a reporting party, later determined to be the subject himself, called 9-1-1 and reported that he was fighting with a relative. The subject stated that he had a gun and would shoot his relative if the police did not respond. The subject then disconnected the call and did not respond to dispatch's calls back. Dispatch was able to identify the caller and his location, and an LCPD officer responded.

When he arrived, the officer heard yelling from inside an apartment and contacted two family members, who stated that the subject had a "pellet gun" and was inside. The officer requested that they send the subject outside and then backed away, placing parked vehicles between himself and the doorway. As the subject walked out the doorway, one family member again repeated that the weapon was a pellet gun, saying, "I promise you!"³

As the subject moved toward the officer's position, the officer drew his firearm and commanded the subject to stop. The officer moved further back behind a parked vehicle. The view from the officer's body-worn camera was obstructed by the vehicles at this point; however, the officer later reported that the subject had pointed a gun at him. He fired four rounds in the direction of the subject and then commanded, "Drop it now! Drop it!" He broadcast, "shots fired!"⁴

Three family members moved toward the subject's location, prompting the officer to command them to move away as he moved forward toward the subject. As the family yelled, the officer approached at an angle and observed the subject standing between parked cars. The officer commanded the subject to "drop it," get on the ground, and put his hands up. The subject complied.

The officer broadcast several updates, including the subject's initial gun pointing and then compliance, a description of the subject and the family members, and the fact that the family members were yelling at him. He asked the subject if he was hit. As

³ Although officers must treat any reported firearm as potentially real and cannot rely on a family member's assurances when assessing an immediate threat, documenting these statements remains important.

⁴ No one was struck by the rounds; they were later located in the parked vehicle that the officer used for cover; we discuss this below.

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additional officers pulled up, the officer coordinated their arrival, including instructing them where to stand and to turn off their lights and sirens to avoid escalation.

The subject attempted to crawl toward the open door of the apartment. Officers quickly coordinated an arrest plan that included securing the gun, which was on the ground. A team went hands-on. Another officer unholstered his Taser but did not deploy it. The arrest team placed the subject in handcuffs and stood him up. As they walked to the police vehicle, the subject pulled away, and officers used a takedown to control him to the ground. While on the ground, the subject complained that the asphalt was hot. Soon after, the officers again stood him up.

By this time, officers learned that the subject had ingested large quantities of medication and had assaulted a family member.

The subject continued to struggle and pull away from officers. The officers took him down to the ground again. The officers placed the subject into a WRAP device⁵ and placed him in the rear of the police vehicle, where he was evaluated by Fire Department personnel. He was then transported to the hospital for medical clearance. While enroute, the subject complained of pain and numbness to his foot. However, once at the hospital, he refused medical treatment and was then transported to jail. The WRAP device was removed, and he was booked with no further incident.

While in the jail, an LCPD supervisor interviewed the subject, who stated that he had not pointed the gun at the officer. He stated that he heard the officer command him to drop the gun and then the officer began shooting at him. The subject also reported that he had previously attempted suicide.

Meanwhile, officers recovered a realistic-looking replica firearm from the ground between parked vehicles where the subject had originally been detained. The OITF and LCPD detectives responded to the scene to begin their respective investigations.⁶

⁵ The WRAP device is a full-body restraint system used by law enforcement to limit a subject's movement by securing the legs and torso in an upright seated position. It is intended to reduce movement and prevent injury to both the individual and officers.

⁶ We noted that, although they were not handcuffed, it appeared that the family members were also not free to leave in the aftermath of the incident; at least one of them was placed in the rear of LCPD police vehicles while awaiting their interview with OITF personnel. LCPD explained that it was an unseasonably hot summer day and that the air-conditioned vehicles were intended to ensure the witnesses' comfort. We would have preferred, however, that officers considered additional options, such as shaded outdoor seating or access to an indoor air-conditioned space, which would have allowed the witnesses to remain comfortable without creating the

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The officer who fired his weapon was transported directly from the scene to the station, where he was observed until he was placed on administrative leave per Department protocol.

LCPD's Investigation and Analysis

Applicable General Orders, Training, or Other City Policies

As we stated in our introduction, the criminal investigation of this incident was conducted by OITF and is still pending presentation to the District Attorney. LCPD initiated its administrative investigation concurrently and completed it within five months of the incident.

In the administrative investigation, Internal Affairs framed two allegations. The first was of **General Order 255.04: Use of Force – Levels of Force**, which considered the officer's use of deadly force. The investigation reviewed all available evidence, including interviews with the officers involved, subject, and witnesses, and concluded that the subject's actions were aggressive, and that the threat to both the officer and the family members was imminent. The Department found the officer's use of deadly force to be reasonable and within policy and Exonerated this allegation.

The second related to **General Order 255.03: De-Escalation**, which considered the officer's use of de-escalation tactics. The investigation concluded that the officer's use of de-escalation tactics was reasonable given the rapid nature of the incident. The Department also Exonerated this allegation.

Outcome: Discipline or Other Action

LCPD found the officer's conduct to be reasonable and consistent with policy requirements; as such, no disciplinary action was taken.

impression that they were being detained. Such approaches help maintain witness cooperation while also reinforcing their status as non-detained participants in the investigative process.

OIR Group Review

As noted, LCPD initiated and completed its administrative investigation within five months of the incident and prior to the OITF's presentation to the District Attorney for review. This is an efficient timeline that aligns with our past recommendations that LCPD conduct its administrative review concurrent with the criminal investigation to prevent long delays. And, even when investigative work has been done, many agencies choose to "stand down" regarding their internal process while a final judgement on the criminal side remains pending. It is to LCPD's credit that it has prioritized a timely resolution in this important category of event.

We reviewed relevant reports and documents, watched all body-worn camera footage, and listened to recorded interviews. With respect to the primary officer's use of deadly force and de-escalation, we found the analysis and the resulting conclusions to be consistent with available evidence.

We have previously recommended that LCPD conduct a Force Review Cadre evaluation for every critical incident; the Department agreed that such reviews are valuable but has cited resource limitations that prevent consistent implementation. We also recognize that this case received substantial scrutiny from the OITF, Internal Affairs, and supervisory personnel.

Even so, some form of structured After-Action debrief, however brief, would have offered distinct benefits that other review processes do not provide. After-Action debriefs highlight effective performance and incident challenges so that officers develop a shared understanding of expectations. They also capture successful real-world practices that can be converted into training, an outcome that routine administrative investigations are not designed to accomplish.

This incident, in particular, would have been well-served by such a review. It involved a series of high-risk factors: a reported armed subject threatening a family member, an unresponsive 9-1-1 caller, a realistic replica firearm, and a subject in crisis who had ingested medication. Family members moved unpredictably within the scene, adding further complexity. Despite these challenges, the primary officer maintained distance and cover, issued clear commands, and managed bystanders effectively. Upon the arrival of additional units, he coordinated their positions and reduced noise and lighting to avoid further escalation. Officers developed a coordinated arrest plan, secured the firearm, and demonstrated tactical discipline and communication under significant stress, all elements worth examining and reinforcing through an After-Action.

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A structured After-Action debrief would also have allowed the Department to examine several topics that could meaningfully inform future responses. These include how dispatch and officers assessed and managed the subject's apparent mental-health crisis, an issue we have addressed in prior reports (see 2020II-005 and 2022II-009). The takedown on hot asphalt during unseasonably high temperatures presents another opportunity to consider alternative approaches in extreme weather. The duration of the WRAP device and the subject's reported numbness could have supported discussion about monitoring and adjusting restraints.⁷ And while the involved officer completed the Department's required post-OIS firearms re-qualification and training prior to returning to full duty, the incident still offers useful insights into target acquisition, environmental factors, and other tactical considerations that could strengthen future training and preparation.

Given the incident's complexity, its safe resolution, and the range of tactically significant components involved, a debrief would have strengthened organizational learning by preserving strong performance examples and helping promote more consistent and effective responses to future high-risk, low-frequency events.

Recommendation 1

When a full Force Review Cadre evaluation is not deemed feasible or necessary, LCPD should conduct at least a brief, After-Action debrief to examine incidents in a structured, non-punitive way that supports ongoing learning and improvement.

Finally, we noted that the investigative memo characterized the subject's actions as an attempt at "suicide by cop," a term we find problematic even when an individual explicitly expresses a desire for officers to kill or shoot them. In our view, this phrasing can imply that the outcome was inevitable and that officers lacked meaningful opportunities to influence or redirect the encounter through their tactics and decision-making. The officer's use of force must be evaluated based on what he reasonably believed and observed at the moment, not on the subject's motivations.

Moreover, the conclusions in this case (which we endorse) stand on their own merit. For that reason, assigning a motive such as "suicide by cop" adds little value and risks diluting the careful, fact-based assessment of the officer's decision-making.

⁷ The investigative memo noted that supervisors had evaluated both the takedown and the WRAP device and found them reasonable, necessary, and within policy. However, an After-Action review could have examined these decisions beyond compliance with policy.

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Recommendation 2

LCPD should refrain from using the term “suicide by cop” in its investigative analyses to avoid framing an outcome as inevitable and risk diluting the factual assessment of evidence.

LCPD Management Response

The Las Cruces Police Department appreciates the thorough review conducted by the OIR Group. The department will take the recommendations into consideration.

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6510 Spring Street #613
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TO: City of Las Cruces
FROM: OIR Group
DATE: January 22, 2026
RE: Review of Administrative Investigation – #2025II–018

Introduction

In its role as the City of Las Cruces' Independent Police Auditor, OIR Group reviews internal investigations completed by the Las Cruces Police Department (LCPD) to ensure they are complete, objective, thorough, and fair and that findings and actions taken in response to the investigations were appropriate. The Department initiated this administrative investigation after an officer notified supervision that he had experienced an unintended firearm discharge while at his home, which resulted in damage to a Department vehicle that was parked there.

OIR Group received the case file on January 7, 2026

Case Summary

The subject officer in this case was at home and preparing to leave for court in response to a subpoenaed appearance at a hearing. He was handling a personal firearm and preparing to take it with him when it discharged inside his bedroom, eventually going through the floor into the garage area. It struck the roof of the patrol car and damaged it.

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This occurred at approximately 12:45, by the officer's recounting of events. He then proceeded to court. After he was finished there, he notified his supervisor, which initiated a Department response to his home location for various investigative steps (including photographs of the scene and a breath test for the officer).

In keeping with standard LCPD protocol, the incident became the focus of a formal administrative investigation.

LCPD's Investigation and Analysis

Applicable General Orders, Training, or Other City Policies

The Department framed allegations related to several potential policy violations.

1. **General Order 143.12(A): Firearms – Registration.** This policy requires any weapon used by officers in their official capacity to be registered with the Department with an updated qualification. The weapon involved in the discharge had *not* been appropriately qualified by the officer. However, the officer had not yet left home at the time of the accident (and therefore had not used it for a work purpose). He also explained that he had intended to go to court in civilian clothes, in his personal vehicle, and said he had planned to leave the gun in his trunk before going into the building. The allegation was "Unfounded."
2. **General Order 143.13(A): Firearms – Department-Owned.** This policy addresses modifications of weapons used on duty, and requires that they be conducted by the agency's armorer. It also applies to personally owned guns, if used for work purposes. The gun in question in this case had been modified without compliance to the policy. But, again, because it had not been used for a work purpose, the allegation was "Unfounded."
3. **General Order 143.12(A): Firearms – Ammunition.** This policy establishes strict parameters for the types of ammunition authorized for Department use. The ammunition for the gun in question did not meet those requirements. Again, though, the Department cited the circumstance that the gun was not used in an official capacity, and the allegation was "Unfounded."
4. **General Order 143.19(A)(1): Firearms – Negligent Discharge.** This policy does two relevant things: it makes it a violation to have an unintentional discharge of *any* firearm (emphasis added), and it imposes an obligation on officer involved in such an incident to immediately notify a supervisor. In the investigative memo for the case, the discharge itself was found to be blameworthy, insofar as there were structural flaws with the weapon that the

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officer should have recognized as problematic, and he had not done his due diligence in terms of ensuring that the modifications he requested were safe and appropriate. His handling of the weapon was therefore characterized as "culpable carelessness" within the meaning of the policy.

Additionally, the officer was faulted for choosing to attend court prior to making his required notification. (The delay turned out to be less than a half hour, but was nonetheless deemed problematic.) The allegation was initially "Sustained" for both of those reasons.

However, when the Department prepared its "discipline packet," which included a lieutenant's analysis and proposed a disciplinary outcome, the rationale was modified: the decision to Sustain this allegation was based exclusively on the failure to provide immediate notification, and did not find the officer at fault for the discharge itself.

Outcome: Discipline or Other Action

The officer's only prior discipline issues were unrelated to the concerns and policies at issue in this case. He received a formal consequence for his failure to immediately notify a supervisor. This was accompanied by reinforced restrictions on use of non-Department authorized weapons and reliance on non-Department approved armorers.

OIR Group Review

We had a mixed reaction to the Department's handling of this incident.

On the one hand, we were impressed with the rigorous initial response to the scene and the thoroughness of the steps that were taken to collect evidence and create a detailed record of what had occurred – even in the context of an off-duty event at the officer's own residence. The responding sergeant prepared a detailed report, and both Risk Management and Internal Affairs became involved right away.

We also thought the administrative investigation was appropriately thorough. It even incorporated the involved officer's subsequent effort to have the weapon evaluated by a Department expert. (This was an initiative he took in the belief that mechanical deficiencies in the weapon itself would be verified by the relevant supervisor, thereby establishing a lack of fault on his own part. The supervisor did identify a number of issues in the course of his careful examination and testing of the weapon.) There were arcane aspects to the discussion of the weapon's features and deficiencies that were presented with clarity and convincing detail.

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As we noted above, despite this detailed evidence of the firearm's technical malfunction, the original investigative memo still found the prohibition against "culpable carelessness" to have been applicable to the officer's actions, and included this in its basis for a "Sustained" violation of the negligent discharge policy. We were disappointed, then, that this was seemingly dropped from the final memo that accompanied the disciplinary packet. In our assessment, like that of the IA investigator's the multiple mechanical flaws in the weapon, the use of an outside armorer to "fix" a previously identified issue with the gun, and an apparent shortcoming in the officer's physical handling of the weapon (by his own description) all added up to a basis for imposing accountability for the accident – even if the gun itself malfunctioned.

Therefore, the ultimate choice to focus solely on the late notification alone missed the mark in our view. While it needn't have changed the formal finding and the consequence, it would have more directly sent the message about the importance of adhering to standards and exercising maximal care in dealing with firearms.

We also took note of the way the final memo mistakenly described the officer as having qualified with the relevant weapon. By his own admission, he had not.

The relevance of this mistake of fact is debatable: the (more factually accurate) investigative memo also took the position that the relevant policies requiring qualification and use of approved ammunitions still did not apply here. This was attributed to the off-duty nature of the incident's occurrence.

To us, however (and apart from the issue of qualification), the distinction between "off-duty" and "on-duty" expectations was not as clear-cut as the final disposition suggested. Because the officer was engaged in preparatory steps for a work-related obligation, and presumably intended to have the weapon accessible should the need arise, the circumstances fell into a gray area between personal activity and job-related conduct. It seemed like an odd hybrid, one that combined civilian clothes and personal vehicle with a work function and the desire to have a gun available.

While reasonable minds may differ on whether specific policies technically applied, LCPD's conclusion here seemed to diverge from its usual practice of holding officers accountable for policy compliance even while off duty. For the sake of consistency and fairness, it would have been preferable for the Department to either apply its typical approach or clearly explain the basis for treating this case differently.

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We wish the Department had addressed this a bit more rigorously, and encourage it to further clarify expectations going forward.

LCPD Management Response

The Las Cruces Police Department appreciates the thorough review conducted by the OIR Group. The department appreciates the feedback provided.

Agenda Item #1.1.



6510 Spring Street #613
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TO: City of Las Cruces
FROM: OIR Group
DATE: January 5, 2026
RE: Review of Administrative Investigation – #2025II-020

Introduction

In its role as the City of Las Cruces' Independent Police Auditor, OIR Group reviews internal investigations completed by the Las Cruces Police Department (LCPD) to ensure they are complete, objective, thorough, and fair and that findings and actions taken in response to the investigations were appropriate. The Department initiated this administrative investigation after learning of an unreported romantic relationship between a supervisor and his subordinate.

OIR Group received the case file on December 8, 2025.

Case Summary

LCPD learned of a romantic relationship between a supervisor and his subordinate. While the relationship was consensual, neither party formally reported it. This was further complicated by the fact that the supervisor served in an indirect training capacity to the subordinate during at least some portion of the relationship.

LCPD opened an investigation into the matter; numerous employees were interviewed regarding the situation to form a complete picture of the timeline and assess any

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potential implications arising from the supervisor's role as an indirect trainer of the subordinate.

LCPD's Investigation and Analysis

Applicable General Orders, Training, or Other City Policies

The Department framed two allegations against the supervisor:

1. **General Order 134.02: Management / Supervisory Responsibility.** This policy prohibits supervisors from engaging in personal relationships with individuals they supervise or instruct. Although the investigation found no evidence of preferential treatment toward the subordinate, the Department determined that the relationship was inappropriate and in violation of policy. Accordingly, the allegation was sustained.
2. **General Order 103: Conduct Unbecoming.** This policy section states that employees shall not conduct themselves in any manner that would discredit them or the Department. The Department determined that this allegation was covered by the first allegation, and, as such, made "no finding" on this allegation.

Outcome: Discipline or Other Action

The Department reviewed the supervisor's personnel file. As a result of the review and the sustained allegation, the Department took disciplinary action that included, among other actions, removal of the supervisor from his position in training and a demotion.

OIR Group Review

LCPD provided OIR Group with the investigative materials for this case, which included all interviews with the subject employee and various witness officers. We found the investigation to be thorough and complete, and the outcome to be commensurate with the seriousness of the supervisor's actions.

This is not the first occurrence of undisclosed relationships between employees of different ranks within the Department. Such relationships can create perceptions of favoritism (in this case, the perception that a trainee may have received preferential treatment during training), even if unfounded. Unchecked relationships might cloud

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judgment or compromise safety in the field, which is why some policies typically prohibit working the same shifts or acting in a direct supervisory capacity.

To address these situations and provide clear boundaries, LCPD implemented a formal fraternization policy, and updated its training policy to explicitly prohibit fraternization in the training setting. In short, clear boundaries are essential, and LCPD has established these through policy and disciplinary measures where necessary.

LCPD Management Response

The Las Cruces Police Department appreciates the thorough review by the OIR Group.