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LAW FIRM

March 28, 2025

Stephanie M. Griffin
Office of the City Attorney
P.O. Box 2248
Albuquerque, NM 87103



RE: Gustavo Gomez's Tenure in IAFD

Dear Ms. Griffin:

I write this open letter on behalf of the Crosby family to ask that you convey to the City our respectful request for an investigation into Gustavo Gomez's tenure as Deputy Commander of APD's Internal Affairs Force Division (IAFD), and for a re-review of cases that he handled or presented to the Force Review Board, due to his apparent involvement in APD's DWI bribery scandal.

As you know, we contend that when Jesus Crosby was shot and killed by Officers Chance Gore and Alex Couch on November 10, 2022, he was obviously suffering from a severe mental health crisis. On January 1, 2022, IAFD Detective Logan Sims thoroughly reviewed the shooting and concluded that the officers' use of deadly force was unreasonable and unnecessary. Detective Sims' immediate supervisor, Sergeant Casias, reviewed the investigation on January 26, 2023, and agreed that the shooting was unreasonable and unnecessary.

According to APD Standard Operating Policy 1-61-6(B), after Sims' investigation made its way up to Gustavo Gomez as Acting Deputy Commander of IAFD, Gomez's task was to ensure it was "timely, complete, and thorough." The policy allowed Gomez to "order additional investigation" or otherwise respond to an investigation he deemed inadequate, but it did not authorize him to simply reverse a finding he disagreed with. Nevertheless, he did just that. On February 3, 2023, one week after receiving Sergeant Casias's review, Gomez abruptly cast aside

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the shared findings of his subordinate detective and sergeant, and proclaimed the shooting reasonable, necessary, and consistent with APD policy.

On February 7, 2023, the External Force Investigation Team (EFIT), with whom the City had contracted to supervise and help manage the use of force review, made it very clear to the City that it disagreed with Gomez's reversal of his subordinate's findings. EFIT was familiar with the case and had worked with Detective Sims during his investigation. EFIT, Detective Sims, and Sergeant Casias all agreed that the shooting was unreasonable and unnecessary.

On March 2, 2023, the Crosby shooting came before APD's Force Review Board (FRB), which makes final determinations on whether use of force complies with policy. Normally, the IAFD sergeant who approves his detective's IAFD investigation (in this case Sergeant Casias) would be responsible for presenting the case to the FRB. In this case, however, Gomez decided to present his own perception that the shooting was consistent with use of force policy, rather than allowing Sergeant Casias to present his findings that it was not. The FRB adopted Gomez's findings.

The Independent Monitor reviewed the operation of the IAFD and FRB during the first year of Gustavo Gomez's tenure as Acting Deputy of Commander of IA and concluded, among other things, that the IAFD was regularly conducting "cursory reviews or no reviews of critical incidents." In the 18th Independent Monitor Report, the Monitor described a number of serious FRB failures, including the March 2, 2023 Gomez-led meeting on the Crosby shooting:

[These] failures are of such significance that APD should consider whether the IAFD Deputy Commander [Gomez], and any member of the FRB who was present for the meeting are competent to review cases of this significance.

Gomez's apparent involvement in a bribery scandal or cover up of a bribery scandal raises the specter that his reign at IAFD was marred not just by incompetence and deviation from policy, but by self-dealing, deception, or other malfeasance. In any case, the integrity of any FRB use-of-force determination in which Gomez was involved is now tainted. On behalf of the Crosby family, I respectfully ask that you convey to the City this request to investigate whether and to what extent Gomez's corruption extended into the IAFD and FRB, and to re-review all serious use of force cases that he handled, including the shooting of Jesus Crosby.

Sincerely,

/s/ Mark Fine