

1 can't be read in since it wasn't on the agenda.

2 A.G. BALDERAS: Counselor.

3 MR. KREIENKAMP: That's correct. Or at least
4 that's my advice to the Board.

5 A.G. BALDERAS: Okay. So we should table the
6 portions that are not on the agenda. Am I
7 understanding that correctly?

8 MR. KREIENKAMP: Yes. Because it wasn't
9 listed on the agenda, I wouldn't vote on it. So if
10 I'm reading the exhibit correctly, there are three
11 certifications in Exhibit A.

12 The Board would not vote on the one that has
13 two individuals with the same certification numbers
14 listed. And then the other one would be this
15 92-0032-PR. So those would be excluded.

16 So I think, for the purposes of a motion, the
17 motion could be to approve Exhibit B and then Exhibit
18 A with the modifications as stated by Board counsel,
19 something to that effect.

20 A.G. BALDERAS: Great. Director, are you
21 able to tighten up that presentation before the
22 motion?

23 DIRECTOR ALZAHARNA: Not comfortably, sir.
24 If we run into an issue where there have been two
25 numbers identified or one number identified with two

1 people, I would prefer to be able to verify which one
2 is accurate.

3 A.G. BALDERAS: No. I agree. I guess what I
4 heard counsel say is, please, for any discrepancy, we
5 can table those and just restate the exhibit with the
6 numbers that you are comfortable with.

7 Within the range of the agenda, I would add
8 that as well. So within range numbers 20-0071 through
9 20-0081. You may have to modify a disclosure of items
10 or numbers that you are removing from that sequence.

11 And, Chief Romero, did you note any
12 discrepancies on Exhibit A or is it just B?

13 CHIEF ROMERO: Mr. Chair, the discrepancy is
14 actually on Exhibit A.

15 A.G. BALDERAS: Okay.

16 CHIEF ROMERO: And I would be more than
17 willing to propose a motion based on legal counsel's
18 discussion. I think I can do it with the proper
19 exclusions.

20 A.G. BALDERAS: That's how I understand the
21 advice, is that we are okay considering Exhibits A and
22 B within the sequence as disclosed in the publicly
23 approved agenda with an explanation, though, that
24 there may be numbers that we can also cite to the
25 record that we had to exclude within that sequence due

1 to a discrepancy.

2 Director, are you comfortable with that?

3 DIRECTOR ALZAHARNA: Yes, sir.

4 A.G. BALDERAS: So what I would do as the
5 Director is look through those two exhibits,
6 comfortably restate the beginning of the sequence and
7 the end, because that was what was disclosed in the
8 public record, and then the chief will attempt to
9 restate your identifiable discrepancies, however, we
10 would consider the passage of what was properly
11 disclosed in the agenda. I think that's how I
12 understand the remedy.

13 DIRECTOR ALZAHARNA: Okay. For Exhibit A
14 restated, it would be Certification Nos. 19-0081-PST
15 through 19-0098-PST. And then it would be
16 19-0100-PST.

17 A.G. BALDERAS: And within that range or
18 sequence, what are we excluding in Exhibit A?

19 DIRECTOR ALZAHARNA: On the exhibit we will
20 be excluding Certification No. 19-0099-PST due to a
21 duplication. And we'll be excluding 92-0032 and
22 19-0101-PST.

23 A.G. BALDERAS: Does that square with you,
24 Chief?

25 CHIEF ROMERO: Yes, sir. So based on that,

1 Mr. Chair, I would make a motion and move adoption and
2 ratification of certifications for public safety
3 telecommunicators, agenda 11 A as stated by the
4 Director.

5 We would be ratifying 19-0081-PST through
6 19-0098-PST as well as 19-0100-PST excluding
7 19-0099-PST due to duplication of numbers, as well as
8 excluding 92-0032-PR as not being on the agenda. And
9 then that motion would also include Exhibit B for
10 ratification as stated.

11 A.G. BALDERAS: Okay. Is B correct,
12 Director, as stated in the agenda?

13 DIRECTOR ALZAHARNA: Yes, sir.

14 A.G. BALDERAS: Okay. Counselor, were you
15 able to hear that motion?

16 MR. KREIENKAMP: I was, Mr. Chair. It's fine
17 with me.

18 A.G. BALDERAS: Okay. So there is a motion
19 by the chief. Is there a second to that complex
20 motion?

21 MS. MONAHAN: This is Connie. I second that
22 motion.

23 A.G. BALDERAS: Thank you, Board Member.
24 There is a motion and a second to adopt Exhibit A and
25 Exhibit B with modifications in compliance with the

1 agenda. We can now entertain a voice vote.

2 MS. MEDRANO: Balderas.

3 A.G. BALDERAS: In favor of.

4 MS. MEDRANO: Tedrow.

5 MR. TEDROW: Yes.

6 MS. MEDRANO: Johnson.

7 CHIEF JOHNSON: Yes, ma'am.

8 MS. MEDRANO: Mendoza.

9 SHERIFF MENDOZA: Yes.

10 MS. MEDRANO: Garcia.

11 (No response.)

12 MS. MEDRANO: Romero.

13 CHIEF ROMERO: Yes.

14 MS. MEDRANO: Anderson.

15 SERGEANT ANDERSON: Yes.

16 MS. MEDRANO: Monahan.

17 MS. MONAHAN: Yes.

18 MS. MEDRANO: Green.

19 DR. GREEN: Yes.

20 A.G. BALDERAS: There was a motion and a

21 second for item No. 11 on the agenda to include

22 Exhibit A and Exhibit B with slight modifications to a

23 discrepancy. There was a unanimous voice vote and a

24 passage. And there was no Board Member opposition as

25 noted. Thank you for that presentation.

1 ITEM NO. 12: HEARING OFFICER APPROVAL,
2 ROBERT J. PEREZ, SR.

3 A.G. BALDERAS: We now move to item No. 12,
4 the presentation of Hearing Officer approval of
5 Robert J. Perez. There also should be a resume as
6 well in your Board packet. I'll yield to the
7 Director.

8 DIRECTOR ALZAHARNA: Thank you, Chairman.

9 For your consideration is the resume of
10 Robert J. Perez, Sr. He expressed interest in a
11 position as one of our Hearing Officers for the Board.
12 You can see his background and experience there.

13 Actually I went back I want to say it was --
14 it's been four months since I actually met with him
15 and spoke with him regarding his interest and
16 background. I think he will make a good Hearing
17 Officer. This was on the agenda for the March 5
18 meeting so it's been pending.

19 A.G. BALDERAS: Thank you, Director. I
20 assume that at the Director's request we can entertain
21 a motion, if there is no opposition.

22 MS. MONAHAN: This is Connie. I move to
23 approve the addition of Mr. Robert J. Perez, Sr., for
24 consideration of a Hearing Officer.

25 A.G. BALDERAS: Thank you, Board Member.

1 There is a motion to approve Robert J. Perez to serve
2 as an appointed Hearing Officer. Is there a second?

3 SERGEANT ANDERSON: Mr. Chair, Hollie
4 Anderson. I second the approval.

5 A.G. BALDERAS: Thank you, Board Member.
6 There is now a second. I will entertain a voice vote
7 to approve Robert J. Perez to serve as a Hearing
8 Officer. You may begin the voice vote.

9 MS. MEDRANO: Balderas.

10 A.G. BALDERAS: Yes.

11 MS. MEDRANO: Tedrow.

12 MR. TEDROW: Yes.

13 MS. MEDRANO: Johnson.

14 CHIEF JOHNSON: Yes, ma'am.

15 MS. MEDRANO: Mendoza.

16 SHERIFF MENDOZA: Yes.

17 MS. MEDRANO: Garcia.

18 CHIEF GARCIA: Yes.

19 MS. MEDRANO: Romero.

20 CHIEF ROMERO: Yes, ma'am.

21 MS. MEDRANO: Anderson.

22 SERGEANT ANDERSON: Yes.

23 MS. MEDRANO: Monahan.

24 MS. MONAHAN: Yes.

25 MS. MEDRANO: Green.

1 DR. GREEN: Yes.

2 A.G. BALDERAS: Is there any in opposition?

3 There was a motion and a second to approve Mr. Perez

4 as a Hearing Officer after a voice vote. There was

5 unanimous passage and there was no Board Members in

6 opposition. The motion carries. Thank you, Director.

7 ITEM NO 13: CLAIRE HARWELL CORRESPONDENCE

8 A.G. BALDERAS: I now move us to item No. 13.

9 And I'll also yield to the Director.

10 DIRECTOR ALZAHARNA: Thank you, Chairman.

11 Item No. 13 is correspondence received from

12 Claire Harwell. She spoke at our last meeting and was

13 requested to follow up in writing. So this is her

14 response for your review and consideration.

15 A.G. BALDERAS: Thank you. We appreciate the

16 inclusion of that letter. There are a couple of

17 significant areas for us to consider.

18 And I would ask the Board to take a look at

19 that letter and we can take that under advisement.

20 There are a couple of good ideas. So we do appreciate

21 Ms. Harwell following up and providing that request in

22 writing.

23 Any discussion or questions on that letter?

24 DIRECTOR ALZAHARNA: Chairman, Director

25 Alzaharna. One of her first recommendations can

1 fairly easily be implemented by getting it up on our
2 website as we have our website worked on.

3 A.G. BALDERAS: Thank you. I appreciate that
4 accommodation. And you have our support to move
5 forward on that.

6 Any further discussion on that item? Thank
7 you, Director.

8 ITEM NO. 14: DISCUSSION ON RESOLUTION TO SHOW SUPPORT
9 TO RECOGNIZE 911 DISPATCHERS AS FIRST RESPONDERS

10 A.G. BALDERAS: We can now move to item
11 No. 14, discussion of resolution for 911 dispatchers.

12 Director, you have the floor.

13 DIRECTOR ALZAHARNA: Thank you, Chairman.
14 This email was from Angela Martinez back in January.
15 I met her at a conference. And she asked how she
16 would express her interest in a resolution to the
17 Board. So I just asked her to communicate.

18 This email is her request to consider support
19 to recognize 911 dispatchers as first responders.

20 A.G. BALDERAS: I guess two points of
21 interest jump out at me. Counsel, is there something
22 in reg or law that requires the actual opposite, that
23 they be designated under a different designation?

24 I would just ask our counsel to maybe look
25 into that for diligence. But as far as valuing and

1 issuing support, I don't see why we can't recognize
2 their contribution as first responders. But I would
3 defer to the rest of the Board who has more experience
4 with that interaction.

5 Any further discussion on that? I know the
6 Board is kind of shy I guess. I know in the past as
7 well compensation and challenges in staffing those
8 positions have also been noted that were a great
9 concern to this Board.

10 If there is no opposition, I would have
11 counsel follow up and maybe draft a support and for
12 reconsideration at the next meeting and issuing
13 something in writing. But we would advance a copy for
14 the Board's consideration.

15 MR. KREIENKAMP: Absolutely, Mr. Chair. I
16 will look at that issue, research it, and then, if
17 appropriate, draft that resolution.

18 A.G. BALDERAS: Great. Thank you.

19 ITEM NO. 15: REQUIRED REPORTING

20 A.G. BALDERAS: Director, if you don't have
21 anything else on item No. 14, we can now move to item
22 No. 15, required reporting. And I'll also yield to
23 you, if you are ready.

24 DIRECTOR ALZAHARNA: Yes, sir. Thank you,
25 Chairman. This topic is on the agenda just so that I

1 can bring some of the difficulties to the Board's
2 attention that our staff is having.

3 Overall I believe Chairman addressed some of
4 it in his earlier report. But specifically on this
5 topic, the required training and reporting, from the
6 December Board meeting -- actually I believe it was
7 from the prior Board meeting.

8 Staff was going to work on getting numbers
9 for the Board regarding compliance and what type of
10 compliance we were or weren't getting in the areas of
11 in-service and reporting.

12 December 31 was the deadline for the last
13 in-service training requirements. Reporting is due by
14 March 1st. We had started compiling those in
15 preparation for the March 5 meeting which was
16 cancelled.

17 One of the difficulties we're facing right
18 now is our antiquated method of receiving and tracking
19 all of this compliance documentation. We have a great
20 new database that has wonderful capabilities.

21 But one of the things we're running into is
22 the mechanisms for the past several decades on how
23 this information has been tracked. It is making it
24 very difficult. It's reversed entering.

25 When we're asking for compliance, most of the

1 forms are set up so it asks to report who doesn't
2 comply, not who does comply. And it asks for
3 information from the agencies when actually the
4 requirements are -- for some the requirement is that
5 agencies report. For others the requirement is that
6 officers report.

7 There's conflicting information in statute
8 and rules about who is responsible. Officers and
9 telecommunicators are responsible for their
10 certification and making sure that they keep up with
11 that. So there are a lot of conflicting issues that
12 are just making this very difficult for us.

13 That being said, we manually put these
14 numbers together over the last couple days. And for
15 the 2018-19 in-service reporting period, this does
16 include the annual and the biannual.

17 Thirty-six percent of New Mexico law
18 enforcement agencies fully reported what was required
19 to be reported.

20 Twenty-two percent of the New Mexico law
21 enforcement agencies only partially reported. That
22 means they may have reported in-service training but
23 didn't report firearms and vice versa.

24 What that doesn't include is agencies that
25 did report but had people that were still not in

1 compliance. And that's a whole other mathematical
2 mess to figure out.

3 Finally, 42 percent of New Mexico law
4 enforcement agencies did not report. And we can't
5 read anything from that because I can't automatically
6 assume that because they didn't report doesn't mean
7 that they didn't do the training. But we have no way
8 of knowing.

9 And those are sad numbers. But I'm a little
10 more comfortable that those numbers are reflecting the
11 frustrations we've been feeling, trying to track all
12 of this information coming in.

13 That being said, for your packets, the
14 difficulties we were having getting this packet out
15 because of how large it was, some of the attachments
16 that I put in there, if you all have them, there's a
17 copy of the 29-7-7.1, which refers to the actual
18 in-service law enforcement training requirements and
19 eligibility.

20 It says, "Failure to complete in-service law
21 enforcement training requirements may be grounds for
22 suspension of a police officer's certification." We
23 talked about that in the fall meeting.

24 And whether or not you wanted us to start
25 utilizing that as teeth to get people to report, I

1 think that was going to be a discussion to come back.
2 Tying into that the NMAC 10.29.7.8 outlines each of
3 the hours and what is required for each of those
4 topics.

5 So it's not just a matter of did they do
6 in-service training or not. We sit here and look at
7 all of the topics there that are mandated by our NMAC.
8 Most of them come from mandates in the State statute.

9 Feedback that I have been getting from law
10 enforcement agencies -- I get mixed feedback. But a
11 lot of the comments have to be that, you know, the
12 Legislature implements this. They call it another
13 unfunded mandate. And they're short-staffed.

14 And, you know, whether it's because they're
15 purposely not training, they don't have the funding,
16 they don't have the time. But they still keep getting
17 added on and added on.

18 With the things that are going on right now
19 all over the country, there's a great concern that now
20 there's going to be a knee-jerk reaction. And there's
21 going to be all these other mandates when they can't
22 even keep up with what they're trying to do right now.

23 Some of them I believe, in speaking -- not
24 speaking. But meeting with the chiefs at the
25 Municipal Chiefs conference, Cabinet Secretary Shea

1 and I just went over these requirements, what they
2 were. And people were receptive.

3 But the comments after the fact were I was
4 disappointed or just kind of like, yeah, that's never
5 been enforced. Yeah, they can say that, but it's not
6 going to happen.

7 And I didn't hear any comments that were
8 malicious, saying that they were blowing it off. I
9 think it was a realistic frustration that I think what
10 they're being asked to do is just a very difficult
11 task in light of everything else.

12 I've also attached this for your reference,
13 the copy of the report forms we use right now.
14 Certainly I have some latitude in the NMAC if these
15 forms are not working and how we collect our data.
16 It's written such that the Director can revise these
17 forms. And that's certainly something I plan on doing
18 in my copious amounts of spare time.

19 But again we have probably 70 something forms
20 that apply to all of this. And so to just sit down
21 and say why don't we change the form, we're being
22 cautious because these forms connect to other forms
23 which connect to other compliance.

24 It's just not always as easy as just changing
25 a form. So we're aware of that, that's what we plan

1 on doing. How we're going to do it we're still
2 working on.

3 A.G. BALDERAS: I appreciate that, Director.
4 I also appreciate your potentially weighing in that
5 there could be improved participation in the
6 reporting, but also there is great limitation in even
7 assessing the causes or concluding where the training
8 realities really are without getting that vital
9 information.

10 Are there any questions from the Board? We
11 have to tackle this either way. We can't approve a
12 curriculum or training outcomes without real-time
13 accurate updates in reporting of how law enforcement,
14 both individual members and as well departments, are
15 doing.

16 For context across government, there are
17 agencies that are doing better and then there are some
18 agencies that are struggling to modernize that
19 real-time application. Are there any questions or
20 comments on her concerns at this point?

21 CHIEF ROMERO: Mr. Chair, this is Tom Romero.
22 I guess my comment or my concern would be, of the 42
23 percent that didn't even report, I think that's an
24 issue. And perhaps consideration can be given to
25 sending some of these attachments out, specifically

1 the ones regarding the requirement to comply with
2 reporting.

3 I certainly agree not everybody is going to
4 be able to comply. I understand that. Trust me,
5 small department, limited staffing. It's hard to pull
6 everybody out of the field to do training.

7 But we have found other ways of doing it. We
8 do it online now which has been approved by the
9 Academy. We pay for that. So there are other ways.

10 But for them to not even report I think makes
11 it extremely difficult for the Academy and for this
12 Board to figure out the best way to move forward when
13 they're not even complying with reporting. So I guess
14 that's my big concern.

15 I wouldn't expect everybody to be in
16 100 percent compliance. But they need to at least
17 report. I don't know how we go forward and argue that
18 departments need more funding, the LEA needs more
19 funding, we need to find a better way to do the
20 in-service training requirements, when these people
21 aren't even cooperating by submitting their reports.

22 A.G. BALDERAS: Thank you.

23 DIRECTOR ALZAHARNA: Chairman, Director
24 Alzaharna. Thank you, Vice Chair, for that. A
25 follow-up to that, the Section 29 -7-7.2 on reports,

1 one of the things that goes hand in hand with that is
2 that requires that each agency also submit a quarterly
3 report on the status of each police officer employed
4 by their agency.

5 And at that time it should include the status
6 of their in-service training quarterly. That starts
7 back with the minimum requirement that agencies are
8 supposed to report when they hire somebody, they're
9 supposed to report when somebody separates; and then
10 like an internal job change, promotion, or something.

11 We get asked a lot of questions about this
12 database we have and how wonderful it is. And aside
13 from not having the staff to enter the boatloads of
14 information we get in, the information just like any
15 system is only as good as what we get or what gets put
16 into it.

17 And we have agencies that I'll tell you, you
18 know, they're probably a 20-person agency. And when I
19 go and look and see what we have, our records show
20 that they have 85 people in their records because they
21 don't properly report when they separate.

22 And the problem is this database was set up
23 to accurately track active certified officers so we
24 can deal with the people who are required to be in
25 compliance at the time, not just every single officer

1 that's ever been in the system. And we literally
2 can't do that because these agencies aren't reporting
3 properly.

4 A.G. BALDERAS: Director, I have a few
5 questions. Educate me. Using that agency as an
6 example, what kind of notice do we provide them of
7 either their lack of purging or providing updated
8 information or the other example you mentioned, where
9 agencies are just dark? What kind of notification do
10 we give them as far as noncompliance or the lack of
11 reporting information coming into our database, is it
12 email, phone call, letter?

13 DIRECTOR ALZAHARNA: I had experience with
14 this system before I came into this position.

15 Whenever I talk to anybody, period, no matter
16 why they're calling, a chief calls just to ask update
17 questions or whatever, I put that out there as part of
18 our normal business. So that it's not just, oh, we're
19 only going to contact you when you're not doing what
20 we need you to do.

21 My understanding in the past was this is also
22 tied to the LEPF. And what has literally happened,
23 the mandate -- and please me don't get me wrong. But
24 the mandate is for the agencies to do this, not for
25 the LEA to have to contact. And we do.

1 A.G. BALDERAS: I understand that. I guess
2 where I'm headed and the reason I'm just asking for
3 that piece is not to shift the burden to you for
4 enforcement.

5 But I think this Board is headed in a
6 direction that we would just like to know the minimal
7 amount of notification that's required. And then I
8 think we would then shift to a noncompliance model.

9 And so we're not saying that the burden
10 should just be shifted back to the LEAB to chase that
11 information down. But the notification is important
12 because I think that these numbers have to improve.

13 They've been stagnant culturally for many
14 years now. But I think that, if we could punch up the
15 predictability of our notification; in other words,
16 you're saying sometimes it's a live person like
17 yourself that will touch them, number one.

18 Number two, we follow up by a letter. But I
19 can see the notification being very important and
20 vital. And communication number three would be some
21 type of incentive or punitive measure for not
22 providing updated information or the lack of updated
23 information.

24 We can look to the regulation to build that
25 in, we could do that in statute, or I could just

1 simply put my name on that as well with the Board as a
2 policy that is consistent with any other type of
3 uniform incident reporting; that there are serious
4 consequences for any of us to not properly state facts
5 or to omit facts or to violate the cardinal sin of
6 putting in facts that are not meeting some type of
7 oath or affirmation from an affiant.

8 So I would say that we have some
9 opportunities for ideas for you. But it would be
10 great if we could figure out a strategy of kind of how
11 are we going to identify the 60 percent and that it be
12 uniform, A and B, allowing enough time for them to
13 make adjustments.

14 But I think we would head to some predictable
15 process, that you have a certain amount of grace
16 period, number one. Number two, the LEAB will take
17 this opportunity to cross-reference information so we
18 see them as partners. So we send them a letter maybe
19 even from management with policies that the Board has
20 implemented.

21 And then number three, that there be some
22 predictable either incentive or punitive -- I'll tell
23 you, with my license at the bar, they write to the
24 Supreme Court after we don't meet our grace period and
25 then we pay a fine. But then they put us before the

1 New Mexico Supreme Court. And nobody likes to be put
2 on that list for potential removal of their license.

3 So I guess what I'm saying is this Board is
4 very attuned at this point that, in order to meet our
5 other agenda items, we have to come up with some ideas
6 for you in how to get more law enforcement
7 organizations to participate.

8 The other thing I would throw out there is
9 I'm open to appointing a subcommittee. This is this
10 big of an issue that has not necessarily been attacked
11 and tackled sufficiently. We could appoint a
12 subcommittee, Director, of a couple of our Board
13 Members so we could attack this problem.

14 And then the other thing that I was informed
15 by my own staff is I have some database experts that I
16 would like to volunteer; strictly technical. But I
17 can tell you that the interconnectivity of small
18 departments is going to be something that these
19 database guys would look at, are we missing something
20 where we could make life easier for some of these
21 small departments.

22 But I do empathize with you. I could
23 probably get more information and real-time on good
24 Chinese restaurants in every community through
25 technology, but yet we need to be able to engage these

1 departments with a predictable process and then not
2 let culture be the excuse, considering there's so much
3 technology out there.

4 Even this meeting is a good example of that.
5 But I'll defer to my Board, if you have any follow-up
6 to this. But the lack of reporting is a huge problem
7 for the Director.

8 SHERIFF MENDOZA: This is Sheriff Mendoza I
9 would like to make a statement, if that's okay.

10 A.G. BALDERAS: Sure.

11 SHERIFF MENDOZA: I'm glad that we're
12 addressing this. I think it's important that law
13 enforcement agencies understand the importance of
14 reporting and that the public is ensured that law
15 enforcement officers are continuing their training.

16 And without reporting we as the Board or the
17 Law Enforcement Academy can't 100 percent ensure that
18 that is taking place. And that's the problem.

19 I think, when an issue arises, of course,
20 there has been contact with the Law Enforcement
21 Academy Board in reference to are these people
22 certified, have they kept up, what's their record.
23 And it does come back to us as a Board and the Law
24 Enforcement Academy if there's an instance of public
25 concern.

1 And so I think we do need to get a little
2 tougher in reference to our notification that people
3 are not in compliance. I think we do have to work
4 with the agencies that maybe aren't reporting and see
5 if there's a gap there or whether it's technology or
6 training.

7 If they're not reporting, maybe there's a
8 common issue between all these departments that aren't
9 reporting. I would hope to think so instead of just
10 the fact that they don't want to comply. And maybe we
11 can identify that.

12 But, you know, I'm just thinking outside the
13 box here. A certification is tied not to a department
14 but to an individual. And so maybe we need to go that
15 route. Maybe we need to notify the individual that
16 the reporting hasn't been done; because that
17 certification is tied not to an agency but to an
18 individual.

19 If you are licensed as an attorney, it's not
20 the firm that reports the training that you're taking,
21 it's you as an individual. I'm just thinking outside
22 the box on some ideas.

23 Something a little bit more drastic that I've
24 thought about is tying it to the disbursement of the
25 LEPP funds to make sure that you are compliant. In

1 order to receive LEPF funds, that you have done the
2 proper reporting to the Law Enforcement Academy.

3 That's a little drastic and I'm not sure how
4 that is going to be taken. But I'm just trying to
5 think outside the box, because it's that important
6 that law enforcement agencies are reporting this
7 information that their officers are doing the proper
8 training. That's my point.

9 A.G. BALDERAS: That's a good idea. I also
10 know the regs in State law absolutely need to be --
11 well, the way we read the law and the reg is that it
12 was reflected during the state of time that this was
13 aspirational.

14 And I think from the Board we think it's a
15 win-win for individual officers as well as departments
16 to showcase their commitment to professional
17 development. And you should get credit for that. And
18 also it probably should be a positive thing that we
19 improve these numbers. And there should be an easy
20 way.

21 But I can tell you, State law also sent a
22 poor message in past legislatures to say, well, we
23 understand you all are very busy; but aspirationally
24 we won't mention too much of a uniform standard plan
25 statewide.

1 So, Board Member, are you interested in maybe
2 chairing a subcommittee, just phone calls,
3 brainstorming? And I offer that to any other Board
4 Member on this.

5 I think there's a ton of negative reasons in
6 terms of consequences. But also there's a ton of
7 opportunity. If we can get this right in the
8 databases, it really will improve our evaluation of
9 the curriculum.

10 And I think this is potentially not only a
11 liability for departments, but this should be viewed
12 as a potential opportunity to build on trust and
13 professional development and professionalism that the
14 community should be aware of as well.

15 I think we should appoint a subcommittee now.
16 This will probably be the first subcommittee of this
17 administration. But this seems like a very important
18 significant issue for the Director.

19 DR. GREEN: Mr. Chairman.

20 A.G. BALDERAS: Yes.

21 DR. GREEN: I could tell you, as a professor
22 of information systems, that there are some tools out
23 there that would solve a lot of the problems. It
24 doesn't really matter what the format is or the source
25 of information, it can be converted fairly easily with

1 the tools that are available.

2 And it can also include a mechanism to notify
3 the officers, you know, 30 days before or 15 days
4 before, things of that nature, so that the technology
5 is being used to notify people and warn them when
6 their certs are about to expire or whatever it is.
7 There's notifications that can be sent out fairly
8 easily.

9 A.G. BALDERAS: Would you kind of maybe be
10 willing to cochair with our sheriff just to
11 subcommittee in its design and your expectation of
12 what is out there? I mean I have laymen or a
13 third-grade level view of technology and applications.

14 But someone like yourself, with the sheriff's
15 understanding of what departments are facing, it seems
16 like you guys could cut a lot of headway for us if you
17 would be willing to serve on a subcommittee.

18 DR. GREEN: I would certainly be willing to
19 serve on such a subcommittee.

20 A.G. BALDERAS: Great. Sheriff, I don't know
21 if you committed. I think I kind of asked you.

22 SHERIFF MENDOZA: That's fine. I do think
23 it's an important issue, I really do. And I would be
24 happy to help and believe that I can.

25 A.G. BALDERAS: Great. Director, you have a

1 subcommittee that you can kind of day to day or week
2 to week engage our folks. And then I would also with
3 Dr. Green put some other professional staff on there
4 to help you brainstorm uniform notification or what is
5 out there and also make it easier on departments.

6 I do think this Board would like to weigh in
7 on consequences. But we don't want to start off as
8 the angry parent so to speak. We would rather come to
9 these departments with some solutions. But I think
10 this would be a help and assist you in some of the
11 challenges that you're facing.

12 DIRECTOR ALZAHARNA: Chairman, Director
13 Alzaharna. As a little update for that, we do have a
14 database that has all of those capabilities. It has
15 different modules that allows us to do that. It was
16 implemented a little over two years ago.

17 We have no technology person here. The
18 person who was working on it was actually not in a
19 technological position but was assigned that and took
20 on that role willingly. That person left.

21 So the information keeps coming in. The data
22 is overwhelming. It has to be entered. We have a
23 module in there so that the stuff that we are
24 receiving on hard copy forms right now, our people are
25 having to enter it in.

1 It can be transitioned. This database has
2 the capability to transition all of that to be
3 electronic. But we're in a catch-22 situation because
4 we don't have the staff to enter it.

5 We can open this database so that agencies
6 can start entering this required information
7 themselves. However, they don't know how to do it,
8 the small agencies without that capability.

9 Once we open that floodgate, it's going to --
10 we don't have the staff to deal with, you know, now
11 what comes in. People calling in saying, hey, how do
12 we do this. We can't get in and do that.

13 So as far as the database, we actually have
14 the capability of doing that. It's just getting again
15 the staffing up to actually be able to make it happen.

16 As far as notifications to the agencies, it
17 has been my intent -- I must admit I have probably
18 been a little cautious. My past experience was, when
19 I was requested something by a board, that the
20 expectation was it was presented at the next board
21 meeting.

22 So there has been stuff that in my mind I'm
23 thinking, well, I present and respond at the next
24 Board meeting. I feel a little relieved with the
25 conversations that have gone on here that this stuff I

1 can get to you guys freely, that I'm not sitting here
2 waiting in between Board meetings to push information
3 out as far as what's going on.

4 At our October meeting, I think we brought up
5 these difficulties with the regulations as far as
6 compliance issues. And I was prepared to send letters
7 to the agency heads, you know, identifying here is the
8 statutes, here is what it means in terms of what we
9 need from you all to do.

10 And I didn't do that because I was waiting to
11 get direction from the Board. I'm feeling pretty
12 comfortable now from your comments that I have that
13 direction and that I can do things like that that are
14 in compliance with what our rules and regulations say.
15 And if somebody complains -- and I'm not taking the
16 hard hand hammer.

17 But when I point out to somebody that this is
18 why this needs to be done and this is how it can
19 affect you and then, if you're not responsive and it
20 affects them in that capacity, that you all are
21 understanding that that's what's happening, not that
22 we're just coming in with a hammer and telling them
23 they have to do stuff.

24 A.G. BALDERAS: One of the things that I
25 think would be helpful is if you could prepare a

1 presentation of that database to the subcommittee.

2 And I'll also make sure that our database experts are
3 on the subcommittee presentation as well.

4 Some of the areas that you're mentioning now
5 are management protocols. I think our subcommittee
6 wants to know kind of what the day-to-day looks like
7 as it relates to the departments that you haven't
8 heard from, what's the connectivity, what are the
9 database focal points.

10 The reason that's necessary, and I would
11 rather it be done in a subcommittee, is I would rather
12 that subcommittee then advise us later on, with your
13 input as well, what some of the policy recommendations
14 are that we could take for a vote, which is our role
15 as oversight.

16 But we have a limited lens or potentially we
17 don't support you in our oversight enough if we don't
18 and aren't willing to enforce some of the policy
19 expectations that we have, which is not management
20 that is not in your domain.

21 Management on the day-to-day is how you
22 approach like the notification issue. You could tell
23 me, well, we decide letter versus, you know, we send
24 emails or we call them three times. I don't want to
25 weigh into the effective management of how you notify

1 each entity. I would rather you give us options and
2 talk to the subcommittee about that.

3 I know where we can be very helpful, though,
4 is weighing in on the enforcement policy. If you
5 receive three touches from us and as a law enforcement
6 entity -- and you heard some numbers referenced. We
7 are probably ready now to move forward on policy
8 direction as it relates to chiefs and sheriffs as well
9 as to individual members in the law enforcement
10 community.

11 How is it that our Law Enforcement Academy
12 Board would like to set policy as to the level of
13 information, the reporting requirements, and how we
14 share that information. That is our domain.

15 But we don't want to vote on these policy
16 expectations of departments yet until we have a good
17 grasp of what it is that we're doing to communicate to
18 them, what is the kind of information we would like,
19 what is the time frame expectation.

20 You will help educate our subcommittee. But
21 where we could be very helpful later on is passing
22 policy and voting on it or strengthening a regulation
23 directly to the department so that the lift isn't just
24 on your side.

25 So I hope that helps a little bit in the

1 governance. It's confusing. But that is also the
2 value-added, why we want the subcommittee maybe
3 educated specifically so they can see it themselves.

4 Because I'm going to be leaning on them for
5 what punitive ideas could we come up with in a rule or
6 as a Board to departments who just go dark for 90
7 days. It's unacceptable anymore.

8 Part of our limitation is I don't know how
9 functional the database is. I know it's two years
10 old. But sometimes databases are too complicated or
11 they miss the mark with a lack of connectivity as
12 well.

13 I mean I have a lot of databases in my office
14 as well. It turns out that, if we didn't have the
15 oversight and the policy and the constant
16 communication with our intended stakeholders, we were
17 tracking data that was no longer relevant for our
18 Consumer Protection Division.

19 I don't want to ramble too much. I think for
20 our Board I would rather the presentations be more
21 timely with subcommittees. Because I think we're
22 almost ready to start voting on setting some policy
23 initiatives for each individual Board Member. At
24 least that's what I've gotten as feedback. They're
25 ready to run with you as well.

1 Any other discussion on this reporting? We
2 now have a subcommittee. Director, we look forward to
3 further attacking this issue.

4 SERGEANT ANDERSON: Mr. Chairman, Hollie
5 Anderson. I agree with Sheriff Mendoza. I think it's
6 also the responsibility of the individual certified
7 officer. And it's actually a disservice to those
8 officers.

9 If they're leaving it up to the departments
10 to fulfill these requirements and the departments are
11 not fulfilling the requirements, it's reflected on the
12 individual's certification.

13 I think it would be nice if each officer was
14 sent some type of a notification stating your
15 certification is up for renewal or if there are some
16 issues, because then we can get the extra added
17 support of the individual officers on their
18 departments to make sure that this information does
19 make it up to Santa Fe.

20 I think that would be a very helpful
21 accountability part. It will be definitely helpful to
22 the smaller departments who have fewer officers, that
23 maybe this is something that's never been enforced in
24 the past. And now it's coming up and they have kind
25 of overlooked it because it hasn't been an issue.

1 I think it would be an added incentive for
2 those departments if their individual officers are
3 getting notification that this is coming up, because
4 it does affect the officers individually.

5 If they want to transfer throughout the
6 state, if they want to go to a different state, they
7 take that individual certification with them. It
8 doesn't belong to the agency, it belongs to the
9 officer.

10 A.G. BALDERAS: Absolutely. Yeah, I think
11 that's definitely a legacy shift; that most of these
12 officers have such control of their own lifestyle and
13 information, that the professional development and the
14 training accomplishments that they're meeting should
15 be tracked. And they should have access to that as
16 well. So I think that's a good contribution. Do you
17 want to serve on the subcommittee?

18 SERGEANT ANDERSON: Yes, I can.

19 A.G. BALDERAS: Okay. I think three is a
20 good number. All right. Thank you all for this.

21 ITEM NO. 16: LEA-90s ALLEGING AGENCY HEAD MISCONDUCT

22 A.G. BALDERAS: We now can move to item
23 No. 16, Director.

24 DIRECTOR ALZAHARNA: Yes. Thank you,
25 Chairman. Item No. 16 has to do with the LEA-90s,

1 which is the misconduct reporting.

2 Regarding reports on agency heads, we're
3 running into a brick wall here because we get reports
4 on agency heads. And usually there is minimal
5 information (inaudible).

6 Normally, on our regular misconduct, I would
7 contact the agency head and ask them for additional
8 information. But when it's actually reported against
9 an agency head, we have no mechanism for follow-up.
10 There's no requirement that they talk to us, that they
11 deal with us.

12 And I say us. Right now it's me. We don't
13 even have an investigator position. We're not even
14 set up that way to do investigations outside of what
15 agencies send us that they've already done. So I
16 wanted to bring this up and get input on that.

17 A.G. BALDERAS: Thank you. Counselor, do you
18 have anything to add in this context that's related to
19 the licensing and reporting?

20 MR. KREIENKAMP: Yes. So Mr. Chair, I guess
21 I have a couple of things.

22 So on the issue of this particular agenda
23 item, LEA-90s alleging agency head misconduct, I would
24 just gently remind the Board, this is a general topic,
25 it's not specific to any case. So please, you know,

1 refrain from discussing any case that could come
2 before the Board. I would implore the Board to, you
3 know, stay general on this subject.

4 More substantively on the issue, just to
5 provide a little bit more background as far as what
6 this issue is and why it's been a bit troublesome for
7 the Board's staff, so if you look at the Board's
8 rules, the Board's rules on discipline and LEA-90
9 complaints against law enforcement officers'
10 certifications, they contemplate that complaints come
11 to the Board from the agency that employs the officer.

12 So in other words, you know, if the Board is
13 going to take discipline against a particular officer
14 or is contemplating taking discipline against an
15 officer I should say, the case is usually initiated by
16 the agency. It submits an LEA-90, a complaint.

17 And the idea behind that is that the agency
18 will have previously done some sort of an
19 investigation, they will have previously looked at the
20 allegations, and they will provide that documentation
21 to the Board.

22 In this sense this particular agenda item is
23 very closely related to the next agenda item, about
24 complaints from folks outside these agencies. That
25 procedure leaves some questions open.

1 The first question is this agenda item, what
2 happens where maybe another law enforcement agency,
3 maybe it's a member of the public, somebody raises a
4 complaint. Not against an individual officer but
5 against the agency head. So it is I guess an
6 individual officer, but it's the agency head itself.

7 So the idea that we would forward the
8 complaint back to the agency, which is the general
9 procedure, you know, that may not be advisable from a
10 policy standpoint because that leaves a question as
11 far as would an agency head do an investigation
12 basically into himself or herself. So that's one of
13 the issues.

14 And then the other issue is the Board doesn't
15 have a full-time investigator. You know, that's a
16 real challenge for the Board. If the Board gets a
17 complaint, even if it's one that alleges something
18 valid, the Board right now doesn't have the staff to
19 actually go out and investigate unlike some of the
20 other boards that deal with occupational licensing,
21 the medical board, the Board of Nursing. They have
22 investigators on staff that can do those
23 investigations. This Board does not.

24 And in connection with that, your statute
25 doesn't directly provide for investigative subpoenas;

1 so effectively an order from the Board to an agency to
2 get those types of records. So that's another issue.

3 Several years ago the Board attempted to go
4 through a rulemaking process where they would have
5 added an investigative subpoena. But through an
6 administrative error, that didn't end up happening.
7 But in any event the Board doesn't have anything right
8 now in rule or in statute providing for those types of
9 investigative subpoenas. So that's a problem in terms
10 of getting those documents.

11 So all this is sort of a long-winded way of
12 saying this isn't a policy issue that Kelly faces as
13 the Director on sort of a, you know, monthly or a
14 weekly basis in terms of complaints coming in and how
15 she should handle those when they are against an
16 agency head and it's not from the actual agency
17 itself.

18 So if you do have any other questions, I'm
19 happy to address those.

20 A.G. BALDERAS: I don't necessarily have any
21 questions. I think in the past the Legislature was
22 definitely comfortable with delegating authority to
23 boards and commissions. Sometimes they were severely
24 underfunded.

25 Even this Ethics Commission that was just

1 passed last year, now officers are considered peace
2 officers; but they're also considered public officials
3 just like myself or any other State employee under the
4 Governmental Conduct Act.

5 The Legislature has its core Ethics
6 Commission as well with not a lot of staff to now
7 somehow be in charge of policing and training the
8 ethical conduct of all public officers in the State of
9 New Mexico.

10 And they're also learning through growing
11 pains how difficult it is to meet that mandate. When
12 the general public wants someone investigated, do you
13 have all the authorities and the proper resources.

14 The only reason I share that is I think that
15 we're probably in a time frame where we need
16 legislative input in terms of statute. How do they
17 want us to attack the investigative portion and the
18 requirements of agencies on how they report?

19 How do they want us to discipline and
20 investigate and provide due process to these problem
21 areas? And I don't think the Legislature has weighed
22 in enough on this topic moving forward.

23 In terms of what we inherited, it's a little
24 bit gray in terms of who can report the LEA-90s. It
25 needs to be more specific on what information is

1 necessary. But I think the biggest pitfall is the
2 lack of guidance and direction in terms of statutory
3 input and resources, because that controls how you
4 conduct your investigations.

5 I think that the positive side is, at the
6 back, back end of the process, we have an enforcement
7 apparatus through the New Mexico A.G.'s Office that
8 provides due process and final outcomes right after
9 the Board provides a certain amount of discipline.

10 But I think this is also another area that
11 the Legislature needs to provide more guidance in
12 terms of the initial reporting, the initial
13 investigation, and how widespread of an initiative do
14 they want built.

15 I empathize with the limited resources of the
16 LEA. And the commission approach has its challenges
17 and benefits.

18 Any more discussion on this, Director, or
19 from the Board?

20 DIRECTOR ALZAHARNA: Yes, Chairman. Director
21 Alzaharna. As an aside, as part of that packet that
22 has gone over to SPO, I have requested an investigator
23 position. That's one of the ones that is pending
24 approval as part of that packet.

25 And if that is approved, again as Counsel

1 Kreienkamp mentioned, I'm not sure, I hope we get one.
2 And then we'll have to figure out what authority they
3 have to investigate at that point. But I wanted to
4 let you know, that request has been made.

5 A.G. BALDERAS: Okay. Any questions?

6 MR. KREIENKAMP: Mr. Chair, if I could just
7 jump in one more time. So based on what you outlined
8 in your Chair report about looking at the rules, one
9 of the things I will do between now and August is I
10 will look at all of these issues; the issue with the
11 biennium in-service training in terms of, you know,
12 how the rules address that, what type of enforcement
13 there is in the rules for that.

14 And then also I can look at these issues
15 about complaints against law enforcement officers from
16 somebody other than, you know, his employer.

17 The only challenge that I have with doing
18 that is, you know, I can draft the rule. But a lot of
19 it is sort of a policy question. That's sort of the
20 role of the Board or its, you know, subcommittees to
21 sort of guide that policy discussion. So I may seek
22 out the input of the subcommittee that was just
23 created on that issue. But I'm happy to sort of take
24 responsibility for that.

25 A.G. BALDERAS: Yeah. I think that would be

1 great. I think just giving them a draft or a
2 framework would be welcomed by the subcommittee.

3 Thank you, Director.

4 SHERIFF MENDOZA: Mr. Chair, I just have one
5 comment. In reference to the investigation and the
6 need for the information, I side with the Director in
7 trying to make the decision of what the recommendation
8 can be.

9 I just want to bring up the fact that we have
10 received some administrative subpoenas from the
11 Director in reference to some disciplinary issues
12 personally for our department. And I think it offers
13 a challenge when it comes to IPRA.

14 Once those records are released from our
15 possession, it's my understanding they are no longer
16 looked at as personnel records because now they're in
17 the possession of the Law Enforcement Academy.

18 So I just hope that, when we do talk about
19 how we're going to move forward with subpoenas and
20 things, that that issue is addressed in reference to
21 how that is going to affect IPRA and people that can
22 request that information once it leaves the individual
23 law enforcement agency's office and how it's seen, is
24 it protected under personnel or is it not. So I think
25 that's an important issue to address.

1 A.G. BALDERAS: Okay. Thank you, Board
2 Member. Any other further concerns or discussion?
3 Great.

4 ITEM NO. 17: NON-LAW ENFORCEMENT AGENCY MISCONDUCT
5 REPORTING

6 A.G. BALDERAS: I think we're on our last
7 item before we go into executive session for
8 discipline matters. Item No. 17, non-law enforcement
9 agency misconduct reporting.

10 DIRECTOR ALZAHARNA: Yes, Chairman. I
11 believe that that was probably properly discussed
12 under item 16, as part of that as well. It's all part
13 of the same issue, how we handle those.

14 A.G. BALDERAS: I believe you're right. I
15 think we want always as much public confidence and
16 public input in this process. So I will allow the
17 subcommittees to attack proper reporting, both on
18 training and on discipline issues. And I look forward
19 to engaging the subcommittee on their observations and
20 ideas moving forward.

21 I'll actually now take a five-minute break
22 and allow the Board to take a few minutes to collect
23 themselves. And then they'll come back and take
24 action on the next agenda item, which will be
25 discipline matters. Thank you, guys.

1 (Recess.)

2 CHIEF ROMERO: Okay. At this time we're
3 ready to go into the executive session of the Board
4 meeting.

5 I would entertain a motion to enter into
6 closed session pursuant to the Licensing and
7 Administrative Adjudicative Exceptions to the Open
8 Meetings Act, Section 10-15-1(H) (1) and (3) for the
9 purposes of discussing certification matters as listed
10 on the agenda, Nos. 18 through 40.

11 Do I have a motion for that?

12 MS. MONAHAN: This is Connie. I move we go
13 into closed session as you outlined in your paragraph.

14 CHIEF ROMERO: Okay. We have a motion to go
15 into executive session as stated. Do we have a
16 second?

17 SERGEANT ANDERSON: Hollie Anderson. I
18 second the motion.

19 CHIEF ROMERO: Okay. We have a motion and a
20 second to enter into executive session as stated.

21 Ms. Medrano, would you take roll, please.

22 MS. MEDRANO: Balderas.

23 (No response.)

24 MS. MEDRANO: Tedrow.

25 MR. TEDROW: Yes.

1 MS. MEDRANO: Johnson.

2 CHIEF JOHNSON: Yes, ma'am.

3 MS. MEDRANO: Sheriff Mendoza.

4 SHERIFF MENDOZA: Yes.

5 MS. MEDRANO: Garcia.

6 CHIEF GARCIA: Yes.

7 MS. MEDRANO: Romero.

8 CHIEF ROMERO: Yes.

9 MS. MEDRANO: Anderson.

10 SERGEANT ANDERSON: Yes.

11 MS. MEDRANO: Monahan.

12 MS. MONAHAN: Yes.

13 MS. MEDRANO: Green.

14 DR. GREEN: Yes.

15 CHIEF ROMERO: So we'll now enter into
16 executive session. We will plan on reconvening the
17 public portion at about 2:30 this afternoon.

18 (The meeting entered closed session at
19 12:27 p.m., reconvening at 3:48 p.m.)

20 CHIEF ROMERO: The Board is back in open
21 session and on the record. The current time is
22 approximately 3:48 p.m.

23 Let the record show that the matters
24 discussed during the closed section were limited only
25 to those specified in the motion for closure and that

1 no votes or official action was taken.

2 I would like to ask Ms. Medrano if she would
3 go ahead and call roll just so we can be sure who is
4 here since we're having to do this by video.

5 MS. MEDRANO: Balderas.

6 (No response.)

7 MS. MEDRANO: Robert Tedrow.

8 MR. TEDROW: Present and out of exec.

9 MS. MEDRANO: Chief Tim Johnson.

10 CHIEF JOHNSON: Yes, ma'am.

11 MS. MEDRANO: Sheriff Adan Mendoza.

12 SHERIFF MENDOZA: Yes.

13 MS. MEDRANO: Chief Clayton Garcia.

14 CHIEF GARCIA: Yes.

15 MS. MEDRANO: Chief Thomas Romero.

16 CHIEF ROMERO: Yes, ma'am.

17 MS. MEDRANO: Sergeant Hollie Anderson.

18 SERGEANT ANDERSON: Yes.

19 MS. MEDRANO: Ms. Connie Monahan.

20 MS. MONAHAN: Yes.

21 MS. MEDRANO: And Dr. Bobbie Green.

22 (No response.)

23 CHIEF ROMERO: Okay. At this time then, we
24 would like to go ahead and move forward with the
25 agenda items. Next on the agenda is proposed

1 dismissals. We would like to take these in groups, if
2 that's acceptable to the Board Members.

3 I would entertain a motion regarding agenda
4 items No. 18 through 28. And just for the record,
5 No. 18 is Abraham Baca, No. 19 is Jason Barnard,
6 No. 20 is Luiz Lopez, No. 21 is Peter Martinez, No. 22
7 is William Norwood, No. 23 is Efrain Nunez, No. 24 is
8 Aaron Ordonez, No. 25 is Epitacio Ordonez, No. 27 is
9 Luis Valenzuela, and No. 28 is Arturo Villareal. And
10 we will come back to item No. 26. So if I could have
11 a motion on these agenda items.

12 CHIEF GARCIA: Chief Garcia. I make a motion
13 to dismiss items 18, 19, 20, 21, 22, 23, 24, 25, 27,
14 and 28. I make the motion to dismiss those items,
15 with the exception of item 26 to be reheard at the
16 next Board meeting.

17 CHIEF ROMERO: Okay. We have a motion to
18 dismiss items 18 through 28, inclusive, with the
19 exception of item No. 26, which will be tabled to the
20 next Board meeting. Do I have a second?

21 MS. MONAHAN: This is Connie Monahan. I
22 second that.

23 CHIEF ROMERO: We have a motion and a second.

24 Ms. Medrano, if you would take roll please.

25 MS. MEDRANO: Tedrow.

1 MR. TEDROW: Yes.

2 MS. MEDRANO: Johnson.

3 CHIEF JOHNSON: Yes.

4 MS. MEDRANO: Mendoza.

5 SHERIFF MENDOZA: Yes.

6 MS. MEDRANO: Garcia.

7 CHIEF GARCIA: Yes.

8 MS. MEDRANO: Romero.

9 CHIEF ROMERO: Yes.

10 MS. MEDRANO: Anderson.

11 SERGEANT ANDERSON: Yes.

12 MS. MEDRANO: Monahan.

13 MS. MONAHAN: Yes.

14 MS. MEDRANO: Green.

15 (No response.)

16 CHIEF ROMERO: Thank you. Board Member

17 Green, is she not online with us, Monica?

18 MS. MEDRANO: I don't see her.

19 CHIEF ROMERO: Okay. I just wanted to be

20 sure so it's clear on the record since we're doing

21 this by video. Thank you, Members.

22 So the next items to be taken up, default

23 actions, recommendation of revocation of

24 certifications by the Director, agenda item Nos. 29,

25 Deborah Anaya; No. 30, Daniel Capehart; No. 31, Terry

1 Colwell; No. 33, Justin Piedra; and No. 34, Royce
2 Vigil. I would entertain a motion at this time.

3 SHERIFF MENDOZA: Mr. Vice Chair, just for
4 the record, I want to state that I did recuse myself
5 from Deborah Anaya.

6 CHIEF ROMERO: That would be agenda item
7 No. 29. And it is noted that you recused yourself
8 from that.

9 SHERIFF MENDOZA: Thank you.

10 CHIEF ROMERO: So I would entertain a motion
11 for those agenda items 29 through 34, excluding 32.

12 SERGEANT ANDERSON: Hollie Anderson, Mr. Vice
13 Chair. I'll move to accept the default actions and
14 revoke the certifications of item Nos. 29, 30, 31, 33,
15 and 34, to revoke the certifications.

16 CHIEF ROMERO: Okay. We have a motion for
17 revocation on items 29, 30, 31, 33, and 34. Do I have
18 a second?

19 CHIEF GARCIA: I second.

20 CHIEF ROMERO: Okay. We have a motion and a
21 second. I would ask Ms. Medrano if she would please
22 call for a roll vote.

23 MS. MEDRANO: Tedrow.

24 MR. TEDROW: Yes.

25 MS. MEDRANO: Johnson.

1 CHIEF JOHNSON: Yes.

2 MS. MEDRANO: Mendoza.

3 SHERIFF MENDOZA: Excluding No. 29, yes.

4 MS. MEDRANO: Romero.

5 CHIEF ROMERO: Yes, ma'am.

6 MS. MEDRANO: Anderson.

7 SERGEANT ANDERSON: Yes.

8 MS. MEDRANO: Monahan.

9 MS. MONAHAN: Yes.

10 MS. MEDRANO: And Green.

11 (No response.)

12 CHIEF ROMERO: Thank you. That motion

13 carries as well as the prior motions.

14 MR. KREIENKAMP: Mr. Vice Chair, if I could

15 just jump in.

16 Board Member Mendoza, you are abstaining from

17 item No. 29, is that correct, just for the record?

18 SHERIFF MENDOZA: That's correct.

19 MR. KREIENKAMP: Thank you.

20 CHIEF ROMERO: Thank you. I would like to go

21 back to item No. 32 regarding Joseph Harris. Do I

22 have a motion regarding Mr. Harris?

23 SHERIFF MENDOZA: Mr. Vice Chair, I make a

24 motion to table Mr. Joseph Harris and give the

25 authority to the Director to come to a settlement

1 agreement and present that at the next meeting.

2 CHIEF ROMERO: Thank you. We have a motion
3 to table item No. 32, Joseph Harris, and refer that
4 back to the Director to make contact for a possible
5 settlement agreement, which will be brought back to
6 the Board at the next Board meeting. Do we have a
7 second?

8 MS. MONAHAN: This is Connie Monahan. I will
9 second that.

10 CHIEF ROMERO: Thank you, Ms. Monahan. We
11 have a motion and a second on the agenda item No. 32.
12 I would ask Ms. Medrano if she would please take a
13 roll vote.

14 MS. MEDRANO: Tedrow.

15 MR. TEDROW: Yes.

16 MS. MEDRANO: Johnson.

17 CHIEF JOHNSON: Yes.

18 MS. MEDRANO: Mendoza.

19 SHERIFF MENDOZA: Yes.

20 MS. MEDRANO: Garcia.

21 CHIEF GARCIA: Yes.

22 MS. MEDRANO: Romero.

23 CHIEF ROMERO: Yes.

24 MS. MEDRANO: Anderson.

25 SERGEANT ANDERSON: Yes.

1 MS. MEDRANO: Monahan.

2 MS. MONAHAN: Yes.

3 MS. MEDRANO: Green.

4 (No response.)

5 CHIEF ROMERO: Thank you. That motion
6 carries.

7 We're now on agenda item No. 35, DeShaun
8 Epps; No. 36, Michael Parrish; and No. 37, Joshua
9 Sides. This was a request for certification
10 reinstatement.

11 Do I have a motion related to those three
12 agenda items?

13 CHIEF JOHNSON: Vice Chair, Tim Johnson. I
14 would like to make a motion to deny their requests for
15 consideration.

16 CHIEF ROMERO: Okay. We have a motion to
17 deny the requests for consideration on certification
18 reinstatement. Do I have a second?

19 MS. MONAHAN: This is Connie Monahan. I
20 second that motion.

21 CHIEF ROMERO: We have a motion and a second
22 on agenda item Nos. 35, 36, and 37 to deny the
23 requests to consider reinstatement of certification.
24 If Ms. Medrano will please take a roll call vote.

25 MS. MEDRANO: Tedrow.

1 MR. TEDROW: Yes.

2 MS. MEDRANO: Johnson.

3 CHIEF JOHNSON: Yes.

4 MS. MEDRANO: Mendoza.

5 SHERIFF MENDOZA: Yes.

6 MS. MEDRANO: Garcia.

7 CHIEF GARCIA: Yes.

8 MS. MEDRANO: Romero.

9 CHIEF ROMERO: Yes.

10 MS. MEDRANO: Anderson.

11 SERGEANT ANDERSON: Yes.

12 MS. MEDRANO: Monahan.

13 MS. MONAHAN: Yes.

14 MS. MEDRANO: Green.

15 DR. GREEN: Yes.

16 CHIEF ROMERO: Thank you. That motion
17 carries as well. Now, moving to agenda item No. 38,
18 which is Devin Adkins, I would entertain a motion.

19 MR. TEDROW: Mr. Chairman, this is Rick
20 Tedrow. I would move to dismiss this matter.

21 CHIEF ROMERO: We have a motion to dismiss
22 the matter regarding Devin Adkins. Do I have a
23 second?

24 MS. MONAHAN: This is Connie Monahan. I will
25 second that motion.

1 CHIEF ROMERO: Okay. We have a motion and a
2 second to dismiss the matter regarding Devin Adkins.
3 Ms. Medrano, if you would take a roll vote, please.

4 MS. MEDRANO: Tedrow.

5 MR. TEDROW: Yes.

6 MS. MEDRANO: Johnson.

7 CHIEF JOHNSON: Yes.

8 MS. MEDRANO: Mendoza.

9 SHERIFF MENDOZA: Yes.

10 MS. MEDRANO: Garcia.

11 CHIEF GARCIA: Yes.

12 MS. MEDRANO: Romero.

13 CHIEF ROMERO: Yes.

14 MS. MEDRANO: Anderson.

15 SERGEANT ANDERSON: Yes.

16 MS. MEDRANO: Monahan.

17 MS. MONAHAN: Yes.

18 MS. MEDRANO: Green.

19 DR. GREEN: Yes.

20 CHIEF ROMERO: Thank you. That motion
21 carries for the dismissal.

22 Agenda item No. 39 is Jesse T. Bone. I would
23 entertain a motion on Mr. Bone.

24 CHIEF JOHNSON: Vice Chair, Tim Johnson. On
25 agenda item No. 39, I would like to make a motion to

1 revoke his certification.

2 CHIEF ROMERO: Thank you, Chief. We have a
3 motion to revoke the certification on Jesse T. Bone.
4 Do I have a second?

5 SHERIFF MENDOZA: Vice Chair, I'll second
6 that motion on the matter of Mr. Jesse T. Bone.

7 CHIEF ROMERO: Thank you, sir. We have a
8 motion and a second to revoke the certification on
9 Jesse T. Bone. If Ms. Medrano will please take the
10 roll call vote.

11 MS. MEDRANO: Tedrow.

12 MR. TEDROW: Yes.

13 MS. MEDRANO: Johnson.

14 CHIEF JOHNSON: Yes.

15 MS. MEDRANO: Mendoza.

16 SHERIFF MENDOZA: Yes.

17 MS. MEDRANO: Garcia.

18 CHIEF GARCIA: Yes.

19 MS. MEDRANO: Romero.

20 CHIEF ROMERO: Yes.

21 MS. MEDRANO: Anderson.

22 SERGEANT ANDERSON: Yes.

23 MS. MEDRANO: Monahan.

24 MS. MONAHAN: Yes.

25 MS. MEDRANO: Green.

1 DR. GREEN: Yes.

2 CHIEF ROMERO: Thank you. That motion
3 carries.

4 We're now on agenda item No. 40, Michael
5 Burkowski. I would entertain a motion from the Board.

6 SHERIFF MENDOZA: Mr. Vice Chair, I'll make a
7 motion for a revocation on Michael Burkowski.

8 CHIEF ROMERO: Okay. There is a motion for
9 revocation of Michael Burkowski. Is there a second?

10 SERGEANT ANDERSON: Mr. Chair, it was my
11 understanding that the Board had discussed tabling
12 No. 40.

13 CHIEF ROMERO: Board Member, you are correct
14 on that. So, Sheriff, we had talked about tabling.

15 Do you want to table or do you want to move
16 forward with your motion for revocation?

17 SHERIFF MENDOZA: Okay. I apologize,
18 Mr. Vice Chair. I got that mixed up with another
19 case.

20 I'll make a motion to table that revocation
21 pending further information until the next meeting.
22 Thank you.

23 CHIEF ROMERO: Thank you, Sheriff. Thank you
24 Sergeant.

25 So we do have a motion on Michael Burkowski,

1 agenda item No. 40, to table this agenda item pending
2 further information to be brought before the Board.

3 Do I have a second?

4 SERGEANT ANDERSON: Hollie Anderson, Mr. Vice
5 Chair. Yes, I will second that.

6 CHIEF ROMERO: Thank you. We have a motion
7 and a second to table agenda item No. 40, Michael
8 Burkowski. If I could get Ms. Medrano to do a roll
9 call vote.

10 MS. MEDRANO: Tedrow.

11 (No response.)

12 MS. MEDRANO: Johnson.

13 CHIEF JOHNSON: Yes.

14 MS. MEDRANO: Mendoza.

15 SHERIFF MENDOZA: Yes.

16 MS. MEDRANO: Garcia.

17 CHIEF GARCIA: Yes.

18 MS. MEDRANO: Romero.

19 CHIEF ROMERO: Yes.

20 MS. MEDRANO: Anderson.

21 SERGEANT ANDERSON: Yes.

22 MS. MEDRANO: Monahan.

23 MS. MONAHAN: Yes.

24 MS. MEDRANO: And Green.

25 DR. GREEN: Yes.

1 CHIEF ROMERO: Thank you. That motion
2 carries. And at this point it looks like we've run
3 out of agenda items.

4 Thank you all for your time and your
5 patience, especially with me trying to do this by
6 video. Thank you for your vote for me as vice chair.

7 ITEM NO. 42: ADJOURNMENT

8 CHIEF ROMERO: So does anyone have any other
9 business? If not, do I have a motion for adjournment?

10 MS. MONAHAN: This is Connie. I motion to
11 adjourn.

12 CHIEF ROMERO: We have one motion to adjourn.
13 Do we have a second?

14 CHIEF GARCIA: This is Chief Garcia. I
15 second.

16 CHIEF ROMERO: And a second by Chief Garcia.
17 We'll do a roll call vote since we're on video.

18 Ms. Medrano.

19 MS. MEDRANO: Tedrow.

20 MR. TEDROW: Nay, because this was so much
21 fun doing this by video. I change my vote. Yes.

22 MS. MEDRANO: Johnson.

23 CHIEF JOHNSON: Yes.

24 MS. MEDRANO: Mendoza.

25 SHERIFF MENDOZA: Yes.

1 MS. MEDRANO: Garcia.

2 CHIEF GARCIA: Yes.

3 MS. MEDRANO: Romero.

4 CHIEF ROMERO: Yes, ma'am.

5 MS. MEDRANO: Anderson.

6 SERGEANT ANDERSON: Yes.

7 MS. MEDRANO: Monahan.

8 MS. MONAHAN: Yes, ma'am.

9 MS. MEDRANO: And Green.

10 DR. GREEN: Yes.

11 CHIEF ROMERO: Thank you. Our meeting is

12 adjourned. Thank you all. Stay safe.

13 (The meeting adjourned at 4:08 p.m.)

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REPORTER'S CERTIFICATE

I, JAN A. WILLIAMS, New Mexico CCR #14, DO
HEREBY CERTIFY that on June 18, 2020, the proceedings
in the above matter were taken before me, that I did
report in stenographic shorthand the proceedings set
forth herein, and the foregoing pages are a true and
correct transcription to the best of my ability.

JAN A. WILLIAMS, RPR
New Mexico CCR #14
License Expires: 12/31/20

AGENDA ITEM # 10

**Law Enforcement Officer
Ratification of Certifications**

ATTACHMENT: Exhibit Lists of Certifications for Ratification

- SNMLE43, **Exhibit A**, Certification #'s 19-0279-P th 19-0305-P
- SNMLEA CBW # 21, **Exhibit B**, Certification #'s 19-0306-P
- NMSP #95, **Exhibit C**, Certification #'s 19-0307-P th 19-0330-P
- SJCJTA #45, **Exhibit D**, Certification #'s 19-0354-P th 19-0360-P
- CNM #2, **Exhibit E**, Certification #'s 19-0342-P th 19-0360-P
- SNMLEA #22, **Exhibit F**, Certification #'s 19-0354-P th 19-0360-P
- APD #121, **Exhibit G**, Certification #'s 18-0359-P th 18-0400-P
- CBW #100, **Exhibit H**, Certifications 20-0050-P thru 20-0059-P;
13-0284-P; 00-0148-P; 96-0156-P; 92-0023-P; 81-0037-P; 12-0243-P;
99-0119-P; 94-0433-P
- CNM #3, **Exhibit I**, Certifications 20-0062-P thru 20-0072-P
- SJCCJTA #46, **Exhibit J**, Certifications 20-0073-P thru 20-0083-P

ACTION REQUESTED: Approval of ratification of certifications

Motion:

Second:

Action Taken:

COMMENTS: