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**NEW MEXICO LAW ENFORCEMENT ACADEMY**  
**TELEPHONIC REGULAR BOARD MEETING**  
**August 20, 2020**  
**9:04 a.m.**

**REPORTED BY: Jan A Williams, RPR, NM CCR 14**

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**BOARD MEMBERS PRESENT**

New Mexico Attorney General Hector  
Balderas, Chairman  
Chief Thomas Romero, Vice Chairman  
Sheriff Adan Mendoza  
Chief Clayton Garcia  
Chief Tim Johnson  
Connie Monahan  
Bobbie Jean Green  
Rick Tedrow, Esq.

**BOARD MEMBERS NOT PRESENT**

Sergeant Hollie Anderson

**ALSO PRESENT**

Kelly Alzaharna, Director  
John Kreienkamp, Esq.  
Monica Medrano, Case Manager

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1 P R O C E E D I N G S

2 ITEM NO. 1: ROLL CALL

3 MS. MEDRANO: The Honorable Hector Balderas.

4 A.G. BALDERAS: Present.

5 MS. MEDRANO: Robert Tedrow.

6 MR. TEDROW: Present.

7 MS. MEDRANO: Chief Tim Johnson.

8 CHIEF JOHNSON: Yes, ma'am. I'm here. Good  
9 morning.

10 MS. MEDRANO: Sheriff Adan Mendoza.

11 SHERIFF MENDOZA: I'm here. Good morning.

12 MS. MEDRANO: Chief Clayton Garcia.

13 CHIEF GARCIA: I'm here.

14 MS. MEDRANO: Chief Thomas Romero.

15 CHIEF ROMERO: Good morning. I'm here.

16 MS. MEDRANO: Sergeant Hollie Anderson.

17 (No response.)

18 MS. MEDRANO: Ms. Connie Monahan.

19 MS. MONAHAN: Good morning. I am here.

20 MS. MEDRANO: Dr. Bobbie Green.

21 DR. GREEN: Good morning. I'm here.

22 A.G. BALDERAS: Great. Good morning. Thank  
23 you, Monica.

24 ITEM NO. 2: APPROVAL OF AGENDA

25 A.G. BALDERAS: I'd like us to move to item

1 No. 2, the review and approval of the agenda. If we  
2 could take a few minutes. You should all have that in  
3 your packet.

4 I will entertain a motion for the approval of  
5 the agenda if there is no discussion on that.

6 MR. TEDROW: This is Rick Tedrow. I move to  
7 approve.

8 A.G. BALDERAS: Thank you, Board Member  
9 Tedrow. There is a motion to approve the agenda.  
10 I'll entertain a second.

11 MS. MONAHAN: Mr. Chair, this is Connie. I  
12 move to second the agenda as submitted.

13 A.G. BALDERAS: Thank you, Board Member.  
14 There is a motion and a second to approve today's  
15 agenda. All in favor say aye.

16 MR. KREIENKAMP: Mr. Chair, we do need a roll  
17 call vote because this is a virtual meeting.

18 A.G. BALDERAS: Okay.

19 MS. MEDRANO: Balderas.

20 A.G. BALDERAS: In favor.

21 MS. MEDRANO: Tedrow.

22 MR. TEDROW: Yes.

23 MS. MEDRANO: Johnson.

24 CHIEF JOHNSON: Yes, ma'am.

25 MS. MEDRANO: Mendoza.

1           SHERIFF MENDOZA:   Yes.

2           MS. MEDRANO:   Garcia.

3           CHIEF GARCIA:   Yes.

4           MS. MEDRANO:   Romero.

5           CHIEF ROMERO:   Yes.

6           MS. MEDRANO:   Monahan.

7           MS. MONAHAN:   Yes.

8           MS. MEDRANO:   Green.

9           DR. GREEN:    Yes.

10           A.G. BALDERAS:   Monica, do you have a count,  
11 is that seven or eight in favor?

12           MS. MEDRANO:   That is eight, sir.

13           A.G. BALDERAS:   Okay.   There was a motion and  
14 a second with a voice vote to approve today's agenda.  
15 It does pass, eight in favor and zero -- I'm sorry.

16           Is there anyone in opposition to this?   No.  
17 The motion passes eight to zero to approve today's  
18 agenda as stated and laid out in our packets.

19           ITEM NO. 3:   APPROVAL OF MEETING MINUTES

20           A.G. BALDERAS:   I would like us to now move  
21 to item No. 3, the approval of the minutes for  
22 July 16, 2020.   I'll give folks a few more minutes.  
23 Those minutes were also in our packet.

24           If there are no corrections to the minutes  
25 for July 16, 2020, I will entertain also a motion and

1 voice vote to approve the minutes that were presented.

2 MR. TEDROW: Mr. Chair, this is Rick Tedrow.

3 I will move to approve the meeting minutes of July 16,  
4 2020.

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

6 There is a motion. I'll also entertain a second to  
7 that motion to approve the minutes of July 16, 2020.

8 CHIEF JOHNSON: A.G. Balderas, this is Tim  
9 Johnson. I'll second that.

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

11 There is a motion and a second to approve the minutes.

12 And I'll also entertain a voice vote. Monica.

13 MS. MEDRANO: Balderas.

14 A.G. BALDERAS: Approve.

15 MS. MEDRANO: Tedrow.

16 MR. TEDROW: Yes.

17 MS. MEDRANO: Johnson.

18 CHIEF JOHNSON: Yes, ma'am.

19 MS. MEDRANO: Mendoza.

20 SHERIFF MENDOZA: Yes.

21 MS. MEDRANO: Garcia.

22 CHIEF GARCIA: Yes.

23 MS. MEDRANO: Romero.

24 CHIEF ROMERO: Yes.

25 MS. MEDRANO: Monahan.



1 MS. MONAHAN: Yes.

2 MS. MEDRANO: Green.

3 DR. GREEN: Yes.

4 A.G. BALDERAS: It appears that the motion to  
5 approve July's minutes passes eight to zero. Any  
6 opposition? Let me just make sure. Eight to zero, I  
7 don't believe there's any opposition.

8 ITEM NO. 4: CHAIRMAN'S REPORT

9 A.G. BALDERAS: We can now move to item  
10 No. 4, the Chairman's report.

11 I mainly wanted to just take my time and  
12 really commend the Board and the LEAB. We have been  
13 wrestling with some issues that directly relate to  
14 COVID. And so I just want to commend all of you and  
15 hope that you all are safe with your families and  
16 that, as we engage in the fall agenda and we conduct  
17 our meetings, that the priority obviously is safety.

18 New Mexico has seen some positive results as  
19 it relates to statistics. But we are all entering the  
20 fall season involving winter. So I appreciate all the  
21 conversations that we've had through discussion of the  
22 Board, but also my staff staying engaged individually  
23 with all of you, trying to set this fall's agenda as  
24 it relates to training, safety, and how to really  
25 conduct business moving forward.

1           And so I just want to thank all of you.  
2   During these stressful times, you all have shown  
3   individually a calm that has benefited my staff. And  
4   the staff I know at the LEAB is grateful as well.

5           So I'll defer the rest of my time to the  
6   remaining topics on the agenda. But again I wanted to  
7   thank you all. Whether it's litigation involving  
8   restaurants or engaging municipal governments across  
9   the State of New Mexico or dealing with legislators in  
10  a time of fiscal crisis, you all have been really a  
11  breath of fresh air.

12           If you compare the level of complexity  
13  involving use-of-force and discipline issues to the  
14  general public's expectation that they can rely on  
15  public safety and officers in the field, I say this  
16  more as a Chairman and someone who deals with a lot of  
17  different kinds of issues, it's been great to have the  
18  stability and the maturity and most importantly the  
19  level of cooperation. So you deserve to be commended.

20           So I'm just using my Chairman's report at  
21  this time to thank you all. And it's not lost on me  
22  that you all have been what I consider gold standard  
23  Board Members and public servants.

24           And all of you it's interesting have a  
25  different hat to wear when we all go to our day jobs.

1 And I say that knowing that you also have a host of  
2 complicated issues and many of your organizations are  
3 under strain right now.

4 And this Board just behaves and acts and  
5 participates with a level of class and leadership that  
6 deserves to be thanked by one of your colleagues. And  
7 that's what I wanted to commit my Chairman's report to  
8 this morning.

9 ITEM NO. 5: DIRECTOR'S REPORT

10 A.G. BALDERAS: We can now go to item 5, our  
11 Director's report. You do have the floor, Director.  
12 Good morning.

13 DIRECTOR ALZAHARNA: Good morning. Thank  
14 you, Chairman Balderas. And welcome, Board Members.  
15 For my report today, I'm just going to give some  
16 updates that were requested from the last Board  
17 meeting.

18 The compliance subcommittee met on July 30 to  
19 talk about the capabilities of our database and some  
20 of the issues that, if they are improved, will get us  
21 moving forward on that.

22 I did a brief explanation to the subcommittee  
23 members about the capabilities of the database. And I  
24 think their overall assessment is that it does meet  
25 our needs and what we need done. There are just a few

1 things that we need to do to get it running to meet  
2 our needs.

3           The Chairman's IT staff came over yesterday.  
4 And I met with them to introduce them to the database.  
5 And they're going to spend a little bit of time  
6 looking at it, seeing all its functions, and hopefully  
7 give us some recommendations also from a technical  
8 perspective that at a late term we don't have the  
9 staff here to do.

10           So I greatly appreciate the subcommittee's  
11 assistance and the Chairman's staff. I feel a lot  
12 better that people understand what we're faced with;  
13 that we have the capability, it's just a matter of  
14 doing the work to get it up and running.

15           Officer disciplinary records, right now we  
16 keep them hard filed. That's just the way they've  
17 always been kept. This database also has the  
18 mechanism for tracking those. It's a separate module  
19 in there right now. I can pull up a report by looking  
20 at an individual person. I can tell whether or not  
21 they have misconduct filed on them.

22           But as far as populating an overall report;  
23 let's say, number of revocations over a certain period  
24 of time, with all the hard files not being uploaded  
25 into that system yet, we can't do that. But the

1 system does have the capability. And I think that's  
2 going to be included in what we over all review and  
3 get uploaded.

4 We're continuing to work on the NMAC  
5 recommendations and revisions. The way that I deal  
6 with it daily, I deal with a lot of the misconduct  
7 sections of it. Section 1 is a lot more in-house and  
8 specific to particular officers and departments and  
9 cases.

10 The bulk of the rest of the sections in there  
11 affect all of the agencies and all of our police  
12 officer and telecommunicator employees. So I deal  
13 with that on a big perspective and what agency heads'  
14 concerns are as far as processing paperwork and stuff.

15 So it is a lot bigger project to review each  
16 of those sections and not change something that may  
17 contradict something later in the section. But that  
18 is continuing to be worked on.

19 Our Basic Police Officer Training Academy  
20 Class No. 200 restarted after being paused on  
21 March 27. And they are scheduled to graduate next  
22 Wednesday. They have been running seven days a week  
23 since they started and are doing very well and will be  
24 very happy to complete their program and get back to  
25 their agencies.

1           I appreciate all the agencies' support. I  
2 know what it costs them in resources, finances, and  
3 ability to continue doing everything they're expected  
4 to do while still having recruits at the academy. So  
5 we appreciate that.

6           We asked the recruits' input with all of the  
7 restrictions because of COVID. And they requested  
8 that they do their ceremony at 10 a.m. We are going  
9 to have it recorded for them and uploaded onto YouTube  
10 so that they can send the links.

11           So instead of them having to pick and choose  
12 who could come in at ten to watch them in person, they  
13 chose to have that sent out. So everybody that they  
14 want to see it can see it. So that's on schedule for  
15 Wednesday.

16           I want to thank all the people that have  
17 helped us from the Chairman's IT staff. We had DPS's  
18 LERB division come over and help us for about two  
19 weeks after the June meeting with some good  
20 discussions.

21           We were overrun with IPRA requests to the  
22 extent that we couldn't manage them. They were ones  
23 that were asking for just a voluminous amount of  
24 information. So they loaned us their personnel who  
25 came over and pulled all of that for us. So I

1 appreciate their help.

2 I appreciate the help not only staffing this  
3 academy when it restarted, but also I have already put  
4 out a request for assistance for our upcoming CBW  
5 academy statewide for agencies on specific topics,  
6 times, and dates.

7 And so far we have filled every slot. The  
8 response has been overwhelmingly positive. And  
9 agencies have been more than willing to help with our  
10 instructor needs for these academies.

11 As far as scheduling, we are still under the  
12 restriction that, if we're going to be open, we have  
13 to run seven days a week. So that the cadets, once  
14 they get here, aren't allowed to leave.

15 So what I've done is starting September 8  
16 through the day before Thanksgiving, November 25, we  
17 are scheduling alternate CBW classes with PST classes.

18 We have enough recruits I think or initial  
19 applications to fill three PST academy classes and I  
20 think at least two CBW. That's how many when we get  
21 the initial part.

22 That's not necessarily completed and approved  
23 applications. But if all those complete their  
24 applications and they're approved and ready to go,  
25 we'll have all of those academies filled through

1 November 25.

2           Finally, IADLEST, the International  
3 Association of Directors of Law Enforcement Standards  
4 and Training. And membership can be anybody that's  
5 involved in law enforcement training.

6           Not all states operate the way we do. Some  
7 of them actually have the POST function, the standards  
8 and misconduct function, as a separate agency or  
9 division from their training academy function. But  
10 it's all inclusive in this. They've been active for  
11 decades.

12           In June I was asked if I would be the  
13 regional representative for our region, which includes  
14 eight states. And I did accept that.

15           So I've worked with the association. And  
16 they've been a great resource for networking and  
17 finding out about other state boards such as ours,  
18 state academies such as ours, how they do things.

19           And so it's a wonderful resource. In this  
20 climate there's been a lot of talk about a federal  
21 decertification index. IADLEST has had that for at  
22 least 20 years. It's not a mandatory one. And it's  
23 not a database, it's an index. And our state has  
24 participated in that.

25           So when agencies or officers have a level



1 of -- for us it's suspension or revocation, that  
2 information is submitted to the NDI and uploaded. So  
3 that any other participating agency and state, when  
4 they're doing background checks, can go and utilize  
5 that as a resource.

6 And I think also, in some of the direction I  
7 got from the Board as far as getting our information  
8 as far as revocations and discipline out, that's  
9 another avenue as well.

10 I appreciate everybody's support as we  
11 continue here to still work at our staffing level.  
12 And the staff here is doing wonderful. I can't ask  
13 really for much more than what our staff is producing  
14 right now. So that's all I have for the Director's  
15 report.

16 A.G. BALDERAS: Thank you for that report.  
17 Are there any questions or comments from the Board?

18 MS. MONAHAN: This is Connie. I would just  
19 offer that I appreciate the Director focusing on the  
20 priorities. I agree entirely, as she's outlining her  
21 activities, that they're spot on. Thanks.

22 SHERIFF MENDOZA: Mr. Chair, I have a  
23 question or a comment should I say. We have three  
24 cadets in the academy right now. And I heard the  
25 comment that the Director stated that they were going

1 to be going seven days a week on the next scheduled  
2 academy. Is that correct, Director?

3 DIRECTOR ALZAHARNA: We don't have a full  
4 academy scheduled yet because of that seven days a  
5 week. So instead of kind of sitting dormant like we  
6 did during the interim of the pause, we scheduled the  
7 PST and the CBW academies to fill that.

8 But yes. The CBWs and PSTs are scheduled  
9 seven days a week. The PST is usually 15 class days,  
10 three weeks. It will knock that down to 14 days  
11 straight. And the CBW is normally a 10-day class,  
12 teaching class. It will be 10 days straight to get  
13 them through.

14 SHERIFF MENDOZA: Okay. I don't know what  
15 the plans are for the next Basic Academy. I'm not  
16 sure if it's going to be considered for a seven-day  
17 also a week. But there is as you know an overtime  
18 issue when we're dealing with departments.

19 And if you have three, four, five cadets at a  
20 time, it can be very expensive to pay people overtime.  
21 And I'm not sure if we can adjust the training hours  
22 to just be 40 hours in the seven days or if that's  
23 even worth it or not.

24 But I think it's going to be a big fiscal  
25 impact, especially now with COVID, on overtime budgets

1 for departments around the state to pay seven days a  
2 week for cadets to go into the Basic Academy. So  
3 maybe that's a consideration when we get to that point  
4 that a Basic Academy is going to be scheduled.

5 DIRECTOR ALZAHARNA: Thank you, Chairman  
6 Balderas. Some of the things that have happened, the  
7 restart of this academy, I think the considerations  
8 would be a little different than they are --  
9 restarting the BPOT 200 that's getting ready to finish  
10 versus starting one from brand-new, all of those  
11 agency considerations are valid and were discussed  
12 prior to restarting this academy.

13 In moving forward on the LEAB staff side,  
14 number one, I understand the direction still from the  
15 Governor's Office is that, if we're going to open to  
16 run an academy, it has to be seven days a week.  
17 That's the only direction I've gotten. And it's been  
18 emphasized that, you know, if we can't do that, then  
19 we don't have a class.

20 The concerns now, after running this last  
21 one, is that I don't have the staff. I think we've  
22 talked about it. I have one instructor here. And to  
23 get this other class finished, he's been put in a  
24 coordinator position. And we've asked for support  
25 from outside agencies.

1           The New Mexico State Police is teaching the  
2    overwhelming majority of finishing this current  
3    academy, which on top of that they have an academy  
4    they're running themselves. So we are at a point that  
5    to move forward with running a full academy with the  
6    current staffing situation is not optimal I guess is  
7    the best way to put it. I would have some concerns.

8           But that's why we've scheduled the other  
9    ones. Until those directions change, that's kind of  
10   the direction we're moving in.

11           SHERIFF MENDOZA: Thank you.

12           A.G. BALDERAS: Thank you, Board Member. Any  
13   more questions or comments?

14           (No response.)

15           ITEM NO. 6: PUBLIC COMMENT

16           A.G. BALDERAS: We will now move to item  
17   No. 6, public comment. We generally are always  
18   welcoming of public input from citizens. We have kind  
19   of an informal rule, only because of the extent of  
20   length of the agenda, that we ask that we limit those  
21   comments to about five minutes.

22           And I've also been informed that there may be  
23   an address as it relates to an individual who has  
24   potentially come before the Board.

25           And I would only ask them respectfully that,

1 if it is a matter that is formally being considered by  
2 this Board as it relates to its statutory authority,  
3 that you understand that in public comment we are not  
4 trying to seek additional input on the record.

5 But we definitely would always welcome policy  
6 and would never try to circumvent or limit public  
7 comment. So I just ask that, if there is someone that  
8 is going to address a matter before the Board, that we  
9 balance that interest in understanding that we don't  
10 use public comment as an evidentiary or fact gathering  
11 basis.

12 But we do welcome your comments on public  
13 input as it relates to policy or any other matters  
14 that are relevant to the Board.

15 Monica, I don't have a list of individuals.

16 MS. MEDRANO: Sir, I have Chief Jimenez  
17 first, Matthew Vigil second, and Chris Mechels. And I  
18 haven't heard of any others at this time.

19 A.G. BALDERAS: Okay. Great. We can proceed  
20 with the chief. And welcome. You have the floor.

21 CHIEF JIMENEZ: Good morning, Mr. Chair,  
22 Honorable Members of the Board. So before we get  
23 started, I just want to be put on the record that I  
24 did request to be placed on the agenda. But, however,  
25 I was placed in public comments for whatever reason.

1     So I will try to keep my comments under the  
2     five-minute time lapse.

3             My biggest thing -- and I'm sorry for taking  
4     up your time. I know you all have important things to  
5     deal with. But recently my biggest issues are  
6     concerning the executive and master certificates that  
7     agencies and officers are applying for.

8             Recently I have applied for my executive  
9     certificate. And as part of the NMAC code, on the  
10    executive level certificate, it states on there that  
11    the executive must have held a rank of chief,  
12    assistant chief, sheriff, undersheriff, director, or  
13    deputy director with one year in rank. And then it  
14    says "or."

15            So recently I've been denied my request for  
16    my executive certificate, even though I've held a  
17    deputy chief or chief rank for over two years. And I  
18    qualify according to the NMAC.

19            Deputy Director Coss denied my request. So I  
20    spoke to Director Alzaharna. She agreed with his  
21    interpretation of the NMAC but also stated that that  
22    was the Board's interpretation.

23            So my concern is, one, that if you, the  
24    Board, are making those interpretations, I didn't see  
25    it anywhere listed in the minutes. The Board Members

1     that I have spoken to have not ever heard these issues  
2     or interpretations come before them.

3             So, you know, "or" is pretty much what it is.  
4     It's an option. It's not "and." So they're telling  
5     us now that, as a chief or a department head, we have  
6     to leave our agencies to accumulate 200 hours of  
7     management training in order to receive an executive  
8     certificate.

9             And my biggest thing and my biggest concern  
10    is there's nobody to go to. If the Director and the  
11    Deputy Director are not making those decisions and are  
12    not following the NMAC, where do we go. Like I said,  
13    I did request to be placed on the agenda. For  
14    whatever reason I was placed in public comments. So  
15    that's another concern.

16            The other thing is that, you know, we're  
17    talking about customer service here. When I worked  
18    there at the Academy, we worked for the agencies.

19            I understand the Board has decisions and  
20    ultimate decisions on the NMAC and some of the  
21    statutes and policies. But I keep getting the answer  
22    that I have to go to the Board. And if we have to go  
23    to the Board -- and I say we -- every officer, in  
24    order to get these answers, then why do we have a  
25    Director and a Deputy Director.

1           I brought my concerns up to Deputy Secretary  
2   Fons. He helped me with some of my master certs and  
3   got those reestablished. And even though I was  
4   revoked illegally is what I'm saying because they  
5   never notified me of revoking my certificates, I  
6   reapplied and got them back and here we are again  
7   dealing with the same issues.

8           You know, one of the things I really want to  
9   do is I want to have some checks and balances. Every  
10   agency has people they need to go to and have people  
11   that look into these policies and make sure everybody  
12   is following them. And it's no different for the  
13   academy staff.

14          You know, I've earned my certificates. I'm  
15   currently helping -- myself and Deputy Chief Jack  
16   Jones are running the officer survival class for the  
17   Basic Police Officer Training Academy class right now.  
18   But yet, they're going to tell me I don't have the  
19   certificates to hold a master officer survival  
20   instructor cert.

21          My other concern is that Deputy Director Coss  
22   has a lot of the certs. And I don't believe he has  
23   earned those certs. So I would ask that and make a  
24   comment that, you know, we really need to look into  
25   those, especially if he's going to be scrutinizing



1 other certificates.

2           So again I have a lot more to say, Mr. Chair.  
3 But I was only placed on public comments. I hope that  
4 next time I do request to be placed on the agenda I  
5 get to be placed on the agenda. Thank you for your  
6 time.

7           A.G. BALDERAS: Appreciate it, Chief. I  
8 would also welcome if you want to put together -- and  
9 I'm not trying to give you homework -- just a brief  
10 letter with some of your issues. And I would be glad  
11 to accept that at our office and then figure out how  
12 constructively we can engage as a Board.

13           CHIEF JIMENEZ: That would be great, sir.  
14 Thank you very much.

15           A.G. BALDERAS: I appreciate that, that would  
16 be helpful.

17           CHIEF JIMENEZ: Thank you, sir.

18           A.G. BALDERAS: Thank you. And we appreciate  
19 those comments.

20           Now we can go to public member No. 2.  
21 Counselor, are you on with us?

22           MR. KREIENKAMP: Are you referring to me,  
23 Mr. Chair?

24           A.G. BALDERAS: Mr. Vigil. I'm sorry. I  
25 thought we had an attorney.

1           MS. SALCEDO: Mr. Kreienkamp, I see you  
2 there. Thank you.

3           This is Betsy Salcedo. I represent one of  
4 your officers. His name is Matt Vigil, he's on the  
5 line. He wants to make a brief statement. It will  
6 definitely be under the five minutes.

7           A.G. BALDERAS: Thank you, Counselor. I  
8 appreciate it. Mr. Vigil.

9           MR. VIGIL: Good morning, Mr. Chairman and  
10 Honorable Members of the Board. I am Matthew Vigil.  
11 And I wanted to put a face to my name because I'm on  
12 the agenda as mentioned earlier. And I just wanted to  
13 give the Board an update on basically me.

14           Three and a half years have elapsed from the  
15 date of my summary suspension. And over the course of  
16 those three and a half years, I have done a lot of  
17 self-reflection and self-improvement.

18           I was accepted into the nursing program of  
19 the University of New Mexico and will graduate August  
20 of 2021 as a Registered Nurse with a Bachelor of  
21 Science degree.

22           During my off time, I have assisted my father  
23 in the family business of construction. I have  
24 coparented four children, ages 21, 17, 16, and 12.  
25 During this transformation, not only have I been

1 humbled, I have also learned compassion and how  
2 ramification of criminal charges and law enforcement  
3 suspension have impacted not only society, but me  
4 individually and most importantly my family.

5 The incident that occurred in 2016 was  
6 unfortunate to all involved. And most importantly it  
7 was detrimental to my career as a law enforcement  
8 officer.

9 I've been able to put the criminal charges  
10 behind me. And if the Board finds misconduct, I am  
11 requesting that I be credited for time I have  
12 currently served on my suspension so I can put this  
13 behind me as well.

14 I thank you for your consideration on  
15 weighing the outcome of my certification. And I hope  
16 and pray that this issue be resolved without further  
17 delay.

18 And as I requested today, I believe I still  
19 have much to contribute to law enforcement and treat  
20 this career of law enforcement as something dear to  
21 me. Thank you. That's what I wanted to tell the  
22 Board, Mr. Chairman.

23 A.G. BALDERAS: Thank you, Mr. Vigil.  
24 Counselor Salcedo, do you have anything to add?

25 MS. SALCEDO: No. Thank you very much for

1 your time.

2 A.G. BALDERAS: I appreciate it. Thank you.  
3 Any questions for Mr. Vigil from the Board or  
4 comments?

5 (No response.)

6 A.G. BALDERAS: We appreciate you coming  
7 forward, Mr. Vigil.

8 MR. VIGIL: Thank you, Mr. Chairman.

9 A.G. BALDERAS: We now move to public comment  
10 No. 3, Mr. Mechels. You have the floor.

11 MR. MECHELS: Good morning, Chair and Members  
12 of the Board. I'm glad to speak to you again. First  
13 off, I am very pleased to see that we're going to  
14 address the issue that I've brought up repeatedly  
15 about the certification process. And I'm looking  
16 forward to seeing what the new process looks like.  
17 But I am very pleased it's being taken up.

18 Secondly, I am encouraged to see the Director  
19 is getting involved with the national program, the  
20 IADLEST program, which is a nationwide standards  
21 organization.

22 I think one of the long-term problems that  
23 the academy has is that we've moved away from that  
24 national program. I think the only path forward  
25 really is to get back on board with that program.

1           And that would, of course, mean that we do  
2 something like a job task analysis, though I know  
3 she's having trouble getting that funded. But that's  
4 an essential part of setting a legal curriculum within  
5 that national standards organization.

6           The other thing which I came across recently,  
7 and I encourage the Board also, is Minneapolis -- you  
8 know, where the Floyd shooting took place.  
9 Minneapolis -- and this is from talking to the IADLEST  
10 director.

11           Minneapolis went to IADLEST and asked them to  
12 do an audit of their organization. I've suggested in  
13 the past that New Mexico also have an audit of the Law  
14 Enforcement Academy, because that would set a baseline  
15 from which the academy could then move forward with a  
16 fuller understanding of how you relate to the national  
17 program and responsibility.

18           So I really encourage that audit. And I  
19 think that would be a much better way of moving  
20 forward and coming up with a new curriculum, which has  
21 been under discussion.

22           So again I think it's really essential that  
23 we go back to the national standards. And many of you  
24 may or may not be aware at this point is we really  
25 walked away from the national standards back in 2003.

1 It was very unfortunate. It continues to affect the  
2 function of the Board in a sense.

3 And as part of moving away from the national  
4 standards from 2003, the Law Enforcement Academy  
5 itself was essentially destroyed in 2013. And we  
6 still haven't recovered from that.

7 So there's just a lot of work to be done.  
8 And I think a much stronger relationship with the  
9 national organization would be very healthy and  
10 warranted.

11 And lastly another one which may be hard to  
12 take up is that I really believe long term that you  
13 have to get the DPS role with the Board reduced. It  
14 is not by charter in the national standards healthy to  
15 have the Department of Public Safety in this position  
16 that they set themselves up in since 2003 again.

17 Before that they were not so dominant. 2003  
18 they broke the Board Director and installed their own  
19 Director. That's been a problem ever since. But at  
20 some point the Department of Public Safety is just  
21 going to have to back off and let the Law Enforcement  
22 Academy be independent as you are by statute.

23 So anyway that's the three big ones that I  
24 see going forward. And I encourage the Board to take  
25 them up. I know these are not easy issues. I know

1   you've all got a full plate. But I think these are  
2   all so essential to having a more functional Board  
3   with a more appropriate curriculum going forward. So  
4   I encourage you in that path. Thank you for your  
5   attention.

6               MS. MEDRANO: Sir, I have also Jack Jones who  
7   has requested to be on public comment.

8               A.G. BALDERAS: Great. Mr. Jones.

9               MR. JONES: Attorney General Balderas,  
10   Director, Honorable Board Members, it's an honor to  
11   talk to you again and be part of this association.

12              I'd like to clarify a couple things. One, we  
13   did a job task analysis in 2014 for 2015 for all  
14   instructors at law enforcement academies throughout  
15   the State of New Mexico. And we did this with  
16   IADLEST. And it went throughout the 50 states.

17              They gave us the names and the personnel that  
18   were working all the other academies to identify that.  
19   And we started moving the curriculum towards a  
20   national setting like Mr. Mechels is talking about.

21              We changed how we do officer survival. We  
22   changed how we started taking about it in the  
23   curriculum for use of force. Instead of use of force,  
24   we changed it and went to a constitutional law based  
25   for the academy. All the academies are teaching the

1 same thing currently. And it was accepted by all 13  
2 judicial districts. They liked it and they enjoyed  
3 it.

4 One of the things that we talked about is Law  
5 Enforcement Academy instructors. I requested to get  
6 on the agenda for the Board to talk about the Law  
7 Enforcement Academy instructors and their positions  
8 that were there. And I was also told that I could  
9 only do it in public comment. So I'll keep my  
10 comments within five minutes.

11 I sent Deputy Secretary August Fons all the  
12 information that we did when we did the job task  
13 analysis, the Law Enforcement Academy proposal for  
14 2015 and what a Law Enforcement Academy instructor  
15 looked like.

16 And we took a lot of those things from what  
17 Mr. Mechels is talking about from other academies and  
18 went to the national level to discuss those things.  
19 So I wanted to just let you understand that there was  
20 a lot of work that went into what the instructors are  
21 supposed to be doing and how they do that and what the  
22 job task analysis was for and how it turned out.

23 And I think it turned out very well. It's  
24 quite extensive for what a law enforcement academy  
25 instructor in New Mexico does. But one of the



1 problems that we have is New Mexico, as Mr. Mechels  
2 pointed out, is unique to other states.

3           How we do our constitutional law is not any  
4 different. But we have different requirements when it  
5 comes to some of the things like warrant service, how  
6 we're going to deal with things in the future. So you  
7 have to make those adjustments.

8           I understand that we're limited in the  
9 personnel we have at the academy. I've been helping  
10 at the academy for the last two weeks. Kudos to the  
11 New Mexico State Police. But also there's been many  
12 other agencies that have come down to help at the Law  
13 Enforcement Academy. They're sending officers to do  
14 that to make that happen.

15           I just wanted to talk to you about some of  
16 the things that were happening. And one of the things  
17 that also happened was the curriculum was rewritten at  
18 the Law Enforcement Academy. And it's been since  
19 2015.

20           And we talk about the five major items; we  
21 talk about use of force, we talk about EVOC, we talk  
22 about firearms. All the major curriculum was  
23 rewritten by the other academies and we had their  
24 input for what we wanted to teach at the Law  
25 Enforcement Academy.

1           The lesser curriculum like nutrition and  
2 physical fitness and issues like that was rewritten by  
3 a company that the Law Enforcement Academy paid to  
4 rewrite all the academy lesson plans. And we paid  
5 them quite a bit of money to make that happen.

6           And as I'm teaching at the academy this last  
7 week, I'm looking at these lessons plans and the  
8 PowerPoints. And I don't see the lesson plans or the  
9 PowerPoints where they've been updated or they meet  
10 any current requirements for 2020 as I am  
11 understanding how curriculum is supposed to be written  
12 and lesson plans are supposed to be updated at the  
13 academy.

14           Thank you for your time. I would like to be  
15 able to talk to any one of you. We're finishing  
16 officer survival. Any Board Member that would like to  
17 come out and see it, I encourage you to come out to  
18 see what we're doing. Tonight will be the last night  
19 for it.

20           And if you have an opportunity, come and see  
21 the technical side of what happens and what a Law  
22 Enforcement Academy instructor needs to know and  
23 understand, to take everything they've learned from  
24 day one and put it together so it is accumulated; and  
25 how they do use of force, how they understand what

1     Graham vs. Connor is, how they understand and what  
2     they've been taught throughout the whole academy, they  
3     have to put it together in this last week of training  
4     at the Law Enforcement Academy.

5             Thank you all very much. Thank you for your  
6     time, thank you for your service. Mr. Balderas, it's  
7     a pleasure to see you again. Have a good day.

8             A.G. BALDERAS: Thank you, Mr. Jones. First  
9     of all, are there any questions or comments for  
10    Mr. Jones before we lose him in public comment?

11            MR. MECHELS: Mr. Chair, very briefly I would  
12    just like to say that what Mr. Jones is talking about  
13    with -- when he refers to the job task analysis is not  
14    the job task analysis that the national standards  
15    would accept. He made what he called a job task  
16    analysis. This is not by any means the same thing.  
17    End of comment.

18            MR. JONES: Sir, the job task analysis was  
19    done exactly how DOE would do one. And that's where I  
20    got the information from how to do a job task  
21    analysis. So it is on a national standard. I don't  
22    want to argue or belabor the point.

23            MR. MECHELS: No argument is necessary. Just  
24    simply look to the record. The record from 2014 and  
25    2015 will support what I'm saying.

1           A.G. BALDERAS: All right. And I am pretty  
2 flexible as you can tell with time and spontaneity of  
3 community members speaking out. I do want to add a  
4 point of clarification, because I do believe a few of  
5 our guests tried to get on our agenda.

6           And I would offer that there are mainly two  
7 ways to get on the agenda. And I believe, in whatever  
8 appropriate manner, your contact will be the LEAB  
9 staff or personnel. They sometimes seek our counsel  
10 at the staff level to try to get the agenda topics.

11           But I would suggest for the members and our  
12 regulars that participate and have interesting topics  
13 that they want more thoroughly fleshed out, with a  
14 time limit on the agenda, that I would welcome also a  
15 casual contact to Jerri who works with my office.

16           And also outside of the LEAB and the staff  
17 level, I take some discretion in advising on the  
18 agenda if it's based on other conversations and  
19 interests that our Board has.

20           And I do know that actually many of the  
21 topics that were raised in public comment are  
22 consistently priorities for our Board Members who have  
23 contacted me. And we are jumping into these topics.

24           So I'm going to provide a cell phone as an  
25 alternative to try and get to the agenda. And our

1 Board benefits as well from these topics being  
2 organized in other areas of the agenda.

3 Jerri's cell phone is 505-321-4372. And  
4 members of the public and the community can give her a  
5 call. And at least, in addition to contacting the  
6 LEAB to get on the formal agenda, feel free to contact  
7 her to trigger the Chairman's discretion to maybe  
8 potentially add that topic.

9 We'll usually get back to you whether we  
10 think it's in line with the Board's priorities. But  
11 that is another alternative to try to get on. And I  
12 do hear you loud and clear for some of the public  
13 members who wanted a little bit of additional time on  
14 our agenda. 505-321-4372 and Jerri will be glad to  
15 try to get you as well on the agenda.

16 I don't believe we have any more public  
17 comment at this time.

18 ITEM NO. 7: RATIFICATION OF CERTIFICATIONS FOR LAW  
19 ENFORCEMENT OFFICERS

20 A.G. BALDERAS: We can now go back to our  
21 Director, item No. 7 of our agenda, ratification of  
22 certifications for law enforcement in the State of New  
23 Mexico. Director, welcome back.

24 DIRECTOR ALZAHARNA: Thank you, Chairman  
25 Balderas, Board Members. Agenda item No. 7 is the

1 exhibit list of certifications. First is BCSO  
2 Exhibit A, Certification Nos. 20-0164-P through  
3 20-0184-P. Those are on Exhibit A.

4 A.G. BALDERAS: Thank you, Director. I'll  
5 entertain a motion to approve Exhibit A,  
6 certifications ending in 20-0164-P through 20-0184-P.  
7 Is there a motion?

8 CHIEF JOHNSON: Mr. Chairman, this is Tim  
9 Johnson. I'll make a motion to approve Exhibit A.

10 A.G. BALDERAS: Thank you, Board Member  
11 Johnson. There is a motion to approve Exhibit A as  
12 stated. Is there a second?

13 MS. MONAHAN: Chair, this is Connie. I move  
14 to second.

15 A.G. BALDERAS: Thank you, Board Member, for  
16 that. I'll now entertain a roll call.

17 MS. MEDRANO: Balderas.

18 A.G. BALDERAS: In favor.

19 MS. MEDRANO: Tedrow.

20 MR. TEDROW: Yes.

21 MS. MEDRANO: Johnson.

22 CHIEF JOHNSON: Yes, ma'am.

23 MS. MEDRANO: Mendoza.

24 SHERIFF MENDOZA: Yes.

25 MS. MEDRANO: Garcia.

1 CHIEF GARCIA: Yes.

2 MS. MEDRANO: Romero.

3 CHIEF ROMERO: Yes.

4 MS. MEDRANO: Monahan.

5 MS. MONAHAN: Yes.

6 MS. MEDRANO: Green.

7 DR. GREEN: Yes.

8 A.G. BALDERAS: Are there any in opposition?

9 The motion passes in full favor of a voice vote for  
10 BCSO officers ending in 0164 through 0184, Exhibit A.  
11 The motion passes.

12 Director, we can go on to Exhibit B.

13 DIRECTOR ALZAHARNA: Yes. Exhibit B is  
14 SNMLEA CBW No. 23, Certification Nos. 20-0185-P  
15 through 20-0189-P, 15-0258-P, and 07-0222-P. That's  
16 Exhibit B.

17 A.G. BALDERAS: Thank you, Director. I'll  
18 entertain a motion to approve Certification  
19 Nos. 20-0185-P through 20-0189-P, 15-0258-P, and  
20 07-0222-P involving Lea County, Eddy County, Hobbs,  
21 Chaves County, and Hobbs Police Department. Is there  
22 a motion in favor?

23 CHIEF JOHNSON: Mr. Chair, this is Tim  
24 Johnson. I'll make a motion to approve Exhibit B.

25 A.G. BALDERAS: Thank you. There is a motion

1 to approve Exhibit B as stated. Can I have a second.

2 DR. GREEN: Mr. Chair, this is Bobbie Green.

3 I move to second that motion.

4 A.G. BALDERAS: Thank you, Board Member  
5 Green. There is a motion and a second to approve  
6 Exhibit B. I'll now entertain a voice vote.

7 MS. MEDRANO: Balderas.

8 A.G. BALDERAS: In favor.

9 MS. MEDRANO: Tedrow.

10 MR. TEDROW: Yes.

11 MS. MEDRANO: Johnson.

12 CHIEF JOHNSON: Yes, ma'am.

13 MS. MEDRANO: Mendoza.

14 SHERIFF MENDOZA: Yes.

15 MS. MEDRANO: Garcia.

16 CHIEF GARCIA: Yes.

17 MS. MEDRANO: Romero.

18 CHIEF ROMERO: Yes.

19 MS. MEDRANO: Monahan.

20 MS. MONAHAN: Yes.

21 MS. MEDRANO: Green.

22 DR. GREEN: Yes.

23 A.G. BALDERAS: Thank you. It appears that  
24 the motion for Exhibit B has passed eight to zero in a  
25 voice vote. Any in opposition? Let me just make



1 sure. No opposition. The voice vote passes eight to  
2 zero for approval of Exhibit B.

3 ITEM NO. 8: NMSA AND NMAC QUALIFICATIONS AND MINIMUM  
4 TRAINING STANDARDS FOR POLICE OFFICERS AND  
5 TELECOMMUNICATORS

6 A.G. BALDERAS: Director, we can now go on to  
7 item No. 8 on the agenda.

8 DIRECTOR ALZAHARNA: Thank you, Chairman  
9 Balderas. Item Nos. 8, 9, 10, and 11, although we'll  
10 handle them individually, are all stemming from issues  
11 that agencies having related to either NMAC  
12 regulations or State statute and restrictions they're  
13 causing because of COVID.

14 So on No. 8, what we're referencing are the  
15 qualifications for certification. The statute number  
16 for that is 29-7-6, Qualifications for Certification.  
17 And specifically B. And I believe a copy of this was  
18 placed in your binder.

19 Section B states, "A person employed as a  
20 police officer by any law enforcement agency in this  
21 state shall forfeit his position unless, no later than  
22 twelve months after beginning his employment as a  
23 police officer, the person satisfies the  
24 qualifications for certification set forth in  
25 Subsection A of this section and is awarded a

1 certificate attesting to that fact." That's the State  
2 statute.

3           We have an equivalent regulation that stems  
4 from that, and that is 10.29.9.10 of the NMAC. It  
5 falls under Police Officer Registry Reporting and  
6 Applications for Admission/Certification. Under B(3),  
7 it says, "No applicant shall be admitted to the New  
8 Mexico law enforcement academy after one year of  
9 initial hire date unless the applicant and his chief,  
10 sheriff, or agency head certify: (a), that he was  
11 suspended from duty as a law enforcement officer and  
12 his commission revoked within one year of his initial  
13 hire date; and (b), that the department will reinstate  
14 the officer based upon his successful completion of  
15 the basic training course and certification by the New  
16 Mexico law enforcement academy board."

17           I've also included the sections that apply to  
18 telecommunicator in the same area. Back when we  
19 paused our main academy in March, we were already  
20 asking this question, hoping to go get a jump start on  
21 it. And unfortunately we're kind of still in the same  
22 place.

23           As far as the regulation goes, that's a Board  
24 regulation, if they chose that that be waived. But  
25 the statute isn't. And so I have been and I believe

1 Board Members have been called by agency heads saying  
2 what can we do, are you going to enforce this, do we  
3 have to decommission our officer after the 12-month  
4 period.

5           The information that our staff has been  
6 giving out is that normally, not under COVID  
7 circumstances, we would be letting agencies know that  
8 their officer or telecommunicator has passed that 12  
9 months or is getting ready to and so they need to be  
10 not performing in those capacities.

11           But in this case we haven't. As I've said,  
12 it's there. I don't have authority to waive that  
13 statute. But on the other hand, I wasn't going to be  
14 sending them something out saying that we were going  
15 to enforce it. That was fine from our end.

16           But what a lot of them were looking for was,  
17 well, if I keep my officer on the street and something  
18 happens after that 12th month, they were looking for  
19 something I think to relieve them of the liability.

20           And I would explain that, you know, I  
21 certainly don't have the authority for that, that it  
22 would certainly be an agency head decision as to  
23 whether or not they kept somebody in a commission  
24 capacity against the State statute.

25           But with that brief explanation, it has been

1 discussed that, under the public health order, that  
2 there may be an avenue to have somebody at the  
3 governor's level do something that would clarify that  
4 for these agency heads, that it was just out of my  
5 hands as the Director.

6 And what I've been asked from agency heads is  
7 to ask if the Board is willing to put forth a request  
8 or a letter to the Governor's Office asking for some  
9 type of direction on this.

10 A.G. BALDERAS: Thank you, Director, for  
11 bringing this up for discussion. I will now entertain  
12 any questions or further discussion from the Board.

13 MR. KREIENKAMP: Mr. Chair, if I could just  
14 jump in on this just briefly.

15 Members of the Board, we've looked at this  
16 issue at our office. What I'm encouraging the Board  
17 to do today is to essentially vote on its  
18 interpretation of this particular statute. I think  
19 the major issue right now is 29-7-6 B, the statute in  
20 the Law Enforcement Training Act.

21 What we know from the case law on that is  
22 that that statute is not intended to impair a law  
23 enforcement agency's ability to hire and retain  
24 officers. You know, obviously it was not written, as  
25 the vast majority of the statutory code was not

1     written, with a pandemic in mind.

2             I do think that there is an argument, and I  
3     think a good one, that the governor, you know, when  
4     she executed her declaration of the state of  
5     emergency, one of the provisions in either the Public  
6     Health Act or very similar act basically requires the  
7     State to use all of its existing resources, which  
8     includes I think law enforcement officers.

9             Taking those statutes together, don't think  
10    that I would interpret Section B and the 12-month rule  
11    as requiring an officer to forfeit his commission, you  
12    know, due to no fault of his own.

13            So that's what I would encourage the Board to  
14    do today, is basically just to vote on that and make  
15    its position clear for the benefit of agencies around  
16    the state. But I don't think that strictly speaking  
17    it requires a waiver from the Governor's Office.

18            MR. TEDROW: Mr. Chair.

19            A.G. BALDERAS: Sure. Board Member.

20            MR. TEDROW: John, I'm sorry, can you repeat  
21    the statute number again.

22            MR. KREIENKAMP: Yes. The statute number,  
23    the main statute that we're looking at, is 29-7-6 B.

24            A.G. BALDERAS: I do apologize. For the rest  
25    of the Board, we are in category No. 7.

1 DR. GREEN: Mr. Chairman, I have a question.  
2 This is Bobbie Green.

3 A.G. BALDERAS: Yes, ma'am.

4 DR. GREEN: My question is does the State  
5 have any accommodations for natural disasters or  
6 emergencies in which a pandemic would fall under that  
7 category? Are there any contingencies that allow for  
8 extensions and such in current State law?

9 MR. KREIENKAMP: Mr. Chair, if I could just  
10 jump in to answer that. Mr. Chair and Board Member  
11 Green, so there are a number of State statutes that  
12 deal with the governor's authority during a state of  
13 emergency.

14 She does have the authority, for example, to  
15 declare a state of emergency and to require, you know,  
16 certain closures and social distancing measures. And  
17 the pandemic does count for that.

18 Strictly speaking, there is not, you know, a  
19 provision in the Law Enforcement Training Act that  
20 deals with waiver, you know, issuing some sort of a  
21 waiver. And I personally cannot find, you know, a  
22 statute that would sort of give the governor the  
23 authority to waive entire statutes.

24 I think, you know, what I'm referring to more  
25 in my interpretation of the statute is that it has

1 previously been interpreted once before by I believe  
2 our Court of Appeals. And our Court of Appeals  
3 rejected a strictly literal interpretation of the  
4 statute, where it would lead to what's called an  
5 absurd result.

6 And I think that, given that these were  
7 officers who were prevented from attending the academy  
8 because it was closed, it wasn't that they, you know,  
9 were negligent on their own parts, I do think that  
10 there's a good argument that could be made that, you  
11 know, that particular period, that 12-month period,  
12 should be tolled while the academy was closed.

13 I mean when the academy is open, obviously I  
14 don't think that same argument could be made. But  
15 because it was closed and it was no fault of their  
16 own, that's I guess what my interpretation would be.

17 DR. GREEN: Thank you. That makes sense.

18 MR. TEDROW: Mr. Chair, this is Rick Tedrow.  
19 I'd like to ask John, when this pandemic first  
20 started, I actually contacted our New Mexico State  
21 Bar, asking them if, due to the inability to get  
22 training at least for my attorneys, if time would toll  
23 or if they would give exemptions or waivers or extend  
24 the time. This was back in April.

25 But I was advised by the New Mexico State Bar

1   that they weren't even looking at that option.  The  
2   reason I bring this up is because I think that it was  
3   very important that our state bar look at this and  
4   consider it.  At the time they weren't looking at  
5   anything.

6               So, John, I think I have a question.  Is  
7   there anywhere in the Law Enforcement Academy statute  
8   or regulations that allows us to make such a tolling  
9   of time or provide a temporary waiver or anything of  
10  that nature?  Because I think it's important that we  
11  would be able to do that.

12              MR. KREIENKAMP:  So I guess I would answer  
13  that in a couple ways.  Again, strictly speaking, the  
14  statute does not provide, you know, a provision that  
15  says that, you know, the Board in its discretion can  
16  waive the provisions of that Section B.  That's not  
17  something that's in the statute.

18              The Board does have, you know, some  
19  discretion.  If you look at the powers and duties of  
20  the Board, the Board has the authority to among other  
21  things issue, grant, deny licenses based in large part  
22  on its discretion; you know, to perform all other acts  
23  that are necessary for the development and operation  
24  of the academy.  That's one.

25              Again, you know, there's no specific



1 provision that provides for a waiver. I do think that  
2 the Board has the authority to do that, though.

3           One note I would make. I can't speak to the  
4 state bar. But as far as what other occupational  
5 licensing boards are doing around the state, I do know  
6 because our office was consulted on that that a number  
7 of occupational licensing boards have determined that  
8 they're still going to renew licenses even without  
9 proof of continuing education because people weren't  
10 able to complete those continuing education courses  
11 because of the pandemic.

12           And the approach that they've taken is not  
13 that those are waived permanently but rather that, you  
14 know, there's going to be essentially a grace period  
15 where we're going to renew the license even in the  
16 absence of those continuing education courses; but  
17 after the state of emergency and then once courses are  
18 available, then you have to go back and do that.

19           Again their statutes don't usually provide  
20 some sort of explicit authority. But, you know, they  
21 generally do provide for the general authority for the  
22 Board to do what's necessary for the profession.

23           MR. TEDROW: And do we have any implied  
24 authority? I'm looking at the powers and duties of  
25 the Board now and trying to figure out if we have such

1 implied authority.

2 And then my second question would be is there  
3 a way to provide via virtually the training that the  
4 officers need to be able to complete this?

5 MR. KREIENKAMP: Well, as far as the  
6 availability of virtual training, I'll defer to the  
7 Director on that.

8 With respect to the powers and duties of the  
9 Board, I mean I think I can make an argument that the  
10 Board sort of has this general authority in several  
11 locations. For one, you know, it's the Board's duty  
12 to, you know, issue certifications, to set policy for  
13 the academy, which I think would include admissions to  
14 the academy.

15 Again I don't think that this is explicit.  
16 But I think that there's enough flexibility in the  
17 statute to make that argument.

18 And then the other note that I would just  
19 make about the interpretation of the statute and  
20 whether it should be interpreted literally is that the  
21 Board is entitled to a certain amount of discretion in  
22 terms of the way that it interprets the statute,  
23 because it's the agency that's charged with the  
24 implementation of the statute. So I think those are,  
25 you know, issues to look at.

1           A.G. BALDERAS: I also have a question. I'm  
2 reading some of the case law as well. It seems that a  
3 couple of the guardrails I think the way we're  
4 interpreting this fundamentally start with that  
5 there's a pretty -- not arbitrary.

6           But there is a time limit in the statute that  
7 doesn't appear to leave a lot of wiggle room. And  
8 we're looking at our discretionary authorities and  
9 trying to balance that to see if there's any wiggle  
10 room on the time limit.

11           I would also ask counsel if we researched  
12 some of the nuanced law, not really around the time  
13 limit or the interpretation of the statute. But our  
14 ability, in the area of licensing property interests,  
15 it seems like the Board is very concerned because --  
16 and I would frame it around declarations of states of  
17 emergency.

18           So if there is a declaration of an emergency  
19 in a county or an area, is there another argument to  
20 be made that the forfeiture doesn't occur because  
21 we're trying to extend the one year. That statute,  
22 we're not trying to play with that at all.

23           But our ability to grant a provisional  
24 licensure so that they're not forced to forfeit in  
25 that black and white reading of the law based on a

1 very narrow declaration of emergency that can be  
2 easily well-defined.

3           It might strengthen also the property  
4 interest expectations that a department or the LEAB  
5 has for a limited amount of time, other priorities  
6 within that declaration of emergency, be it a pandemic  
7 or a flood.

8           I can see the governor directing to a  
9 declaration of emergency multiple resources. And, of  
10 course, the governor's ability to declare emergencies  
11 and bypass traditional processes in the law has  
12 clearly been upheld by the Supreme Court.

13           So I'm wondering how much we researched  
14 potentially not necessarily changing our authority or  
15 the time frame, but our ability to almost invent a  
16 provisional licensure that would temporarily end upon  
17 the declaration of that emergency.

18           Because those are pretty limited and they  
19 have a very high standard of governmental interest.  
20 Like they require the governor to compel certain  
21 agencies strictly like on this health pandemic to tie  
22 it to some deliverables; that eventually that  
23 declaration of emergency runs out and then her powers  
24 get restricted again.

25           I would research that in terms of the ability

1 for the LEAB, is there any squeaky area we can grant  
2 an additional -- or call it something else, create a  
3 legal fiction almost so that we don't get to the  
4 forfeiture or figure out maybe a back-door way to toll  
5 without violating the statute.

6 MR. KREIENKAMP: Strictly speaking, in terms  
7 of looking at the issuance of provisional licenses  
8 sort of during an emergency, that wasn't a possibility  
9 that I looked at. I think at a minimum that would  
10 probably require some sort of an emergency rule  
11 change.

12 I wouldn't entirely rule it out. But I don't  
13 know that there's really anything in sort of those  
14 other statutes dealing with a public health emergency  
15 that would provide for that.

16 My other response, though, is that I do think  
17 there's an argument based on the All Hazard Emergency  
18 Management Act, which essentially directs, you know,  
19 political subdivisions around the State to abide by  
20 the governor's orders and to basically utilize their  
21 resources and their services to carry out those  
22 orders.

23 You know, based on the interplay between that  
24 statute and the Law Enforcement Training Act, I think  
25 it would be difficult for a court to determine that

1 these officers who were unable to attend the academy  
2 are forced to surrender their commission. I guess  
3 that's sort of where I would comment there.

4 And I think that's consistent with the case  
5 law which deals with this particular statutory  
6 provision. And the point of it is to make sure that  
7 officers are getting the training that they need. But  
8 it's not to unduly restrict, you know, an agency's  
9 ability to retain officers.

10 MR. TEDROW: Hey, John. On Hector's point,  
11 if we look at 29-7-4, Section I, the Board is given  
12 the powers to "perform all other acts appropriate to  
13 the development and operation of the academy." That  
14 may be enough room for this Board to possibly declare  
15 a suspension of certifications and toll time based on  
16 the time that the academy and training opportunities  
17 are down.

18 MR. KREIENKAMP: That's correct. That's what  
19 I'm advising the Board to do today. I mean I think  
20 that would give the Director guidance as far as how  
21 she is to approach this. And it would, you know, send  
22 a message to the agencies around the State that this  
23 is the interpretation of the Law Enforcement Academy  
24 Board.

25 MR. TEDROW: Okay.

1           A.G. BALDERAS: Anything else? Go ahead.

2           MR. TEDROW: Yes, Attorney General. I would  
3 just like to point out, at least from a prosecutor's  
4 standpoint, the one thing that we always worry about  
5 is whether an officer's certification is deemed  
6 invalid and they've made arrests. We can almost  
7 guarantee you that defense will bring that up, that we  
8 should be dismissing such charges because of an  
9 invalid certification by the officer.

10           So I would really not like to get to this  
11 from a prosecution standpoint. I would rather look  
12 into seeing how we could quickly and possibly  
13 virtually get the officers at least the basic training  
14 they need to be certified. But I understand we need  
15 to look at this avenue as well.

16           DIRECTOR ALZAHARNA: Chairman Balderas.

17           A.G. BALDERAS: Yes. Go ahead, Director.

18           DIRECTOR ALZAHARNA: I appreciate those.  
19 Member Tedrow, that is the direction that agency heads  
20 have been coming at. They understand that, you know,  
21 against the regulations they can keep their officers  
22 or telecommunicators commissioned. But that's exactly  
23 what they're worried about, is what happens with an  
24 officer who isn't certified.

25           To get an officer certified, at a minimum

1 they have to complete the 672 hours of training. And  
2 where we stand right now, our academy doesn't have the  
3 capability to, you know, just switch everything from  
4 in-house in-person training to online. We don't have  
5 the knowledge or the know-how to do that.

6 And so in layman's terms it's not an issue of  
7 getting them certified because the certification isn't  
8 what's being questioned, it's the 12-month period for  
9 commissioning.

10 DR. GREEN: Mr. Chairman.

11 A.G. BALDERAS: Yes, Board Member.

12 DR. GREEN: I think that what we're talking  
13 about is the same set of circumstances and problems  
14 that universities and K-12 schools are facing all over  
15 the country. And that's how to allow the students to  
16 continue their education during a pandemic.

17 And I think it's not that far of a stretch to  
18 come up with an alternative that can allow the  
19 certification process to continue even during a  
20 pandemic. I mean universities are doing it all over  
21 the country right now. And I think that this academy  
22 could do it as well.

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

24 MR. TEDROW: Mr. Chair, if I may. Bobbie,  
25 the one problem we run into, though, is we have a



1 direct statute that is telling us one thing as  
2 compared to a broad situation where there are no  
3 statutes that are controlling.

4           So it's important for us to find a way to  
5 figure out how we can work with the 29-7-6 B. That's  
6 the one thing tying our hands right now. If that  
7 wasn't there, I don't think we would have our hands  
8 tied.

9           DR. GREEN: Well, again I think it goes back  
10 to a question of trying to find a solution in the  
11 midst of a pandemic which is an extreme, you know,  
12 once-every-100-year type event.

13           And so there isn't going to be a statute  
14 probably. But there should be some sort of allowances  
15 for extreme circumstances like what we are facing  
16 right now.

17           I mean it seems unduly burdensome and a  
18 penalty to the officers who are trying to get  
19 certified and again, like John said, through no fault  
20 of their own.

21           Doesn't it open up the possibility that the  
22 officers could file some sort of a complaint against  
23 the fact that they are being penalized for something  
24 that they didn't cause?

25           A.G. BALDERAS: I mean absolutely. Well, I

1     can see it both ways. I can see anybody who is harmed  
2     under a state of emergency and they're not properly  
3     licensed by the Board would be obviously an argument  
4     one way.

5             And I see the same liability the other way.  
6     If it does lead to a ridiculous result as you're  
7     suggesting, Board Member, there is absolutely some  
8     civil liability.

9             I would still kind of argue that on 29-7-6,  
10    under (8), "has met any other requirements for  
11    certification prescribed by the board pursuant to  
12    regulations adopted by the board," I think we could  
13    add in -- I mean this is a crazy theory assuming that  
14    any side could be litigious.

15            But that a declaration of emergency by the  
16    governor, that we as a Board could recognize that, as  
17    them serving under a declaration of emergency and  
18    their public service is directly tied to supporting  
19    that emergency, that that would meet Section (8), that  
20    our Board recognizes law enforcement's role in a  
21    public declaration of an emergency.

22            And they would be somehow positively  
23    satisfying the qualifications, but in the form of an  
24    alternative. Again I'm not saying that's going to  
25    solve our problems. But that is I guess where I still

1 see an opening.

2           We're not exactly not complying with the  
3 statute in that the courts recognize under separation  
4 of powers a limited role for the governor in her  
5 executive authority to go outside those checks and  
6 balances for a limited amount of time.

7           As long as we could tie it to the  
8 declaration, I would make the argument that under (8)  
9 we have already the power to grant any other  
10 additional requirement for that certification.

11           Now, it sounds like it could be an  
12 administrative headache for the Director. That  
13 doesn't necessarily waive training. It requires a  
14 whole other assessment of what that officer is doing  
15 during that declaration. There would have to be a  
16 verification, geographic boundaries, and monitoring  
17 when those declarations go out of service.

18           So I think the Board is definitely  
19 struggling, because we know where we want to end up.  
20 And I go back to my counsel's advice. Am I  
21 articulating an emergency rule expansion or are you  
22 asking for a voice vote to support the Director to  
23 discretionarily interpret the statute in the way that  
24 we're all concerned about? I guess I'm still seeing  
25 two questions here, Counselor. What is it that you

1 are recommending for the Board?

2 MR. KREIENKAMP: Mr. Chair, Members of the  
3 Board, what I would recommend is a vote today on the  
4 Board's interpretation of the statute; that, you know,  
5 in essence, based on the statute's intent, based on,  
6 you know, the other statutory provisions related to  
7 the public health emergency, that that 12-month period  
8 is tolled during the period that the academy was  
9 closed. It's now open. So, you know, hopefully this  
10 is an issue that will gradually, you know, turn to the  
11 rear view.

12 You know, to the extent that there would be a  
13 discussion of changing the rules or adding something  
14 in, I think that would need to be an emergency rule  
15 change. You know, if you would like me to look at  
16 that and maybe draft up something, we could look at  
17 that at the next meeting.

18 I mean an emergency rule change is nothing  
19 that I'm enthusiastic about. You know, it's usually a  
20 drastic step. But, you know, I could certainly look  
21 at that and advise the Board promptly on how we would  
22 potentially do that and what we would need to do.

23 A.G. BALDERAS: Okay. Director.

24 DIRECTOR ALZAHARNA: Yes. Just a little more  
25 resource information. Our NMAC does have a section,

1 10.29.9.15, Temporary Or Emergency Certification. So  
2 we have it in there. But what it reads is, (1), "The  
3 Director may, in his discretion, grant a temporary  
4 certification in order to avoid hardships or prevent  
5 conflicts within a department arising solely from  
6 technical noncompliance with academy board rules."

7 Now, reading that initially, it sounds like  
8 it could fall under that. But (2) says, "Said  
9 temporary certificate shall be granted only for good  
10 cause, proved to the satisfaction of the director, and  
11 shall be granted only to persons who have met the  
12 minimum standards of training prescribed by the board  
13 as well as all other state requirements."

14 So then, when I read that, then I say, okay,  
15 well, it says you can grant a temporary certification.  
16 But only if they have met the requirements for  
17 certification, which is completing the academy.

18 (3) says, "Grounds for granting such  
19 temporary certification shall include, but not be  
20 limited to, the following: A person qualifying for  
21 certification by waiver during a period between board  
22 meetings. A temporary certification must be approved  
23 and made permanent no later than the next scheduled  
24 board meeting."

25 So that's one side. The difficulty is that

1 it says you can grant it, but it still says the  
2 criteria is that they have to meet the criteria for  
3 certification, which that's kind of the issue.

4 Another side issue that I hear in this  
5 current climate, along with the criticism that law  
6 enforcement is already receiving about officers not  
7 being trained properly and not being provided adequate  
8 training -- and this is just to put it out there as  
9 another thing to consider -- is to now say, well,  
10 we're saying that our officers, you know, can be out  
11 on the street working for up to 12 months without  
12 having any law enforcement training.

13 And then, in this climate where there's  
14 concern about training, to extend that time frame --  
15 albeit for an emergency. But to extend that time  
16 frame however long to say now we may have officers on  
17 the street who haven't had training for a longer  
18 period of time may draw additional concerns.

19 CHIEF JOHNSON: John, this is Tim Johnson.  
20 And maybe you did look at this and I didn't see it.  
21 But is there anything in the Public Health Act that  
22 would give us some flexibility on this topic?

23 I think the Board needs to figure out a way  
24 to fix this today. I don't know how. I mean I can  
25 understand where we're at in law enforcement and the

1 cries from the public that we're hearing right now. I  
2 get that. I do believe that's a separate topic.

3 But I think a lot of agencies are struggling  
4 with this right now and through no fault of their own.  
5 I don't know that we can push this back to the next  
6 Board meeting if you're asking me. Obviously I don't  
7 have this problem so I'm not speaking on behalf of the  
8 State Police.

9 But all the other agencies out there are in a  
10 bind. And it's only going to get harder for them to  
11 recruit moving forward I would imagine. So we need to  
12 figure out a way for them to keep the folks they have,  
13 even if that is offering up a temporary certification  
14 in between Board meetings and we vote on that every  
15 single time like we do when recruit schools graduate  
16 or telecommunicator schools graduate.

17 We can go name by name and vote for those  
18 people to continue to have that 12 months waived until  
19 the next Board meeting. I mean that's an hour I'm  
20 willing to take during each meeting to ensure that  
21 some of these agencies have the staffing that they  
22 need.

23 Nobody asked for what we're going through. I  
24 think it's our responsibility as the Board to figure  
25 out a way to help these agencies.

1           MR. KREIENKAMP: So, Chief Johnson, I  
2 completely agree with everything you just said. I  
3 mean, as far as the Public Health Act goes, again I  
4 think it's part of the analysis. I have looked at it.

5           There are certain provisions that, you know,  
6 I might be able to make an argument about. I think  
7 the better argument is under the All Hazard Emergency  
8 Management Act. You know, that I think is very clear  
9 about what it's intended to do.

10           I do not recommend pushing this off to the  
11 next meeting. I think that you can address this. The  
12 best way you can address this today is to vote on the  
13 Board's interpretation. You can also potentially vote  
14 to issue some sort of statement. That's another  
15 option.

16           But again that would be the Board  
17 definitively saying this is how we interpret the  
18 statute, this is how we will be implementing the  
19 statute, that we're not going to, you know, reject  
20 somebody from the academy because the academy was  
21 closed and they weren't able to attend.

22           And to the extent that the Board is still  
23 worried about maybe a more permanent fix or, you know,  
24 going in and tinkering with its rules, again I don't  
25 know that that is necessary to resolve this.



1           But if you are interested in looking at that,  
2   then absolutely, I can take a look at that. I think  
3   the way you address it today is through a motion and  
4   vote.

5           A.G. BALDERAS: I think I understand this.  
6   And I welcome any Board Members to jump in if you have  
7   a slightly different understanding of what we think  
8   the solution might be here today.

9           In terms of the legal construct, what we  
10   would be looking at today and willing to vote on it  
11   and direct the Director is on how we interpret the  
12   rule. And if it's rather liberally, we're declaring  
13   today that there's enough within the law to provide  
14   the outcome and the direction that we are all willing  
15   to vote on.

16           And then secondly, for a certain time period,  
17   we would reference that we, in essence, call it a toll  
18   or call it a consideration of additional facts. But  
19   that we would not impair or harm an officer's ability  
20   to get certified considering that we would take into  
21   account the length of time for the closure of the  
22   academy and that this vote would serve as an  
23   additional authority to what is already in statute and  
24   reg.

25           Now, whether that's challenged later on

1 litigiously, at least we would be, in essence, stating  
2 our legislative and policymaking intent of how we  
3 interpret the statute, which could be considered later  
4 on in defense of these officers, cadets, or deputies.

5           And so I would be willing to entertain a  
6 motion that, after interpretation of the statute, that  
7 there be given a tolling credit for additional  
8 consideration to the one-year limitation for the  
9 length of time to be considered due to the emergency  
10 but more importantly the academy closing for that  
11 temporary time period, that that could be taken into  
12 account in the interpretation of the statute.

13           And I would entertain a motion to consider  
14 supporting and extending that support moving forward  
15 to the Director.

16           CHIEF ROMERO: Mr. Chair, this is Vice Chair  
17 Romero.

18           A.G. BALDERAS: Mr. Vice Chairman, you have  
19 the floor.

20           CHIEF ROMERO: Mr. Chair, I would like to  
21 move that motion as you just stated forward to the  
22 Board. And I would just add that we do have a  
23 significant problem. And there are officers that  
24 already their 12 months have expired.

25           Again it's through no fault of their own or

1 their agency, it's a result of this emergency. But I  
2 think we have an obligation to these departments and  
3 to the officers to do whatever we can to help them  
4 through this process.

5 And I commend the academy and the A.G.'s  
6 Office and others. I know we've been working on this  
7 for months. The mayor of Bernalillo has even called  
8 the Governor's Office asking why they have not done  
9 anything through an executive order.

10 I do support sending a letter to the  
11 governor. But the reality is we're really looking at  
12 waiting until the next legislative session if we want  
13 to do something with that statute to clarify that.  
14 The problem is today. And I would support moving  
15 forward with the motion as you stated for action  
16 today, sir.

17 A.G. BALDERAS: Thank you, Vice Chairman.  
18 There is a motion. Is there a second?

19 MR. TEDROW: Mr. Chair, if I may ask John a  
20 question. John, did you look at Article 4, 14-4-5.6,  
21 under the emergency rule? Because it does state, "An  
22 agency shall comply with the rulemaking procedures of  
23 the State Rules Act unless the agency finds that the  
24 time required to complete the procedures would: (1),  
25 cause an imminent peril to the public health, safety

1 or welfare."

2 And I would think our ability to not have  
3 officers on the streets during this time would cause  
4 imminent peril to the public health, safety, and  
5 welfare of our citizens.

6 MR. KREIENKAMP: Yes. Board Member Tedrow, I  
7 did look at that. I mean again I do think that it's a  
8 possibility. If the Board wanted to do this through  
9 an emergency rule, you could. You know, for our  
10 purposes I don't know that, you know, the emergency  
11 rule is necessary to resolve this.

12 I mean, even if you promulgate an emergency  
13 rule, you're still dealing with the issue of the  
14 interpretation of the statute. And I think that one  
15 way to express that interpretation is through an  
16 emergency rule. But strictly speaking, I don't know  
17 that it's absolutely necessary.

18 MR. TEDROW: I would just ask for a friendly  
19 amendment to the motion there, that we reference that  
20 we have reviewed and we believe that we have such  
21 authority under the emergency rule to make such a time  
22 for tolling.

23 CHIEF ROMERO: Mr. Chair, if I may, I have no  
24 problem to that amendment of the motion.

25 A.G. BALDERAS: Thank you. It appears that

1     that's a friendly amendment. Counselor, counsel me  
2     through the Robert's Rules here. We have a friendly  
3     amendment to add reference to the emergency rule  
4     provision. Do we entertain a voice vote on that  
5     amendment at this time?

6             MR. KREIENKAMP: I think you probably do.  
7     I'm not very familiar with Robert's Rules. They're  
8     not binding in New Mexico. But, you know, if you  
9     wanted to err on the side of caution, then yes. You  
10    could have a vote on that amendment to the motion and  
11    then vote on the motion as amended.

12            A.G. BALDERAS: Okay.

13            MR. TEDROW: John, I believe, if it was  
14    adopted as a friendly amendment, then it's just  
15    adopted right then and there's no need to have a call  
16    on it.

17            MR. KREIENKAMP: Yes. Again Robert's Rules  
18    are not binding in New Mexico so I'm not particularly  
19    concerned either way as long as the Board is clear.

20            A.G. BALDERAS: I would ask Board Member  
21    Tedrow to disclose where he learned Robert's Rules.  
22    Was that in high school?

23            MR. TEDROW: My dad's name is Robert. So I  
24    learned Robert's Rules quite a bit growing up.

25            A.G. BALDERAS: I knew you had some kind of

1 hidden training back there.

2           So I believe we would adopt that friendly  
3 amendment to cite the reference of the emergency rule.  
4 Is there any opposition to that friendly amendment as  
5 accepted by our Vice Chairman?

6           (No response.)

7           A.G. BALDERAS: We have a motion to vote on  
8 the interpretation of 29-7-6 to allow the Director to  
9 adopt or consider special considerations tied to the  
10 emergency act and related to potentially tolling. Is  
11 there a second for a voice vote?

12           SHERIFF MENDOZA: Mr. Chairman, Sheriff  
13 Mendoza. I'll second that motion. I would like to  
14 just go on the record that I do support this vote and  
15 allowing our officers to continue and departments to  
16 continue providing public safety for the State of New  
17 Mexico.

18           A.G. BALDERAS: Thank you, Board Member  
19 Mendoza. There is now a second. We can now entertain  
20 a voice vote for passage on a fair interpretation of  
21 29-7-6 in consideration of emergency declarations.

22           MS. MEDRANO: Balderas.

23           A.G. BALDERAS: In favor.

24           MS. MEDRANO: Tedrow.

25           MR. TEDROW: Yes, as amended.

1 MS. MEDRANO: Johnson.  
2 CHIEF JOHNSON: Yes.  
3 MS. MEDRANO: Mendoza.  
4 SHERIFF MENDOZA: Yes.  
5 MS. MEDRANO: Garcia.  
6 CHIEF GARCIA: Yes.  
7 MS. MEDRANO: Romero.  
8 CHIEF ROMERO: Yes.  
9 MS. MEDRANO: Monahan.  
10 MS. MONAHAN: Yes.  
11 MS. MEDRANO: Green.  
12 (No response.)  
13 A.G. BALDERAS: Monica, can you announce the  
14 roll call, the results.  
15 MS. MEDRANO: I have seven yeses and one no  
16 response.  
17 A.G. BALDERAS: Did we lose a Board Member?  
18 MS. MEDRANO: Green.  
19 DR. GREEN: Yes.  
20 MS. MEDRANO: I have eight yeses, sir.  
21 A.G. BALDERAS: Okay. The motion does pass  
22 to direct our Director on a favorable interpretation  
23 of 29-7-6 to consider extenuating and emergency  
24 circumstances and potentially tolling the one-year  
25 requirement upon those special considerations. And

1 the voice vote passes eight to zero that we are  
2 supportive of that interpretation. That motion passed  
3 as amended.

4 ITEM NO. 9: GOVERNOR'S PUBLIC HEALTH ORDER AND NMLEA  
5 OPERATIONS

6 A.G. BALDERAS: We now move to item No. 9,  
7 the discussion of the governor's public health order  
8 and also the impact on the Law Enforcement Academy  
9 Board operations. I know we've been in already  
10 considerable discussion related to these topics.

11 Director, you have the floor for item No. 9.

12 DIRECTOR ALZAHARNA: Thank you, Chairman  
13 Balderas. And for clarification will I be receiving  
14 something in writing from Counsel Kreienkamp regarding  
15 the Board's vote on that? Because, as I continue to  
16 get the questions, it will leave me in the situation  
17 as giving the same response we've been giving.

18 A.G. BALDERAS: Director, I will work with  
19 counsel to memorialize our voice vote and provide a  
20 little bit more clarity in kind of what was voted on  
21 and considered by the Board. So I'll work with our  
22 counsel to get you something as quick as possible.

23 DIRECTOR ALZAHARNA: Thank you, sir. Agenda  
24 item No. 9 has to do with the governor's public health  
25 order and NMLEA operations.



1           I attached the document in your packet,  
2   Section 24-1-3, Powers and Authority of Department.  
3   It's not necessarily the public health order but the  
4   Department of Health. The questions that we're  
5   getting in reference to this are like the direction.

6           We opened our paused academy and it has run  
7   seven days a week. And we, you know, have received  
8   concerns from agencies on all the ramifications that  
9   had for them.

10           But moving forward, as far as starting a full  
11   academy, I don't feel we have the capability to do  
12   that with our staffing. And so I don't know. It's my  
13   understanding that discussions from the DPS side with  
14   the governor's staff was that that is the only way  
15   that we were allowed to open, was seven days a week.

16           So it affected the State Police running their  
17   satellite academy and then it has affected the NMLEA.  
18   But with the staffing I have right now, I don't think  
19   it's practical.

20           I have given kudos to the staff who is  
21   running the current one seven days a week. But to put  
22   that expectation for almost twice that time frame I  
23   don't think is realistic.

24           So I don't know what the Board would prefer  
25   as far as communication with the Governor's Office

1 about that requirement as opposed to being able to run  
2 our full academy in the manner we normally do. So  
3 that is the question for this agenda item.

4 A.G. BALDERAS: Any discussion from the  
5 Board?

6 CHIEF ROMERO: Mr. Chair, this is Vice Chair  
7 Romero for the Director, if I may.

8 A.G. BALDERAS: Sure.

9 CHIEF ROMERO: So, Director, are you looking  
10 for a letter from the Board asking the governor to  
11 grant an exception to the academy so that it's not  
12 being required to run seven days consecutive to  
13 completion, is that what you're looking for?

14 DIRECTOR ALZAHARNA: Vice Chair Romero, yes.  
15 And I'm not sure if exception is the word. All the  
16 other academies in the state have been running on  
17 their regular course.

18 And, granted, I know they don't fall under  
19 the direct purview of the Governor's Office. And I  
20 don't know what it would be an exception to. I would  
21 just request that that restriction be lifted.

22 A.G. BALDERAS: Counselor, have we looked at  
23 this in terms of how we interpret the governor's  
24 order?

25 MR. KREIENKAMP: I have not, Mr. Chair. I

1    don't know that this is really a question of  
2    interpretation as much as it is sort of a public  
3    health order, you know, as far as the operation of the  
4    academy goes. I have not looked at this issue.

5                   A.G. BALDERAS: And I have not also looked  
6    into how the LEAB has operated directly under the  
7    health order. I know that our staff was informed that  
8    we would be complying with the governor's health  
9    order.

10                   But one thing that's always kind of stuck in  
11   the back of my mind, and it was not raised at the last  
12   meeting or through any correspondence through our  
13   office, but I will raise it now for discussion is the  
14   consideration of the governor's intent.

15                   Because we've worked extensively with law  
16   enforcement on the enforcement side of the health  
17   order, with Chief Johnson and local departments, and  
18   we've done considerable work.

19                   I mean we're even engaged right now with the  
20   Lea County Sheriff's Office. We're at each others'  
21   front door whether we like it or not. The health  
22   order has forced our office to work with law  
23   enforcement on these enforcement issues in the  
24   community.

25                   What I would quickly pose to the Board is

1 just what is determined to be essential. Clearly no  
2 one has challenged that law enforcement across the  
3 State of New Mexico is essential to every function of  
4 the health order and that they show up to work even  
5 with modification.

6 I could easily make the conclusion that even  
7 a cadet in training and an LEAB offering the training  
8 services to fuel additional law enforcement officers  
9 directly is interpreted that the LEAB is as essential  
10 as front-line officers already in the field.

11 So I would welcome some Board Member input.  
12 Do you see it the same way from a policy standpoint,  
13 that the governor, in terms of how she interprets law  
14 enforcement officers and how they support her health  
15 order, never intended to cut off the pipeline, albeit  
16 she did want us to all take adequate precautions as  
17 well.

18 So just in balancing that, would we be viewed  
19 as outside the health order just to declare as well  
20 that the LEAB is essential to the law enforcement  
21 function, even though they're not all certified or  
22 there's an educational and training component to that?

23 And I don't know if I got long-winded and  
24 confusing. I'm basically posing to the Board, do we  
25 view what Kelly and her staff and those cadets go

1 through as completely essential without any  
2 interruption or restriction or limitation to the  
3 health order other than complying with the health  
4 mandates like social distancing and adequate masks and  
5 whatnot?

6 And I know as your Chairman I've never posed  
7 this question to the Board during this pandemic.  
8 Kelly, you're welcome to weigh in on that question in  
9 terms of how you deem essential services.

10 MR. SHEA: Chairman Balderas, this is  
11 Secretary Shea. If I could have permission to kind of  
12 give some clarity to this issue from the perspective  
13 of what the direction from the governor has been.

14 A.G. BALDERAS: Sure. And we are not privy  
15 to those conversations. So I don't object. So  
16 without any objection we'll welcome a little bit of  
17 your feedback, Secretary.

18 MR. SHEA: Thank you, Chairman and Members of  
19 the Board. We are running two academies in the  
20 building. Obviously the State Police recruit school  
21 and the Basic Academy that serves the rest of the  
22 state.

23 When the class that's going to graduate next  
24 week was brought back from furlough -- they were  
25 furloughed because of the risk of getting a COVID

1 positive that would affect the entire academy class  
2 and could affect the other academy class in the  
3 building.

4           When they were brought back, the State Police  
5 was brought back first on the justification that they  
6 do it for seven days because they were now in a closed  
7 environment.

8           When they came in, we had all the precautions  
9 in place to make sure that they -- even though there's  
10 a probability of somebody being positive and  
11 asymptomatic, we did all of the things possible to  
12 keep them from coming into the academy in a COVID  
13 positive state.

14           The problem with the Basic Academy class  
15 going home on the weekends, when we did the analysis  
16 of the cadets that are in the class that are  
17 graduating now, I believe we had three or four cadets  
18 that actually live out of state. And they're going  
19 all over the state, going back to their homes, back to  
20 their communities, and having exposure to people that  
21 we have no control over.

22           So technically they could come back with  
23 COVID positive and then we will have to shut the  
24 academy down again. We wanted to prevent that, we  
25 wanted to get the cadets to graduate and get back to

1 their communities with that certification.

2 And the compromise and the best way to do  
3 that was to keep them on campus without allowing them  
4 to leave. So technically they're quarantined here and  
5 we have control of the environment without sending  
6 them around the state or even out of state, which some  
7 of them were going out of state when they went home to  
8 their friends and family.

9 So that was the rationale behind that, was to  
10 get the academy to be able to run without creating an  
11 undo possibility that we would get positive COVID. As  
12 you may well know, the satellite academy in Las Cruces  
13 has had to cancel because they had two or three cadets  
14 that just recently were diagnosed with COVID positive.

15 So we're trying to prevent that by going with  
16 the seven-day-a-week structure in order to keep them  
17 in a closed environment without that external  
18 possibility that they could come back after a weekend  
19 and be COVID positive.

20 I know we're looking at the next academy  
21 being in January. We have no idea whether the public  
22 health order is going to be in place in January or how  
23 it's going to be modified before January.

24 So I don't think we can apply what's current  
25 now to what we're going to have to deal with in

1 January. So that decision should be downstream and  
2 not drive the decision that you make today.

3 A.G. BALDERAS: Thank you for that,  
4 Secretary. Vice Chairman.

5 CHIEF ROMERO: Mr. Chair, for clarification  
6 from Secretary Shea, so was this decision then to do  
7 seven-day academies and keep them there at the  
8 facilities, was this decision made by DPS or was this  
9 a decision made by the governor so we know what we're  
10 actually discussing?

11 I'm confused. I thought that this was a  
12 result of the governor ordering the academy to do  
13 this. If it's not that case and it's a matter of this  
14 was a decision done by DPS for the reasons you stated,  
15 then I think that makes a difference in how we would  
16 want to approach this. Mr. Shea.

17 MR. SHEA: Mr. Chairman, Chief Romero, it was  
18 a decision out of the Governor's Office. This wasn't  
19 a DPS decision.

20 CHIEF ROMERO: Thank you.

21 SHERIFF MENDOZA: Mr. Chair.

22 A.G. BALDERAS: Board Member Mendoza.

23 SHERIFF MENDOZA: So I just want to voice my  
24 concern again reference to a seven-day academy based  
25 on overtime and budget shortfalls that departments are



1     seeing right now.

2             You know, like I said, my experience with my  
3     cadets that are in there at the seven-day academy now  
4     are accruing 84 hours of overtime per cadet per pay  
5     period. To me it's just not going to be fiscally  
6     possible for some of these small departments to comply  
7     with overtime requirements for a seven-day academy.

8             So I think we need to take that into  
9     consideration and voice that or take that into  
10    consideration when we decide how we're going to move  
11    forward.

12            A.G. BALDERAS: Thank you, Board Member. Any  
13    further questions or discussion?

14            DIRECTOR ALZAHARNA: Chairman Balderas.

15            A.G. BALDERAS: Yes.

16            DIRECTOR ALZAHARNA: Yes. As a follow-up,  
17    with moving forward, in concurrence with Secretary  
18    Shea, at some point I made a decision as I had  
19    explained earlier to start scheduling our CBW and PST  
20    classes because we are able to run them under the  
21    governor's additional restrictions.

22            And so we have booked them like I said  
23    through the beginning of Thanksgiving. Starting at  
24    Thanksgiving through Christmas, we have put on hold a  
25    major project here that could not go on at the same

1 time an academy was going on because of the  
2 disruption.

3           So what I did was schedule that work to be  
4 done between Thanksgiving and Christmas. So  
5 tentatively -- and it's not on the website. It's not  
6 anywhere else because it's just the nature of what our  
7 current scheduling is.

8           We are looking at not being able to start a  
9 full academy again until January. But there are no  
10 dates again as Secretary Shea said because we don't  
11 know what the restrictions are going to look like at  
12 that point.

13           A.G. BALDERAS: Are there any questions on  
14 those points?

15           CHIEF JOHNSON: A.G. Balderas, I would just  
16 say, I think we started this topic on how we wanted to  
17 get this message to those making this decision. So I  
18 don't know that we've answered that yet.

19           So it would be my suggestion that probably  
20 somebody smarter than me, which is everybody on this,  
21 if we could draft a letter maybe on behalf of the Law  
22 Enforcement Academy Board and also on behalf of all  
23 law enforcement in the state.

24           You know, not a strongly worded letter but a  
25 letter lining up all the facts on this topic, some

1 things that Sheriff Mendoza indicated and also  
2 Director Alzaharna, the staffing levels that it takes  
3 for this, the money that a 24/7 academy costs an  
4 agency that is already going through budget cuts, and  
5 just the overall training of these people.

6           You know, COVID is causing problems in law  
7 enforcement that are compounding on each other. So we  
8 don't have a mechanism to keep the folks that are on  
9 that 12-month rule around, the departments can't  
10 afford to send their folks up here on a 24/7 schedule.

11           And again what this could possibly look like  
12 on the back end I don't think is what the State is  
13 wanting of their police agencies. So again I think a  
14 letter lining out all of the facts and what this looks  
15 like I think would be the best course of action.

16           A.G. BALDERAS: Thank you, Chief. I'm also  
17 in support. And we can frame it in the form of a  
18 letter or I can have a direct conversation with the  
19 Governor's Office. I believe that the Board needs to  
20 request guidance as it relates to the governor's  
21 intent in how the LEAB provides safe services.

22           And we're a Board that only meets four times  
23 a year. And we don't have necessarily direct  
24 executive control of the day-to-day management. But  
25 we also hear the Director and the Secretary are doing

1     their best to comply.

2                 I do think we're at a point in the COVID  
3     crisis where the data shows that we're trending down.  
4     And just like any other institutional area of  
5     business, we need additional guidance to plan out  
6     whether we need to be more virtual come this spring.

7                 I also take to heart Board Member Mendoza's  
8     input. I would like to draft a letter as well  
9     requesting that the Board is in support of COVID  
10    financial assistance for law enforcement departments  
11    as well as the LEAB.

12                It shouldn't be a question of resources. As  
13    I interpret the federal appropriations that have come  
14    into the State of New Mexico, I would think that  
15    properly accounting and requesting taxpayer dollars to  
16    pay for additional overtime to meet these  
17    qualifications and safety standards is something that  
18    this Board should be strongly in favor of as well.

19                So I'm okay with us voting that the Director,  
20    with the counsel and advice of the Board and my  
21    staff -- and we will keep this as harmless as possible  
22    to the Board's time. My staff will reach out to you  
23    and seek input for this letter.

24                But I am also in favor and would entertain a  
25    motion to at least send a letter to the governor

1 providing some guidance to Secretary Shea, our  
2 Director, and our Board Members on how it is that we  
3 would like to continue to meet our mission of the LEAB  
4 and also for these functions to be considered for  
5 additional assistance.

6 And the only reason I offer that up is I know  
7 that we are also being asked to properly account for  
8 how many dollars we've expended related to COVID so  
9 that the Department of Finance and the Legislature  
10 could consider backfilling those expenses. So I do  
11 appreciate Board Member Mendoza bringing that  
12 financial hardship aspect up as well.

13 Mr. Vice Chairman, would you mind taking the  
14 meeting over briefly. I've got someone at my door.  
15 So if you don't mind just proceeding with item No. 9  
16 and then maybe even as well as 10 and 11. But I'll do  
17 my best to jump right back on.

18 CHIEF ROMERO: Yes, sir. I've got it. So on  
19 agenda item No. 9, do we have a motion as stated by  
20 our Chair to draft a letter from the Board. And  
21 Attorney General counsel will contact Board Members  
22 for their input and finalize this letter that outlines  
23 the issues that Director Alzaharna referenced, do we  
24 have a motion for that letter?

25 CHIEF JOHNSON: One thing, Chief, if I can

1 ask and I'll stop talking. But I think the Secretary  
2 is probably more educated on this topic than I am.  
3 But is there any way that those agencies would be able  
4 to tap into the Law Enforcement Protection Fund if by  
5 chance we had to maintain the 24/7 academy schedule?

6 CHIEF ROMERO: Secretary Shea, are you still  
7 on the line or Deputy Secretary Fons?

8 DEPUTY SECRETARY FONS: Chief Romero, yes.  
9 I'm sorry for the delay. I was involved in another  
10 conversation here. I'm sorry.

11 CHIEF ROMERO: Chief Johnson had a question  
12 for you regarding the Law Enforcement Protection Fund  
13 that you might be able to answer for us.

14 DEPUTY SECRETARY FONS: Okay. I'm sorry.  
15 Could you restate the question, please.

16 CHIEF JOHNSON: It wasn't necessarily  
17 directed at you, Dr. Fons. Maybe anybody on the call  
18 that has an intimate knowledge of the Law Enforcement  
19 Protection Fund.

20 If we had to continue down this path of 24/7  
21 recruit schools and cert-by-waiver classes and  
22 dispatch schools, is there a possibility in the  
23 language of the Law Enforcement Protection Fund that  
24 agencies could be reimbursed for those additional  
25 expenses? If anybody knows that.

1           DEPUTY SECRETARY FONS: Well, I think there's  
2 a possibility of looking at it because that money is  
3 primarily designed for training issues. So I think  
4 there's a possibility that that could be done. But in  
5 the interim time, I think there is a substantial pool  
6 of CARES Act money out there that agencies can use to  
7 apply for reimbursement for overtime.

8           I believe that Director Alzaharna had sent  
9 out some information on how to apply for that money.  
10 I don't believe any of that has been expended yet,  
11 it's still out there.

12           But to answer your question, I'm not exactly  
13 sure at this time. We would have to look into that.  
14 But that LEPF money as you know is designed for  
15 training issues. So there's a possibility it could be  
16 used for that, I'm just not real sure. We would have  
17 to take a little harder look at that.

18           SECRETARY SHEA: Mr. Vice Chair and Chief  
19 Johnson, this is Secretary Shea. If I could respond  
20 to the LEPF. By statute, you know, each agency is  
21 given their base allocation. And then they are  
22 getting \$600 per officer.

23           The statute clearly states what that money  
24 could be spent for. That money has been disbursed.  
25 If we were to make any modifications to that other

1    than what the disbursement has been or is in statute  
2    to be disbursed now, it would have to be a statutory  
3    change in order to add additional funds out of LEPF  
4    that's going to the respective agencies.

5               What is not allocated through DFA goes back  
6    to the general fund. And that's all by statute. So  
7    right now that money I don't think -- other than the  
8    distribution that each agency is getting, whether it's  
9    the 20, 30, or 40,000 base plus the 600 per officer,  
10   that money goes to each one of those agencies. And  
11   they could use it to pay for the overtime for people  
12   that are going to the academy if they so desire.

13              I know another issue on the overtime, some  
14   agencies are under union contracts as to how they pay  
15   their cadets that are in the academy. But I know that  
16   the FLSA rulings in the past have been that people  
17   going to the academy are trainees and they are not  
18   under the overtime constraints.

19              So unless there's something in a local  
20   jurisdiction's HR rules or in a union contract under  
21   FLSA, it's my understanding that they don't have to  
22   pay them overtime. But again that's a side issue.

23              CHIEF ROMERO: Thank you, Mr. Secretary and  
24   Deputy Secretary. I appreciate the feedback. Does  
25   any other Board Member have any questions?



1 (No response.)

2 CHIEF ROMERO: If not, then I would entertain  
3 a motion for a letter to be drafted by Board counsel  
4 and the A.G's Office with input from the Board to be  
5 sent to the Governor's Office to clarify her public  
6 safety order as it pertains to the academy. Is anyone  
7 willing to make a motion?

8 MR. TEDROW: Mr. Chair, this is Rick Tedrow.  
9 So moved.

10 CHIEF ROMERO: Thank you, Board Member  
11 Tedrow. Do we have a second?

12 CHIEF JOHNSON: Tim Johnson seconds.

13 CHIEF ROMERO: Thank you, Chief. Monica,  
14 would you do a roll call vote, please. We have a  
15 motion and a second on agenda item No. 9 to do a  
16 letter. Monica.

17 MS. MEDRANO: Tedrow.

18 MR. TEDROW: Yes.

19 MS. MEDRANO: Johnson.

20 CHIEF JOHNSON: Yes, ma'am.

21 MS. MEDRANO: Mendoza.

22 SHERIFF MENDOZA: Yes.

23 MS. MEDRANO: Garcia.

24 CHIEF GARCIA: Yes.

25 MS. MEDRANO: Romero.

1 CHIEF ROMERO: Yes.

2 MS. MEDRANO: Monahan.

3 MS. MONAHAN: Yes.

4 MS. MEDRANO: Green.

5 DR. GREEN: Yes.

6 CHIEF ROMERO: Thank you, Board Members. Is  
7 there anyone in opposition to this vote?

8 (No response.)

9 CHIEF ROMERO: Hearing none, the motion does  
10 pass on agenda item No. 9.

11 ITEM NO. 10: NMSP0 HIRING FREEZE AND NMLEA

12 CHIEF ROMERO: Now, moving to agenda item  
13 No. 10, NMSP0 hiring freeze and the LEA, it looks like  
14 there's a request again to send a letter to the  
15 governor. Director Alzaharna, I'll turn it over to  
16 you.

17 DIRECTOR ALZAHARNA: Yes. The resource  
18 material in your binder is a copy of the general  
19 memorandum sent out from the Governor's Office on  
20 April 22 regarding the State hiring freeze.

21 The way that has affected the NMLEA is we  
22 have been trying to hire my entire time here so far.  
23 We were in process and still are in process of a  
24 reorganization. I think I've talked a little bit  
25 about that in the past, the positions that we're

1 reclassifying.

2           We were in the process of that when this  
3 hiring freeze came. And so even if a class went  
4 through, there's still a hiring freeze. And we are  
5 unable to hire.

6           With DPS and HR and with SPO, we have been  
7 working extremely hard to jump through the hoops and  
8 fill out the paperwork and answer all their questions  
9 regarding the exemption requests with DPS and law  
10 enforcement being essential services.

11           We're doing everything they've asked. But  
12 just where we are right now is I'm working again at a  
13 65 percent vacancy rate. We're almost at a standstill  
14 at most of our function. It's not because we don't  
15 know how to function, it's not because our staff isn't  
16 doing what they're supposed to be doing.

17           The longer this goes on, the more is piled  
18 on. And it's just going to be virtually impossible  
19 for us to keep up with stuff. The current situation,  
20 of course, you're aware of is trying to run academies  
21 with one instructor.

22           So the request was to send a note to the  
23 Governor's Office regarding the hiring freeze and how  
24 it is affecting the Board, its operations, and how  
25 that is affecting law enforcement agencies throughout

1 the State.

2 MR. TEDROW: Director, have you done the  
3 email requests to the governor, DFA, and State  
4 Personnel?

5 DIRECTOR ALZAHARNA: The email?

6 MR. TEDROW: Under the memorandum it does  
7 state that, if we look at recruitment, they do talk  
8 about -- okay.

9 DIRECTOR ALZAHARNA: Yes, we have. We have  
10 sent in at least one, I believe two. We have followed  
11 all the steps outlined in the memo. We have worked  
12 directly with SPO and followed all of the steps that  
13 have been outlined; and then, when we finish a  
14 process, there are more steps. We're doing everything  
15 we can possibly do.

16 MR. TEDROW: Okay. Have they denied the  
17 request or they just have not responded to it at all?

18 DIRECTOR ALZAHARNA: Well, the Governor's  
19 Office I don't believe has been involved. The process  
20 has been through SPO. And the reclass and reorg has  
21 been going on at least since the beginning of the  
22 year. With the hiring freeze now, it's been going on  
23 since April.

24 So the inclination that you can exemption  
25 request to hire isn't that simple. We're in the fifth

1 month right now of this greatly affecting us. And the  
2 effect is we're still not able to hire.

3 MR. TEDROW: Okay. If I understand right,  
4 I'll make a motion right away. I think it's pertinent  
5 that the Board and the Director send a letter to the  
6 Governor's Office, DFA, and State Personnel advising  
7 that we have tried to hire, we are essential, we need  
8 to meet the immediate and day-to-day needs of COVID  
9 and public health emergencies; however, we have not  
10 received any word on lifting our hiring freeze. And  
11 then stating that it's essential that we proceed and  
12 we get this approval.

13 A.G. BALDERAS: Is there a second to that  
14 motion?

15 MS. MONAHAN: This is Connie. Mr. Chair, I  
16 would be honored to second that motion. It's  
17 essential.

18 A.G. BALDERAS: Thank you, Board Member.  
19 There is a motion and a second to send a letter to the  
20 governor asking for a favorable interpretation to  
21 allow the LEAB to hire, whether it be that they are  
22 absolutely a necessity to the function of government  
23 or that they be considered for some type of favorable  
24 waiver under an additional justification.

25 But I also agree with the Board's input and

1 the motion that it seems like they should come under a  
2 favorable interpretation of necessary.

3 And I also, in addition to the motion and  
4 second, will advise my staff to strengthen any  
5 authority and put in that letter favorable  
6 interpretations of case law where DFA might have a  
7 different interpretation of what law enforcement  
8 function is. We would gladly support the drafting of  
9 that letter.

10 There is a motion and a second. We can  
11 entertain a voice vote now to send a letter to DFA and  
12 the Governor's Office requesting support and  
13 assistance.

14 MR. TEDROW: I would just point out the  
15 letter also needs to go to SPO.

16 A.G. BALDERAS: Okay. Good catch. Monica,  
17 do you mind doing a voice vote.

18 MS. MEDRANO: Balderas.

19 A.G. BALDERAS: In favor.

20 MS. MEDRANO: Tedrow.

21 MR. TEDROW: Yes.

22 MS. MEDRANO: Johnson.

23 CHIEF JOHNSON: Yes, ma'am.

24 MS. MEDRANO: Mendoza.

25 SHERIFF MENDOZA: Yes.

1 MS. MEDRANO: Garcia.

2 CHIEF GARCIA: Yes.

3 MS. MEDRANO: Romero.

4 CHIEF ROMERO: Yes.

5 MS. MEDRANO: Monahan.

6 MS. MONAHAN: Yes.

7 MS. MEDRANO: Green.

8 DR. GREEN: Yes.

9 A.G. BALDERAS: There was a voice vote, a  
10 motion, and a second to send a letter to the governor,  
11 SPO, and DFA asking for approval to hire under the  
12 hiring freeze. The motion and a second passed eight  
13 to zero. And my staff will also assist with the  
14 drafting of that letter.

15 ITEM NO. 11: EXTENSION OF INSTRUCTOR RENEWAL  
16 REQUIREMENTS

17 A.G. BALDERAS: We now move to item No. 11,  
18 extension of instructor certifications. I'll yield to  
19 the Director.

20 DIRECTOR ALZAHARNA: Thank you, Chairman  
21 Balderas. Number 11 is similar, attached to how the  
22 LEA operations are being affected by COVID. This has  
23 to do with all the various levels.

24 I'll start with A under item No. 11. And  
25 that reference material is in your binder. 10.29.4.8

1 has to do with the general instructor certification.  
2 Right now the wording in there says, "Qualified  
3 applicants for a general instructor designation will  
4 be issued a certification for a period of two or more  
5 years."

6 Right now the standard has been two years.  
7 And I think what the effect here is more direction on  
8 not necessarily a waiver but an extension. This is  
9 just a Board regulation. It's my understanding it's  
10 not in statute, this is something the Board set out.

11 So if there would be an extension for  
12 whatever the Board feels is realistic. Of course, I  
13 would say six months. But since we're not through  
14 this yet, I guess theoretically we could have people  
15 whose certifications would be expiring, you know, six  
16 months from now.

17 It could be just to extend it for a year to  
18 give anybody who is expiring during this time period  
19 that extension with the hopes of us coming out of it.

20 I don't really have a hard-and-fast  
21 recommendation. I just know right now that these  
22 concerns are the same for instructors because they're  
23 unable to get the required -- if there's a refresher  
24 or additional training or updates required, it's just  
25 not available for them right now.



1           CHIEF JOHNSON: Director Alzaharna, this is  
2 Tim Johnson. We've never read the "or more years,"  
3 we've always just been a hard two?

4           DIRECTOR ALZAHARNA: Well, I think it allows  
5 for it to be more. But from what I'm looking at, the  
6 certificates, the set expiration has been set at two  
7 years.

8           So the problem is that the instructors who  
9 have certificates right now, it already lists a hard  
10 expiration date on their certificate. And that date  
11 was based on a two-year period. So for somebody who  
12 just got their certificate five months ago, it's not  
13 an issue, the two year period is out.

14          MR. TEDROW: Mr. Chair, this sounds like an  
15 easier one because this is under our rules. I think  
16 we do have the authority to change stuff. I would  
17 like to make a motion that this Board extend the  
18 current instructor training periods by six months  
19 beginning today's date.

20          The reason I say six months is I'm sure  
21 hopeful that we're not doing a lot of this stuff in a  
22 couple months, let alone six months.

23          Secondly, I do see a very busy legislative  
24 session in February, where some of those changes may  
25 be immediate that we're looking at when it comes to

1   certifications and trainings. So I think going a year  
2   is just going to bring us back. But I would very  
3   happily motion that we as a Board extend those  
4   certifications by six months beginning today's date.

5               CHIEF JOHNSON: I'll second that. Tim  
6   Johnson.

7               DIRECTOR ALZAHARNA: May I ask a  
8   clarification question?

9               MR. TEDROW: Yes.

10              DIRECTOR ALZAHARNA: Sorry for my linear  
11   thinking. So six months from today it's the basic  
12   intent that anybody whose instructor certificate is  
13   due to expire between now and six months will remain  
14   in effect until the end of six months?

15              MR. TEDROW: Yes. That is the intent of my  
16   motion.

17              DIRECTOR ALZAHARNA: Okay. Thank you.

18              CHIEF JOHNSON: Do we think it would be  
19   easier just to put a date on that versus six months?  
20   Six months is going to vary for each instructor  
21   depending on when he or she got the certification. I  
22   think it would probably be easier for us just to put a  
23   date of June 30th and that way everybody is on the  
24   same one.

25              MR. TEDROW: Tim, do you sort of mean as an

1 end date? So what if we just picked February 1 of  
2 2021? That's just over six months from now.

3 MS. MONAHAN: That would affect those who  
4 have expired since March through now?

5 A.G. BALDERAS: That is also what I'm  
6 wondering. What happens to the ones that have already  
7 expired?

8 MR. TEDROW: I think I would amend my own  
9 motion to clarify that instructors whose  
10 certifications are set to expire in the calendar year  
11 2020 are hereby extended at least until February 1 of  
12 2021.

13 CHIEF JOHNSON: We could even get more  
14 granular, if you wanted to. I think the public health  
15 order went into effect March 20 of 2020. So any  
16 certifications that expired between March 12 or set to  
17 expire February 1, all of those are extended until  
18 February 1.

19 And I think there should probably be some  
20 language in there stating why we're doing this to each  
21 one of those instructors and that, you know, come  
22 January they probably need to start looking at where  
23 they're at with that.

24 MR. KREIENKAMP: Mr. Chair, if I could just  
25 jump in. I might suggest a slightly different

1 approach to this. It seems to me that the issue is  
2 the inability to complete the required continuing  
3 education as part of the renewal; is that correct?

4 A.G. BALDERAS: That and also the potential  
5 instructors that have already expired.

6 MR. KREIENKAMP: Right. And they were unable  
7 to be renewed because they weren't able to complete  
8 their training; is that correct, Director Alzaharna?

9 A.G. BALDERAS: Yes.

10 DIRECTOR ALZAHARNA: For most of them, yes.  
11 Each one of those may be a little different because  
12 the requirements are different.

13 MR. KREIENKAMP: Okay. I mean what other  
14 occupational licensing boards around the state are  
15 doing to deal with this is they're basically saying we  
16 will renew your license without proof of continuing  
17 education or training. And then you'll have, let's  
18 say, three months from the end of the state of  
19 emergency to complete that missing required, you know,  
20 continuing education.

21 I might suggest taking an approach along  
22 those lines, you know, because that way, you know,  
23 they're being allowed to renew their license like they  
24 would normally; but the academy and the Board is  
25 accommodating their inability to get that training.

1 That might be another way to address this.

2 MR. TEDROW: I would just like to point out,  
3 in today's current cultures out there, I don't know if  
4 we want to not require -- I don't know. I would  
5 rather the Board take a hard stance on it than just  
6 simply saying we're not going to require renewal right  
7 now.

8 And that's just based sort of off of current  
9 status of both social media and of protests and  
10 everything else against law enforcement. I think it's  
11 better that we recognize that they do have the  
12 training. And we're just extending it through our  
13 powers beyond two years. I'm really hesitant just to  
14 say you're not required to.

15 SHERIFF MENDOZA: Mr. Chair, I would agree  
16 with John only because we don't know when the state of  
17 emergency is going to end. And I don't have faith  
18 that we'll find the required continuing education by  
19 February 1 and we're going to be here having another  
20 vote or extending this another couple months depending  
21 on when our meeting falls prior or after that  
22 deadline. We're going to run into a situation.

23 So I would be in line with counsel to just  
24 put an end date that we would extend the  
25 certifications until state of emergency ends and then

1 give them a hard date of when they're required to get  
2 that continuing education, because we don't know when  
3 this is going to end.

4 And February 1 seems far away now, but it's  
5 going to come up here pretty quick. And I'm not sure  
6 everything is going to wrap up to meet that deadline.

7 MR. KREIENKAMP: I would also just add, you  
8 know, in terms of, you know, sort of a waiver of  
9 training, I think the effect is very similar of both  
10 of these approaches.

11 I mean whether you are sort of extending  
12 their certification for another six months or whether  
13 you're allowing them to renew with a requirement that  
14 they complete the required training as soon as it's  
15 available, you know, either way, you know, they're  
16 being able to renew their license without that  
17 training.

18 So I don't know from a practical side I would  
19 see that. My only concern is that these were  
20 certifications that were issued with a particular  
21 expiration date. And there was certain training that  
22 was required to be done during the validity of that  
23 certification.

24 So what this would do is they would still  
25 have to complete their training for their next renewal

1 cycle, but it would take into account the fact that  
2 they don't have any training that's available right  
3 now.

4           And maybe that's a different approach to take  
5 rather than just saying three months from the end of  
6 the state of emergency, just make it based on the  
7 availability of training. Because I think that's the  
8 underlying problem.

9           DIRECTOR ALZAHARNA: Chairman Balderas, just  
10 some thoughts as far as trying to track all of that.  
11 It would leave us in the situation where, let's say,  
12 starting from March 12, the people who have expired,  
13 if that continuing education isn't required, then we  
14 will have a whole batch, almost a year's worth, of  
15 instructors who will get their certificates renewed.

16           So they will go two years with no  
17 requirement. You know, they'll come back and renew  
18 two years from whenever they get renewed. So they  
19 won't have that requirement, it will kind of just be a  
20 blanket waiver of the requirements.

21           As far as tracking that, if we request that,  
22 you know, with the requirement that they get the  
23 required training when it's available, we don't have  
24 the mechanism to track that. So not that it's not  
25 doable. You would hope they would do it.

1           But without any teeth, realistically I think  
2   we may still end up with basically just having  
3   extended everybody's instructor certifications for two  
4   years. And I'm not saying that's a plus or a minus.  
5   It's just how I see it working through on this end.

6           A.G. BALDERAS: Any other direction or  
7   guidance from the Board?

8           MR. TEDROW: No, Mr. Chair. But I think at  
9   this time what I'll do is withdraw my motion so that  
10   we can come up with a motion that covers what  
11   everybody is talking about.

12          A.G. BALDERAS: Okay. Are there any brave  
13   Board Members that would like to take on that motion  
14   now? I would entertain any leadership from any of the  
15   Board Members.

16          MR. TEDROW: Mr. Chair, I would ask if John  
17   could reply to this. Based off of what the Director  
18   just stated, it sounds like just doing a renewal  
19   wouldn't be in our best interests. Do you think that  
20   we're better off with going with a beginning date and  
21   then extending it at least for now?

22          I know the sheriff has a concern on how long  
23   this will go. But I think I agree with the Director.  
24   I don't want to see sort of a blanket we're going to  
25   see these guys in two years, not as soon as possible.



1     So that's sort of why I don't like sort of doing just  
2     a flat renewal.  So, John, I was curious about what  
3     you may have thought there.

4                 MR. KREIENKAMP:  So I guess I'm looking at it  
5     from the perspective of, you know, these are people  
6     who had their certifications and they needed to renew  
7     within two years; what is the reason that they  
8     couldn't renew.

9                 You know, if you just say everybody will have  
10    their certification for another year, it doesn't  
11    really matter why they weren't able to renew.  The  
12    only thing that matters is that they didn't renew, and  
13    now they have it for another six months.

14                If you make it narrowly tailored so that  
15    we're looking at training; the reason why this is a  
16    problem is that these people can't renew because they  
17    can't secure these training hours.  That's my  
18    recommendation.

19                These other boards around the State have  
20    taken the approach that it's not that they want to  
21    waive these requirements.  They're still there.  
22    They're still going to be required to get these  
23    courses.  It's just that they're simply not available  
24    right now.

25                And so what they've done is they've set it

1 with more of an expiration date for either the  
2 pandemic to wrap up or the state of emergency or  
3 they've left it a little more open-ended in saying for  
4 the moment we are permitting renewals to take place  
5 without proof of continuing education, but we're not  
6 waiving that requirement. And as soon as courses are  
7 available, we'll give you three months to complete it;  
8 and that's when we would go after your license.

9           You know, I guess that's how I'm looking at  
10 the issue. I mean I totally agree with not waiving  
11 education requirements. It's just a matter of  
12 tailoring the Board's action to the situation at hand  
13 I guess.

14           MR. TEDROW: And we're not looking to just  
15 provide renewal at this point. I mean we have the  
16 authority to extend it beyond two years. I mean we're  
17 not really renewing anyone's at this point, we're just  
18 saying we're giving you an extra period of time, we're  
19 extending the two years.

20           So we're not renewing anyone's, we're just  
21 telling them we're giving them a little more time to  
22 get it done, right?

23           DIRECTOR ALZAHARNA: That may be easier to  
24 track as I look at it. Because what we get is  
25 individual calls, hey, my certificate expires. As we

1 get those, it's easier to look at it and be able to  
2 track that and tell them, no, you know, you've got an  
3 additional X amount of time to do it.

4 So that is a little more doable than thinking  
5 about renewing them without getting that continuing  
6 education.

7 CHIEF JOHNSON: I think we need that start  
8 date too, because the folks that chose not to do it prior  
9 to COVID, I don't think that's our problem. I think  
10 they chose not to do that at the time.

11 So like I said, starting this on March 12,  
12 running it through February 1, seems the most  
13 reasonable to me than extending it. And I think we're  
14 doing our job as far as what the public is requiring  
15 of us by not just leaving this open-ended.

16 So if come February we don't have this, you  
17 know, the COVID situation hasn't subsided, then we  
18 just look at this again as a Board and extend it  
19 another six months, if we have to. But I think I'm  
20 good with a start date and an end date.

21 MR. TEDROW: Chief, that sounded like a  
22 motion.

23 A.G. BALDERAS: Yes. What is your start  
24 date?

25 CHIEF JOHNSON: So the COVID started -- don't

1 ask how I know this -- on March 12 of 2020, 0800  
2 hours.

3 A.G. BALDERAS: Are we all discussing  
4 February as the end of the legislative session, is  
5 that the point of the end date?

6 CHIEF JOHNSON: No.

7 MR. TEDROW: I think that was just close to  
8 six months from now.

9 CHIEF JOHNSON: Yeah. Farmington High School  
10 math came up with February 1 for six months.

11 MR. TEDROW: And I'm a Belen Eagle, Tim. So  
12 that's even better. I included four leap years, took  
13 away two leap years. That's how I do it.

14 A.G. BALDERAS: You're an Eagle from where?

15 MR. TEDROW: Belen.

16 A.G. BALDERAS: Oh my gosh.

17 DIRECTOR ALZAHARNA: Chairman Balderas.

18 A.G. BALDERAS: Yes.

19 DIRECTOR ALZAHARNA: I would ask, as the one  
20 who will have to track this, that it be through  
21 February 28. That will be the end of that month,  
22 roughly six months and a week from now. That would  
23 make it a lot easier for probably my staff and I.

24 A.G. BALDERAS: Okay. So I guess what I'm  
25 gathering from the discussion of a potential motion is

1 a start date of March 12, 2020, to end date February  
2 28, for not waiving instructor certification  
3 requirements, but allowing the Director some  
4 discretion to use March 12 to February 28 as an  
5 ability to extend the instructor certification  
6 requirement. Is that my understanding of that  
7 potential motion from the chief?

8 MR. TEDROW: Mr. Chair, I think that's what I  
9 heard. So I would second that if that's the chief's  
10 motion.

11 A.G. BALDERAS: Okay. We have a second. And  
12 putting aside any derogatory remarks toward Farmington  
13 by the chief, there is a motion and a second from  
14 March 12 to February 28 that the Director can consider  
15 at least extending the extension without waiving  
16 educational requirements. There's a motion and a  
17 second. I'll now entertain a voice vote.

18 MS. MEDRANO: Balderas.

19 A.G. BALDERAS: In favor.

20 MS. MEDRANO: Tedrow.

21 MR. TEDROW: Yes.

22 MS. MEDRANO: Johnson.

23 CHIEF JOHNSON: Yes, ma'am.

24 MS. MEDRANO: Mendoza.

25 SHERIFF MENDOZA: Yes.

1 MS. MEDRANO: Garcia.

2 CHIEF GARCIA: Yes.

3 MS. MEDRANO: Romero.

4 CHIEF ROMERO: Yes.

5 MS. MEDRANO: Monahan.

6 MS. MONAHAN: Yes.

7 MS. MEDRANO: Green.

8 DR. GREEN: Yes.

9 A.G. BALDERAS: The motion to consider an  
10 extension relative to a March 12 to February 28  
11 instructor certification renewal and requirements,  
12 that the Director now has discretion, passes eight to  
13 zero.

14 We now can take at least a five-minute  
15 restroom break. And we will come back to discuss  
16 disciplinary matters.

17 Are there any other questions before we take  
18 a five-minute break?

19 MR. TEDROW: Just a quick question. Do you  
20 want us getting on the other one, do we need to move  
21 to go into exec?

22 A.G. BALDERAS: Yes. There will probably be  
23 a motion coming back after the break.

24 MR. TEDROW: Okay.

25 A.G. BALDERAS: And I want to thank the

1 members of the public at this point. We'll take a  
2 quick break. And then there will probably be a motion  
3 to go into executive session for discipline matters.  
4 Thank you to all who have been in attendance.

5 (Recess.)

6 CHIEF ROMERO: Would you go ahead and call  
7 roll, Monica, just so we make sure we have a quorum to  
8 proceed.

9 MS. MEDRANO: Balderas.

10 (No response.)

11 MS. MEDRANO: Johnson.

12 CHIEF JOHNSON: Present.

13 MS. MEDRANO: Mendoza.

14 SHERIFF MENDOZA: Here.

15 MS. MEDRANO: Tedrow.

16 MR. TEDROW: Here.

17 MS. MEDRANO: Garcia.

18 CHIEF GARCIA: Here.

19 MS. MEDRANO: Monahan.

20 MS. MONAHAN: Here.

21 MS. MEDRANO: Green.

22 DR. GREEN: Here.

23 MS. MEDRANO: Romero.

24 CHIEF ROMERO: Present.

25 Thank you. We're ready for the executive

1 session of our Board meeting. At this time I would  
2 entertain a motion that the Board go into closed  
3 executive session to discuss only those matters listed  
4 on the agenda under executive session pursuant to NMSA  
5 1978 10-15-1(H)(1), (3), and (7). Do I have a motion?

6 MR. TEDROW: Mr. Chair, this is Rick Tedrow.  
7 I would so move that at this time we go into executive  
8 session to discuss matters of discipline as listed in  
9 our agenda.

10 CHIEF ROMERO: Thank you, Board Member  
11 Tedrow. We have a motion. Do we have a second?

12 DR. GREEN: Bobbie Green, Mr. Chairman. I  
13 second.

14 CHIEF ROMERO: Thank you, Board Member Green.  
15 We have a motion and a second to enter into closed  
16 executive session for those items listed on the agenda  
17 under disciplinary matters. Monica, if you would call  
18 roll, please.

19 MS. MEDRANO: Tedrow.

20 MR. TEDROW: Yes.

21 MS. MEDRANO: Johnson.

22 CHIEF JOHNSON: Yes, ma'am.

23 MS. MEDRANO: Mendoza.

24 SHERIFF MENDOZA: Yes.

25 MS. MEDRANO: Garcia.



1 CHIEF GARCIA: Yes.

2 MS. MEDRANO: Romero.

3 CHIEF ROMERO: Yes.

4 MS. MEDRANO: Monahan.

5 MS. MONAHAN: Yes.

6 MS. MEDRANO: Green.

7 DR. GREEN: Yes.

8 CHIEF ROMERO: Thank you. The Board will now  
9 go into executive session to discuss disciplinary  
10 matters.

11 (Recess from 11:55 a.m. to 3:00 p.m.)

12 CHIEF ROMERO: Monica, if you'll go ahead and  
13 do a roll call of the Members so we can make sure  
14 we've got everybody back.

15 MS. MEDRANO: Tedrow.

16 MR. TEDROW: Yes.

17 MS. MEDRANO: Johnson.

18 CHIEF JOHNSON: Yes, ma'am.

19 MS. MEDRANO: Mendoza.

20 SHERIFF MENDOZA: I'm here.

21 MS. MEDRANO: Garcia.

22 CHIEF GARCIA: Here.

23 MS. MEDRANO: Romero.

24 CHIEF ROMERO: Present.

25 MS. MEDRANO: Monahan.

1 MS. MONAHAN: Yes, ma'am, I'm here.

2 MS. MEDRANO: Green.

3 DR. GREEN: Here.

4 CHIEF ROMERO: Thank you, ma'am. So at this  
5 point I would like to welcome everybody back. The  
6 Board is back in open session. I do affirm that,  
7 while in closed session, it discussed only those  
8 matters specified in the motion and listed on the  
9 agenda under executive session in accordance with NMSA  
10 1978 10-15-1(H)(1), (3), and (7).

11 ITEM NO. 12: FRANK METHOLA

12 CHIEF ROMERO: At this time we'll resume with  
13 the agenda, which is agenda item No. 12. Do I have a  
14 motion regarding Mr. Mathola?

15 CHIEF JOHNSON: D.A. Tedrow, you're on mute.

16 MR. TEDROW: All right. Can you hear me now?

17 CHIEF ROMERO: We can hear you.

18 MR. TEDROW: All right. Well, despite the  
19 chief's request that I be on mute all the time, I  
20 would make a motion to table 18-023, Frank Methola, at  
21 this time.

22 CHIEF ROMERO: Okay. We have a motion to  
23 table 18-023, Frank Methola, agenda item No. 12. Do I  
24 have a second?

25 DR. GREEN: Yes, Chief. This is Bobbie

1 Green. And I second the motion.

2 CHIEF ROMERO: Thank you, Board Member Green.  
3 We have a motion and a second to table. I would ask  
4 Monica to please do a roll call vote for all those in  
5 favor.

6 MS. MEDRANO: Tedrow.

7 MR. TEDROW: Yes.

8 MS. MEDRANO: Johnson.

9 CHIEF JOHNSON: Yes.

10 MS. MEDRANO: Mendoza.

11 SHERIFF MENDOZA: Yes.

12 MS. MEDRANO: Garcia.

13 CHIEF GARCIA: Yes.

14 MS. MEDRANO: Romero.

15 CHIEF ROMERO: Yes.

16 MS. MEDRANO: Monahan.

17 MS. MONAHAN: Yes.

18 MS. MEDRANO: Green.

19 DR. GREEN: Yes.

20 CHIEF ROMERO: Thank you. Is there anybody  
21 opposed?

22 (No response.)

23 CHIEF ROMERO: Hearing none, that action does  
24 carry forward.

25 ITEM NO. 13: CODY LATTIN

1 CHIEF ROMERO: We'll move to agenda item  
2 No. 13, Cody Lattin. Do I have a motion?

3 CHIEF JOHNSON: Mr. Chair, this is Tim  
4 Johnson. I make a motion to refer this matter to the  
5 A.G's Office for a Notice of Contemplated Action.

6 CHIEF ROMERO: Okay. We have a motion by  
7 Chief Tim Johnson. Do I have a second on agenda item  
8 No. 13?

9 MS. MONAHAN: Chairman, this is Connie  
10 Monahan. I second that motion.

11 CHIEF ROMERO: Okay. We have a motion and a  
12 second that this matter be referred to the A.G. for  
13 issuance of an NCA on Cody Lattin. Monica, would you  
14 please take a roll call vote, all those in favor.

15 MS. MEDRANO: Tedrow.

16 MR. TEDROW: Yes.

17 MS. MEDRANO: Johnson.

18 CHIEF JOHNSON: Yes.

19 MS. MEDRANO: Mendoza.

20 SHERIFF MENDOZA: Abstain.

21 MS. MEDRANO: Garcia.

22 CHIEF GARCIA: Yes.

23 MS. MEDRANO: Romero.

24 CHIEF ROMERO: Yes.

25 MS. MEDRANO: Monahan.

1 MS. MONAHAN: Yes.

2 MS. MEDRANO: Green.

3 DR. GREEN: Yes.

4 CHIEF ROMERO: Thank you. Anyone in  
5 opposition?

6 (No response.)

7 CHIEF ROMERO: Hearing none, that motion does  
8 carry with one abstention.

9 ITEM NO. 14: STUART VIGIL

10 CHIEF ROMERO: We'll move on to agenda item  
11 No. 14, Stewart Vigil. Do I have a motion?

12 SHERIFF MENDOZA: Mr. Vice Chair, Sheriff  
13 Mendoza. I make a motion for a one-year suspension of  
14 the certification of Mr. Stuart Vigil.

15 CHIEF ROMERO: Okay. And for clarification,  
16 Sheriff, when would that suspension begin?

17 SHERIFF MENDOZA: That suspension begins on  
18 today's date.

19 CHIEF ROMERO: Okay. We have a motion for a  
20 one-year suspension effective as of today from Sheriff  
21 Mendoza. Do I have a second?

22 CHIEF GARCIA: Chief Garcia. I second.

23 CHIEF ROMERO: Okay. I have a motion and a  
24 second by Chief Garcia for a one-year suspension  
25 effective today on Stuart Vigil. Monica, would you

1 please take a roll call vote of all those in favor.

2 MS. MEDRANO: Tedrow.

3 MR. TEDROW: Yes.

4 MS. MEDRANO: Johnson.

5 CHIEF JOHNSON: Yes.

6 MS. MEDRANO: Mendoza.

7 SHERIFF MENDOZA: Yes.

8 MS. MEDRANO: Garcia.

9 CHIEF GARCIA: Yes.

10 MS. MEDRANO: Romero.

11 CHIEF ROMERO: Yes.

12 MS. MEDRANO: Monahan.

13 MS. MONAHAN: Yes.

14 MS. MEDRANO: Green.

15 DR. GREEN: Yes.

16 CHIEF ROMERO: Okay. Anyone opposed?

17 (No response.)

18 CHIEF ROMERO: Hearing none, that motion does  
19 carry.

20 ITEM NO. 15: LORENZO SANCHEZ

21 CHIEF ROMERO: We'll move to agenda item  
22 No. 15, Lorenzo Sanchez. I would entertain a motion.

23 SHERIFF MENDOZA: Mr. Vice Chair, Sheriff  
24 Mendoza. In the matter of Lorenzo Sanchez,  
25 Certification No. 19-061, I make a motion to authorize

1 the Director to offer a pre-NCA settlement and lift  
2 the immediate suspension.

3 CHIEF ROMERO: Okay. We have a motion. Do I  
4 have a second?

5 MS. MONAHAN: This is Connie. I second that  
6 motion.

7 CHIEF ROMERO: Okay. We have a motion and a  
8 second regarding Lorenzo Sanchez. At this time I  
9 would ask Monica to please take a roll call vote of  
10 all those in favor.

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: Monahan.

22 MS. MONAHAN: Yes.

23 MS. MEDRANO: Green.

24 DR. GREEN: Yes.

25 CHIEF ROMERO: Okay. Any opposed?

1 (No response.)

2 CHIEF ROMERO: Hearing none, the motion does  
3 carry.

4 ITEM NO. 16: JAMES LUJAN

5 CHIEF ROMERO: We'll now go to agenda item  
6 No. 16, James Lujan. I would entertain a motion.

7 MR. TEDROW: Mr. Chair, this is Rick Tedrow.  
8 At this time I would make a motion on 20-016, James  
9 Lujan. And I would move to table this matter.

10 CHIEF ROMERO: Okay. We have a motion to  
11 table this matter on agenda item No. 16. Is there a  
12 second?

13 DR. GREEN: Mr. Chairman, this is Bobbie  
14 Green. I second the motion.

15 CHIEF ROMERO: Thank you. We have a motion  
16 and a second to table. I would ask Monica to please  
17 take a roll call vote of all those in favor.

18 MS. MEDRANO: Tedrow.

19 MR. TEDROW: Yes.

20 MS. MEDRANO: Johnson.

21 CHIEF JOHNSON: Yes.

22 MS. MEDRANO: Mendoza.

23 SHERIFF MENDOZA: Yes.

24 MS. MEDRANO: Garcia.

25 CHIEF GARCIA: Yes.



1 MS. MEDRANO: Romero.

2 CHIEF ROMERO: Yes.

3 MS. MEDRANO: Monahan.

4 MS. MONAHAN: Yes.

5 MS. MEDRANO: Green.

6 DR. GREEN: Yes.

7 CHIEF ROMERO: Okay. Any opposition?

8 (No response.)

9 CHIEF ROMERO: Hearing none, that motion does  
10 carry.

11 ITEM NO. 17: CHRISTOPHER MORENO

12 CHIEF ROMERO: We'll move on to agenda item  
13 No. 17, Christopher Moreno. And I'll entertain a  
14 motion.

15 CHIEF JOHNSON: Vice Chair, this is Tim  
16 Johnson. I would like to make a motion to revoke  
17 Mr. Christopher Moreno's certification by default.

18 CHIEF ROMERO: Okay. We have a motion for  
19 revocation. Do we have a second?

20 MS. MONAHAN: I will second that motion.

21 CHIEF ROMERO: Thank you. We have a motion  
22 and a second to revoke the certification of  
23 Christopher Moreno. I would ask Monica to please call  
24 roll of all those in favor.

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: Monahan.

11 MS. MONAHAN: Yes.

12 MS. MEDRANO: Green.

13 DR. GREEN: Yes.

14 CHIEF ROMERO: Any opposition?

15 (No response.)

16 CHIEF ROMERO: Hearing none, that motion does

17 carry.

18 ITEM NO. 18: DUSTIN BINGHAM

19 CHIEF ROMERO: We'll move on to agenda item

20 No. 18, Dustin Bingham. Do I have a motion?

21 CHIEF JOHNSON: Mr. Vice Chair, this is Tim

22 Johnson. I would again like to make a motion to

23 revoke the certification of Mr. Dustin Bingham.

24 CHIEF ROMERO: Okay. We have a motion by

25 Chief Johnson for revocation of Dustin Bingham. Is

1     there a second?

2             DR. GREEN:   Mr. Chairman, this is Bobbie  
3     Green.    I second the motion.

4             CHIEF ROMERO:  Thank you.  We have a motion  
5     and a second by Dr. Green for revocation on Dustin  
6     Bingham.  Monica, would you please take roll call of  
7     all those voting in favor, please.

8             MS. MEDRANO:  Tedrow.

9             MR. TEDROW:  Yes.

10            MS. MEDRANO:  Johnson.

11            CHIEF JOHNSON:  Yes, ma'am.

12            MS. MEDRANO:  Mendoza.

13            SHERIFF MENDOZA:  Abstain.

14            MS. MEDRANO:  Garcia.

15            CHIEF GARCIA:  Yes.

16            MS. MEDRANO:  Romero.

17            CHIEF ROMERO:  Yes.

18            MS. MEDRANO:  Monahan.

19            MS. MONAHAN:  Yes.

20            MS. MEDRANO:  Green.

21            DR. GREEN:  Yes.

22            CHIEF ROMERO:  Okay.  Any opposition?

23            (No response.)

24            CHIEF ROMERO:  Hearing none, that motion does  
25     carry with one abstention.

1                   ITEM NO. 19:   EDMUND WALLACE

2                   CHIEF ROMERO:   And we'll move to agenda item  
3   No. 19, Edmund Wallace.   And I would entertain a  
4   motion.

5                   SHERIFF MENDOZA:   Mr. Vice Chair, Sheriff  
6   Mendoza.   In regards to Edmund Wallace, Certification  
7   No. 17-040, I make a motion for revocation by default.

8                   CHIEF ROMERO:   Thank you, Sheriff.   We have a  
9   motion for revocation by default on Edmund Wallace.  
10   Is there a second?

11                  CHIEF JOHNSON:   Vice Chair, Tim Johnson.   I  
12   second.

13                  CHIEF ROMERO:   Thank you, Chief Johnson.   We  
14   have a motion and a second for revocation by default  
15   of Edmund Wallace.   Monica, would you please take roll  
16   call of all those in favor.

17                  MS. MEDRANO:   Tedrow.

18                  MR. TEDROW:   Yes.

19                  MS. MEDRANO:   Johnson.

20                  CHIEF JOHNSON:   Yes.

21                  MS. MEDRANO:   Mendoza.

22                  SHERIFF MENDOZA:   Yes.

23                  MS. MEDRANO:   Garcia.

24                  CHIEF GARCIA:   Yes.

25                  MS. MEDRANO:   Romero.

1 CHIEF ROMERO: Yes.

2 MS. MEDRANO: Monahan.

3 MS. MONAHAN: Yes.

4 MS. MEDRANO: Green.

5 DR. GREEN: Yes.

6 CHIEF ROMERO: Anyone opposed?

7 (No response.)

8 CHIEF ROMERO: Hearing none, that motion  
9 carries for revocation.

10 ITEM NO. 20: JUSTIN RAMIREZ

11 CHIEF ROMERO: Moving on to agenda item  
12 No. 20, Justin Ramirez.

13 DIRECTOR ALZAHARNA: Mr. Vice Chair, may I  
14 just make a clarification. I believe, on some of the  
15 motions, they've referred to a number being the  
16 officer's certification number. And that number is  
17 actually the NMLEA misconduct number just for  
18 clarification.

19 CHIEF ROMERO: Okay. Thank you, Director.  
20 So we'll make sure that that's noted in the minutes.

21 Moving to Justin Ramirez, I would entertain a  
22 motion.

23 CHIEF JOHNSON: Vice Chair, this is Tim  
24 Johnson. I would move to revoke the certification by  
25 default for Mr. Justin Ramirez.

1 CHIEF ROMERO: Okay. Thank you, Chief. Do I  
2 have a second?

3 MS. MONAHAN: Vice Chair, this is Connie. I  
4 second that motion.

5 CHIEF ROMERO: Thank you, Board Member  
6 Monahan. We have a motion and a second for revocation  
7 by default on Justin Ramirez. I would ask Monica to  
8 please call roll of all those voting in favor.

9 MS. MEDRANO: Tedrow.

10 MR. TEDROW: Yes.

11 MS. MEDRANO: Johnson.

12 CHIEF JOHNSON: Yes.

13 MS. MEDRANO: Mendoza.

14 SHERIFF MENDOZA: Yes.

15 MS. MEDRANO: Garcia.

16 CHIEF GARCIA: Yes.

17 MS. MEDRANO: Romero.

18 CHIEF ROMERO: Yes.

19 MS. MEDRANO: Monahan.

20 MS. MONAHAN: Yes.

21 MS. MEDRANO: Green.

22 DR. GREEN: Abstain.

23 CHIEF ROMERO: Okay. Anyone in opposition?

24 (No response.)

25 CHIEF ROMERO: Hearing none, that motion does

1 carry for revocation by default of Justin Ramirez with  
2 one abstaining.

3 ITEM NO. 21: CHARLES CONTRERAS

4 CHIEF ROMERO: Moving on to agenda item  
5 No. 21, Charles Contreras, I would entertain a motion.

6 SHERIFF MENDOZA: Mr. Vice Chair, Sheriff  
7 Mendoza. In reference to the matter of Charles  
8 Contreras, I make a motion of revocation by default.

9 CHIEF ROMERO: Thank you, Sheriff. Do I have  
10 a second on that motion?

11 CHIEF GARCIA: Chief Garcia. I second.

12 CHIEF ROMERO: Thank you, Chief Garcia. We  
13 have a motion and a second for revocation by default  
14 on Charles Contreras. I would ask Monica to please  
15 call roll of all those voting in favor.

16 MS. MEDRANO: Tedrow.

17 MR. TEDROW: Yes.

18 MS. MEDRANO: Johnson.

19 CHIEF JOHNSON: Yes.

20 MS. MEDRANO: Mendoza.

21 SHERIFF MENDOZA: Yes.

22 MS. MEDRANO: Garcia.

23 CHIEF GARCIA: Yes.

24 MS. MEDRANO: Romero.

25 CHIEF ROMERO: Yes.

1 MS. MEDRANO: Monahan.

2 MS. MONAHAN: Yes.

3 MS. MEDRANO: Green.

4 DR. GREEN: Yes.

5 CHIEF ROMERO: Thank you. Anyone in  
6 opposition?

7 (No response.)

8 CHIEF ROMERO: Hearing none, that motion does  
9 carry.

10 ITEM NO. 22: ANNA ESPINO

11 CHIEF ROMERO: Moving on to agenda item  
12 No. 22, Anna Espino, I would entertain a motion.

13 CHIEF JOHNSON: Vice Chair, this is Tim  
14 Johnson. I would like to make a motion that, in lieu  
15 of revocation, we move to accept the stipulated  
16 agreement of relinquishment of her certification.

17 Ms. Espino agreed that at no time in the  
18 future will she seek certification as a law  
19 enforcement officer in the State of New Mexico. And I  
20 would ask the Board to accept that.

21 CHIEF ROMERO: Thank you, Chief Johnson. We  
22 have a motion. I would ask for a second.

23 CHIEF GARCIA: Chief Garcia. I second.

24 CHIEF ROMERO: Thank you, Chief Garcia. We  
25 have a motion and a second to accept the stipulated



1 agreement submitted by Anna Espino. I would ask  
2 Monica to please take roll call of all those voting in  
3 favor.

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: Monahan.

15 DR. GREEN: Yes.

16 CHIEF ROMERO: Okay. Anyone in opposition?

17 (No response.)

18 CHIEF ROMERO: Hearing none, that motion does  
19 carry.

20 ITEM NO. MATTHEW VIGIL

21 CHIEF ROMERO: We'll now move to agenda item  
22 No. 23 regarding Matthew Vigil. I would entertain a  
23 motion.

24 SHERIFF MENDOZA: Mr. Vice Chair, Sheriff  
25 Mendoza. In the matter of Matthew Vigil, I make a

1 motion for a suspension for one year beginning from  
2 today's date.

3 CHIEF ROMERO: Okay. Thank you, Sheriff. Do  
4 I have a second to that motion?

5 MS. MONAHAN: Vice Chair, this is Connie. I  
6 second that motion.

7 CHIEF ROMERO: Thank you, Board Member  
8 Monahan. We have a motion and a second for a one-year  
9 suspension starting today's date on Matthew Vigil.  
10 Monica, would you please call roll of all those voting  
11 in favor.

12 MS. MEDRANO: Tedrow.

13 MR. TEDROW: Yes.

14 MS. MEDRANO: Johnson.

15 CHIEF JOHNSON: Abstain.

16 MS. MEDRANO: Mendoza.

17 SHERIFF MENDOZA: Yes.

18 MS. MEDRANO: Garcia.

19 CHIEF GARCIA: Yes.

20 MS. MEDRANO: Romero.

21 CHIEF ROMERO: Yes.

22 MS. MEDRANO: Monahan.

23 MS. MONAHAN: Yes.

24 MS. MEDRANO: Green.

25 DR. GREEN: Yes.

1 CHIEF ROMERO: Anyone in opposition?

2 (No response.)

3 CHIEF ROMERO: Hearing none, thank you. That  
4 motion does carry with one abstention.

5 ITEM NO. 24: MICHAEL BURKOWSKI

6 CHIEF ROMERO: We'll move to item No. 24 on  
7 the agenda, Michael Burkowski. I would entertain a  
8 motion.

9 DR. GREEN: Mr. Chairman, this is Bobbie  
10 Green. I make a motion to dismiss.

11 CHIEF ROMERO: Thank you, Dr. Green. We have  
12 a motion to dismiss on Michael Burkowski. Do I have a  
13 second?

14 MR. TEDROW: Mr. Chair, this is Rick Tedrow.  
15 I second that motion.

16 CHIEF ROMERO: Okay. We have a motion and a  
17 second to dismiss on Michael Burkowski. Monica, would  
18 you please take a roll call vote of all those voting  
19 in favor, please.

20 MS. MEDRANO: Tedrow.

21 MR. TEDROW: 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.

5 MS. MEDRANO: Monahan.

6 MS. MONAHAN: Yes.

7 MS. MEDRANO: Green.

8 DR. GREEN: Yes.

9 CHIEF ROMERO: Okay. Any opposition?

10 (No response.)

11 CHIEF ROMERO: Hearing none, that motion does  
12 carry for dismissal on Michael Burkowski.

13 ITEM NO. 25: JOSHUA MARCHAND

14 CHIEF ROMERO: We'll go now to agenda item  
15 No. 25, Joshua Marchand. I would entertain a motion.

16 MR. TEDROW: This is Rick Tedrow. On Joshua  
17 Marchand, I would make a motion to table for  
18 consultation with the employing agency.

19 CHIEF ROMERO: Thank you, D.A. Tedrow. We  
20 have a motion. Do I have a second?

21 CHIEF JOHNSON: Vice Chair, this is Tim  
22 Johnson. I second.

23 CHIEF ROMERO: We have a motion and a second  
24 on Joshua Marchand. Monica, would you please call  
25 roll of all those voting in favor.

1 MS. MEDRANO: Tedrow.  
2 MR. TEDROW: Yes.  
3 MS. MEDRANO: Johnson.  
4 CHIEF JOHNSON: Yes.  
5 MS. MEDRANO: Mendoza.  
6 SHERIFF MENDOZA: Yes.  
7 MS. MEDRANO: Garcia.  
8 CHIEF GARCIA: Yes.  
9 MS. MEDRANO: Romero.  
10 CHIEF ROMERO: Yes.  
11 MS. MEDRANO: Monahan.  
12 MS. MONAHAN: Yes.  
13 MS. MEDRANO: Green.  
14 DR. GREEN: Yes.  
15 CHIEF ROMERO: Anyone in opposition?  
16 (No response.)  
17 CHIEF ROMERO: Hearing none, that motion does  
18 carry.  
19 ITEM NO. 20: THOMAS HENNIGH  
20 CHIEF ROMERO: We'll now move on to agenda  
21 item No. 26, Thomas Hennigh. And I would entertain a  
22 motion.  
23 SHERIFF MENDOZA: Mr. Vice Chair, Sheriff  
24 Mendoza. In matter of Thomas Hennigh, I make a motion  
25 for a revocation of certification.

1 CHIEF ROMERO: Okay. I have a motion for  
2 revocation of certification on Thomas Hennigh. Do I  
3 have a second?

4 MS. MONAHAN: Vice Chair, this is Connie. I  
5 second that motion.

6 CHIEF ROMERO: Thank you, Board Member  
7 Monahan. I have a motion and a second for revocation  
8 of the certification of Thomas Hennigh. And I would  
9 ask Monica to please take roll of all those voting in  
10 favor.

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: Monahan.

22 MS. MONAHAN: Yes.

23 MS. MEDRANO: Green.

24 DR. GREEN: Abstained.

25 CHIEF ROMERO: Okay. Anyone in opposition?

1 (No response.)

2 CHIEF ROMERO: Hearing none, that motion does  
3 carry with one abstention.

4 MR. KREIENKAMP: Mr. Vice Chair, if I could  
5 just jump in on one small issue.

6 CHIEF ROMERO: Yes, sir. Go ahead,  
7 Counselor.

8 MR. KREIENKAMP: Just from discussions with  
9 staff, we may have an issue. We may need to just  
10 clarify the motion on item No. 15 just to make sure  
11 that the staff has the guidance to carry out the  
12 Board's wishes.

13 Could we repeat the motion on item No. 15,  
14 the Lorenzo Sanchez, just so we're clear about that.

15 CHIEF ROMERO: Whenever you're ready.

16 SHERIFF MENDOZA: Mr. Vice Chair, Sheriff  
17 Mendoza. I'm the one that made the original motion on  
18 Lorenzo Sanchez. And the motion was to authorize the  
19 Director to offer a pre-NCA settlement and lift the  
20 immediate suspension.

21 MR. KREIENKAMP: Thank you. I just wanted to  
22 make sure that was clear for the record.

23 CHIEF ROMERO: Okay. Thank you. Anyone else  
24 with comments before we end?

25 (No response.)

1           CHIEF ROMERO: All right. Before we go to  
2 our last agenda item, which is to adjourn the meeting,  
3 I do want to make a quick comment to the Board Members  
4 as well as the academy staff and those that haven't  
5 heard.

6           I am retiring effective August 31 at five  
7 p.m. So I do just want to share that with everyone.  
8 It's been an honor and a privilege to work with all of  
9 you and serve with you on this Board. I appreciate  
10 the help from the counsel, from the A.G.'s Office, the  
11 staff at the LEA. You guys are top-notch.

12           I appreciate and commend all of you for  
13 everything that you do. But it's time for me to hang  
14 up the badge and the gun. So you all stay safe. I  
15 appreciate everything you've done. And I want to  
16 again tell you how happy I am to have served with all  
17 of you on this Board.

18           MS. MONAHAN: Chief Romero, it's been an  
19 honor. Thank you.

20           CHIEF JOHNSON: Congrats, Chief.

21           CHIEF ROMERO: Thank you, Chief.

22           MR. TEDROW: Chief, congratulations to you.  
23 If you've got any extra years you can send my way  
24 towards retirement, I'll take them. Congratulations,  
25 sir.



1 CHIEF ROMERO: Thank you. I'll look around  
2 for some.

3 DR. GREEN: It's been an honor, sir.

4 SHERIFF MENDOZA: Congratulations, Chief.

5 CHIEF ROMERO: Thank you, all. I really  
6 appreciate it. I'm going to miss working with you  
7 all. I may not be active enforcement, but I'll still  
8 be around and be interested in following and may even  
9 stick my two cents in every now and then. Thank you  
10 all. I hope you take care and be safe out there.

11 At that we'll go to the last agenda item.

12 DIRECTOR ALZAHARNA: Chief Romero, this is  
13 Director Alzaharna. On behalf of the NMLEA staff, we  
14 want to say thank you for your support on the Board  
15 and your support as a representative of your agency.

16 I want to thank you personally because you've  
17 been a tremendous help as a chief representing your  
18 agency, but also in the Vice Chair position, helping  
19 bring me up to speed as I've gone over the last 11  
20 months getting indoctrinated into New Mexico law  
21 enforcement again and the Board. So I appreciate it.  
22 And you'll be missed.

23 CHIEF ROMERO: Thank you, Director. Again I  
24 may not actively be out here, but I'm still available.  
25 And I'll make sure you all have my personal cell and

1 email address. If I can ever be of help, please don't  
2 hesitate to get ahold of me.

3 ITEM NO. 27: ADJOURNMENT

4 CHIEF ROMERO: At that our last agenda item  
5 is adjournment. Do I have a motion?

6 MR. TEDROW: We're not going to go, Chief.

7 CHIEF ROMERO: I thought you all wanted to  
8 keep going there for a minute. Do I have a second?

9 DR. GREEN: I second the motion.

10 CHIEF ROMERO: We have a motion and a second  
11 to adjourn our meeting. So, Monica, would you please  
12 call roll of all those voting in favor.

13 MS. MEDRANO: Honorable Hector Balderas.

14 (No response.)

15 MS. MEDRANO: Rick Tedrow.

16 MR. TEDROW: Yes.

17 MS. MEDRANO: Chief Tim Johnson.

18 CHIEF JOHNSON: Yes, ma'am.

19 MS. MEDRANO: Sheriff Adan Mendoza.

20 SHERIFF MENDOZA: Yes.

21 MS. MEDRANO: Chief Clayton Garcia.

22 CHIEF GARCIA: Yes.

23 MS. MEDRANO: Chief Thomas Romero.

24 CHIEF ROMERO: Yes.

25 MS. MEDRANO: Sergeant Hollie Anderson.

1           (No response.)

2           MS. MEDRANO:   Ms. Connie Monahan.

3           MS. MONAHAN:   Yes.

4           MS. MEDRANO:   Dr. Bobbie Green.

5           DR. GREEN:    Yes.

6           CHIEF ROMERO:   Thank you, all.   We are  
7 adjourned.   And again take care, everyone.

8           (The meeting adjourned at 3:30 p.m.)

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## 1 REPORTER'S CERTIFICATE

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I, JAN A. WILLIAMS, New Mexico CCR #14, DO

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HEREBY CERTIFY that on August 20, 2020, the

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proceedings in the above matter were taken before me,

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that I did report in stenographic shorthand the

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proceedings set forth herein, and the foregoing pages

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are a true and correct transcription to the best of my

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ability.

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JAN A. WILLIAMS, RPR

23

New Mexico CCR #14

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License Expires: 12/31/20

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## Exhibit A

Certification #	Name	Academy	Agency
20-0164-P	Anglada, Richard	BCSO #41	Bernalillo County SO
20-0165-P	Baca, Joshua	BCSO #41	Bernalillo County SO
20-0166-P	Butler, Steven	BCSO #41	Bernalillo County SO
20-0167-P	Chavez, Loreina	BCSO #41	Bernalillo County SO
20-0168-P	Chavez, Noah	BCSO #41	Bernalillo County SO
20-0169-P	Cruz, Enrique	BCSO #41	
20-0170-P	Curry, Weston	BCSO #41	Bernalillo County SO
20-0171-P	Gomez, Demitri	BCSO #41	Bernalillo County SO
20-0172-P	Grimes, Delaney	BCSO #41	Bernalillo County SO
20-0173-P	Herrera, Lorenzo	BCSO #41	Bernalillo County SO
20-0174-P	Lassley, Bryan	BCSO #41	Bernalillo County SO
20-0175-P	Lente, Kendra	BCSO #41	Bernalillo County SO
20-0176-P	McGee, Jordan	BCSO #41	Bernalillo County SO
20-0177-P	Morales, Martin	BCSO #41	Bosque Farms PD
20-0178-P	Regalado, Leroy	BCSO #41	Bernalillo County SO
20-0179-P	Reynolds, Brandon	BCSO #41	Bernalillo County SO
20-0180-P	Romero, Seth	BCSO #41	Bernalillo County SO
20-0181-P	Sandoval, Daniel	BCSO #41	Bernalillo County SO
20-0182-P	Skroch, Jonathan	BCSO #41	Bernalillo County SO
20-0183-P	Throgmorton, Nicholas	BCSO #41	Bernalillo County SO
20-0184-P	Wenger, Caleb	BCSO #41	Bernalillo County SO

## Exhibit B

<b>Certification #</b>	<b>Name</b>	<b>Academy</b>	<b>Agency</b>
20-0185-P	Barnes, Michael	SNMLEA CBW #23	Lea County SO
20-0186-P	Clark, Crawford	SNMLEA CBW #23	Hobbs PD
20-0187-P	Guerrero, Alexander	SNMLEA CBW #23	Eddy County SO
15-0258-P	Henderson, Mickey	SNMLEA CBW #23	Lea County SO
07-0222-p	Hendrix, Scott	SNMLEA CBW #23	Chaves County SO
20-0188-P	Jaramillo, Adam	SNMLEA CBW #23	
20-0189-P	Turitto, Joseph	SNMLEA CBW #23	Hobbs PD