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NEW MEXICO LAW ENFORCEMENT ACADEMY

REGULAR BOARD MEETING

December 19, 2019

10:08 a.m.

New Mexico Law Enforcement Academy

4491 Cerrillos Road

Santa Fe, New Mexico 87507

REPORTED BY: Rebecca Fella, RPR, NM CCR 534

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**BOARD MEMBERS PRESENT**

New Mexico Attorney General Hector  
Balderas, Chairman

Chief Thomas Romero, Vice Chairman

Sheriff Adan Mendoza

Sergeant Hollie Anderson

Connie Monahan

Bobbie Jean Green

Rick Tedrow, Esquire

**BOARD MEMBERS ABSENT**

Chief Clayton Garcia

Chief Tim Johnson

**ALSO PRESENT**

Kelly Alzaharna, Director

John Kreienkamp, Esquire

Monica Medrano, Case Manager

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8       Letter to Chief Andrew Padilla from Kelly Alzaharna  
9       with attached emails

10   Chronology

11   Exhibits A and B - Certifications of Law  
12   Enforcement Officers

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

2 ITEM NO. 1: CALL TO ORDER

3 A.G. BALDERAS: Good morning, everyone. I  
4 hereby call this meeting to order.

5 Is my -- is my microphone working?

6 MS. MEDRANO: Oh, I'm sorry.

7 A.G. BALDERAS: That's okay. Thank you.

8 Good morning. If we could go to our first  
9 item of business, Monica, and call our roll.

10 ITEM NO. 2: ROLL CALL

11 MS. MEDRANO: Honorable Hector Balderas.

12 A.G. BALDERAS: Present.

13 MS. MEDRANO: Robert Tedrow.

14 MR. TEDROW: Present.

15 MS. MEDRANO: Chief Tim Johnson.

16 (No response.)

17 MS. MEDRANO: Sheriff Adan Mendoza.

18 SHERIFF MENDOZA: Present.

19 MS. MEDRANO: Chief Clayton Garcia.

20 (No response.)

21 MS. MEDRANO: Chief Thomas Romero.

22 CHIEF ROMERO: Present.

23 MS. MEDRANO: Sergeant Hollie Anderson.

24 SERGEANT ANDERSON: Present.

25 MS. MEDRANO: Ms. Connie Monahan.

1 MS. MONAHAN: Present.

2 MS. MEDRANO: Dr. Bobbie Green.

3 DR. GREEN: Present.

4 A.G. BALDERAS: Thank you.

5 ITEM NO. 3: APPROVAL OF AGENDA

6 A.G. BALDERAS: If we could now move to item  
7 number 3 -- I'm sorry; the next item on the agenda.  
8 We will approve the agenda for this meeting. If you  
9 could look it over, I'll entertain a motion at your  
10 convenience.

11 MS. MONAHAN: I move to approve the minutes  
12 as -- the agenda as submitted.

13 A.G. BALDERAS: There's a motion to approve  
14 the agenda as submitted. Is there a second?

15 SERGEANT ANDERSON: I'll second it.

16 A.G. BALDERAS: There is a second. There is  
17 motion and a second to approve the agenda as  
18 presented. All in favor say aye.

19 (The Board Members voted unanimously.)

20 A.G. BALDERAS: Any in opposition?

21 (No response.)

22 A.G. BALDERAS: Motion to approve the agenda  
23 passes.

24 ITEM NO. 4: APPROVAL OF MEETING MINUTES

25 (October 22, 2019)

1           A.G. BALDERAS: I now direct our board to go  
2 to the approval of minutes for the October 22nd, 2019,  
3 meeting, if you'll take a few minutes to look those  
4 over. Those were also distributed before the meeting.

5           SERGEANT ANDERSON: Mr. Chairman, I move to  
6 accept the minutes as presented.

7           A.G. BALDERAS: Great. There is a motion to  
8 approve the minutes. Is there a second?

9           CHIEF ROMERO: Second.

10          A.G. BALDERAS: There is a second. All in  
11 favor say aye to approve October 22nd, 2019, minutes.

12          (The Board Members voted unanimously.)

13          A.G. BALDERAS: Is there any opposition?

14          (No response.)

15          A.G. BALDERAS: The motion to approve October  
16 22nd minutes does pass.

17          ITEM NO. 5: DIRECTOR'S REPORT

18          A.G. BALDERAS: We now go to item number 5,  
19 Director Alzaharna -- excuse me -- for the Director's  
20 Report. Good morning. How are you?

21          DIRECTOR ALZAHARNA: Thank you. Good  
22 morning. I'm fine. How are you?

23          A.G. BALDERAS: I'm doing well. I'm doing  
24 well. And we had a very productive Red -- Red River  
25 meeting, and so we're glad to be back in Santa Fe.

1           DIRECTOR ALZAHARNA: I'm glad you're back,  
2 and I thank everybody for -- for working with your  
3 schedules to have this meeting happen before the end  
4 of the year, so I appreciate that.

5           COURT REPORTER: Could you speak up?

6           DIRECTOR ALZAHARNA: Speak up?

7           COURT REPORTER: Yes.

8           DIRECTOR ALZAHARNA: Okay. The first item is  
9 our academy update. We had several academies going  
10 on. We had our NM LEA cert by waiver academy here,  
11 graduated on November 8th. We graduated 15 cadets.

12           We had the Southern Mexico Law Enforcement  
13 Academy.

14           AUDIENCE MEMBER: Pardon me. I can't hear.  
15 Could you possibly use the speaker?

16           DIRECTOR ALZAHARNA: Yes.

17           AUDIENCE MEMBER: Thank you.

18           DIRECTOR ALZAHARNA: We had the Southern New  
19 Mexico Law Enforcement Academy down in Hobbs graduated  
20 on December 6th. They graduated 27 cadets.

21           San Juan County Criminal Justice Training  
22 Authority graduated on December 13th, graduated 12.

23           New Mexico State Police had a cert by waiver  
24 that graduated on December 13th. That was one  
25 officer. We had also New Mexico State Police



1 graduated December 13th. They graduated 24.

2 Central New Mexico Community College Law  
3 Enforcement Academy graduated December 18th; 12 cadets  
4 graduated. And the Public Safety Telecommuter Class  
5 145 graduates tomorrow, and they have 15, I believe,  
6 graduates.

7 The asterisk: For the academy in Hobbs, the  
8 one in San Juan County, the CNM one, and tomorrow's, I  
9 was able to attend all of those.

10 Upcoming, starting January 27th, we have the  
11 New Mexico Law Enforcement Basic Police Officer  
12 Training Academy starts then, and -- and I will keep  
13 you posted as we get other academies getting us their  
14 paperwork in to let us know when they're starting.

15 Personnel: We have hired -- it appears she  
16 wasn't able to come in. You may have met her up  
17 front. Miranda Archuleta is our new full-time hire,  
18 so we will have a full-time staff member when you come  
19 into the lobby who's able to greet people both -- both  
20 for the NM LEA and people who are here for the State  
21 Police, so we're very glad to have her onboard.

22 Our instructor positions are moving along.  
23 We have the next round of the interview process going  
24 to be starting right after the first of the year, the  
25 week of January 6th.

1           We had -- we didn't have it, but the Policing  
2   in the 21st Century Conference was held in Albuquerque  
3   December 11th through the 13th. That's an annual law  
4   enforcement conference.

5           And we had our staff attorney, Elliott  
6   Guttmann, present there. He has presented there --  
7   that was his twenty-fifth year straight, I believe,  
8   presenting. He -- he presents legal topics for us,  
9   and then we had Deputy Director Brian Coss presented  
10  the tourniquet and trauma training.

11           That is my update.

12           A.G. BALDERAS: Are there any questions from  
13  the board?

14           CHIEF ROMERO: (Indicating.)

15           A.G. BALDERAS: Great. You've been  
16  recognized.

17           CHIEF ROMERO: Director, a couple of quick  
18  questions.

19           So typically in a year, how many students go  
20  through the LEA here in Santa Fe, the New Mexico LEA?

21           COURT REPORTER: I'm sorry; what?

22           CHIEF ROMERO: How many students go through  
23  the New Mexico Law Enforcement Academy here in Santa  
24  Fe?

25           DIRECTOR ALZAHARNA: I apologize; off the top

1 of my head, I can't tell you that. We just put that  
2 together for a report a couple of weeks ago. I can  
3 certainly get that number for you fairly quickly,  
4 though.

5 CHIEF ROMERO: How many -- do you know how  
6 many typically go into a class?

7 DIRECTOR ALZAHARNA: Our actual classes, I  
8 think, are around 40, 44.

9 What I'm told the typical process is, we get  
10 a whole bunch of applicants, and then when they go to  
11 the pre-assessment, they're -- they're saying we get  
12 60, 70, 80 maybe.

13 The pre-assessment wipes out usually 20 to 25  
14 percent of those, and so they're saying the usual  
15 academy class is around 45.

16 CHIEF ROMERO: And how many academies per  
17 year?

18 DIRECTOR ALZAHARNA: Right now we've been  
19 running two.

20 CHIEF ROMERO: Okay. And on the instructor  
21 hires, how many are you looking to try and hire?

22 DIRECTOR ALZAHARNA: Right now we have four  
23 vacancies.

24 CHIEF ROMERO: So how many instructors do you  
25 currently have?

1           DIRECTOR ALZAHARNA:   Three.

2           CHIEF ROMERO:   So you typically have seven  
3   total?

4           DIRECTOR ALZAHARNA:   That's what we have the  
5   positions for.   It's my understanding that we haven't  
6   had all seven of them filled in quite a while.

7           CHIEF ROMERO:   Okay.   And then the next  
8   question I've got for you -- I don't know that you're  
9   going to be able to answer it -- pertains more to the  
10   actual training program itself --

11          DIRECTOR ALZAHARNA:   Uh-huh.

12          CHIEF ROMERO:   -- specifically with high-risk  
13   stops.

14          Are you familiar with that lesson plan or  
15   that curriculum?

16          DIRECTOR ALZAHARNA:   Not in detail.   I know  
17   that we have that block per statute, but as far as  
18   being able to give you details of the lesson plan, I  
19   can't.

20          CHIEF ROMERO:   Okay.   So the -- the comment  
21   I'll make to you -- and I would like a response back,  
22   please -- is, according to the CNM academy, they are  
23   training police officers per -- according to them --  
24   per the New Mexico Law Enforcement Academy requirement  
25   specifically with high-risk stops.

1           DIRECTOR ALZAHARNA: Uh-huh.

2           CHIEF ROMERO: The methodology of that is  
3 totally different and contrary to what's been taught  
4 for over four decades.

5           DIRECTOR ALZAHARNA: Uh-huh.

6           CHIEF ROMERO: And what I would like to know  
7 is, what is the curriculum for high-risk stops? What  
8 are the tactics and the techniques that are being  
9 used?

10           The reason being, that dramatically impacts  
11 all of law enforcement in New Mexico.

12           DIRECTOR ALZAHARNA: Uh-huh.

13           CHIEF ROMERO: For the past four-plus decades  
14 we have been training police officers how to pull  
15 people out of a high-risk stop or what was referred to  
16 as a felony stop.

17           We've been teaching all these officers all  
18 these decades how to pull them out of a car, and if  
19 now this has dramatically shifted, we have -- we have  
20 a major problem --

21           DIRECTOR ALZAHARNA: Uh-huh.

22           CHIEF ROMERO: -- because now we're putting  
23 newer officers out there that are doing it totally  
24 different from everybody else and from what department  
25 policies and practices and training have been for

1 decades.

2           And the technique that I was told is being  
3 taught makes no sense to me from a police officer  
4 point of view and an officer safety point of view.

5           DIRECTOR ALZAHARNA: Uh-huh.

6           CHIEF ROMERO: So I would like to know what  
7 specifically is being taught regarding high-risk stops  
8 so that I know whether either CNM academy office is  
9 off base, or at that point I think, Mr. Chair, there  
10 needs to be a bigger discussion when -- provided if  
11 that was, in fact, changed by the New Mexico LEA, that  
12 is a major, major shift in how police officers are  
13 being trained, which means we're either going to have  
14 to retrain all these officers when they leave the  
15 academy to put them back the way the departments are  
16 doing it or we're going to have to try and retrain  
17 every department in the state, every police officer,  
18 and change policies and do all that, and frankly, it  
19 makes no sense.

20           What -- what was trained at the -- the CNM  
21 academy makes no sense to any of my staff from an  
22 officer safety practice and what our policies are.

23           So that is why, Mr. Chair, I am specifically  
24 asking to see what that curriculum is, because if it  
25 has, in fact, changed, we've -- we've got a real big

1 problem here.

2 A.G. BALDERAS: Okay.

3 DIRECTOR ALZAHARNA: I can get each of you a  
4 copy of the curriculum for that lesson plan and any  
5 other blocks of instruction you would like.

6 I can say, my understanding as far as  
7 curriculum change -- I touched on it briefly at the  
8 last meeting -- that when I came in, there was talk  
9 that we were in the middle of a curriculum review, and  
10 where that was is at the point that it's -- I think  
11 there are different perceptions out there of what  
12 point in that process the LEA was, so I have been  
13 trying to get an understanding of when was the last  
14 official curriculum rewrite.

15 It's my understanding that things have been  
16 brought and changed on certain blocks of curriculum  
17 that necessarily may not have gone before the board  
18 and are not -- whether that's correct or incorrect, I  
19 think people have different interpretations.

20 And so as I move along here, there are going  
21 to be a lot of things that I bring general questions  
22 to the board about how you would like to proceed if --  
23 if your NMAC is not real specific on how they want  
24 things, so as far as that, I can -- I can bring any --

25 A.G. BALDERAS: And -- and Madam Director and

1 Board Member, I think also your -- your inquiry raises  
2 another issue that I think we'll also assist with --  
3 which I'm -- I am curious too -- if there have been  
4 curriculum changes internally, and then we'd like to  
5 do a review.

6 I've directed counsel to look at our  
7 administrative rule changes that occurred last year,  
8 before some of the board members took over, to see if  
9 there's any insight or they are -- they are either  
10 contradictory or potentially complementary.

11 So that -- that is another thing we'll work  
12 with you on. As you're getting some of that  
13 information, we will do a rule review of some of the  
14 administrative changes we made to the curriculum, so I  
15 just think we -- we should do that for efficiency as  
16 well on that. We'll work with you on that.

17 DIRECTOR ALZAHARNA: Thank you.

18 CHIEF ROMERO: Thank you.

19 DIRECTOR ALZAHARNA: Okay.

20 A.G. BALDERAS: Do you have some questions?

21 SHERIFF MENDOZA: Mr. Chair, just  
22 specifically on that point, I think it was two  
23 meetings ago or the first meeting I brought this exact  
24 issue up in reference to the consistency of the  
25 curriculums that were being taught in satellites --



1 satellite academies throughout New Mexico, and my  
2 concern was whether or not it was consistent with what  
3 was being taught at all the other academies.

4 I haven't received any information on the  
5 curriculums. I was told that there is a specific hour  
6 requirement of -- of instruction, but that doesn't, to  
7 me, tell me what the curriculum is or if it's  
8 consistent throughout the state of New Mexico.

9 And I think it is important to know that  
10 officer training in Santa Fe is being trained the same  
11 way in Farmington or anywhere else throughout the  
12 state of New Mexico, and I'm concerned about that.

13 DIRECTOR ALZAHARNA: If -- if I may share a  
14 part of my learning process here.

15 The NMAC -- and -- and I am totally open to  
16 being told I have misinterpreted it when I read it --  
17 the feedback I've been getting is -- is, a lot of  
18 people with a lot of experience, the perception is  
19 that the requirement is that every academy in the  
20 state teach what the state says, and that's not what  
21 the statute or the NMAC says.

22 What has happened and I believe why there's  
23 that perception is because as new academies have  
24 requested accreditation, either they don't have the  
25 staff or for whatever reason they don't want to write

1 a whole new curriculum, so when they are applying to  
2 be accredited, they have applied using a copy of the  
3 NM LEA -- NM LEA's curriculum.

4 And -- and I haven't gotten through all of  
5 them, but what I have found so far is -- is that  
6 pretty much has been the case.

7 So we have eight satellite -- seven satellite  
8 academies offshoot of ours -- who say, we use NM  
9 LEA's, but there is no requirement to do it, and I  
10 know -- I -- I -- without pulling them and -- but I  
11 know that they're not.

12 I know what the accreditation is, and it  
13 includes the curriculum that came out of the NM LEA.  
14 It has that, but I know most of them are also adding  
15 stuff that's not taught at the LEA.

16 And -- and that's just the tip of the iceberg  
17 that -- that I have found. I'm still looking at it,  
18 and I'm looking at it from a learning perspective.  
19 I'm -- I'm thinking, okay, New Mexico is new to me,  
20 but -- but I have found that in comments from people.

21 And -- and I'm not -- I haven't talked to  
22 anybody. This would be the first thing that I would  
23 say, that if -- if that is a requirement and it's  
24 something the board wants to make sure that it is done  
25 that way, then we would certainly put that on the list

1 for consideration for rule changes, and if I am  
2 incorrect or I've misinterpreted, please let me know.

3 SHERIFF MENDOZA: Mr. Chair, Director, thank  
4 you for that, and that is concerning to me, that  
5 somebody may get -- be accredited based on the fact  
6 that they say they're teaching the curriculum of NM  
7 LEA, but then don't or veer off from that to a point  
8 where we're not sure what they're teaching --

9 DIRECTOR ALZAHARNA: Uh-huh.

10 SHERIFF MENDOZA: -- and that -- that's  
11 concerning to me.

12 DIRECTOR ALZAHARNA: What I have found so far  
13 is not that they're not -- and of course, in this  
14 short time I -- I can't verify it -- but what --  
15 what -- what's been catching my eye is, of course,  
16 if -- if our academy is 16 weeks and some of our  
17 academies -- our satellite academies are 18 weeks or  
18 20 weeks, on -- on face value, it's apparent that they  
19 are teaching additional information.

20 So I don't have anything right now. I didn't  
21 automatically assume the worst and that they weren't  
22 at least teaching what we were teaching and then  
23 adding their own stuff.

24 It's just very apparent that there's  
25 additional -- additional stuff being taught.

1           A.G. BALDERAS:   And I -- I -- I might add  
2   something just for historical context, but also  
3   interpreting what I'm hearing from our Board Members.

4           I think that whether the front end of the law  
5   allows direct oversight and authority to make changes  
6   to curriculum, I think at the back end there is an  
7   argument that, because we certify, that there is a  
8   back-end authority to at least review the direction of  
9   curriculum, and that we would gladly assert our legal  
10  authority or potentially find a creative way to  
11  strengthen our authority and oversight, because I know  
12  one area in policy that we talked about and as new  
13  Board Members assumed -- and I -- I fully supported --  
14  was, what direction does this board want to go in  
15  influencing curriculum and training as a top priority.

16           And so I think you're starting to hear some  
17  of their questions --

18           DIRECTOR ALZAHARNA:   Yes.

19           A.G. BALDERAS:   -- and it's my interpretation  
20  of the law that we either have the authority or we  
21  would find the authority to be influential in -- in  
22  how some of this training, at least from a safety --  
23  consistency is important, but the -- the bigger  
24  interest for me is if it's assumed that the safety --  
25  one method is safer than another, we would -- we would

1     probably be wielding -- wielding our authority over it  
2     in that area.

3             And we -- we can let our lawyers counsel us,  
4     but I think you're -- you're starting to hear at least  
5     two -- two areas of interest between consistency and  
6     uniformity that they're -- we're presuming that our in  
7     accreditation process we -- we can be as influential  
8     as you need us to be.

9             Well, we can work -- smooth that out, but I  
10    -- and always my policy priority is independence,  
11    safety, and that we are always evolving in  
12    state-of-the-art concepts in the disciplining of  
13    officers and also in the training and development of  
14    either new or ongoing officers.

15            So this kind of falls in line, I think, with  
16    our -- with our priority, but -- so we -- we support  
17    the inquiry, but we can kind of dot those I's as we --  
18    as we go along in terms of what you think our -- the  
19    limitations are.

20            CHIEF ROMERO: Mr. Chair, if I could share --  
21    if I could make one other comment or comments, which  
22    is, the certification these officers receive from  
23    these satellite academies, it is a New Mexico law  
24    enforcement certification, which means whether they're  
25    trained by the Albuquerque Police Academy, the CNM, or

1 down south, they can go anywhere in the state to be a  
2 law enforcement officer.

3 My understanding was that the satellite  
4 academies were supposed to teach minimum standards  
5 based on the LEA, so I think that's something we need  
6 to look at to make sure there is consistency.

7 Obviously some departments are going to have  
8 longer academies -- like Albuquerque Police, State  
9 Police -- because they are also teaching their  
10 officers policies and their methodology and what they  
11 want for their department, and I get that.

12 But for the basic law enforcement  
13 certification, it should be standard throughout the  
14 whole state, through every satellite, through every  
15 academy, and then they can add whatever they want  
16 beyond that, but they should be teaching the minimum  
17 standards based on what the New Mexico Law Enforcement  
18 Academy puts out.

19 A.G. BALDERAS: Yeah, and I -- we just -- I  
20 was assisted by our counsel. It -- it seems like we  
21 have a narrow -- a pretty strong path to prescribe the  
22 type of professional trainer, as well as guide and  
23 direct specifically over curriculum.

24 So I -- I think it's good you're telling us  
25 you're getting a little resistance, and obviously real

1 life is a little different than where we stand  
2 sometimes, but I -- I think we're communicating.

3           You're getting a little resistance. They --  
4 we interpret that we have some authority to directly  
5 assist you in pushing back a little bit so that  
6 there's uniformity.

7           And I -- I -- again, I -- I'd like to --  
8 you're raising a question of the removal -- it -- it  
9 sounds like that you're also getting at that there is  
10 a safety question or a -- can -- can you weigh in a  
11 little bit on that?

12           CHIEF ROMERO: Yeah. So Mr. Chair,  
13 typically, for example -- just so everybody kind of  
14 has a better understanding -- what we're referring to  
15 is when police officers do a high-risk stop, for  
16 decades they have been trained that you get the  
17 individual out of the vehicle, they face towards the  
18 front of their car to where their back is towards the  
19 police officer, and then the officers typically would  
20 have them back towards them, and at that point they  
21 may have them kneel down or move one direction or the  
22 other before they were to approach them and cuff them,  
23 search them, and then do the next occupant of the  
24 vehicle.

25           According to CNM, based on the New Mexico Law

1 Enforcement Academy, that was changed to where now  
2 when people are removed from the vehicle, they are  
3 facing the police officers, which is a major safety  
4 concern for -- for police officers, because now the  
5 offender, if they do want to do harm to that police  
6 officer, they can sit there and -- and basically  
7 identify where all the officers are standing, how many  
8 officers they have, and what they're going to have to  
9 do to try to get away, or if they have a weapon of any  
10 kind, to assault those officers. The idea of having  
11 them with their back to the officers is that the  
12 officers have time to react.

13           The individual has their arms straight up in  
14 the air, so if they do reach down, it gives -- gives  
15 them more reaction time.

16           So to have the offender face the officer  
17 means they can now identify targets if they want to  
18 try and do harm to any of the officers and people that  
19 are out there.

20           So that's just kind of the example as far as  
21 a totally big shift of what has been taught for  
22 decades to law enforcement and what a lot of the  
23 policies are based upon with departments on how  
24 they're going to do a high-risk stop.

25           So that is a major concern in that regard, as



1 well as if they're not teaching the minimum standards  
2 based on the law enforcement academy's curriculum and  
3 lesson plans, I have a major concern, because again,  
4 that certification is good anywhere in the state.

5           And now that we have all these certification  
6 by waiver programs taking place with Albuquerque  
7 Police, with the State Police, and with others, I  
8 think there's got to be that consistency for that  
9 basic law enforcement certification.

10           Like I said, I understand they may go beyond  
11 that if it's a larger department because they're  
12 teaching their policies during the academy, but again,  
13 they've got -- they should at least be teaching what  
14 the academy prescribes.

15           SHERIFF MENDOZA: Mr. --

16           A.G. BALDERAS: Sure.

17           SHERIFF MENDOZA: -- Mr. Chair, on -- on that  
18 point, I think also for safety concerns is, if we have  
19 one officer trained a certain way to face forward and  
20 you have one officer trained to face back, you may  
21 have different officers telling this person different  
22 things -- turn around, face forward -- and that adds  
23 confusion to the person who's -- who's the suspect or  
24 anything else. It will cause confusion on the scene,  
25 and I think that's a major safety issue.

1           But I think with that said, I think it's  
2   important, because we don't know specifically what's  
3   being taught, I don't think, and I think -- I would  
4   request that an audit be done for the curriculums for  
5   the academies so we can determine if this is  
6   happening, if this is an issue, if it's not an issue,  
7   and what we need to do to move forward in order to  
8   correct this.

9           DIRECTOR ALZAHARNA:   And -- and I have been  
10   working on that because, for nothing else, it's just  
11   part of my learning curve, and stepping into it at  
12   this, that's how I've become aware that there are  
13   differences here.

14           One -- one of the -- well, one of the things  
15   we'd have to work through is that the academy sends us  
16   their paperwork that brings it up, and so on face  
17   value, I'm -- and I'm not saying that anybody does --  
18   right off the bat, when I had started thinking about  
19   how you do audits, you know that somebody can send you  
20   a copy of their curriculum and say, this is what we're  
21   teaching, but actually to have the ability to go down  
22   through a whole academy and verify that's what's being  
23   taught, in three and a half months I haven't had the  
24   opportunity to do that, but that is something that I'm  
25   thinking through of how we are going to be able to

1 start doing that.

2 Another thing that I have been thinking  
3 about -- and it has come up -- is actually, we -- we  
4 don't have qualified staff to do curriculum rewrites.  
5 When -- when I first got brought on, that was  
6 identified.

7 Curriculum is a big thing. We need the --  
8 it -- it has been apparent that the curriculum is due  
9 for a revision, although it had been talked about in  
10 different phases in the last couple of years.

11 And basically what you get with instructors  
12 here are people who have either taught at their  
13 departments, and so they -- they attend -- they get  
14 master -- they may -- some of them may have master  
15 instructors when they were hired, some of them may  
16 not, but they go to a -- usually a canned presentation  
17 and learn how to teach a canned program.

18 And so to bring those people into a setting  
19 here where they have the ability -- you know, they  
20 have to teach the curriculum, but they have the  
21 ability to bring their background and experience.

22 Most of them don't have an educational  
23 background, and writing curriculum and taking material  
24 that they've gotten -- they've learned in a class and  
25 putting it into a curriculum in another context, and

1 -- and right now, I can tell you we don't have the  
2 staff to do that.

3           So I have been looking at different vendors,  
4 people who actually do that for law enforcement  
5 academies, to come in.

6           The first thing that's going to be talked  
7 about is a job task analysis, and before we jump in  
8 and start rewriting our curriculum, I don't believe  
9 we've had a job task analysis since 2000 --

10           AUDIENCE MEMBER: 2004.

11           DIRECTOR ALZAHARNA: -- 2004, so that should  
12 be the first thing that we do is to identify what law  
13 enforcement officers in the state of New Mexico, what  
14 their job tasks are, and so then as we revise that  
15 curriculum, it's revised to currently what the  
16 expectations are, because in many areas it's different  
17 than what the expectations were in 2004.

18           And so I have been -- this -- I've been  
19 processing all of this, and I'm -- I'm -- I'm pleased  
20 to hear that -- that Board Members were aware of that  
21 too.

22           CHIEF ROMERO: Mr. Chair, sorry.

23           A.G. BALDERAS: Sure.

24           CHIEF ROMERO: So obviously we're talking the  
25 Dark Ages -- like three decades ago -- when I worked

1 here, but the instructors were expected to basically  
2 be the subject matter experts.

3 Now, they may not have direct personal  
4 knowledge, but they were expected to do research. If  
5 they were going to teach a class, teach a lesson plan,  
6 those instructors were expected to do research.

7 And that was before the days of computers --

8 DIRECTOR ALZAHARNA: Uh-huh.

9 CHIEF ROMERO: -- so there was a lot of  
10 telephone, a lot of letter writing, but those  
11 instructors were expected to do some research, some  
12 diligence, to make sure that those lesson plans were  
13 up to date and that they weren't teaching outdated  
14 information.

15 So just as a comment, since you're going  
16 through the hiring process, some thought may be given  
17 to that, because what you're talking about doing is  
18 not only going to take a significant amount of time --  
19 like it's going to take a long time --

20 DIRECTOR ALZAHARNA: Uh-huh.

21 CHIEF ROMERO: -- but I'm also a little bit  
22 concerned when you talk about bringing vendors in,  
23 because if those vendors are not specifically  
24 knowledgeable about law enforcement and law  
25 enforcement techniques --

1                   DIRECTOR ALZAHARNA: Uh-huh.

2                   CHIEF ROMERO: -- and are not willing to put  
3 the study in and approach however many law enforcement  
4 agencies we currently have in New Mexico, because  
5 everybody does it little bit different, so it's a  
6 little concerning in that regard.

7                   But I would just throw that out there since  
8 you're going through the interview process of maybe  
9 trying to determine if they have the ability to do any  
10 kind of minimal research and look at these lesson  
11 plans and let's make sure that there's at least no  
12 major flaw with the plans as -- as they exist today.

13                  And like I said, my big concern is this  
14 high-risk stop issue, and my -- my desire to know that  
15 sooner than later is because if CNM has misunderstood  
16 what the New Mexico LEA is requiring, then I will make  
17 it my mission to get that corrected, because that --  
18 that is a danger to the officer individually and to  
19 the other officers in that department.

20                  If, in fact, the LEA did change that  
21 philosophy and that teaching, then there needs to be  
22 that bigger discussion, because that is a major shift  
23 in training and policy to every law enforcement agency  
24 in the state.

25                  DIRECTOR ALZAHARNA: The hiring process, that

1 -- that is a consideration in the hiring process for  
2 these upcoming applicants.

3 As far as the vendors go, the only vendors  
4 that have even been looked at are ones who have  
5 specifically already done this for additional -- for  
6 other state post agencies, so exactly agencies like  
7 ours who are responsible for their academy, their  
8 academy curriculum, and their posts.

9 So -- so as far as that, nobody -- nobody is  
10 even being considered right now. I'm saying those are  
11 the vendors that I'm purposely looking at --

12 COURT REPORTER: I'm sorry; looking at --  
13 speak up, please.

14 DIRECTOR ALZAHARNA: -- as we move forward on  
15 that.

16 And as far as our current instructors,  
17 what -- what I did have done -- and it was assigned a  
18 month ago, and I was told it was done yesterday at our  
19 staff meeting -- was I did divide our current  
20 curriculum up and out to our current instructors and  
21 told them to do exactly what you just suggested: At a  
22 minimum, have them review the curriculum to make sure  
23 that anything that they're aware of in their areas of  
24 expertise -- which was how it was done up -- for them  
25 to identify areas that they're concerned with, where

1 they're saying, we know that's not what's being taught  
2 now.

3 So that -- that has been done, and I was just  
4 notified of it yesterday, so I'll certainly be able to  
5 take a look at that and see where we are on the  
6 cursory review done by the instructors.

7 CHIEF ROMERO: Thank you.

8 DIRECTOR ALZAHARNA: Thank you, Mr. Chair.

9 A.G. BALDERAS: Certainly.

10 SERGEANT ANDERSON: I also had a question.  
11 Do we ever actually go out and visit the locations?

12 DIRECTOR ALZAHARNA: Yes. We've actually  
13 done some of those audits recently just in the -- at a  
14 minimum, the fact that when they're first accredited,  
15 they have to make sure their driving range meets the  
16 exact specifications, their firearms range.

17 And I know we've done at least two -- I want  
18 to say we might have done three -- in the last three  
19 weeks.

20 SERGEANT ANDERSON: And do you do that when  
21 their training is in session?

22 DIRECTOR ALZAHARNA: Well, what -- what  
23 happened was, evidently the staff who was familiar  
24 with this had left, and so a new staff member who  
25 was -- knew that they did it went out and found out



1 the hard way that if they show up and there's nothing  
2 going on, there's nothing for them to audit.

3           So they audited the -- the physical facility,  
4 things that aren't going to change, but as far as  
5 auditing the curriculum, I have tasked them to set  
6 up -- people do it all the time -- it's not hard --  
7 but to get an outline of -- of what the audit should  
8 be as far as curriculum and the fact that we would  
9 attend while the academy is going on, not -- and --  
10 and do a spot audit in that context.

11           SERGEANT ANDERSON: Is that something we can  
12 attend as -- as Board Members, to be able to -- I'd  
13 like to physically go out and look at the  
14 facilities --

15           DIRECTOR ALZAHARNA: Certainly.

16           SERGEANT ANDERSON: -- to see what kind of  
17 technology they're using, to see if they're able to  
18 keep up with our requirements of curriculum, because  
19 it sounds like we're going to probably establish new  
20 minimums --

21           DIRECTOR ALZAHARNA: Uh-huh.

22           SERGEANT ANDERSON: -- and we need to make  
23 sure that they are all able to do what we're asking  
24 them to do.

25           And I would like to see what does their range

1 look like; what do their classrooms look like; who are  
2 their instructors.

3 And maybe not necessarily tell them when  
4 we're coming, but know when their academies are in  
5 session so that we can show up and see what it is  
6 they're doing on a daily basis.

7 DIRECTOR ALZAHARNA: Right.

8 SHERIFF MENDOZA: We can start maybe -- I  
9 know you said that there are seven locations. Is that  
10 including this location?

11 DIRECTOR ALZAHARNA: We're -- we're eight.

12 SERGEANT ANDERSON: Eight, okay. So if we  
13 can start at the beginning of the year, if I might  
14 suggest -- and I'll be happy to assist with that. I  
15 know that's extra demand on getting people out from  
16 their everyday jobs, but I think it's really important  
17 that we go out and see the facilities, to see what  
18 they're teaching and see what it looks like, and at  
19 that time we can ask them for a copy of their  
20 curriculum so they don't send us our same curriculum  
21 back.

22 DIRECTOR ALZAHARNA: Well, they are required  
23 to send the curriculum right now every time that they  
24 get ready to run an academy, so they know -- so if we  
25 show up and ask for another one, they can do that.

1           I -- I appreciate these questions because  
2   I -- things that have been spinning in my head and I'm  
3   like, how do I ask the board about this.

4           One of -- timing is our hardest thing right  
5   now. Even if we were fully staffed, the magnitude of  
6   major things that are coming up right now are -- is --  
7   is an issue.

8           The audits right now, they wanted to schedule  
9   an audit, and I -- after we did the first one and  
10   found that out I said, number one, you don't even know  
11   what you're auditing. Our staff doesn't know what  
12   they're auditing. They go down and say, I do a spot  
13   check on it. Okay. Well, what are you checking,  
14   and -- and they don't know.

15          They're just doing kind of what they know is  
16   being done, and so a lot of that I'm -- I'm going  
17   to -- I'm having them set up criteria for that and --  
18   for lack of a better word -- internal procedure on,  
19   what does that actually entail; you know, if somebody  
20   gets sent to do an audit, what are they supposed to  
21   do.

22          SERGEANT ANDERSON: And to Chief Romero's  
23   point, I think it's important not only that -- because  
24   if an officer transfers to another department, they  
25   can be trained as to what that department is doing,

1 but oftentimes our borders cross.

2 So when, say, an offender from Albuquerque  
3 ends up in Bernalillo County or the City of Bernalillo  
4 or any of the areas surrounding, we all need to be on  
5 the same page for doing that felony stop, for example.

6 CHIEF ROMERO: Yes.

7 SERGEANT ANDERSON: So that's -- it's really  
8 important that -- not only that, but there are other  
9 things like tools, a Taser, what are you using; how  
10 are you using it; how are you identifying that,  
11 because when things cross -- and it's usually in the  
12 big situations -- like officer-involved shootings --  
13 that could get very complicated if there's not the  
14 correct communication and policies that everybody  
15 should be following.

16 A.G. BALDERAS: Madam Director, Board  
17 Members, I -- I'm definitely putting on the -- the  
18 next agenda item for full discussion the curriculum,  
19 and so whatever needs to be gathered and ideas and  
20 deficiencies, we're going to -- we're shooting for a  
21 March meeting, so that should give you some idea that  
22 I'm -- I'm going to put it on as an agenda item to be  
23 fully vetted and discussed. It gives you some time  
24 frame.

25 The other thing is that as long as we're

1 complying with OMA, we would recommend -- and we can  
2 facilitate that as well -- there should be -- it  
3 sounds like there -- site visits of two to three  
4 members at a time would not violate OMA.

5           If we go as a larger body, it might raise  
6 some question as to what we're -- how we're meeting,  
7 but we -- I definitely support site visits to be set  
8 up as soon as possible for any members that are  
9 interested to go, and maybe parties of two or three  
10 would comply with OMA as well.

11           So that -- we can work on that with you after  
12 the meeting, but I think new site visits are  
13 completely appropriate.

14           In the past we've also -- another option as a  
15 vehicle for this board to consider is -- although it  
16 gives them a little heads-up -- we've hosted -- we've  
17 taken this board on the road and hosted meetings where  
18 we would drop in on an academy as part of the site  
19 visit.

20           Whether it be Cruses, Albuquerque, wherever  
21 the academies are at, we can consider scheduling a  
22 meeting in the -- those respective areas and -- and  
23 then engaging them that way as well.

24           Any other questions?

25           DR. GREEN: I do have a question with regard

1 to the curriculum. Is it in electronic format, and if  
2 so, is it available? Where is it available?

3 DIRECTOR ALZAHARNA: I don't believe there's  
4 a copy of it on our website, and I do believe it is  
5 available electronic.

6 One of the things, like I said, when I first  
7 got in, there was a version of the curriculum going  
8 around, and I anticipated I would come in and be told,  
9 here's the curriculum.

10 And it -- it took quite a while to identify  
11 what is the curriculum, because whatever revisions  
12 were being done -- I want to say over the last two to  
13 three years -- that wasn't kept clear.

14 I don't want to throw anybody under the bus.  
15 What I really want to do is be able to give you a good  
16 idea on where we're standing right now on -- on some  
17 of our issues and move forward from this point.

18 A.G. BALDERAS: So --

19 CHIEF ROMERO: I'm sorry.

20 A.G. BALDERAS: Go ahead.

21 CHIEF ROMERO: Mr. Chair, this is more of a  
22 question, I -- I guess, for your office is -- and a  
23 question for the board -- I don't know under the  
24 Inspection of Public Records Act how much of the  
25 curriculum is actually accessible by the public,

1     because a lot of that curriculum does teach  
2     confidential tactics and techniques and ways of doing  
3     things that I don't think we want the general public  
4     to have knowledge of.

5             So I don't know if there would be a way to  
6     identify some of the curriculum that would be  
7     considered an exception to IPRA and then the rest of  
8     it be put out there.

9             I'm -- I'm all for open government, but I  
10    think we have to be careful that we're also not  
11    releasing confidential techniques and tactics that are  
12    going to be an officer safety issue down the road. I  
13    would want to be careful about that.

14            A.G. BALDERAS: Any other questions? Great.  
15    So we -- we'll have a pretty robust curriculum review  
16    for the next meeting, and -- and it will be on the  
17    agenda.

18            DIRECTOR ALZAHARNA: Would -- and I don't  
19    know. I'm just putting it out there. Would it might  
20    be that we consider a two-day meeting?

21            And the only reason I say that is because  
22    we're going to have another break, and so the  
23    disciplinary cases, we will probably have considerably  
24    more than we have had for the last two or three  
25    meetings as well.

1           A.G. BALDERAS: We'll -- we'll make that  
2 accommodation especially for March, so thank you.

3           DIRECTOR ALZAHARNA: Thank you.

4           A.G. BALDERAS: Anything else? Okay. Great.

5           CHIEF ROMERO: Thank you.

6           ITEM NO. 6: PUBLIC COMMENT

7           A.G. BALDERAS: Excellent. We're going to be  
8 moving on to the next item, public comment. We have  
9           Ms. Harwell and Mr. Mechels, and then I'll  
10 recognize Matt Baca on a question he previously had at  
11 the last meeting.

12           But Madam, you have the floor. Good morning.  
13 How are you?

14           MS. HARWELL: Good morning. Thank you very  
15 much.

16           Mr. Chair, Members of the Board, my name is  
17 Claire Harwell. I'm from the New Mexico Coalition of  
18 Sexual Assault Programs, and I requested five minutes  
19 to talk with you about what we are discovering in the  
20 course of doing a Violence Against Women Act STOP  
21 project, working with prosecutors.

22           We are concerned that the requirement that  
23 officers who have committed misconduct that has  
24 resulted in indictment or arrest is not being reported  
25 by agencies.



1           We have one specific incident involving an  
2 officer who's gone through five agencies and has never  
3 been suspended. These are serious violent felonies  
4 that he's accused of, and we are concerned that this  
5 is not a single incident.

6           The statute does not have -- nor do the  
7 rules -- have any real teeth to it, so we are asking  
8 that you consider at least some sort of administrative  
9 sanction for an agency that knows about this kind of  
10 activity and fails to report it.

11           I'm also concerned about the way that it's  
12 framed on the Law Enforcement Academy Board website.  
13 It is not clear from that page that indictment or  
14 arrest creates this obligation.

15           It has language about if an officer has  
16 committed or is found to have committed, and I think  
17 it's far too vague and I think that creates a good  
18 faith confusion for agencies that don't delve further  
19 into the Administrative Code to understand their  
20 obligations.

21           So I'm asking that you, one, look to revise  
22 the web page on officer misconduct on the DPS website  
23 to make it clear that arrest and indictment create an  
24 obligation to report, and two, that you consider some  
25 sort of administrative sanction when an agency is

1     aware of officer misconduct in the form of commission  
2     of the specific kinds of crimes that are listed in the  
3     Code and fails to make that report.

4             I thank you very much for your time.

5             A.G. BALDERAS: Thank you. Do we have any  
6     questions?

7             MS. MONAHAN: Ms. Harwell, could you --

8             A.G. BALDERAS: Madam --

9             MS. MONAHAN: -- just repeat the second -- I  
10     got the first bullet point about making the arrest and  
11     indictment requiring the agency, and then the second  
12     point you raised? You had one, two.

13            A.G. BALDERAS: I think it was the arrest,  
14     making it more clear.

15            MS. HARWELL: So -- yes. So on the web page,  
16     the obligation sort of comes to fruition when there is  
17     either an arrest or an indictment, so I think the web  
18     page needs to be revised.

19            And I think that the second part of what I'm  
20     asking you to consider is some sort of administrative  
21     sanction for an agency that knows about an offense and  
22     fails to make the required report.

23            It is a matter of public safety, and frankly,  
24     as someone who's done quite a lot of violent crimes  
25     prosecution, it's also a matter of the integrity of

1 the prosecution that that officer be suspended as  
2 required.

3 MS. MONAHAN: Thank you.

4 A.G. BALDERAS: Are there any other  
5 questions?

6 Ms. Harwell, you're running off before --  
7 we -- we have a couple of questions for you.

8 MS. HARWELL: I'm sorry; I -- I'm very  
9 attentive to the five-minute --

10 A.G. BALDERAS: Is there any questions from  
11 the board?

12 You know what would be really helpful too  
13 is -- just to honor your time -- a very just short  
14 letter so that we make sure we follow up on your  
15 specific request would be very effective.

16 MS. HARWELL: Absolutely.

17 A.G. BALDERAS: And then second, if you would  
18 exchange business cards with my team.

19 I have a question for you and maybe an issue  
20 on child abuse reporting notifications and the lack of  
21 institutional requirements in public schools.

22 And -- and so I think some of these issues  
23 overlap, but I've been getting that bill killed by the  
24 legislature for probably three or four years and would  
25 love to talk to you a little bit about that issue as

1 well.

2 MS. HARWELL: Great.

3 A.G. BALDERAS: My team is waiting for you  
4 right there --

5 MS. HARWELL: Okay. Thank you.

6 A.G. BALDERAS: -- so thank you for your  
7 presentation.

8 MS. HARWELL: Thank you.

9 A.G. BALDERAS: Thank you.

10 SHERIFF MENDOZA: Mr. Chair, if I could just  
11 make a suggestion.

12 A.G. BALDERAS: Sure.

13 SHERIFF MENDOZA: I think it would be -- I --  
14 I don't know if this is something that the board or  
15 maybe your office could do is send a letter with a --  
16 with the statute of the requirements for reporting as  
17 a reminder, because I think as new sheriffs take  
18 office, as new chiefs of police also are put in -- in  
19 place, I think they're -- they're unclear exactly what  
20 the requirements are too --

21 A.G. BALDERAS: Great.

22 SHERIFF MENDOZA: -- and whether or not it's  
23 a requirement or it's an option. I think a reminder  
24 would be -- would be good.

25 A.G. BALDERAS: So Counsel, can we do just a

1 quick legal analysis on what the requirements are in  
2 the context of what Ms. Harwell is asking, and then  
3 we'll email it to the board just -- we'll gladly do  
4 that.

5 SHERIFF MENDOZA: Okay.

6 A.G. BALDERAS: Well, thank you.

7 Oh, Madam Director?

8 DIRECTOR ALZAHARNA: What would be helpful  
9 as -- as well -- where I have dealt with it -- is  
10 where clarification would help, but then again, if --  
11 part of the rewrite -- the rules rewrite -- may help,  
12 because I get the felony and indictment ones -- I  
13 would say most of the time I find out about it  
14 immediately through the media, because they're right  
15 on it.

16 And so then I -- of course, I reach out to  
17 the agency head, and I've gotten varying from, yes,  
18 I'm working on it, I'll get that to you, to, well, I  
19 know he was arrested or indicted, but I don't -- I  
20 don't believe, you know, that he did anything wrong,  
21 to, okay, well, we -- it says we're supposed to notify  
22 you immediately, but we're still working on the  
23 investigation, and in my -- not mine, but the agency  
24 head's interpretation, the investigation isn't over  
25 until criminal charges have been adjudicated --

1 sometimes two and three years later.

2 I'm finding, as I'm processing some of these  
3 cases, we have initial notification and then nothing  
4 for two years, and when I talk to the agency head,  
5 that's what they say.

6 What I have finally processed and -- and I  
7 was prepared to tell people is -- because they go,  
8 well, it's open to interpretation, it's open to  
9 interpretation -- my interpretation is, those are the  
10 board's rules. The NMAC are the board's rules, so the  
11 interpretation that I'm going by is your  
12 interpretation of that.

13 So when agency heads say they have a  
14 different interpretation, I would be comfortable  
15 saying, well, the board wrote it, so I'm fairly clear  
16 on what their -- I'm going to use their  
17 interpretation, not yours; not to be impolite, but  
18 they're the ones who wrote it; they -- they know what  
19 their intent is.

20 So that -- that's kind of what I deal with on  
21 that same section.

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

23 Mr. Mechels, you have the floor, sir.

24 MR. MECHELS: Mr. Chair, Members of the  
25 Board, good morning.

1           A.G. BALDERAS: Good morning.

2           MR. MECHELS: I've got a couple things to  
3 talk about here. I've given some documents to Monica  
4 that are part of the record.

5           First I'd like to say, this is very  
6 encouraging. You're addressing some of the issues.

7           Chief Romero, you're -- you're addressing  
8 some of the issues that brought me to this board six  
9 years ago when Jeanette Anaya was killed here in Santa  
10 Fe by a State Police officer.

11           One of the ones -- one of the issues that  
12 showed up in the transcript was a high-risk stop.  
13 Citizens have no expectation of getting a high-risk  
14 stop on a traffic stop.

15           She freaked out -- that's part of the reason  
16 she got killed -- she freaked out. The officer  
17 pointed a gun at her head, and she started driving  
18 away. That was a traffic stop.

19           High-risk stop, if you're going to use it,  
20 the public should be aware that you do such things;  
21 otherwise, how do you expect them to behave when some  
22 officer piles on and starts shouting at them and  
23 pointing a gun at them? They need to know you're  
24 going to do that.

25           The other thing they don't know -- and I've

1 spoken to the board about it before -- is, they don't  
2 know about Safe Pursuit Act.

3 The public does not know that when they do  
4 a -- when they -- that when they flee an officer, it  
5 became, with the passage of the high -- of the Safe  
6 Pursuit Act, a felony. They don't know that.

7 I've talked to this board before and said,  
8 they need to know that, and Chief Kassetas -- I  
9 remember the meeting very well -- said that wouldn't  
10 affect their behavior.

11 Well, if it wouldn't affect their behavior,  
12 why did you put it in the law? Why did it go from a  
13 misdemeanor to a felony?

14 They should -- the public needs to know that  
15 fleeing an officer has become a felony and they become  
16 a felon when they flee. They need to know that.

17 You're enforcing laws against people, and you  
18 won't even tell them what the law is. Tell the public  
19 what the law is that you're enforcing against them.

20 The other issue I've got with this is, put  
21 your policies online so the public knows the law  
22 that's being enforced against them. I find the police  
23 in this state are very reluctant to do that.

24 A couple of -- the few that do put their  
25 policies online, APD puts their policies online. The



1 Chief -- the -- the State Police put their policies  
2 online. I find a great deal of reluctance on other  
3 police agencies to do so.

4 But you're dead on: High-risk stop, you need  
5 to look at what you're doing more carefully. You  
6 don't have any consistency across agencies. I've  
7 looked across agencies. I've been looking at this --  
8 I've been working this problem for six years. A  
9 high-risk stop is dangerous as hell, and there's no  
10 consistency.

11 The other one -- the other -- the other one I  
12 really noticed was the lack of curriculum -- the lack  
13 of curricula consistency.

14 The difference between Cruses, which is  
15 essentially a sister city to Santa Fe as far as size,  
16 et cetera, their police academy is 1,000 hours. This  
17 one is like 675. Why? Look at those two. Look at  
18 those two.

19 And by the way, if -- I know the director is  
20 loaded down -- I've got -- I've got pretty much  
21 current curriculum and lesson plans and schedules --  
22 class schedules.

23 Don't just look at the curriculum. Look at  
24 the class schedules. If you want to find out what's  
25 being taught, you've got to look at the schedule,

1 because it may surprise you. You don't necessarily  
2 get the curriculum when you look at the class  
3 schedules.

4           The Santa Fe -- this police academy right  
5 here does not follow the curriculum if you look at  
6 their class schedule.

7           You desperately need to look across this  
8 system. You've got no consistency. You're handing  
9 out certifications for -- APD is 1,100. The State  
10 Police are in the same range. You've got Cruces with  
11 1,000 hours.

12           The APD has a problem because with their new  
13 scheme with the Central -- with that -- that new --  
14 that new Central New Mexico College, they've got a  
15 different set of standards for cadets that come out of  
16 that college than they do with people -- people that  
17 go through the normal academy.

18           You have no idea about physical training.  
19 The physical training varies from academy to academy.  
20 They don't agree on that. They don't -- they don't  
21 teach defensive tactics the same way.

22           The basic -- the problem is that when you  
23 give somebody a certificate, you don't know what  
24 they're capable of unless you test them, unless you  
25 question them in detail; otherwise, you're just --

1     you're just buying a pig in a poke.

2                 That certificate right now means nothing, and  
3     this goes back and it really got ugly back in 2013,  
4     when they destroyed the academy.

5                 This academy, in 2013 -- look at the records,  
6     look at the -- look at the -- at the minutes of --  
7     from that time -- this academy was destroyed. They  
8     had a very capable staff. They lost the whole deal.

9                 And after that the board backed off, and  
10    rather than being active, which is what they needed to  
11    do, they just let the incoming people, who had  
12    destroyed that academy, do whatever they wanted and --  
13    and just kept taking their word for the fact that  
14    everything was wonderful. It wasn't wonderful. It  
15    hasn't been wonderful.

16                The board -- the outgoing board here had  
17    backed -- if you just look at the minutes -- had  
18    backed away from looking at lesson plans. They had  
19    backed away from looking at curriculum. They had  
20    backed away from looking at the individual academy  
21    curriculum. They backed away from everything.

22                They were committed to sitting up there and  
23    voting for whatever they were told to vote for, and  
24    they had no curiosity about anything.

25                At one point in time this board looked at

1 lesson plans. They looked at curriculum. They  
2 helped -- they -- they looked at the instructor -- the  
3 instructor preparation. That all went away in 2013.

4           You don't have professional staff today. The  
5 director told you that. She -- that -- it's hard to  
6 build a professional staff, and they had one and it  
7 was destroyed in 2013.

8           You need to rebuild, and to rebuild you've  
9 got to understand your curriculum and how it is  
10 implemented across the state. There is a huge  
11 variability from -- from academy to academy.

12           Like I say, I've got all these records. Send  
13 me an email. You've all got my email address. I send  
14 you email. You've all got my email address. If you  
15 just ask, I can tell you what they are, and I've had  
16 the time to do this. The director is overworked. I  
17 have this information on my files. I got it through  
18 IPRA.

19           The other -- so enough of that. I commend  
20 you on that. Please follow up with this stuff. You  
21 are cutting to the heart of the problem.

22           This academy has been goofing off for the  
23 last four years, mostly under the direction of Pete  
24 Kassetas, who was very insistent that the board not  
25 involve themselves in all these things. To a large

1 extent he succeeded.

2 We had a lot of arguments over that. He's  
3 gone. Do your job. You haven't been doing your job  
4 for a very long time.

5 The other -- just a detail that I should  
6 mention to you, this -- you took a -- you took --  
7 against my recommendations in some of my emails, you  
8 took a vote last time just -- to just ratify 198,  
9 Class 198. That was a mistake.

10 I tried to tell you that you needed to issue  
11 certificates. That's your obligation under the law --  
12 not ratify, issue certificates. That's your  
13 obligation under the law.

14 I was disappointed that you weren't taught  
15 the law in Red River. What you were taught was OMA,  
16 IPRA, et cetera.

17 You weren't -- nobody has ever instructed you  
18 on your obligations under the statutes that govern  
19 this academy. That needs to be something that  
20 you're -- you're supposed to do and instructed in by  
21 legal counsel, because one of the things you will find  
22 out is that this board is, by law, independent.

23 You are letting yourself be run by DPS. That  
24 is illegal. You are an administratively attached  
25 agency. The DPS has no right to tell the director

1 anything -- or you. You're independent. Be  
2 independent. Be independent of DPS. They've got  
3 their own interests.

4 Your interests are to serve the citizens of  
5 this state, and that means you've got to ask a lot of  
6 questions, you've got to get some consistency in your  
7 program, and you need a new curriculum.

8 And by the way, I think your job task  
9 analysis last was in 2002, and you desperately need to  
10 do another one.

11 And the previous director just wrote it off  
12 and said it would cost a million dollars; we're not  
13 going to do it. That's not true. It'd cost about  
14 \$20,000. He just didn't want to do it. You need to  
15 do a job task analysis.

16 You need to get back on board with the  
17 national standards. As the director had mentioned,  
18 she was at one of their meetings recently. You need  
19 to get back on board with the national standards, and  
20 you've run away from those board -- that -- those  
21 standards completely.

22 The only -- the only -- the only thing that  
23 ties you to national standards is your -- is your  
24 letterhead. The rest of it you walked away from a  
25 long time ago under this last -- under the last board.

1           So I'm saying I encourage you. You've  
2 asked -- you've asked some very encouraging questions.  
3 You really need to look at your certification and your  
4 use of temporary certifications especially, because  
5 until you do, you're going to have a lot of problems  
6 with legal exposure.

7           Albuquerque has some classes that still are  
8 not properly certified -- APD 113 and 116; 198 is  
9 still not properly certified, because if you look at  
10 it procedurally, the very thing you did to -- to allow  
11 for certifying three officers exposed the fact that  
12 the other 42 aren't properly certified.

13           You have a lot of legal issues there that  
14 need to be addressed, and you can do it. Like I say,  
15 this is encouraging -- the most encouraging meeting  
16 I've been to so far, so anyway --

17           A.G. BALDERAS: Thank you, Mr. Mechels.

18           MR. MECHELS: -- I'll take questions.

19           A.G. BALDERAS: Anything else, sir? Any  
20 questions for Mr. Mechels?

21           MR. TEDROW: Mr. Chair, one quick question.

22           A.G. BALDERAS: Sure.

23           MR. TEDROW: What was the documents you  
24 submitted over for the record?

25           COURT REPORTER: For the what?

1           MR. TEDROW: For the record. What did you  
2 submit today? What documents did you submit today?

3           MR. MECHELS: Oh, the documents -- the -- the  
4 documents, which you, of course, will be getting a  
5 copy of, one of them is a letter from the Director to  
6 -- to the SFPD Chief, and it has to do with -- with  
7 her extending the temporary certifications to allow  
8 for three officers who were going to hit a one-year  
9 limit.

10           The only reason that was needed and  
11 required -- I mean, and she answered -- and she  
12 answered it correctly -- the only -- the only reason  
13 it was needed and required is because if you actually  
14 follow your NMAC and the statutes, you'll find out  
15 that -- that the certification -- the temporary  
16 certification expires at the next board meeting, so  
17 the only way for those officers to be carried forward  
18 was for her to issue another temporary certification,  
19 which she did.

20           However, the other officers -- all the other  
21 officers' certifications had expired also on May 29th,  
22 so when you ratified those officers in -- in -- at --  
23 in Red River, there was nothing to ratify, because by  
24 the NMAC, if you don't do it at the next -- next board  
25 meeting, which was May 29th, it evaporates and has no



1 further effect.

2           There was nothing to ratify. How could you  
3 ratify it? So that's the issue. I think -- I think  
4 198 needs to be re-addressed, and you should -- I  
5 would suggest that you actually follow the statutes --  
6 forget about that crazy NMAC language -- follow the  
7 statute and issue certification. That's legal.  
8 That's clear.

9           The -- this playing games with temporary  
10 certification started back in 1993. You should stop  
11 doing it. It's just mischief. You -- there's much  
12 better, clearer ways of handling that problem. So  
13 that's one of the documents.

14           The other one I -- the other one -- the other  
15 two is one in which I've referred the -- there's a  
16 couple of new board members. It's my description of  
17 the history of the last -- of the LEA to this point.  
18 I've -- I've -- I've -- I've given this to the board  
19 previously, but you've got some new members.

20           And the other -- the other one is -- is a --  
21 is a copy of an email that I sent to all the board  
22 members with attachments -- I have received no  
23 responses -- but it lays out the issues and it  
24 documents what information has been provided to the  
25 board with attached files.

1           And again, for the new board members -- and  
2   you have a couple of new ones -- this may be  
3   interesting, because these -- I've been raising these  
4   issues with the board through emails ever since they  
5   came on -- ever since they became board members.

6           I haven't been getting any responses. I  
7   think it's sad that I don't.

8           A.G. BALDERAS: Any follow-up?

9           MR. TEDROW: That's all.

10          A.G. BALDERAS: Follow up? You're good?

11          MR. TEDROW: No, I'm good. Thank you.

12          A.G. BALDERAS: Thank you, Mr. Mechels, for  
13   your presentation.

14          MR. MECHELS: Thank you. I encourage you --

15          A.G. BALDERAS: And let me give you a  
16   compliment. I -- you're very effective when you're in  
17   a good mood, so we will get back to you also on your  
18   feedback on our -- our -- well, the Board Member's  
19   question, which was well taken, and I think there's an  
20   opportunity for your ratification of certification  
21   issue to be worked on.

22          And then more importantly, I would ask of  
23   you -- if we could support effective communication, I  
24   would be curious for you to -- maybe in a one-pager --  
25   identify some areas of interest as we go into the

1 field and look at curriculum.

2 We -- we'd be glad to prioritize maybe your  
3 top three areas of interest where you think we need to  
4 really focus the Board Members' attention, so --

5 MR. MECHELS: Okay. I can't hear that  
6 clearly. I'll -- I'll -- I can rely on the minutes  
7 to --

8 A.G. BALDERAS: Rely on the minutes, and my  
9 staff will gladly meet with you right after this.  
10 We -- I just want to compliment you on --

11 MR. MECHELS: Okay.

12 A.G. BALDERAS: -- on your presentation  
13 today.

14 MR. MECHELS: And I think -- I think I've  
15 agreed with the Director that we'll get together after  
16 the holidays and talk, because I found that useful  
17 with past Directors.

18 A.G. BALDERAS: Great. Well, thank you.  
19 Thank you for your presentation.

20 MR. MECHELS: Thank you.

21 A.G. BALDERAS: We -- last meeting, Board  
22 Member Mendoza -- it might have been two meetings  
23 ago -- last meeting had some good questions about the  
24 A.G.'s administrative prosecution, maybe the backup,  
25 the timing.

1           Some of these referrals go to us, and I'd  
2   like to recognize my chief counsel to maybe give you  
3   just a quick update on -- on what we -- what we did.

4           MR. BACA: Thank you, Attorney General. My  
5   name is Matt Baca.

6           Sheriff, as you asked -- kind of just asked  
7   us to go back and look and see kind of where the  
8   backlog was and how we could anticipate sort of moving  
9   some of those cases along.

10          So we've spoken with our litigation director,  
11   who oversees the administrative prosecutions. We  
12   confirmed with him that we anticipate having that  
13   backlog almost fully caught up -- if not substantially  
14   caught up -- by the end of January.

15          So we'll continue to report to you all as a  
16   board, but as the Attorney General said to you at the  
17   last meeting, he wanted to -- to be sure you got that  
18   answer.

19          So that's really all I have to say.

20          SHERIFF MENDOZA: Mr. Chair, thank you.

21          Mr. Baca, I think that's helpful so we know  
22   that that's actually some good news to know that  
23   that's going to be moving forward next year. Thank  
24   you.

25          MR. BACA: That's all I have. Thank you.

1       ITEM NO. 7:   RATIFICATION OF CERTIFICATIONS FOR LAW  
2                           ENFORCEMENT OFFICERS

3               A.G. BALDERAS:   Great.   Thank you.   I believe  
4   we are on ratification of certifications for law  
5   enforcement officers.   The next agenda item will be  
6   for law enforcement officers, and our Director will  
7   facilitate that.

8               DIRECTOR ALZAHARNA:   Item number 7-A on the  
9   agenda, ratification of certification for law  
10   enforcement officers, A is NM LEA Basic Academy number  
11   199, certification numbers 19-0227-P through  
12   19-0270-P.

13              A.G. BALDERAS:   Madam Director, would you  
14   repeat just the exhibit numbers for me?

15              DIRECTOR ALZAHARNA:   7-A.

16              A.G. BALDERAS:   Is that 227?   That's what I  
17   have in my packet.

18              DIRECTOR ALZAHARNA:   Well, it's Exhibit A --

19              A.G. BALDERAS:   Okay.

20              DIRECTOR ALZAHARNA:   -- agenda item 7.

21              A.G. BALDERAS:   Is the -- is the first  
22   certification, though, 227-P?

23              DIRECTOR ALZAHARNA:   Yes, sir.

24              A.G. BALDERAS:   Okay.   Great.   Ending in 250?

25              DIRECTOR ALZAHARNA:   270.

1           A.G. BALDERAS: Oh, I'm sorry. That's a 7.  
2   You're right.

3           We do have a -- may I entertain a motion to  
4   ratify certification Exhibit A of 227-P, ending in  
5   270-P? Is there a motion?

6           CHIEF ROMERO: Mr. Chair, I so move.

7           A.G. BALDERAS: There is a motion, and is  
8   there a second to move certification ratification of  
9   227, Exhibit A, through 270? Is there a second?

10          MS. MONAHAN: I second that.

11          A.G. BALDERAS: Great. There's a motion and  
12   a second to approve Exhibit A, which starts in 227 and  
13   ends in 270. All in favor say aye.

14          (The Board Members voted unanimously.)

15          A.G. BALDERAS: Any opposed?

16          (No response.)

17          A.G. BALDERAS: Motion for certification --  
18   ratification of certification passage -- passes.

19          DIRECTOR ALZAHARNA: Exhibit B is CBW number  
20   99, certification numbers 19-271-P through 19-0278-P,  
21   08-0122-P, 01-0187-P, 83-0307-P, 91-0053-P, 07-0016-P,  
22   03-0172-P, and 89-0250-P.

23          A.G. BALDERAS: Thank you, Madam Director.

24          May I entertain a motion to pass ratification  
25   of certifications Exhibit B, starting with 271, ending

1 in 250? Is there a motion?

2 SERGEANT ANDERSON: Mr. Chairman, I'll move.

3 A.G. BALDERAS: There is a motion to consider  
4 ratification of certifications Exhibit B. Is there a  
5 second to that?

6 MS. MONAHAN: I second that.

7 A.G. BALDERAS: There is second -- motion and  
8 second to ratify the passage of certifications 270 --  
9 0271-P, ending in 0250. All in favor say aye.

10 (The Board Members voted unanimously.)

11 A.G. BALDERAS: Any opposed?

12 (No response.)

13 A.G. BALDERAS: Motion to pass Exhibit A with  
14 no nays. It moves for passage.

15 MR. KREIENKAMP: It was Exhibit B.

16 A.G. BALDERAS: I'm sorry; Exhibit B. Thank  
17 you for the correction.

18 Are there any more certifications, Madam  
19 Director? Is that it?

20 DIRECTOR ALZAHARNA: That's it.

21 ITEM NO. 8: SCHEDULING OF 2020 BOARD  
22 MEETINGS

23 A.G. BALDERAS: Great. I'd like to direct  
24 our board to item number 8. We do have some dates.  
25 After we receive some input, we'd like to have Board

1 Members look at their availability for the following  
2 dates for the next four meetings.

3 I do want to congratulate this board. The --  
4 the appointment process was a little delayed at the  
5 beginning of the year, but we did meet four times this  
6 year, which is a requirement, and so I do appreciate  
7 your commitment in coming in December to allow us  
8 to -- to meet our goal of meeting four times this  
9 year.

10 And I believe that many of you have probably  
11 half the year to be with us, so I want to commend you  
12 all.

13 The dates that we're looking at for next year  
14 are March 5th, June 11th, September 17th, and  
15 December 10th.

16 And there has been some discussion that some  
17 of those meetings may require a day-and-a-half or a  
18 two-day meeting, so we will entertain some feedback  
19 on that, but I did want to have the board at least  
20 take down these dates, look at your schedules, see if  
21 there's a possibility.

22 And we would always entertain the feedback.  
23 If some of you want to request a modification, we can  
24 look at those schedules today.

25 Any discussion on that at this time?



1           SHERIFF MENDOZA: Mr. Chair, what was the  
2 date in December? I'm sorry.

3           A.G. BALDERAS: December 10th, 2020;  
4 September 17th, 2020 -- I'm going backwards now --  
5 June 11th, and March 5th.

6           MS. MONAHAN: Okay. Good.

7           A.G. BALDERAS: Madam Director?

8           DIRECTOR ALZAHARNA: Something for the board  
9 to consider as they look at these dates, I've had it  
10 suggested -- so I'll put it out there -- the annual  
11 Law Enforcement Policing Conference is held in  
12 December, and I would be willing, if it's the board's  
13 desire, to -- to network with those who put that  
14 together and talk with the sheriff's agencies.

15           I know the FBI National Academy Associates  
16 has -- has tied their board meeting in, and if you all  
17 would have any interest in tying it -- your board  
18 meeting into that week, it would -- it would certainly  
19 give an opportunity.

20           A lot of people -- a lot of law enforcement  
21 personnel attend that conference and then would be  
22 available to attend at least one meeting a year as  
23 well -- not just the agency executive, but law  
24 enforcement personnel -- starting with new recruits up  
25 through the top -- it would give them an opportunity.

1           A.G. BALDERAS: And I -- I also thought maybe  
2 even inquiry about the Municipal League and the  
3 Sheriffs' Association as well, those dates --

4           DIRECTOR ALZAHARNA: Yes.

5           A.G. BALDERAS: -- for their annual  
6 conference would be good -- good considerations at  
7 least. Thank you.

8           Any questions for the Director on these at  
9 least proposed dates? We can talk later maybe about  
10 locations as well. Well, thank you all for taking  
11 those down.

12           We might take a five-minute break before we  
13 get to the next item.

14           (Recess was held from 11:19 a.m. until  
15 11:38 a.m.)

16           CHIEF ROMERO: Okay. We're ready to call the  
17 meeting back to order, and at this time we're about to  
18 discuss disciplinary matters.

19           I would entertain a motion that the board now  
20 go into closed executive session to discuss only those  
21 matters listed on the agenda for executive session  
22 pursuant to NMSA 1978, 10-15-1-(H)(1), (3), and (7).  
23 I would entertain a motion.

24           MS. MONAHAN: Mr. Chair, I so move.

25           CHIEF ROMERO: Okay. I do have a motion. Do

1 I have a second?

2 SERGEANT ANDERSON: I'll second.

3 CHIEF ROMERO: Okay. I have a motion and a  
4 second for the board to go into closed executive  
5 session, so could I have a roll call vote, please?

6 MS. MEDRANO: Just a second. Honorable  
7 Hector Balderas.

8 (No response.)

9 MS. MEDRANO: Robert Tedrow.

10 MR. TEDROW: Yes.

11 MS. MEDRANO: Chief Tim Johnson.

12 (No response.)

13 MS. MEDRANO: Sheriff Adan Mendoza.

14 SHERIFF MENDOZA: Yes.

15 MS. MEDRANO: Chief Clayton Garcia.

16 (No response.)

17 MS. MEDRANO: Chief Thomas Romero.

18 CHIEF ROMERO: Yes.

19 MS. MEDRANO: Sergeant Hollie Anderson.

20 SERGEANT ANDERSON: Yes.

21 MS. MEDRANO: Ms. Connie Monahan.

22 MS. MONAHAN: Yes.

23 MS. MEDRANO: Dr. Bobbie Green.

24 DR. GREEN: Yes.

25 (Recess taken from 11:40 a.m. to 2:22 p.m.)

1           ITEM NO. 24:   RETURN TO OPEN SESSION; ACTION OF  
2                           MATTERS DISCUSSED IN CLOSED SESSION

3           CHIEF ROMERO:   All right.   Then we'll welcome  
4 everyone back.   The board is now in open session.

5           I affirm that, while in closed session, we  
6 discussed only those matters specified in the motion  
7 and listed on the agenda under executive session in  
8 accordance with NMSA 1978 Section 10-15-1(H).

9           ITEM NO. 9:   CRYSTAL QUINTANA.

10          CHIEF ROMERO:   At this time we will go back  
11 to agenda item number 9 regarding Ms. Crystal  
12 Quintana.   At this time I would entertain a motion  
13 from the board.

14          MR. TEDROW:   Mr. Chair, at this time I'd like  
15 to move to direct a prosecuting body that we feel it's  
16 in our best interest to dismiss this matter.

17          CHIEF ROMERO:   Okay.   So I do have a motion.  
18 Do I have a second for that motion?

19          DR. GREEN:   I second.

20          CHIEF ROMERO:   Okay.   I have a motion and a  
21 second regarding Ms. Crystal Quintana to dismiss the  
22 case regarding her.   All those in favor, please say  
23 aye.

24                       (The Board Members voted unanimously.)

25          CHIEF ROMERO:   Any opposed?

1 (No response.)

2 CHIEF ROMERO: And the motion carries.

3 SERGEANT ANDERSON: Mr. Chair, on number 9,  
4 Crystal Quintana, I will abstain from the vote.

5 CHIEF ROMERO: Okay. Let the record show  
6 that Board Member Anderson abstained from the vote on  
7 Crystal Quintana.

8 ITEM NO. 10: GREGORY HALL.

9 CHIEF ROMERO: Okay. Agenda item number 10,  
10 Gregory Hall, I would entertain a motion.

11 SERGEANT ANDERSON: Mr. Vice President, I'll  
12 go ahead and move to dismiss and accept the  
13 recommendation of the Director.

14 CHIEF ROMERO: Okay. I have a motion to  
15 dismiss per the recommendation of the Director. Do I  
16 have a second?

17 MS. MONAHAN: Mr. Chair, I second.

18 CHIEF ROMERO: Okay. I have a motion and a  
19 second. All those in favor, please say aye.

20 (The Board Members voted unanimously.)

21 CHIEF ROMERO: Any opposed?

22 (No response.)

23 CHIEF ROMERO: Motion carries.

24 ITEM NO. 11: GABRIEL ORTIZ.

25 CHIEF ROMERO: Agenda item number 11, Gabriel

1 Ortiz, do I have a motion regarding Mr. Ortiz?

2 MR. TEDROW: Mr. Chair, having reviewed the  
3 information that was provided to us and taking into  
4 account the Director's proposed dismissal, I would  
5 move that we follow the recommendation of the Director  
6 for dismissal.

7 CHIEF ROMERO: Okay. I have a motion to  
8 accept the recommendation by the director for  
9 dismissal. Do I have a second?

10 MS. MONAHAN: I will second that.

11 CHIEF ROMERO: I have a motion and a second  
12 regarding Mr. Ortiz. All those in favor, please says  
13 aye.

14 (The Board Members voted unanimously.)

15 CHIEF ROMERO: Any opposed?

16 (No response.)

17 CHIEF ROMERO: And any abstention?

18 SHERIFF MENDOZA: For the record, I, Adan  
19 Mendoza, will abstain from the vote for Gabriel Ortiz.

20 ITEM NO. 12: KEN ROBERTS.

21 CHIEF ROMERO: Okay. Agenda item -- so that  
22 motion does carry.

23 Agenda item number 12, Ken Roberts, I would  
24 entertain a motion.

25 SHERIFF MENDOZA: I would motion to approve a

1 three-month suspension in reference to Mr. Ken  
2 Roberts's certification.

3 CHIEF ROMERO: Okay. I have a motion for a  
4 three-month suspension of certification regarding Mr.  
5 Ken Roberts. Do I have second?

6 SERGEANT ANDERSON: I'll second.

7 CHIEF ROMERO: Okay. I have a motion and a  
8 second. All --

9 DR. GREEN: Mr. Chairman, I have to abstain  
10 from this one.

11 CHIEF ROMERO: Okay. And we have abstaining  
12 from Dr. Green.

13 So I have a motion and a second. All those  
14 in favor, please say aye.

15 (The Board Members voted unanimously.)

16 CHIEF ROMERO: Any opposed?

17 (No response.)

18 CHIEF ROMERO: Seeing none, the motion  
19 carries.

20 ITEM NO. 13: KYLE GRAHAM.

21 CHIEF ROMERO: Item number 13, Kyle Graham, I  
22 would entertain a motion.

23 MR. TEDROW: Mr. Chair, based on -- off the  
24 information provided to us and based off the proposed  
25 dismissal as submitted by the Director, I would move

1 to dismiss item 13, Mr. Kyle Graham.

2 CHIEF ROMERO: Okay. I have a motion to  
3 dismiss on Mr. Kyle Graham. Do I have a second?

4 SERGEANT ANDERSON: I'll second.

5 CHIEF ROMERO: I have a motion and a second  
6 regarding Mr. Kyle Graham. All those in favor, please  
7 say aye.

8 (The Board Members voted unanimously.)

9 CHIEF ROMERO: Any opposed?

10 (No response.)

11 CHIEF ROMERO: Seeing none, the motion  
12 carries.

13 ITEM NO. 14: TREY DEVICH.

14 CHIEF ROMERO: Number 14 regarding Mr. Trey  
15 Devich or Devich, I would entertain a motion.

16 SERGEANT ANDERSON: Mr. Vice Chair, I'll go  
17 ahead and move to accept the recommendations of the  
18 Director.

19 CHIEF ROMERO: Okay. And that recommendation  
20 was for a revocation of certification?

21 SERGEANT ANDERSON: Yes, sir.

22 CHIEF ROMERO: Okay. I have a motion to  
23 accept the recommendation for revocation of  
24 certification on Trey Devich. Do I have a second?

25 DR. GREEN: I second it.



1 CHIEF ROMERO: Okay. I have a motion and a  
2 second regarding Mr. Trey Devich. All those in favor,  
3 please say aye.

4 (The Board Members voted unanimously.)

5 CHIEF ROMERO: Any opposed?

6 (No response.)

7 CHIEF ROMERO: Seeing none, the motion  
8 carries.

9 ITEM NO. 15: JOSH PHILLIPS.

10 CHIEF ROMERO: Item number 15, Josh Phillips,  
11 I would entertain a motion.

12 MR. TEDROW: Mr. Chair, I would move that we  
13 accept the recommendation of the Director in number  
14 15, Josh Phillips.

15 CHIEF ROMERO: Okay. I have a motion to  
16 accept the recommendation by the Director on Mr. Josh  
17 Phillips, which was revocation of certification. Do I  
18 have second?

19 MS. MONAHAN: I -- I will second that.

20 CHIEF ROMERO: Okay. I have a motion and a  
21 second regarding Josh Phillips. All those in favor,  
22 please say aye.

23 (The Board Members voted unanimously.)

24 CHIEF ROMERO: Any opposed?

25 (No response.)

1 CHIEF ROMERO: Seeing none, that motion  
2 carries.

3 ITEM NO. 16: MICHAEL PHILLIPS

4 CHIEF ROMERO: Number 16 regarding Michael  
5 Phillips, I would entertain a motion.

6 SHERIFF MENDOZA: I would like to make a  
7 motion to accept the recommendation by the Director  
8 for revocation of certification for Michael Phillips.

9 CHIEF ROMERO: Okay. I have a motion to  
10 accept the Director's recommendation of revocation of  
11 certification for Michael Phillips. Do I have a  
12 second?

13 SERGEANT ANDERSON: I'll second.

14 CHIEF ROMERO: I have a motion and a second  
15 regarding Mr. Michael Phillips. All those in favor,  
16 please say aye.

17 (The Board Members voted unanimously.)

18 CHIEF ROMERO: Any opposed?

19 (No response.)

20 CHIEF ROMERO: Seeing none, the motion  
21 carries.

22 ITEM NO. 17: COLBY SKIDMORE

23 CHIEF ROMERO: Agenda item number 17, Mr.  
24 Colby Skidmore, I would entertain a motion.

25 MR. TEDROW: Mr. Chair, at this time I would

1 move that we accept the recommendation of the Director  
2 for number 17, Colby Skidmore, which is a dismissal.

3 CHIEF ROMERO: Okay. I have a motion to  
4 accept the recommendation by the Director to dismiss  
5 against Mr. Colby Skidmore. Do I have a second?

6 DR. GREEN: Second.

7 CHIEF ROMERO: Okay. I have a motion and a  
8 second regarding Mr. Colby Skidmore. All those in  
9 favor, please say aye.

10 (The Board Members voted unanimously.)

11 CHIEF ROMERO: Any opposed?

12 (No response.)

13 CHIEF ROMERO: Seeing none, the motion  
14 carries.

15 ITEM NO. 18: FRANK WILLIAMS.

16 CHIEF ROMERO: Agenda item number 18, Frank  
17 Williams, I would entertain a motion.

18 SHERIFF MENDOZA: I make a motion to accept  
19 the recommendation by the Director for revocation of  
20 certification for Mr. Frank Williams.

21 CHIEF ROMERO: Okay. I have a motion to  
22 accept the Director's recommendation of revocation of  
23 certification for Mr. Frank Williams. Do I have a  
24 second?

25 MS. MONAHAN: I will second the motion.

1 CHIEF ROMERO: I have a motion and a second  
2 regarding Mr. Frank Williams. All those in favor,  
3 please say aye.

4 (The Board Members voted unanimously.)

5 CHIEF ROMERO: Any opposed?

6 (No response.)

7 CHIEF ROMERO: Seeing none, the motion  
8 carries.

9 ITEM NO. 19: RICKY A. ROMERO

10 CHIEF ROMERO: Agenda item number 19, Ricky  
11 Romero, I would entertain a motion.

12 MR. TEDROW: Mr. Chair, having reviewed the  
13 proposed settlement agreement as presented to this  
14 board, I would recommended and move that we accept the  
15 proposed settlement agreement.

16 CHIEF ROMERO: Okay. I have a motion to  
17 accept the stipulated agreement regarding Mr. Ricky  
18 Romero. Do I have a second?

19 SHERIFF MENDOZA: I'll second.

20 CHIEF ROMERO: Okay. We have a motion and a  
21 second regarding Mr. Ricky Romero. All those in  
22 favor, please say aye.

23 (The Board Members voted unanimously.)

24 CHIEF ROMERO: Any opposed?

25 (No response.)

1 CHIEF ROMERO: Seeing none, the motion  
2 carries.

3 ITEM NO. 20: KIM JIN

4 CHIEF ROMERO: Agenda item number 20  
5 regarding Kim Jin, I would entertain a motion.

6 (No response.)

7 CHIEF ROMERO: Do I have motion for Kim Jin,  
8 item number 20?

9 MR. TEDROW: Well, Mr. Chair, not to step out  
10 of place, but I'll go ahead and move for revocation as  
11 based off the formal hearing officer's report as  
12 provided to this board on number 20, Kim Jin.

13 CHIEF ROMERO: Thank you. I have a motion  
14 for revocation regarding Kim Jin, agenda item number  
15 20. Do I have a second?

16 SERGEANT ANDERSON: I'll second.

17 CHIEF ROMERO: I have a motion and a second  
18 regarding Kim Jin. All those in favor, please say  
19 aye.

20 (The Board Members voted unanimously.)

21 CHIEF ROMERO: Any opposed?

22 (No response.)

23 CHIEF ROMERO: Seeing none, the motion  
24 carries.

25 ITEM NO. 21: NATHAN THORTON

1 CHIEF ROMERO: Agenda item number 21, Nathan  
2 Thorton, I would entertain a motion.

3 SERGEANT ANDERSON: Mr. Vice Chair, I will  
4 move to allow Nathan Thorton to be eligible for the  
5 PST Academy.

6 CHIEF ROMERO: Okay. We have a motion to  
7 allow Mr. Nathan Thorton to be eligible and to be  
8 admitted into the PST Academy. Do I have a second?

9 MS. MONAHAN: I will second that motion.

10 CHIEF ROMERO: Okay. We have a motion and a  
11 second on Mr. Nathan Thorton. All those in favor,  
12 please say aye.

13 (The Board Members voted unanimously.)

14 CHIEF ROMERO: Any opposed?

15 (No response.)

16 CHIEF ROMERO: Seeing none, the motion does  
17 carry.

18 ITEM NO. 22: PHILLIP ORTEGA

19 CHIEF ROMERO: On item number 22, Phillip  
20 Ortega, for the record, there is no formal action to  
21 be taken on that particular item.

22 ITEM NO. 23: PENDING LITIGATION: GONZALEZ V. LEAB

23 CHIEF ROMERO: Also, on agenda item number  
24 23, for the record, again, there is no action required  
25 to be taken at this time on that item as well.

1           ITEM NO. 25:   ADJOURNMENT.

2           CHIEF ROMERO:   And with that, I believe that  
3 concludes the business of the board under today's  
4 agenda.   Do I have a motion to adjourn?

5           MR. TEDROW:    So moved.

6           CHIEF ROMERO:   I have a motion.   Do I have a  
7 second?

8           MS. MONAHAN:   I second.

9           CHIEF ROMERO:   I have a motion and a second  
10 to adjourn.   All those in favor, please say aye.

11           (The Board Members voted unanimously.)

12           CHIEF ROMERO:   Any opposed?

13           (No response.)

14           CHIEF ROMERO:   We are adjourned.

15           (The meeting was adjourned at 2:34 p.m.)

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REPORTER'S CERTIFICATE

I, REBECCA FELLA, New Mexico CCR #534, DO  
HEREBY CERTIFY that on December 19, 2019, the  
proceedings in the above-captioned matter were taken  
before me, that I did report in stenographic shorthand  
the proceedings set forth herein, and that the  
foregoing pages are a true and correct transcription  
to the best of my ability.

I FURTHER CERTIFY that I am neither employed  
by nor related to nor contracted with (unless excepted  
by the rules) any of the parties or attorneys in this  
case, and that I have no interest whatsoever in the  
final disposition of these proceedings.

-----  
Rebecca Fella, CCR  
NM CCR #534  
License expires 12/31/19



6 March 2018

To: Mr. Hector Balderas, New Mexico Attorney General  
Chairman of the Law Enforcement Academy Board  
4491 Cerrillos Road, Santa Fe, NM 87505

Members of the Law Enforcement Academy Board  
4491 Cerrillos Road, Santa Fe, NM 87505

Subject: The Role of the LEA Board, and DPS, in NM Police Training

Dear LEA Board Members:

I am annoyed by the claim made on the LEA Stationary announcing the agenda for this meeting; "NEW MEXICO'S POLICE OFFICER STANDARDS AND TRAINING AGENCY" and "Celebrating 50 years of Excellence". This is a total fraud, as I will explain. The LEA POST regime was established, by statute, in 1969; undermined in 1987; destroyed in 2003; annihilated in 2013.

### **The Chronology**

**1969** From the 1969 founding of the LEA, until 2003, the POST process was used for curriculum development. The POST model process, which defines the POST regime is at; <http://www.iadlest.org/Projects/ModelStandards.aspx> from the main POST website at; <http://www.iadlest.org/Home.aspx>

**1987** With the establishment of the Department of Public Safety (DPS) in 1987, the LEA independence, essential under the POST scheme, was gone. The LEA budget now came through the DPS, and the LEA Director was "nominated" by DPS.

**2003** LEA Director Hart held out until 2003, when he was forced out by new DPS Secretary Denko. Denko then could name the Director, but the POST regime remained so arbitrary curriculum changes were impeded by the process. The essentially "froze" the 2002 curriculum, the last "legitimate" POST curriculum, with changes made only by Legislative statutes. This led to complaints against the "frozen" curriculum, and Legislative "interference", both of which resulted from the DPS meddling.

**2011** New DPS Secretary Gorden Eden came in determined to reduce the length of BPOT from 22 weeks to 16 weeks. He began by replacing the LEA Director, with his own man, totally controlled by DPS, not the LEA Board. First efforts went to destroy the CBW training and the Bi-Annual training, both done with Rules Hearings. With his own Director, and a DPS LEA Board, Eden's only problem was installing the desired 16 week BPOT curriculum. This was brought to the Board in October 2012, by Phil Gallegos of the LEA, and followed the Rules Act, but was lacking the Job Task Analysis of the POST regime. It was never completed.



**2013** Eden then decided to replace the LEA Director, yet again, with Jack Jones, who had no respect for the POST regime or the law. Jones, enabled by the DPS Board, esp Nate Korn, destroyed the entire LEA training staff, which has never recovered, and eliminated the NM Rules Act requirement for a Public Hearing on BPOT curriculum changes. This was illegal of course, with the result that the Santa Fe LEA training was illegal from early 2013 until TODAY, in spite of their claims to POST excellence.

**2013** DPS Secretary Eden, at the September 2013 Board Meeting, advised the Board that they are "best suited not to design the curriculum" but to approve the DPS design. This directly attacked the Charter of the LEA. The Board was to approve the Lesson Plans, but that never came to pass. The DPS Board of course supported this.

**2013** At the December 2013 LEA Board meeting the new, DPS, curriculum, was voted on by the LEA Board without a Public Hearing, in direct violation of the NM Rules Act. Thus, all BPOT curricula for the next three years were ILLEGAL. All those classes were illegally "Certified" by the DPS Board and Director.

**2014** As the LEOCE test, which had been developed under the POST regime, no longer matched the arbitrary new curriculum, Jones responded to low test scores by hacking the test to get the desired results, and get the "yield" up. This in direct violation of the POST process.

**2014** The Physical Fitness standards, also illegally modified in December 2013, to discriminate against women and those over 30 years of age, were again hacked arbitrarily, to get the "yield" back up, in direct violation of the POST process. The hacked standards are still illegal, and discriminatory, but less so.

**2015** In response to my OMA lawsuit, which forced them to evaluate their methods, the LEA decided to take the BPOT 657 hour curriculum to a Public Hearing, thus "blessing" the illegal curriculum in a legal process. Kassetas insisted that the Board should abandon their obligation since December 2013, to approve Lesson Plans. This left DPS making the curriculum, and the Lesson Plans, for a rubber stamp by the DPS Board. Total violation of the POST process and the LEA Charter.

**2016** In June the LEA Board created a Rules Subcommittee, led by Kassetas, which immediately attacked the right of the public to Board information, and access to the Board agenda. The August Public Hearing, illegal due to two OMA violations and a Rules Act notice violation, and a curriculum that was NOT the 657 hour version the Board had voted on, pushed the whole illegal mess past the DPS Board, ignoring all input at the Hearing. All illegal, daring anyone to sue them. The LEA Board Chair, AG Balderas and his Board Counsel Dworak simply ignore the illegalities.

**2017** The LEA Board, led by Kassetas, answers my question concerning approval of the LEA BPOT class schedule for the SFe Academy. The answer; the Director approves his own class schedule, and the class schedules of all the other academies. The Board approves none. As the Director works for DPS, in fact this means that the DPS, not the Board, approves all police



training in New Mexico. This directly violates the POST standards, the LEA Charter, and the independence of the LEA as an "Administratively attached agency". The LEA Chair, Hector Balderas, passively watches as Kassetas dominates the DPS Board.

### Summary

So, what does it matter? What's wrong with DPS dominance of police training? It's giving the keys to the car to someone who can't drive. The result, the LEA class schedule has been illegal, not compliant with the curriculum for five years, until today. POST is about "standards" and today the LEA, under DPS dominance, has no standards, only chaos. Looking across the LEA system of nine academies we find;

Physical Fitness ranges from 60 hours to 101 hours. Four academies illegal, less than 60 hours.  
Defensive Tactics ranges from 86 hours to 161 hours.  
Firearms training ranges from 77 hours to 129 hours.  
Officer Survival ranges from 8 hours to 80 hours.  
BPOT classes range from 674 hours to 1140 hours.

Yet they all get the same Certificate, which means nothing. No standard training, no standard testing, no standard test preparation for the LEOCE.

Eight of the nine academies "teach the test" for the LEOCE, with no standard. At two of the academies, the LEA and State Police academies, the LEOCE is taught by the Director's staff, also the "independent" test administrator. The sole academy that does not "teach the test" for the LEOCE is Las Cruces, which is the best academy in New Mexico.

Under the DPS, the LEA system is utterly corrupt. There is no "standard" curriculum, or a standard way of teaching the classes, or measuring results. The LEOCE is "taught" by those who administer the test, and the test has been hacked to yield the required graduation rate.

The result; a "Certification" means nothing, except that the cadet sat in a classroom for the required hours. The cadets are far too quick to use their firearm, as their training hasn't prepared them for anything else. They shoot, we pay, and the lawsuit settlements are large. We must "get legal" to deal with the lawsuits.

IADLEST (POST) is a voluntary organization, with no power to evict the LEA, but they are happy to receive the annual membership fee. Mike Becar, the IADLEST Executive Director, is very capable, a real resource, and can help, but he needs to be called.

IADLEST, recently, does offer to audit your POST operation, but that is voluntary. If the LEA is to have a POST future the IADLEST audit would be an excellent idea. Colorado had such an audit, with good results.

<https://www.iadlest.org/Portals/0/Audit%20Flyer.pdf>



**NEW MEXICO DEPARTMENT OF PUBLIC SAFETY  
LAW ENFORCEMENT ACADEMY**  
4491 CERRILLOS ROAD, SANTA FE, NEW MEXICO 87507



**MICHELLE LUJAN GRISHAM**  
GOVERNOR  
**DR. AUGUST M. FONS**  
DEPUTY SECRETARY

**MARK R. SHEA**  
CABINET SECRETARY  
**KELLY ALZAHARNA**  
NMLEA DIRECTOR

PHONE  
(505) 827-9252  
FAX  
(505) 827-3449

NM TOLL-FREE  
(877) 237-7532  
ALBUQUERQUE AREA  
(505) 858-3176

**Chief Andrew Padilla**  
**Santa Fe Police Department**  
**2515 Camino Entrada**  
**Santa Fe, NM 87507**

**RE: Temporary Certifications – Officers Fabian Rojo, Fernando Cruz, and Damian Vigil**

**Dear Chief Padilla:**

Per the NMAC 10.29.9.15(A)(1) I am granting temporary police officer certifications to Santa Fe Police Department Officers Fabian Rojo, Fernando Cruz, and Damian Vigil. Officers Rojo, Cruz, and Vigil attended and successfully completed the NMDPS Basic Police Officer Training Academy #198, graduating on May 15, 2019. BPOT #198 is on the agenda to be presented to the NMLEA Board for ratification of certifications on Tuesday, October 22, 2019, twelve days after their one-year hire date as police officers. This temporary certification will expire at 11:59 pm, that same day.

Thank you for your patience in this unusual circumstance and please let me know if I can be of further assistance.

Respectfully,

*Kelly C. Alzaharna*

**Kelly Alzaharna**  
**Director, NMLEA**



Certification #	Name	Type of Cert	Issue Date	Employing Agency
19-0021-P	Ilya Aksenov	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0022-P	Pablo Arreola	BPOT # 198	5/12/2019	Torrance County Sheriff's Office
19-0023-P	Stephen E. Barba	BPOT # 198	5/12/2019	Los Lunas Police Department
19-0024-P	Ryan Bartlett	BPOT # 198	5/12/2019	Rio Rancho Police Department
19-0025-P	Gabriel Blea	BPOT # 198	5/12/2019	Taos Police Department
19-0026-P	Santana Campos, Jr.	BPOT # 198	5/12/2019	Santa Rosa Police Department
19-0027-P	Fernando O. Cruz	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0028-P	Andrew L. Fillmore	BPOT # 198	5/12/2019	Belen Police Department
19-0029-P	Arron Garcia	BPOT # 198	5/12/2019	Roswell Police Department
19-0030-P	Hannah Goodman	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0031-P	Joey Graves	BPOT # 198	5/12/2019	Taos County Sheriff's Office
19-0032-P	Justin Gurule	BPOT # 198	5/12/2019	Rio Rancho Police Department
19-0033-P	Adrian C. Jacquez	BPOT # 198	5/12/2019	Hidalgo County Sheriff's Office
19-0034-P	Jonathan Kermode	BPOT # 198	5/12/2019	Roswell Police Department
19-0035-P	Dazanique Kidd	BPOT # 198	5/12/2019	Roswell Police Department
19-0036-P	Matthew J. Larreategui	BPOT # 198	5/12/2019	Rio Rancho Police Department
19-0037-P	Daniel J. Lopez	BPOT # 198	5/12/2019	Tucumcari Police Department
19-0038-P	Gabriel M. Martinez	BPOT # 198	5/12/2019	Taos Police Department
19-0039-P	Timo E. Molina	BPOT # 198	5/12/2019	Gallup Police Department
19-0040-P	Cesar Ornelas	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0041-P	Douglas Padilla	BPOT # 198	5/12/2019	Albuquerque Fire & Rescue
19-0042-P	Jacob Perry	BPOT # 198	5/12/2019	Roswell Police Department
19-0043-P	John R. Plowman	BPOT # 198	5/12/2019	Lordsburg Police Department
19-0044-P	Aaron Pool	BPOT # 198	5/12/2019	Santa Fe County Sheriff's Office
19-0045-P	Rodolfo Reyes-Vicente	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0046-P	Sean Riley	BPOT # 198	5/12/2019	Santa Fe County Sheriff's Office
19-0047-P	Wyatt S. Robinson	BPOT # 198	5/12/2019	Los Lunas Police Department
19-0048-P	Daniel Rodriguez, Jr.	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0049-P	Joe D. Rodriguez	BPOT # 198	5/12/2019	Socorro Police Department
19-0050-P	Fabian F. Rojo	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0051-P	Anthony Romero	BPOT # 198	5/12/2019	Los Lunas Police Department
19-0052-P	Luis Ruiz	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0053-P	Jeremie J. Salazar	BPOT # 198	5/12/2019	Lordsburg Police Department
19-0054-P	Miles Salmons	BPOT # 198	5/12/2019	Valencia County Sheriff's Office
19-0055-P	Alexander Schwerdel	BPOT # 198	5/12/2019	Torrance County Sheriff's Office
19-0056-P	Kedrin Sheppard	BPOT # 198	5/12/2019	Hidalgo County Sheriff's Office
19-0057-P	Kevin W. Smith	BPOT # 198	5/12/2019	Moriarty Police Department
19-0058-P	Enrique N. Valdez	BPOT # 198	5/12/2019	New Mexico EMNRD - State Parks
19-0059-P	Oscar Vasquez	BPOT # 198	5/12/2019	Albuquerque Fire & Rescue
19-0060-P	Donovan C. Velasquez	BPOT # 198	5/12/2019	New Mexico EMNRD - State Parks
19-0061-P	Aaron Vigil	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0062-P	Damian D. Vigil	BPOT # 198	5/12/2019	Santa Fe Police Department
19-0063-P	Ryan A. Villegas	BPOT # 198	5/12/2019	Los Lunas Police Department
19-0064-P	Jason R. Walley	BPOT # 198	5/12/2019	Gallup Police Department
19-0065-P	Preston W. Woods	BPOT # 198	5/12/2019	Alamogordo Police Department



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**From :** Chris Mechels <cmechels@q.com> Wed, Sep 11, 2019 12:09 PM

**Subject :** Illegal Certifications and the Board's Responsibility 📎 4 attachments

**To :** Hector Balderas <hbalderas@nmag.gov>, thomas Romero <tromero@townofbernalillo.org>, Hollie Anderson <handerson@cabq.gov>, Adan Mendoza <amendoza@santafecountynm.gov>, Robert Tedrow <rtedrow@da.state.nm.us>, Monahan <cmohan53@comcast.net>, Tim Johnson <tim.johnson@state.nm.us>

**Cc :** Kelly Alzahama <kelly.alzahama@state.nm.us>, Brian Coss <BrianD.Coss@state.nm.us>

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Dear LEA Board Members,

After watching the video of Monday's LEA Board meeting, it seems that illegal certifications were brushed off by Mr. Coss, and the Board, as a process issue. I did not have time to fully support my claim that the 3 certifications were illegal, and will do so in this email.

To that end, let's first examine the file on David Bogan. The forwarded email contains an IPRA response with Bogan's CBW application. It is basically trash, as you will see on examination, with missing signatures, lack of training background, etc. Yet this was acceptable to the Director's office. Reason enough for you to investigate ALL the CBW applications, as you can't rely on the Director's office to do so, in spite of the assurances from Mr. Coss. Reason enough also for the 1993 change in the law.

Past the application, David Bogan could not have been certified on 9 November 2018, the certificate date, as he was not employed by a police agency as required by CBW statute.

The certificate date, 9 November would be the date of the CBW graduation. As the Board, not the Director, must certify, the date should be that of the Board vote.

The certificate is false on its face; as the format did not exist until after the May 2019 Board meeting, well after the November date. So, we have Balderas and Marshall signing a patently false certificate.

Next the certificate of Aaron Pool, certified on 15 May 2019. As noted before, the form was not created until after the Board meeting, so the certificate is false on its face. It was photo shopped after the May Board meeting, to correct the statute reference, yet it is presented as the original, and signed by Balderas and Fons as such, while they knew it was false. Furthermore, Pool's class was not "ratified" in May or September, because the Director failed his duty. What is the standing of Pool, who has a certificate false on its face, and not ratified? Is he a legal officer? The Board MUST step up and be responsible, not rely on the Director's office which is proved incompetent.



Last, the certificate of Michael Brown, dated 9 October 2015. His certificate shows the old format with the reference to a non existent law, raised at the May meeting. He was certified in 2015 on his graduation date, with Class 113. The Director, by law, can't certify him; has no legal support in doing so. The date should be the date the Board votes to "issue" the certificate. Brown, with the rest of APD Classes 13 and 116 has never been ratified, to this date. As the Board, not the Director has the authority to issue the certification, its bogus, AND its never been ratified. Is he an officer???

The clear message to the Board is that the 1993 changes were well done. The LEA Director's Office, over and over again, has shown its incompetence, but the Board has chosen NOT to engage the problems, and remain as bystanders. You have failed your legal responsibility, and the citizens of New Mexico. As a new Board, I suggest that you meet your legal obligation to the Board, or resign.

I trust that this is sufficient to support my claim that the certificates are illegal. If not, please let me know. I have more data.

Lets fix this. Its your legal responsibility, as sworn Board members, and your ethical responsibility to the citizens of New Mexico.

I will welcome questions on this matter.

Regards,

Chris Mechels

----- Forwarded Message -----

From: Roybal, Teasha, DPS <Teasha.Roybal@state.nm.us>  
To: Chris Mechels <cmechels@q.com>  
Cc: Chris Goad <cagoad@gmail.com>  
Sent: Thu, 25 Jul 2019 09:02:24 -0400 (EDT)  
Subject: RE: IPRA request for LEA records

Sir,

I am so sorry. It appears I did attached the documents.

Please see the attached.

Regards,

New Mexico Department of Public Safety  
Law Enforcement Records Bureau  
IPRA Coordinator  
4491 Cerrillos Road, Santa Fe, New Mexico 87507  
Phone: 505-827-9192  
Fax: 505-827-3388  
Email: teasha.roybal@state.nm.us  
IPRA Request: dps.ipra@state.nm.us

-----Original Message-----

From: Roybal, Teasha, DPS  
Sent: Wednesday, July 24, 2019 9:27 AM  
To: 'Chris Mechels' <cmechels@q.com>  
Cc: Chris Goad <cagoad@gmail.com>  
Subject: RE: IPRA request for LEA records

Good Morning,

Please find the attached responsive to the below email.

Regards,

New Mexico Department of Public Safety  
Law Enforcement Records Bureau  
IPRA Coordinator  
4491 Cerrillos Road, Santa Fe, New Mexico 87507  
Phone: 505-827-9192  
Fax: 505-827-3388  
Email: teasha.roybal@state.nm.us  
IPRA Request: dps.ipra@state.nm.us

-----Original Message-----

From: Chris Mechels <cmechels@q.com>  
Sent: Tuesday, July 23, 2019 10:18 AM  
To: Roybal, Teasha, DPS <Teasha.Roybal@state.nm.us>  
Cc: Chris Goad <cagoad@gmail.com>  
Subject: [EXT] RE: IPRA request for LEA records

Dear Ms. Roybal,

Thank you for providing the records.

However, most of the material provided is NOT responsive to my IPRA request. For instance Mr. Marshall's Instructor Certifications WERE NOT requested. His Law Enforcement Certification material was.

Also missing, evaluation of the CBW candidate's background and training against the LEA training standards. The is called for by statute, but no material was provided.

Also, missing the LEOCE scores for Mr. Marshall and Mr. Bogan, with no explanation. The scores are provided for the other two officers.

In summary, most of the material I requested was NOT provided, but a large volume of useless material was.

Very disappointing.

Please advise on whether a more complete response will be provided. If not, I will take appropriate action, and seek the remedies provided in the law.

Regards,

Chris Mechels  
505-982-7144

----- Original Message -----

From: Roybal, Teasha, DPS <Teasha.Roybal@state.nm.us>  
To: Chris Mechels <cmechels@q.com>  
Cc: Chris Goad <cagoad@gmail.com>  
Sent: Fri, 19 Jul 2019 09:05:11 -0400 (EDT)  
Subject: RE: IPRA request for LEA records

Good Morning,

Please find this IPRA request attached. This submission is now fulfilled.

Please let us know if we can assist you further.

Regards,

New Mexico Department of Public Safety



Law Enforcement Records Bureau  
IPRA Coordinator  
4491 Cerrillos Road, Santa Fe, New Mexico 87507  
Phone: 505-827-9192  
Fax: 505-827-3388  
Email: teasha.roybal@state.nm.us  
IPRA Request: dps.ipra@state.nm.us

-----Original Message-----

From: Roybal, Teasha, DPS  
Sent: Friday, July 12, 2019 10:39 AM  
To: Chris Mechels <cmechels@q.com>  
Cc: Chris Goad <cagoad@gmail.com>  
Subject: RE: IPRA request for LEA records

Good Morning,

Your written request has been received, and the New Mexico Department of Public Safety will respond to your request after the records have been located and reviewed.

"The records custodian must permit inspection immediately or as soon as practicable, but no later than fifteen (15) calendar days after the records custodian receives the inspection request."

Regards,

New Mexico Department of Public Safety  
Law Enforcement Records Bureau  
IPRA Coordinator  
4491 Cerrillos Road, Santa Fe, New Mexico 87507  
Phone: 505-827-9192  
Fax: 505-827-3388  
Email: teasha.roybal@state.nm.us  
IPRA Request: dps.ipra@state.nm.us

-----Original Message-----

From: Chris Mechels <cmechels@q.com>  
Sent: Tuesday, July 09, 2019 2:14 PM  
To: ipra, dps, DPS <dps.ipra@state.nm.us>  
Cc: Chris Goad <cagoad@gmail.com>  
Subject: [EXT] IPRA request for LEA records

Dear Custodian,

This email is an IPRA request for the following records, which would be held by the Law Enforcement Academy Director.

I request all information supporting the law enforcement "certification" of the following individuals, as described in New Mexico NMACS 10.29.9.18.D. which is information supplied by the LEA Director to the LEA Board, to support the award of "certification" to NM law enforcement officers..

The individual files which I wish to examine;

Stephan Marshall , certified 11-9-2018

David Bogan , certified 11-9-2018

Bernardino Banuelos, certified 3-15-2019


Rodolfo Reyes-Vicente, certified 5-15-2019


Please advise as to when I can examine these files.


Regards,


Chris Mechels  
505-982-7144


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 **david bogan.pdf**  
845 KB View Download

 **BROWN MICHAEL 2015-10-09 POLICE OFFICER CERT.pdf**  
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 **pool aaron sf sheriff 15 may cert.pdf**  
145 KB View Download

 **20190725065840322.pdf**  
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Certification #	Name	Type of Cert	Issue Date	Employing Agency
19-0227-P	Jarad Albert	BPOT # 199	10/24/2019	Gallup Police Department
19-0228-P	Nicholas R. Apodaca	BPOT # 199	10/24/2019	New Mexico EMNRD - State Parks
19-0229-P	Warren C. Bowannie	BPOT # 199	10/24/2019	Gallup Police Department
19-0230-P	John G. Brannan	BPOT # 199	10/24/2019	NMT Police Department
19-0231-P	Jerome A. Broyles	BPOT # 199	10/24/2019	Espanola Police Department
19-0232-P	Isaiah T. Chadborn	BPOT # 199	10/24/2019	Hidalgo County Sheriff's Office
19-0233-P	Moises G. Coca	BPOT # 199	10/24/2019	Las Vegas Police Department
19-0234-P	Omar Cortes	BPOT # 199	10/24/2019	Mora County Sheriff's Office
19-0235-P	Dylan J. Coslin	BPOT # 199	10/24/2019	Magdalena Marshal's Office
19-0236-P	Loretta Easterling	BPOT # 199	10/24/2019	Santa Fe Police Department
19-0237-P	Michael W. Eley	BPOT # 199	10/24/2019	Gallup Police Department
19-0238-P	Danny R. Flott	BPOT # 199	10/24/2019	Roswell Police Department
19-0239-P	Joseph A. Frantz	BPOT # 199	10/24/2019	Rio Rancho Police Department
19-0240-P	Mark A. Fuentes	BPOT # 199	10/24/2019	Roswell Police Department
19-0241-P	Ryan N. Garcia	BPOT # 199	10/24/2019	Rio Rancho Police Department
19-0242-P	Ruth E. Gilpin	BPOT # 199	10/24/2019	Rio Rancho Police Department
19-0243-P	Dylan J. Graves	BPOT # 199	10/24/2019	Luna County Sheriff's Office
19-0244-P	Richard T. Griffin	BPOT # 199	10/24/2019	Rio Rancho Police Department
19-0245-P	Susan E. Griffo	BPOT # 199	10/24/2019	Rio Rancho Police Department
19-0246-P	Donald L. Lindsey	BPOT # 199	10/24/2019	Santa Fe Police Department
19-0247-P	Taylor M. Line	BPOT # 199	10/24/2019	Roswell Police Department
19-0248-P	Derek R. Little	BPOT # 199	10/24/2019	Roswell Police Department
19-0249-P	Diego Lovato	BPOT # 199	10/24/2019	Santa Fe County Sheriff's Office
19-0250-P	Steve D. Lucero	BPOT # 199	10/24/2019	Rio Rancho Police Department
19-0251-P	James E. Mayers	BPOT # 199	10/24/2019	Rio Arriba County Sheriff's Office
19-0252-P	Brett A. McInnes	BPOT # 199	10/24/2019	Capitan Police Department
19-0253-P	Clayton D. Ness	BPOT # 199	10/24/2019	Roswell Police Department
19-0254-P	Michael A. Perrault	BPOT # 199	10/24/2019	Socorro Police Department
19-0255-P	Justin. Petross	BPOT # 199	10/24/2019	Rio Rancho Police Department
19-0256-P	James Protsman	BPOT # 199	10/24/2019	Raton Police Department
19-0257-P	Taylor Rankin	BPOT # 199	10/24/2019	New Mexico Livestock Board Inspec. Div
19-0258-P	Jose Rodriguez	BPOT # 199	10/24/2019	Valencia County Sheriff's Office
19-0259-P	Dominique Romero	BPOT # 199	10/24/2019	Santa Fe Police Department
19-0260-P	Cheyenne Sacoman	BPOT # 199	10/24/2019	Valencia County Sheriff's Office
19-0261-P	Francisco F. Salazar	BPOT # 199	10/24/2019	Santa Rosa Police Department
19-0262-P	Austin F. Sanchez	BPOT # 199	10/24/2019	Roswell Police Department
19-0263-P	Clint R. Sandoval	BPOT # 199	10/24/2019	Las Vegas Police Department
19-0264-P	John S. Schwettmann	BPOT # 199	10/24/2019	Los Alamos Police Department
19-0265-P	Alan Scott	BPOT # 199	10/24/2019	Santa Fe Police Department
19-0266-P	Manuel Segura	BPOT # 199	10/24/2019	Santa Fe County Sheriff's Office
19-0267-P	Matthew R. Sylvester	BPOT # 199	10/24/2019	Grants Police Department
19-0268-P	Ryan D. Thatcher	BPOT # 199	10/24/2019	Cibola County Sheriff's Office
19-0269-P	Savannah B. Williams	BPOT # 199	10/24/2019	McKinley County Sheriff's Office
19-0270-P	Terence C. Willie	BPOT # 199	10/24/2019	McKinley County Sheriff's Office



## Exhibit B

Certification #	Name	Type of Cert	Issue Date	Employing Agency
19-0271-P	Miguel Bittony	CBW # 99	11/8/2019	McKinley County Sheriff's Office
08-0122-P	Ryan Blackgoat	CBW # 99	11/8/2019	McKinley County Sheriff's Office
19-0272-P	Waylon John Brown	CBW # 99	11/8/2019	Questa Police Department
01-0187-P	Olivia Facunda Cavallero	CBW # 99	11/8/2019	Isleta Police Department
19-0273-P	Abram A Chavez	CBW # 99	11/8/2019	Roswell Police Department
19-0274-P	Kurt Defenbaugh	CBW # 99	11/8/2019	New Mexico Game & Fish
19-0275-P	Clinton D Ford	CBW # 99	11/8/2019	Alamogordo Police Department
83-0307-P	Martin D Gallegos	CBW # 99	11/8/2019	Las Vegas Police Department
19-0276-P	Edward D Goodwin	CBW # 99	11/8/2019	Curry County Sheriff's Office
19-0277-P	Jonathan Lee Hernandez	CBW # 99	11/8/2019	Springer Police Department
19-0278-P	Darrell Stanley Jones	CBW # 99	11/8/2019	Santa Fe Police Department
91-0053-P	Tyron C Morgan	CBW # 99	11/8/2019	Albuquerque Public Schools Police Department
07-0016-P	Patrick B Rico	CBW # 99	11/8/2019	Dona Ana County Sheriff's Office
03-0172-P	Robert Powell Rush III	CBW # 99	11/8/2019	University of New Mexico Police Department
89-0250-P	Dennis Lee Trujillo	CBW # 99	11/8/2019	University of New Mexico Police Department