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NEW MEXICO LAW ENFORCEMENT ACADEMY

REGULAR BOARD MEETING

September 9, 2019

9:00 a.m.

Albuquerque Police Academy

5412 2nd Street, N.W.

Albuquerque, New Mexico 87107

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

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BOARD MEMBERS PRESENT

New Mexico Attorney General Hector
Balderas, Chairman

Chief Thomas Romero, Vice Chairman

Sheriff Adan Mendoza

Chief Tim Johnson

Sergeant Hollie Anderson

Rick Tedrow, Esq.

Connie Monahan

BOARD MEMBERS ABSENT

Chief Greg E. Toya

ALSO PRESENT

Kelly Alzaharna, Director

Brian Coss, Deputy Director

John Kreienkamp, Esq.

Monica Medrano, Case Manager

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

2 ITEM NO. 1: ROLL CALL

3 A.G. BALDERAS: It's a real honor to be at
4 this facility. It's only three miles from my house so
5 it's actually great. But in any event we're glad to
6 be on the road out of Santa Fe.

7 I want to now call the meeting to order. And
8 the first item of business is roll call.

9 Monica, if you would, please.

10 MS. MEDRANO: Honorable Hector Balderas.

11 A.G. BALDERAS: Here.

12 MS. MEDRANO: Robert Tedrow.

13 MR. TEDROW: Here.

14 MS. MEDRANO: Chief Johnson.

15 CHIEF JOHNSON: Yes, ma'am.

16 MS. MEDRANO: Sheriff Mendoza.

17 SHERIFF MENDOZA: Here.

18 MS. MEDRANO: Chief Romero.

19 CHIEF ROMERO: Here.

20 MS. MEDRANO: Sergeant Hollie Anderson.

21 SERGEANT ANDERSON: Here.

22 MS. MEDRANO: Ms. Connie Monahan.

23 MS. MONAHAN: Here.

24 A.G. BALDERAS: Great. We have a quorum.

25 //

1 ITEM NO. 2: APPROVAL OF AGENDA

2 A.G. BALDERAS: I'd like to direct our Board
3 to item No. 2, approval of agenda. Go ahead and take
4 a few minutes. And upon a thorough review, I'll
5 accept a motion to approve today's agenda.

6 D.A. Tedrow, how are you doing?

7 MR. TEDROW: I'm working on it. Can I make a
8 motion at this point?

9 A.G. BALDERAS: If you're ready. I will say
10 you guys hosted the law enforcement and Special
11 Olympics in Farmington the other day. We had a good
12 time. My daughter is a swimmer so we went out there.

13 I'll entertain a motion if there are no
14 issues with today's agenda.

15 MR. TEDROW: I would so move approval of the
16 minutes from our last meeting.

17 A.G. BALDERAS: I'm sorry. The agenda, not
18 the minutes.

19 MR. TEDROW: Oh. I'm sorry. The agenda.

20 A.G. BALDERAS: That's why we have counsel.

21 MR. TEDROW: I would amend my motion to
22 approve the agenda for today's meeting.

23 A.G. BALDERAS: There is a proper motion to
24 approve the agenda. Is there a second?

25 MS. MONAHAN: I second that motion.

1 A.G. BALDERAS: Thank you for that second.
2 There is a motion and a second to approve the agenda
3 as written. All in favor say aye.

4 (The Board Members voted unanimously.)

5 A.G. BALDERAS: Is there any opposition
6 today? The motion does pass. That is item No. 2. We
7 now have an agenda to work from.

8 ITEM NO. 3: APPROVAL OF MEETING MINUTES
9 (MAY 29, 2019)

10 A.G. BALDERAS: I now direct our Board to
11 item No. 3, approval of the minutes. These are the
12 minutes from the last meeting which occurred on
13 May 29. Copies of those minutes were also distributed
14 to you earlier and they're also available on the LEA
15 website.

16 Are there any corrections that anyone noted
17 in the review of these minutes? If not, I'll also
18 entertain a motion to approve the minutes.

19 MR. TEDROW: Mr. Chair, I would so move
20 approval of the minutes from our last meeting.

21 A.G. BALDERAS: Thank you. There is a motion
22 to approve the minutes. Is there a second?

23 CHIEF ROMERO: I'll second the motion,
24 Mr. Chair.

25 A.G. BALDERAS: Thank you for the second.

1 There is a motion and a second to approve the minutes
2 as listed. All in favor say aye.

3 (The Board Members voted unanimously.)

4 A.G. BALDERAS: Any opposition? The motion
5 passes to approve the minutes on item No. 3.

6 ITEM NO. 4: APPROVE APPOINTMENT OF KELLY ALZAHARNA
7 AS NMLEA DIRECTOR

8 A.G. BALDERAS: Item No. 4 is our probably
9 hopefully most exciting item of the day. We will be
10 discussing and approving the appointment of a New
11 Mexico Law Enforcement Academy Director. And I will
12 yield the floor to our Cabinet Secretary with the
13 announcement and the appointment. Good morning.

14 MR. SHEA: Good morning, Chairman and Members
15 of the Board. Thank you for giving me this
16 opportunity to present to you our selection for the
17 Law Enforcement Academy Board Director. I know it's
18 been a long time coming.

19 If you refer to tab 4 in your booklet, it
20 references the New Mexico Administrative Code and the
21 statute which gives me the authority as the Cabinet
22 Secretary to make that appointment and bring it before
23 you as the Board for approval.

24 So that's my goal today, is to introduce you
25 to our new Law Enforcement Academy Director and ask

1 for your approval of same. Her resume is in your
2 packet also. But I'd like to kind of go through a few
3 highlights with that.

4 I'm bringing before you Kelly Cox Alzaharna.
5 And I want to tell you a little bit about her. We
6 brought her on board on August 24 of this year. And
7 she has hit the ground running, working with staff at
8 the Academy and with DPS to start moving things
9 forward again with the Academy.

10 Again it's been a long time, going on almost
11 nine months, that we've been without an Academy
12 Director. So we're excited about getting some
13 direction back in the Academy.

14 Just briefly, if you read through her resume,
15 her background is quite stellar. She started her
16 career in law enforcement as an officer with the North
17 Slope Police Department in Alaska, worked her way
18 through all ranks, completing her tenure. She started
19 in 1990 and completed her tenure in 2011 as the chief
20 of the North Slope Police Department.

21 From there she moved on to the training
22 coordinator and acting executive director of the
23 Alaska Police Standards Council, which is comparable
24 to our New Mexico Law Enforcement Academy under the
25 Department of Public Safety.

1 In her tenure there, she worked very closely
2 with all law enforcement agencies in the State of
3 Alaska, working on disciplinary matters and developing
4 curriculum and making sure that the officers in the
5 State of Alaska were in compliance with statutory
6 requirements.

7 She also worked with the legislature to
8 develop additional changes to their statutes and to
9 professionalize law enforcement within the State of
10 Alaska.

11 From 2012 to 2015, she was appointed the
12 executive director. And during her tenure as the
13 executive director of the Alaska Police Standards
14 Council, she worked very diligently to professionalize
15 and continue to move forward the training component
16 and the disciplinary actions within the State of
17 Alaska.

18 After leaving Alaska, she moved back to New
19 Mexico, to her roots back in Las Cruces, and worked
20 with the Corrections Department, where she was
21 involved from 2015 to 2016 with investigating
22 allegations of employee misconduct.

23 From there she moved on to New Mexico State
24 University as their security coordinator. Under that
25 job she was responsible for training security

1 officers, reserve police officers, and coordinating
2 special events.

3 Speaking with Chief Lopez down at New Mexico
4 State University Police, he wholeheartedly recommended
5 her but was very sad to see her go, because she has
6 been a huge asset to the university in her tenure down
7 there.

8 Academically Kelly has got a Bachelor's
9 degree in business administration and a Master's
10 degree in organizational leadership. She did attend
11 the FBI National Academy 198. I know this because I
12 attended 198. And that's where I first met Kelly,
13 during the FBI National Academy. And I was very
14 impressed with her during that time that we were both
15 in the academy.

16 She's been very involved throughout her
17 career with training. She is a current member of the
18 International Association of Directors of Law
19 Enforcement Standards and Training, IADLEST, which is
20 the national organization that all state posts belong
21 to.

22 And she's been a member of their executive
23 board while there. So she hasn't just been a member,
24 she's been actively involved with IADLEST during her
25 time in Alaska. And she continues to maintain that

1 certification.

2 With your permission I would like to
3 introduce Kelly Cox Alzaharna and give her an
4 opportunity to speak to the Board unless you have
5 questions of me before I turn it over to Kelly.

6 A.G. BALDERAS: Thank you, Mr. Secretary.
7 Are there any questions of the Secretary? No. We'll
8 honor your request.

9 MR. SHEA: Thank you, Chairman. With great
10 pleasure I introduce to you Kelly Cox Alzaharna.

11 A.G. BALDERAS: Thank you.

12 DIRECTOR ALZAHARNA: Thank you very much,
13 Secretary Shea, and thank you all. I'm excited to be
14 here, so excited that I'm surprised how nervous I am.
15 But it's a happy nervous excitement.

16 I'm thrilled for this opportunity to work
17 with all of you. I'm going to keep this brief.

18 I have hit the ground running two weeks ago.
19 The first week I was introduced to the Department of
20 Public Safety from the Cabinet Secretary's perspective
21 and from that building's perspective.

22 Last week I got the opportunity to get
23 settled into my office at the NMLEA Academy and got
24 introduced to the staff there and briefly trying to
25 catch up on what's been going on over the last year or

1 so.

2 So keeping that in mind, I'm glad that this
3 third week I'm getting introduced to you all and will
4 have an opportunity to hear if there are any concerns.
5 My priority is to deal with your priorities and find
6 out what they are along with other issues we're
7 addressing.

8 First I'd like to give out my email address
9 and the phone number for contact so if people have any
10 questions. I would also appreciate that those of you
11 who I will deal with regularly, if you send me your
12 contact information just because of the distance
13 initially, I can start putting names to faces.

14 So my email address is
15 kelly.alzaharna@state.nm.us. And my office number is
16 505-827-9262. And if you shoot me emails, I'll put
17 you in my contacts. And then, when I meet you
18 face-to-face, it will make a little more sense.

19 Just some brief items that I'm looking at
20 initially. I want to set up meetings to meet with all
21 of our satellite Academy Directors and get down and
22 get a chance to visit with you all and talk about any
23 concerns you have.

24 Along with that I would like to start setting
25 up meetings. Whatever works best for you. I'm still

1 figuring some of that out, meeting with sheriffs and
2 chiefs of agencies. I think most are familiar with
3 NMLEA, but there are some who may not have direct
4 contact.

5 So I'd like to get out there and meet with
6 people personally and find out some concerns. Whether
7 that means that I get to every agency or if it works
8 better for you all to have regional meetings or area
9 meetings so people can come together. And not only we
10 can meet, but you can talk to each other about some of
11 your area concerns. So I'd like to get that rolling
12 over the next couple of months.

13 We're working on a full review of the current
14 basic Academy curriculum. So a review and, if needed,
15 revisions. I'm not saying there are any needed. But
16 until we take a look at it, I won't know. So that's
17 on the agenda.

18 I'm looking at beefing up our advanced
19 training, getting a lot more options out there. I
20 know that that has been a request from a lot of our
21 agencies. So I hope to work with our Advanced Bureau
22 people to start getting some more training items up on
23 that agenda and to hear from agencies to see what it
24 is you all are requesting not only for your officers,
25 but for your telecommunicators as well.

1 Of course, working with the NMLEA Board on
2 what you see as concerns with issues that you all deal
3 with and what I can do to help address those.

4 And finally we are kind of in a transition
5 with the database that we have. We have moved from an
6 older database and transitioned information to the new
7 database. So I'm going to be taking a look at that to
8 see where we are and how far away we are from having
9 that transition complete.

10 So I thank you for the opportunity to give
11 you a brief introduction. And I'm really excited to
12 be working with all of you.

13 A.G. BALDERAS: Thank you, Director
14 Alzaharna. Are there any questions for our new
15 Director? Let me just tell you, we are super excited
16 to have you on board. I mean not that it hasn't been
17 a pleasure working with all the other leadership. But
18 it is great now to see what you're going to do in
19 terms of your vision and your expertise. So we're
20 excited to have you on board.

21 I would also just suggest -- and I may
22 mention it again in my Chairman's report -- there are
23 some phenomenal Board Members that would probably love
24 to get a sense of how you want to facilitate process
25 and communication. So it's great to hear that you're

1 going to do a lot of outreach. But in any way, if we
2 can be supportive of that.

3 And the other thing I wanted to offer you,
4 Director, for your leadership is we have AG staff
5 specific. So if there's any way we can facilitate
6 your team with some of the AG staff that services this
7 Board, anything to make your life a little easier. So
8 welcome. And thank you for taking this position.

9 DIRECTOR ALZAHARNA: Thank you all very much.

10 A.G. BALDERAS: Thank you. So I'll entertain
11 a motion to accept Secretary Shea's recommendation and
12 appointment.

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

14 A.G. BALDERAS: Thank you for that motion.
15 Is there a second?

16 CHIEF JOHNSON: Second.

17 A.G. BALDERAS: Great. All in favor to
18 welcome our new Director, Director Alzaharna, say aye.

19 (The Board Members voted unanimously.)

20 A.G. BALDERAS: Any in opposition? The
21 motion has passed. Congratulations.

22 ITEM NO. 5: CHAIR'S REPORT

23 A.G. BALDERAS: Now I'll direct us to item
24 No. 5, the Chairman's report. I'll keep it brief.

25 First, as you can see, we have been working

1 very hard with DPS to have a full Board. And so on my
2 personal behalf I want to thank all the Board Members
3 who have accepted this opportunity to serve. It's
4 very time-consuming, but it's not lost on me to have a
5 fully functional Board. So I want to thank the
6 Members of the Board.

7 Number two, I do want to reoffer, considering
8 that we attempted an orientation. And my number one
9 goal from a Chairman's perspective has always been
10 from the perspective that the best thing the AG's
11 office can do from a leadership standpoint -- and this
12 is derived from both the staff and my formal role as
13 Chairman -- is to keep the Board focused on the
14 mission of the Board.

15 And so the less litigation, the less
16 administrative problems this Board experiences, the
17 more that we can really rely on your experience and
18 your leadership from your expertise. And I'm very
19 proud of that.

20 I think that we've stabilized and have become
21 predictable in terms of the expectation that we are
22 going to focus on training needs and discipline needs.
23 And this is my invitation to all of you. I'm only a
24 facilitator.

25 I'm really going to push this Board, as I did

1 the last Board, to focus on policy improvements that
2 you all have a concern or want to focus on. We're
3 only here to facilitate that. And we welcome any
4 curiosity. If my staff can facilitate greater
5 understanding with the new Director, we honor that.

6 If there are rule changes, there will be a
7 rule change process coming up. The one I will first
8 admittedly recognize today is some of our rules are
9 not gender neutral. And so that will be one of the
10 things we will clean up, that I'll ask my staff and
11 this Board to consider.

12 There was a references to "his" as a
13 Director. And clearly we now have the need for a
14 gender neutral regulatory process. And so little
15 things like that, we want to make sure that we do
16 everything we can to make all of your lives much
17 easier.

18 ITEM NO. 6: DIRECTOR'S REPORT

19 A.G. BALDERAS: So with that I will move us
20 on to item No. 6, the Director's report. I believe
21 our Deputy Director, Mr. Coss, is now deferring to his
22 new Director.

23 DIRECTOR ALZAHARNA: I guess I'm fully on
24 board. I gave most of just my brief introduction
25 there. That was all I had. What I have now is a

1 couple of our people who are responsible for certain
2 areas within the NMLEA.

3 So I'm going to have them step up and give a
4 brief introduction of who they are and what they're
5 doing generally. And we'll be looking towards next
6 month to giving detailed updates on the areas that
7 they're working on.

8 MR. NIELSEN: Good morning, Chairman, Board
9 Members. My name is Joaquin Nielsen, I'm the
10 operations manager at the Law Enforcement Academy. I
11 currently oversee our Certification-by-Waiver program,
12 our PST program through Ms. Ashley who will talk to
13 you in a little bit, and currently have taken on the
14 Basic Academy role as the Bureau Chief has moved on to
15 something else currently.

16 I would like to give you just a brief -- some
17 numbers for us, where we're at. Our current class,
18 Class 199, for the basic program has 44 cadets
19 currently running through that program, representing
20 24 agencies from around the state. They are
21 anticipated to graduate October 25.

22 Additionally, we have pretty much the
23 majority of our Academies statewide up and running.
24 The only ones that we do not have is Dona Ana County
25 and Western; they're without an Academy right now. If

1 all goes well, it looks like we'll have about 170
2 officers graduating in December.

3 Through certification-by-waiver, that is an
4 80-hour program that we've moved to recently. We have
5 our next one at the NMLEA at the end of October, with
6 an anticipated about 20 to 30 students for that one.

7 We additionally have Hobbs which will be
8 starting up one at the start of next year. And Las
9 Cruces, Dona Ana County, is looking to start one in
10 November. Unknown numbers on those right now.

11 To date we've graduated 60 officers and
12 deputies through the Cert-by-Waiver Program. And
13 that's since January of this year, of 2019. If there
14 are any questions for either of those programs.

15 A.G. BALDERAS: Any questions from the Board?

16 CHIEF ROMERO: Actually I do, Mr. Chairman.
17 Do you handle the satellite Academies?

18 MR. NIELSEN: We do. We have oversight over
19 the satellite Academies, yes.

20 CHIEF ROMERO: So are there provisions that
21 the satellite Academies report back to the LEA
22 whenever there are significant changes, like if their
23 Academy Director changes or leaves or there are
24 management changes or significant changes in the
25 program, are they required to report that to the LEA

1 immediately?

2 MR. NIELSEN: Yeah. We do work closely with
3 all the satellite Academies to make sure they're fully
4 staffed and where they need to be.

5 CHIEF ROMERO: Does the NMLEA periodically go
6 out and review these Academies while they're in
7 session to see how they're being run and if the
8 process is similar to the LEA?

9 MR. NIELSEN: Yes, Chief. We go out
10 annually. We do have statutory requirements to go out
11 and do audits on these satellite Academies and make
12 sure that they're meeting the requirements set by the
13 LEA and by this Board.

14 CHIEF ROMERO: That's all I have.

15 SERGEANT ANDERSON: I have a question. Do
16 you know per capita for each agency about how they
17 should be staffed in each Academy, the satellite
18 Academies, do you have a particular number?

19 MR. NIELSEN: As far as how many they should
20 send to each Academy?

21 SERGEANT ANDERSON: No. For staff inside of
22 the Academy. Do you know a particular number, like
23 per cadet?

24 MR. NIELSEN: Oh. So like who they send to
25 represent and help. We don't. I mean that's between

1 the satellite Academies and their respective agencies
2 that they work with to have instructors from those
3 Academies come --

4 SERGEANT ANDERSON: Maybe a better question
5 would be do you have a specific number that you would
6 recommend for each satellite Academy to have to be
7 able to appropriately train their personnel?

8 MR. NIELSEN: And I would answer with it
9 depends on the size of their class. Because there's
10 requirements for the number of instructors per number
11 of students depending on the topic that's taught. So
12 to say there's a definitive number, we can't say that.
13 It just depends on the number of cadets they have at
14 their respective school.

15 SERGEANT ANDERSON: What about for the size
16 of the department for Advanced Training concerns?

17 MR. NIELSEN: I would have to defer that off.
18 I'm not part of the Advanced Training.

19 CHIEF ROMERO: Sorry, Mr. Nielsen. A couple
20 other questions real quick for you. How many
21 instructors is the LEA authorized for the basic?

22 MR. NIELSEN: To have staffed? We have four
23 positions.

24 CHIEF ROMERO: And are all those currently
25 filled?

1 MR. NIELSEN: No, they are not.

2 CHIEF ROMERO: How many vacancies do you
3 have?

4 MR. NIELSEN: I believe, for the basic side,
5 we have one vacancy right now.

6 CHIEF ROMERO: Okay. Do you have other
7 instructors that handle these other classes then or is
8 it the same instructors?

9 MR. NIELSEN: We do. We also have vacancies
10 in our Advanced Bureau. They would help with the
11 Basic Bureau as well. And we also rely on adjunct
12 instructors.

13 CHIEF ROMERO: So how many is the Advanced
14 Bureau authorized for instructors?

15 MR. NIELSEN: Currently they have one. We
16 are looking at expanding those roles.

17 CHIEF ROMERO: So they have one instructor?

18 MR. NIELSEN: Vacant right now. They don't
19 actually have one.

20 CHIEF ROMERO: And it's vacant. And
21 typically on average what percentage of the time would
22 you say the LEA is fully staffed, I mean is it 90
23 percent, 80 percent, 60?

24 MR. NIELSEN: I think that's more of a
25 question for our Director's staff to say on the

1 numbers. We have stayed fully staffed for some time.
2 It's just recently that we've had a little bit of a
3 vacancy in the training area.

4 CHIEF ROMERO: Thank you.

5 MR. NIELSEN: Thank you.

6 SHERIFF MENDOZA: Mr. Nielsen, thanks for
7 presenting today. I have a question in reference to
8 the curriculum in reference to the LEA Academy in
9 Santa Fe compared to the satellite Academies including
10 any other Academies in the State of New Mexico.

11 Is there a standard for curriculum and, if
12 not, can the Board get a copy of each curriculum that
13 is being taught at the satellite Academies, any other
14 Academy within the State of New Mexico, versus Santa
15 Fe?

16 MR. NIELSEN: So I can answer part of that
17 question. All of the Academies are required to meet
18 the standard hours that are set by the NMLEA, the 677
19 current curriculum hours that we have. If they go
20 above and beyond that, with each individual Academy
21 that's presented to us, we do keep a record of what
22 those additional hours are. So that could be
23 provided. But they do have to meet that minimum
24 standard.

25 SHERIFF MENDOZA: So my concern is that,

1 although there are standard hours, can we get a copy
2 of a specific curriculum that each Academy is teaching
3 just to see what the similarities are and what the
4 differences are within the Academies across the State
5 of New Mexico.

6 MR. NIELSEN: Sure. I'll work with the
7 Director and we'll look at that.

8 A.G. BALDERAS: Thank you. Any further
9 questions?

10 MR. NIELSEN: Thank you.

11 A.G. BALDERAS: Director, any more staff?

12 MR. ELDER: Good morning, Mr. Chair and Board
13 Members. I'm Keith Elder, the Advanced Training
14 Bureau Chief. And I've been in this position since
15 February 2 of this year.

16 Currently we have an opening for an Advanced
17 Training instructor. And one of the things that has
18 held up that appointment is the appointment of the
19 Director.

20 It was felt like the Director needed to have
21 some input into the selection of that instructor. So
22 now that we've got a Director on board, I think that
23 we're going to move forward with that pretty quickly.

24 I've got one support staff member that
25 started in that position back on May 4. And during

1 the time -- in the vacancy that we had at the Advanced
2 Training for a Bureau Chief from November through
3 February, the process of getting courses accredited,
4 instructors getting approved, and Advanced Training
5 level certifications being awarded to various law
6 enforcement officers around the State began to
7 backlog.

8 Currently that backlog has been satisfied.
9 And occasionally we'll get a call that says that, you
10 know, I sent this in and I haven't seen anything acted
11 on.

12 So that being said, once I get that
13 information, I ask them to resubmit that information
14 to me and get that taken care of expeditiously so that
15 they're no longer waiting on those needs to be
16 fulfilled.

17 As of fiscal year '18, 86 Advanced level
18 classes were conducted statewide for an estimated
19 1,720 law enforcement officers being trained.

20 One of the things that I continue to do is
21 search for and entertain Advanced level training for
22 our calendar. Whether it be in Lordsburg or Clayton,
23 I think that it's quite vitally important that the Law
24 Enforcement Academy look at the training that needs to
25 be conducted, listen to the agencies and law

1 enforcement officers throughout the state on what kind
2 of training they want, and try to accommodate that
3 request as soon as we can and look for proper vendors
4 that can perform those trainings.

5 Simply because of the staffing levels with
6 the Law Enforcement Academy, we don't have subject
7 matter experts on board that are found out in the
8 private sector as it were. And when I get those
9 people, they can come in and teach these courses that
10 are necessary and vital to continuing education for
11 the officers.

12 We encourage them to submit to the calendar
13 so that we can get this training posted on the
14 calendar. And the goal is to get -- the law
15 enforcement calendar for the Advanced Training section
16 is the first go-to place for law enforcement in the
17 state. And right now we've been pretty successful at
18 finding vendors that are willing to do that.

19 Currently, since I've taken the role as the
20 Bureau Chief, I've accredited over 550 courses. I
21 average about 24 accreditations a month and about 15
22 Advanced level certifications a month.

23 So I'm continually getting law enforcement
24 officers that are seeking to either advance their
25 career through the Advanced level certification or

1 present courses to their individual departments for
2 credit so we can get those things accomplished.

3 Currently there's 136 agencies that have
4 reported completion or compliance of annual training
5 requirements to the Academy. And that's about 70
6 percent of the agencies in the state. The '18/'19
7 biennium is still current, it's still ongoing. It
8 hasn't been completed. And the reporting deadline for
9 that will be March 1st of next year.

10 In addition to that, there's 118 agencies
11 that have reported compliance with the annual firearms
12 re-qualification reporting. And that's about 69
13 percent of the agencies out in the state that have
14 reported.

15 In addition, the Acadis database that we use
16 to review officer data from education that they've
17 completed, levels of certification or instructor level
18 certification, from my understanding is moving
19 forward.

20 And there are law enforcement officers that
21 are being brought on board that are being given their
22 own portal so that they can see what they've
23 accomplished. So if they're out of compliance, they
24 can go to that portal and see what they're needing to
25 get their educational requirements met.

1 If you have any questions, I stand for
2 questions.

3 A.G. BALDERAS: Thank you. Are there any
4 questions at this time?

5 CHIEF ROMERO: Always. Mr. Chair, if I may,
6 Mr. Elder, so is there a mechanism in place or are you
7 going to be putting a mechanism in place to notify
8 departments of training requirements, such as like the
9 biennium, whenever those changes are made through the
10 legislature? Not all departments have the resources
11 to be up here at the legislature all the time and stay
12 up on all the legislative changes.

13 Is there a mechanism in place to make
14 departments aware of those changes that are taking
15 place as it relates to law enforcement training?

16 MR. ELDER: Yes, sir. My understanding, with
17 the Acadis program, since departments are being
18 brought in and on board with that, we can actually
19 send an email to the lead executive of that department
20 that says this is what's needed or this is where your
21 department is in training.

22 And then in your case, as the chief, you can
23 actually push that down to your training coordinator
24 or en masse to your whole department.

25 CHIEF ROMERO: But in regards to the

1 legislative changes, if the legislature were to come
2 out and mandate additional training for officers, do
3 you have a mechanism where you will make all
4 departments aware of that information?

5 MR. ELDER: We can do that through that
6 email, Chief.

7 CHIEF ROMERO: Okay. And then the other
8 question I've got regarding Acadis, because I'm
9 assuming this is the system, the portal that
10 departments are supposed to check officer registries
11 now and make sure that all those are current as far as
12 the officers that they employ or terminate or resign
13 or whatever; is that correct?

14 MR. ELDER: The Acadis program is what we
15 review. Let's say you call up and you're looking to
16 hire or you're looking to check up on the status of an
17 officer.

18 You can call the Advanced Training Bureau and
19 we can give you a view of that individual officer,
20 whether they are a prospect or whether they're on
21 board. If it's a disciplinary thing, then there's
22 another section that belongs to that. And Ms. Medrano
23 can actually assist your agency or your investigators
24 in those records.

25 CHIEF ROMERO: And I don't know if you know

1 the answer to this question. Do you know if this
2 system is in sync with DFA? Because I know a lot of
3 departments had a lot of problems this year where the
4 numbers that DFA had for the number of officers
5 employed by each agency was different from Acadis.
6 And it created a lot of problems for departments when
7 it came to grants.

8 Do you know if that has been fixed or what
9 the issue was with that?

10 MR. ELDER: I don't know if that's been
11 fixed, Chief. I can tell you that, when I look at
12 department staffing, I can see that there are
13 individuals that have not updated their LEA-82, which
14 is the on-boarding to let us know at the Academy who
15 is working for which department.

16 I still see several things. When the
17 department isn't correct, their rank is not correct;
18 and their status within the department, whether
19 they're active, inactive, or retired.

20 So it's pretty vital that -- and I know that
21 the LEA-82 is now an online item. So it starts with
22 the officer creating that LEA-82 that gets vetted by
23 somebody within that department.

24 The other thing that I see an issue with is
25 officer notifications, in the event that we need to

1 get in touch with them outside of their department
2 email address.

3 So what we're trying to do is get officers to
4 understand, when I talk to them on the phone, that,
5 hey, give me an email address that is your personal
6 email address or your personal phone number. I don't
7 need the cell number, but a contact phone.

8 So that if we need to get in touch with you,
9 email you a certificate, those kind of things, where
10 we can actually get information to those officers with
11 items that they actually need.

12 CHIEF ROMERO: And then the last question I
13 have for you, in regards to training itself, is there
14 a mechanism in place -- I realize there's a
15 curriculum. We have lesson plans and all those kind
16 of things that the instructors instruct from.

17 Is there anything in place to monitor or
18 control how the class is taught? Because I do know
19 from experience that every instructor out there wants
20 to put their own spin on these classes. The problem
21 for departments, though, is they expect a standard
22 course to be taught.

23 And when instructors start deviating and
24 deciding they're going to throw their own stuff in
25 there, it creates problems. Is there a mechanism to

1 monitor that or make sure that they are teaching that
2 curriculum in a manner that it should be taught by the
3 LEA?

4 MR. ELDER: That's one of the things that we
5 have some control over. And there's a process.

6 And I've had conversations with Dr. Fons, the
7 Deputy Secretary. And I'm sure that I'll be having
8 these conversations with the Director as well.

9 So coming up with a system where we can
10 actually -- when we review a lesson plan, that they
11 are meeting a standard that is best practice and try
12 to limit the individual spin that an instructor would
13 have.

14 CHIEF ROMERO: Thank you, Mr. Chair. Thank
15 you.

16 A.G. BALDERAS: Any further questions?
17 Great. I appreciate the presentation. Thank you.

18 MS. LOPEZ: Good morning, Mr. Chairman and
19 Members of the Board. I'll try and keep this brief
20 for you. But just a general synopsis.

21 My name is Ashley Lopez. I'm the Public
22 Safety Telecommunications Coordinator for the New
23 Mexico Law Enforcement Academy. First of all, I'd
24 like to thank you all for giving me the opportunity to
25 be here to include the new Director.

1 911 dispatchers in the State of New Mexico
2 are responsible for receiving calls for service,
3 dispatching personnel and equipment, and making
4 critical decisions which affect life, health, and
5 welfare for the public and public safety personnel to
6 include police, fire, and medical services.

7 Since September of 2018, the last Board
8 meeting, the program has trained a total of 130 public
9 safety telecommunicators throughout the state. 103
10 individuals came from the New Mexico Law Enforcement
11 Academy, and the remaining 27 came from our satellite
12 programs at the Southern New Mexico Regional Law
13 Enforcement Academy or the San Juan Criminal Justice
14 Training Authority in San Juan.

15 There is currently an Academy underway in
16 Santa Fe. So we expect to add another 27 individuals
17 to these numbers by the 27th of this month.

18 To conclude the 2019 calendar year, there are
19 two more Academies that are expected to take place,
20 one of which will be at the Southeastern New Mexico
21 Regional Law Enforcement Training Academy, which is
22 expected to occur in November.

23 And there is another class that's expected to
24 take place at the Law Enforcement Academy in December
25 of this year. On average there are eight Academy

1 classes that take place annually.

2 Some of the things that are happening with
3 the program that I'd like to make you guys aware of.
4 So the public safety telecommunications program was
5 the first program in the State of New Mexico to get on
6 board with the Acadis training portal that we are now
7 talking about.

8 We've had great success with it so far.
9 We've implemented all the different aspects of it and
10 have kind of acted as a test for the other Academies
11 in the state to kind of just get everything set up
12 within the system and things like that.

13 We've had tremendous success with everything
14 that we've done so far including our online testing
15 and traceability matrixes for our training/learning
16 objectives and our enabling/learning objectives.

17 There are a few other things that are going
18 to be coming to this Board in the future so I won't
19 spend too much time on them.

20 But both of them being the implementation of
21 next generation 911, the technological changes that
22 are going to be happening for the telecommunication
23 centers throughout the State of New Mexico, and also
24 the 911 SAVES Act which has passed the house floor and
25 moved to the senate. So hopefully in the future I'll

1 get to report on that.

2 Is there any questions that the Board has of
3 me?

4 CHIEF JOHNSON: What is that second one? I
5 should know that, but I don't.

6 MS. LOPEZ: The 911 SAVES Act?

7 CHIEF JOHNSON: Yes.

8 MS. LOPEZ: Okay. So it's a legislative
9 proposal to update the classification to appropriately
10 reflect the importance of 911 dispatchers in directing
11 emergency response and providing lifesaving emergency
12 medical instructions.

13 Specifically it would reclassify 911
14 dispatchers or public safety telecommunicators from an
15 office or administrative support occupation to a
16 protective service occupation.

17 A.G. BALDERAS: That's great. Is there a
18 sponsor for that or is that a bill that's already
19 passed?

20 MS. LOPEZ: I'm not very aware on the
21 specifics of it. But you can Google it. It is
22 something that has been a huge -- it's been supported
23 a lot by APCO International. But you can just Google
24 it. It's the 911 SAVES Act.

25 A.G. BALDERAS: Great. I appreciate that.

1 CHIEF JOHNSON: Mr. Chairman, that's through
2 the U.S. Congress, not New Mexico, right?

3 MS. LOPEZ: Yes.

4 A.G. BALDERAS: Great.

5 SHERIFF MENDOZA: Thank you, Ashley, for
6 presenting. I think there is a national movement to
7 recognize dispatchers as first responders and public
8 safety. And we just thank you for the job that you're
9 doing.

10 And based on the numbers that you're training
11 through the Academy, Mr. Chair, I'm not sure what
12 would need to be done to get some type of
13 representation for dispatch on this Board. I think
14 that's important based on the fact that LEA does train
15 dispatchers for the State of New Mexico.

16 A.G. BALDERAS: I appreciate that feedback.
17 The reason I ask for the state is that sometimes we
18 can codify at the state level as well. And it might
19 create some momentum for support that this Board
20 clearly is expressing to you and the movement so to
21 speak. So maybe we can brainstorm a little bit on how
22 better to support you.

23 MS. LOPEZ: I greatly appreciate that.
24 There's a lot of agencies that are extremely
25 interested in that and would love to lend a hand and

1 work in collaboration with this Board. So I
2 appreciate that you guys have support for that.

3 A.G. BALDERAS: We appreciate that. And then
4 speaking as one of the only uncertified, non-law
5 enforcement individuals on this Board, it's like the
6 gender neutral language and the codification of the
7 old regulations. There are many of us citizens that
8 assume that 911 dispatchers are first responders and
9 are members of the law enforcement community. So
10 we'll get moving on that and present some ideas.

11 MS. LOPEZ: I appreciate that, sir. It's
12 definitely an unsung profession.

13 A.G. BALDERAS: Any other questions from the
14 Board?

15 CHIEF JOHNSON: I just have one. I'm sorry.
16 And I should ask you this offline, but I won't. Would
17 it be your job to figure out like our vacancy rates
18 and reasons for turnover in this state, is that
19 something that you can do some research on?

20 MS. LOPEZ: That's not my capacity. But I'm
21 sure I could collaborate with some individuals to get
22 you some specific numbers. If you want to let me know
23 specifically what your goals are and what you're
24 looking to gather, I would be more than happy to aid.

25 CHIEF JOHNSON: I just think it would be

1 important, you know. Since I took office, we asked
2 the governor's office for a raise for our dispatchers.
3 I think, for the first time ever, we've done a salary
4 study through a consulting company. And I'm hoping
5 that that gets through.

6 And I'm also wondering, before this U.S.
7 Congress act that you said earlier, if we can do
8 something proactive in the state to show the
9 legislature that we're in front of this rather than
10 behind it as we usually are and figure out a way to
11 get our dispatchers more money, you know, better
12 benefits, because I always tell them they're the first
13 first responders. But I don't know that we take care
14 of them the way we should having that role.

15 So I think, if we were able to do some
16 research and present that to the legislature in our
17 state, when these agencies go and ask for funding to
18 pay them, it might be easier if we were doing it all
19 together versus agencies separately.

20 And maybe I'm the only one that presents to
21 the legislature for our budget. But I'm sure the
22 other agencies, you know, talking with the city
23 council, if they had those numbers and had that
24 research and how we can retain these folks. Because I
25 can't seem to get past the 40 percent vacancy rate

1 throughout the state, which is not good.

2 MS. LOPEZ: I don't know what the specific
3 figures are. But I can tell you, just the
4 resignations and things that I do see across the
5 state, the numbers are pretty high. It tends to get a
6 little higher around Christmas or in the summer, when
7 people would like to be home with their kids.

8 But given the pay rates and stuff that we do
9 talk about around the state, there is a huge
10 difference. And it is extremely low.

11 Also access to mental health services and
12 things for the trauma that those individuals do
13 experience I think is going to be at the forefront of
14 the conversation for all of this.

15 But I have the contacts. They're all
16 extremely excited to work with you guys. This is
17 something that we've been talking about individually
18 behind the scenes. So as soon as you guys are ready,
19 I mean I have the people ready to go.

20 CHIEF JOHNSON: I don't know that I can
21 assign you. Maybe I can't. Maybe get a working group
22 together with some of the folks that run dispatch
23 centers and start looking at that research and figure
24 out ways that we can better train and retain these
25 folks, because it's important. We cannot get in front

1 of it somehow.

2 A.G. BALDERAS: You got more work from the
3 Board. Any other questions?

4 CHIEF ROMERO: Mr. Chair. Ms. Lopez, how
5 long is the course right now?

6 MS. LOPEZ: Right now it is a total of three
7 weeks.

8 CHIEF ROMERO: Three weeks. In your opinion
9 is that long enough, is that about the right length,
10 could you use more time?

11 MS. LOPEZ: Well, honestly I would always go
12 for more time. There's always things that can be
13 learned, there are always educational objectives that
14 can be furthered. But as far as what we have right
15 now, I think it's a good foundation compared to other
16 states.

17 A lot of other states will just have an
18 online certification. And it leaves off a lot of
19 specifics, especially like emergency management, legal
20 specific to the state. A lot of states don't have
21 that kind of stuff. The program is still very
22 immature, the profession itself is very adolescent.
23 And it's still growing.

24 For what we have now, I think the three weeks
25 is definitely sufficient. I think there is definitely

1 a lot of areas that we can improve. Originally, when
2 I came in, we worked on improving the curriculum that
3 was there and filling in the gaps that we thought the
4 field was experiencing.

5 So we try and be very responsive to the
6 things that are occurring out in the field. We
7 finally got to a place where we filled in all those
8 gaps. And we want to start customizing that
9 curriculum to better fit those needs just because of
10 the way that the profession is growing and the
11 different things that are happening around the
12 country.

13 CHIEF ROMERO: Then the other question I have
14 for you, have you given consideration or is there
15 anything that works as far as like for the basic
16 police officer training or ongoing police officer
17 training, any advanced specialized training for
18 telecommunication operators, where you could have --
19 you know, whether it's one or two-day courses to start
20 out, something to also give them the opportunity to
21 get advanced specialized training in these areas?

22 MS. LOPEZ: Yes, sir. So the two areas that
23 have come up most often that I get a lot of interest
24 in are going to be the emergency management side,
25 which actually collaborates a lot with the law

1 enforcement.

2 So we've seen this really cool integration,
3 where we've gotten to work a lot with our basic
4 cadets. So that's been a very good experience. And
5 I'm looking forward to pushing that one forward in an
6 advanced training setting hopefully.

7 Another thing that I do get a lot of interest
8 in is tactical dispatch. That's another hot term I
9 guess across the nation. And so it's deploying out in
10 the field for specific incidents.

11 And it removes that traffic from the actual
12 center itself so that you're not bogging down phone
13 lines for a mass incident or something like that.
14 That is something else that I'm extremely passionate
15 about.

16 CHIEF ROMERO: Thank you. Thank you,
17 Mr. Chair. I would echo what Chief Johnson mentioned
18 as well as Ms. Lopez. I think we need to try and
19 figure out some way to help people in this profession
20 with employee assistance or emotional situations that
21 they have to encounter.

22 I mean they are the first ones that deal with
23 citizens and the public when there's an emergency.
24 They are the lifeline for law enforcement and first
25 responders out in the field. And they're the ones

1 that have to deal with all this and then just go home.

2 And other than whether a department offers an
3 EAP, an Employee Assistance Program, that's really
4 about the only thing I'm aware of that might be out
5 there. I guess we can see if we can try to encourage
6 that statewide.

7 A.G. BALDERAS: Any other questions?

8 SERGEANT ANDERSON: You said that the course
9 is currently three weeks for the training?

10 MS. LOPEZ: Yes, ma'am.

11 SERGEANT ANDERSON: Is there any requirement
12 for on-the-job training after they leave?

13 MS. LOPEZ: Not that I'm fully aware of. I
14 know there is in-house training that does occur. I'm
15 not sure what specifically governs that process
16 itself, I've never really had to deal with it.

17 But a lot of them do have like a CTO program.
18 That's kind of somebody that they sit under and shadow
19 during that process. And then I know they do go over
20 specifics with agency policy, their CAD system, their
21 different capacities, whether or not they're medically
22 trained or not.

23 SERGEANT ANDERSON: But you don't have any
24 specific requirements as to maybe marks that they need
25 to meet to say that they are now eligible to be able

1 to perform on the job?

2 MS. LOPEZ: No. I don't have anything to do
3 with that process. My involvement ends as far as the
4 certification itself and maintaining that
5 certification.

6 SERGEANT ANDERSON: Can we also get a copy of
7 the curriculum.

8 MS. LOPEZ: Absolutely.

9 SERGEANT ANDERSON: I know that three weeks
10 sounds fairly easy, you know, to go through it in time
11 frame. But really it takes a year for a dispatcher to
12 be able to be up and running, to be fully capable of
13 running calls for service.

14 So although it may seem short on the front
15 end, it really takes an entire year. And if that
16 dispatcher doesn't make it with support, then you've
17 lost that person for that year. I know that the
18 numbers are really low. So the 40 percent isn't
19 surprising. On your study would you be able to
20 compare benefits packages from the different agencies?

21 MS. LOPEZ: That's not anything I would have
22 access to. I'm not sure if our current Director or
23 Cabinet Secretary would be able to maybe guide me in
24 that process. I'm more than willing to put in the
25 work to look for it. That's just not anything I

1 currently have access to.

2 SERGEANT ANDERSON: Mr. Chairman, I know that
3 we should consider that the numbers that are required
4 per police department, because they are public safety,
5 they can't be forced to work. So if they don't have
6 enough numbers to work a shift, they either have to
7 call people in or they have to hold people over.

8 So I know that that's a big reason for a lot
9 of dispatchers actually resigning, is because they
10 just can't handle the amount of hours that they're
11 being forced to work. And sometimes it can go beyond
12 16 hours in a day.

13 A.G. BALDERAS: Well, I want to thank you.
14 We will take every word that you've said under
15 advisement. I do have some ideas based on the
16 conversation and interest of the Board and some of the
17 critical positions that you kind of lay out.

18 We have in the past as a Board had a
19 capacity -- and there are pros and cons to this. But
20 an ability to survey with our staff. We get a line of
21 questioning from this Board, we would consult with you
22 on the framing of the language.

23 But we have an ability to survey kind of the
24 landscape of interest in terms of vacancy, salary.
25 The downside of that is not all departments have time

1 or are cooperative. So you get a limited sample.

2 That's one avenue.

3 The other thing that I think -- and I would
4 defer to the Board. We have an ability at our office
5 to, based on some conclusions or some fact-finding,
6 issue a risk advisory; if you think this is a public
7 safety issue due to the long hours, the short
8 staffing, the advanced certification process, to
9 potentially, through our office or I could do it
10 through a letter penned from this Board, put the LFC
11 on notice to do a performance analysis quickly; not
12 only because of the physical impact, but because of
13 the critical public safety need that you all have
14 identified.

15 So think about that. We can maybe decide
16 that at the next meeting if you want us to take some
17 more action. The Board is really concerned about
18 getting more accurate data. I think you all suspect
19 what we're going to find. But we can further dialog
20 with the new Director. And our staff will be in touch
21 with you. But anyway those are some good ideas.
22 Thank you so much for your presentation.

23 MS. LOPEZ: Thank you.

24 CHIEF JOHNSON: I'll give you some people to
25 help with that research.

1 ITEM NO. 7: PUBLIC COMMENT

2 A.G. BALDERAS: Obviously the purpose of the
3 Board is to do certification approvals and discipline
4 matters. But we from the very beginning pushed up
5 public comment to the front of this agenda. It's good
6 to get their perspective.

7 We're now at item No. 7, public comment. And
8 we ask that the general public limit their comments to
9 about five minutes, but we're fairly flexible on that
10 depending on the line of questions.

11 Mr. Tim Ogle would like to do public comment
12 on the battery statute. And I do welcome you, sir.
13 Thank you for coming.

14 MR. OGLE: Good morning. And thank you for
15 giving me this opportunity to talk to you. My name is
16 Jim Ogle. I am with the National Alliance on Mental
17 Illness.

18 And what I really want to bring up to you is
19 a discussion that's going on in the Criminal Justice
20 Reform Subcommittee dealing with battery on basically
21 protected classes; police officers, healthcare
22 workers, that set of things.

23 And we specifically came at this from the
24 point of view of healthcare workers. But these other
25 protected classes fall in that too.

1 And our issue that we would like to get
2 addressed is that the battery on a healthcare worker
3 or a law enforcement officer ends up in a
4 fourth-degree felony. And for people specifically
5 with mental health problems, it really makes their
6 life difficult, having a felony, which that affects
7 housing, employment, those sorts of things.

8 And as we looked at this -- and we've been
9 having discussions in Albuquerque specifically with
10 law enforcement and hospital people, healthcare
11 workers -- we eventually came down to a proposal, a
12 compromise proposal we would like to get people to
13 think about.

14 And I've got a white paper here that we put
15 together from Nambe, New Mexico. And I'll leave it
16 for everybody. But what we were basically proposing
17 is that we look at this in -- what is the right word.
18 I'm missing the right word.

19 But basically starting out with something
20 like a petty misdemeanor, which is what normal battery
21 is, and up to three -- a second occurrence would be a
22 misdemeanor, a third occurrence would be a
23 fourth-degree felony. So you end up with a
24 fourth-degree felony.

25 And part of the reason for that is besides

1 the fact that people have -- in psychosis and that
2 sort of thing have a problem with reality. I think
3 the general public doesn't understand what the
4 consequences are of a felony, battery, and all this
5 sort of thing, which is why I argue that the first
6 time ought to be a lower sentence. And really put
7 something in there to educate people as to what the
8 consequences are of follow-on arrests.

9 And this is being discussed as I said in the
10 interim session. I thought it was important to get
11 this out to law enforcement, to think this through
12 before we get to the legislative session. I don't
13 know what the legislators will do, if this is the
14 place to start a discussion. So with that I'll open
15 it for questions.

16 A.G. BALDERAS: Thank you, Mr. Ogle. Any
17 questions?

18 MR. TEDROW: Thank you, sir. My name is Rick
19 Tedrow, I'm with the New Mexico District Attorney's
20 Association. I was wondering if you have reached out
21 to the district attorneys first on any of your
22 proposed changes?

23 MR. OGLE: The discussions have largely been
24 internal to Albuquerque. And the Public Defender has
25 been there. I don't think the District Attorney was

1 in those meetings.

2 MR. TEDROW: Which interim committee was it?

3 MR. OGLE: These were not interim committee
4 meetings. Sorry. The meetings we had were just
5 internal. Because I think about two years ago there
6 was a legislative bill that was brought up to make it
7 so people with mental health problems really didn't
8 get any sentence. And that got a discussion going.

9 And we had some private meetings with the
10 particular legislator and members of APD and UNM
11 Hospital and that sort of thing to discuss this. And
12 the Public Defender's Office. Like I said, I don't
13 think the District Attorney's Office made the meeting.

14 MR. TEDROW: Jim, I would ask you to reach
15 out to them, if you get the opportunity. And I say
16 that because some of these changes are things that the
17 DAs have looked at themselves.

18 I'll tell you, we won't look at changing
19 battery on a police officer. I don't think our
20 statutes -- none of us think our statutes protect
21 police officers enough.

22 But we do recognize a lot of the other issues
23 that come up with mental health. And I think it would
24 be important for you to reach out to them.

25 MR. OGLE: My argument, though, is -- I

1 understand you. And I understand this is a real
2 uphill battle. But the first occurrence, I don't
3 think it matters what you put on there as the sentence
4 if the person doesn't know what the consequences are.

5 So like I say, the first occurrence should be
6 I think should be relatively small; a petty
7 misdemeanor, misdemeanor, something of that sort. I
8 think there really needs to be something in the system
9 to educate people as to what happens with the second
10 and third occurrence.

11 And, you know, if what you're doing with a
12 police officer is -- you know, I understand. And I
13 really respect everything that police officers go
14 through. Believe me. But I also think people can
15 learn something and change if they know what the
16 future consequences are.

17 So that's why I really ask you guys, law
18 enforcement, to think it through, think about it, and
19 discuss it.

20 SERGEANT ANDERSON: I think maybe the
21 suggestion might be to the education of the officers
22 and how to deal with persons that are suffering from
23 mental health.

24 I know that, within the Albuquerque Police
25 Department, we are looking at jail diversion to where

1 that we recognize when someone is suffering from an
2 issue of mental health. And maybe their intention was
3 not to so batter the officer or batter the healthcare
4 worker but what is actually going on with them.

5 So perhaps that's something that we could
6 address in training throughout the state, with
7 recognition of issues with mental health and not so
8 much to change the statute, which I think is important
9 that we keep that. And that is a larger battle. But
10 maybe education might be something that we can address
11 with all agencies.

12 MR. OGLE: I really agree with that. And I
13 think Albuquerque has done great. But I also, as I've
14 thought through this over the last year or so, think
15 it's more than just the people with mental health
16 problems. I think the ignorance of the public is what
17 the consequences are.

18 And I think you take someone and give them a
19 fourth-degree felony and suddenly what happens to
20 them -- you know, it may be the only time they're
21 going to do it. The consequences to the family and
22 employment and everything else. I think we're going
23 too far too rapidly with everybody in that respect.

24 SHERIFF MENDOZA: Mr. Chairman. Mr. Ogle,
25 thank you for your comments. I respect your stance on

1 this. And I've worked with Nambe in Santa Fe on
2 several occasions.

3 I would be curious to see what the actual
4 conviction rate is for this specific statute in
5 reference to law enforcement or healthcare and which
6 of those had a mental health or behavior health aspect
7 to it.

8 I think that's important, because how big is
9 the issue and how many people are actually being
10 charged and convicted with this crime.

11 MR. OGLE: I would love to see the stats
12 myself. I haven't figured out how to get ahold of
13 them.

14 Anecdotally I think the number of people that
15 actually end up being convicted of a fourth-degree
16 felony is quite small. It gets pleaded down and that
17 sort of thing. But they still end up with a charge.

18 And when you look at, okay, you're charged
19 with a felony, that still has an effect, even if they
20 end up in the end maybe walking free. So one needs to
21 look at the whole system I think and the consequences.

22 SHERIFF MENDOZA: Thank you.

23 A.G. BALDERAS: Thank you, Mr. Ogle. Any
24 further questions? Appreciate your presentation.
25 Thank you.

1 MR. OGLE: Thank you very much.

2 A.G. BALDERAS: We now have Mr. Mechels to
3 talk about certification. Good morning, Mr. Mechels.
4 How are you.

5 MR. MECHELS: Good morning, Chair and Board
6 Members. This is the second time we've met.

7 When I last addressed the Board in May of
8 this year, what I took up with the Board at the time
9 was the fact that all the officers' certifications
10 were referencing a law that, in fact, did not exist
11 and, in fact, had not existed since 1979. And nobody
12 seemed to have ever caught that.

13 Well, I caught it. I brought it to the
14 Board. I think you probably didn't believe me. I was
15 right. As a result of that, the LEA had been
16 modifying their certifications. Problem: What
17 they're doing is they're taking official
18 certifications and they're photoshopping them.

19 I don't think you can do that. I think there
20 are ways you can modify an official document. But I
21 don't think photoshopping is one of them. And that's
22 what they've been doing. And I can prove it.

23 So I think what they've done is they've made
24 a mess worse at this point, because now you've got a
25 bunch of documents floating around that are on their

1 face illegal. So I hope my credibility improved
2 slightly since I was right on that one.

3 Well, I think I'm right on this one too. And
4 this one is actually much more serious. It has to do
5 with the way officers are certified in the state. I
6 ran into this when I was doing some more research on
7 the certifications.

8 I've got a packet here that I will leave with
9 the record of this meeting. A lot of this information
10 I have sent to the Board Members on email. This is to
11 put it in the public arena so it will be attached to
12 some public minutes.

13 First, this is the law. I hope you have all
14 read it. Frankly I rather doubt that you have. This
15 is the law that governs the Law Enforcement Academy,
16 statutes of the State of New Mexico. You should be
17 familiar with it.

18 Based upon the past education I've seen the
19 Directors of the Academy give to new Board Members,
20 you well may not be because that's not something they
21 seem to care about, teaching the new Board Members.

22 It's important because in this law -- and
23 again this shouldn't be news to you. This law changed
24 in 1993 in a crucial way. And it apparently never got
25 incorporated into practice. The law changed in 1993.

1 Prior to that the Director of the Academy
2 certified police officers. In 1993 that changed. It
3 was changed by Senate Bill 678. And it was brought by
4 some people who are competent; Ann Riley, who had been
5 a Law Enforcement Academy Board Member, and Mike
6 Sanchez, the Michael Sanchez, who was later the senate
7 majority leader for many years. These people knew
8 what they were doing I believe.

9 So they changed the law. And the law says,
10 henceforth, the Director of the Academy will provide
11 certificates of completion, not certificates.
12 Certificates of completion. Ever since 1993 the
13 Director could not issue a certification. And that's
14 what they've been doing.

15 And that's what the Board has been letting
16 them get away with. I mean it's historic. And this
17 is not uncommon in the law of New Mexico, that we
18 change the law and the practice doesn't follow it.

19 So what happens is today, in this law, you,
20 not the Director, issue certificates. And that's been
21 the case since 1993. So when the Director today
22 brings you certificates for ratification, that process
23 is not supported by the law.

24 The Director can certify the officers. And
25 how can you ratify something that doesn't exist.

1 There is no language of the law for the Board
2 ratifying anything. The current ratification does not
3 exist under the law for this Board.

4 So what are you doing? And what will you do
5 when today they're bringing you a list of certificates
6 to be ratified and I've just told you the certificates
7 are illegal and have been for a very long time.

8 Here is another problem with the
9 certifications. I picked a few just to show you the
10 depth of the problems that you have been certifying.
11 This one you certified last time. It's a police
12 officer from Santa Fe, David Bogan.

13 This certificate which I will leave with you
14 is illegal on its face. And this Board certified it
15 or you ratified it. You ratified the certification
16 that certified this. This is an illegal certificate
17 on its face.

18 What makes David Bogan stand out is he's a
19 cert-by-waiver. Cert-by-waivers by law cannot be
20 certified unless they're employed by a police agency.

21 David wasn't. He couldn't be certified until
22 he was hired by a police agency, which he was later
23 hired by the Santa Fe Police Department. At the time
24 the certificate was issued, he couldn't be certified,
25 yet it was signed off by the Chairman of the Board and

1 the Director.

2 Here is another one. This is just a couple
3 to illustrate the depth of the problem. This is a
4 gentleman by the name of Aaron Pool. Sheriff Mendoza
5 may recognize the name. Aaron Pool was not
6 certified -- this certificate says he was certified on
7 the 15th of May 2019.

8 I told you there's a problem with this
9 certification. It can't be issued by the Director.
10 But he did issue it. And you unfortunately didn't
11 even see it because it wasn't brought to the Board for
12 ratification.

13 This is part of Basic Police Officer Class
14 198. This class graduated in May. It was not brought
15 even for ratification in May, it is not being brought
16 today. What does it mean when an officer gets
17 certified by somebody who doesn't have any legal right
18 to certify them and not even ratified, because that's
19 what's happening?

20 If you look at the agenda today, you'll find
21 a gap right before CNM -- right before the
22 ratification of the Central New Mexico Academy. The
23 reason the gap exists is that gap is Basic Police
24 Officer Class 198. They dropped it.

25 Not only have they dropped that class, they

1 also dropped -- in 2015 they dropped APD 113. They
2 also dropped -- in 2015 they forgot to bring to the
3 Board 116. Where are those officers? Do they have
4 legal certifications? And, if so, what supports their
5 being legal.

6 They haven't been ratified, they couldn't be
7 certified by the person that certified them, and they
8 haven't even been ratified in your current process.
9 What is their status? They're out there, they think
10 they're certified. Are they certified? How could
11 they be?

12 The last certificate I would offer you is
13 Michael Brown. He's certified. He's got a
14 certification but never ratified. He happens to be
15 part of Class 113 that went missing.

16 The reason I showed you the law first is --
17 the reason I think that they changed the law in 1993
18 is they weren't happy with the way it was working,
19 having the Director certify. They were trying to get
20 the Board Members to take responsibility for the
21 certification process.

22 The Board apparently chose not to in spite of
23 the changing of the law. But today the law says the
24 Board, not the Director, issues, blah, blah, blah,
25 blah. And again I'm leaving the law for you, but you

1 can find it easily.

2 And here is the other documents I would leave
3 with you. 116, this is a list of all the officers
4 that weren't ratified. They all got certifications.

5 I've also got a list of -- this is a list
6 which includes APD 103 also. Never ratified. They
7 got certified, they all got certificates, I've seen
8 them. I just showed you one. Never ratified.

9 What are these officers on the street for?
10 Not only those officers, CBW 87. Cert-by-waiver class
11 87 also went missing. Southern New Mexico, Dr. Fons'
12 old hangout. They had a class -- I think this is San
13 Juan. This class went missing too.

14 There are 85 officers on this list which I
15 got with an IPRA from the LEA. Eighty-five officers
16 who have never been ratified. What's their standing?
17 Figure that one out.

18 A.G. BALDERAS: Mr. Mechels, I'm going to ask
19 you to wrap up. Are there any questions for
20 Mr. Mechels?

21 MR. MECHELs: One last thing and I'll shut
22 up.

23 A.G. BALDERAS: Sure. Go ahead.

24 MR. MECHELs: One more document. I found
25 this one. Recently, because of the difficulties that

1 former Chief Kassetas was having over at DPS, the
2 governor made a decision to allow some records out
3 that had been kept confidential.

4 One of the records that turned out and showed
5 up in the Journal was the lawsuit against the Academy
6 brought back in 2014. It's one of the ones that the
7 governor decided to release. You've got a copy of the
8 first page of it right here.

9 What it does is it lays out in great
10 detail -- you should all look at it -- the destruction
11 of the Law Enforcement Academy in early 2013. And as
12 Board Members that is what you're dealing with.

13 What you are dealing with, as the incoming
14 Board Members, is you've got a huge problem with
15 certification and you've got a huge problem because
16 the Academy was destroyed. They just wiped out the
17 staff back in 2013.

18 And they've never recovered from that fact.
19 It is up to you and the incoming Director to recover
20 the functioning of this Academy to where they were
21 prior to 2013 before they got destroyed. Thank you.

22 A.G. BALDERAS: Thank you, Mr. Mechels, for
23 your presentation. Appreciate it.

24 MR. MECHELS: Any questions?

25 A.G. BALDERAS: Any questions? We'll take

1 your comments under advisement. We appreciate it.

2 Thank you.

3 My friend, Mr. Peter St. Cyr, come on up.

4 MR. ST. CYR: Thank you, Mr. Chairman and
5 Board Members. I'm Peter St. Cyr, former Emmy award
6 winning journalist and now an open government
7 advocate. And I had the pleasure to meet and talk to
8 you last May or this last meeting. And welcome aboard
9 to the new Director.

10 We've heard some exciting things today. The
11 last time we talked about maybe taking open government
12 and these open meetings to the next level. And we
13 would still encourage you, Chairman, to discuss maybe
14 getting them broadcast on some sort of live stream so
15 that more members of the public around the state can
16 attend this meeting.

17 You know, public safety is one of the areas
18 where I think that we need to have the public's trust
19 rebuilt. And when they feel like they can
20 participate, even remotely, by watching this kind of
21 dialogue in these meetings, the Board will be better
22 served.

23 The things that we heard as open government
24 advocates today, there were two things that were
25 really encouraging. And that is the use of data and

1 the new database.

2 It will be interesting to see, you know, what
3 kind of aggregate numbers the public can have access
4 to. Because, when we get access to those aggregate
5 numbers, we'll be able to find out which departments
6 are short-staffed.

7 And maybe that kind of public pressure, by
8 letting lawmakers know, you know, can generate more
9 funds and boost funding. So those positions can be
10 filled, whether they're in the 911 centers or, you
11 know, in some of the law enforcement agencies.

12 And so as an open government advocate, using
13 data to make rational decisions is a positive thing.
14 And I want to make sure that the Board makes that
15 database as accessible to the public as possible.

16 You know, certainly some of the personnel and
17 discipline matters, when you go into, you know,
18 executive session, we understand that may not be
19 public. But it would be interesting maybe for the
20 next meeting to provide the public a general idea of
21 what information they can get out of that database.

22 Right now, when you go to the Law Enforcement
23 Academy's website, you see, you know, them encouraging
24 the law enforcement agencies to get involved and get,
25 you know, started to -- you know, garbage in, garbage

1 out, the more that they put in. But what I would like
2 to see is what the public can get out of it.

3 And then I would also like to say that we are
4 so blessed and lucky in New Mexico to have really good
5 open government laws. You guys adopted your annual
6 resolution in the last meeting.

7 And the reason that I think that we're so
8 blessed really is that it encourages the public,
9 people like Chris Mechels, to come and go through IPRA
10 to collect the information.

11 You have a volunteer here working hard to
12 find problems, and then he comes. And in the open
13 public comments section, we need to encourage it.
14 Because the public will help to inform, shape, and
15 direct your policies.

16 And so I'd leave it there and say that I'm
17 encouraged with the new Board's direction and hope
18 that you will adopt, you know, the ability for the
19 public to access some of the data that's going to be
20 in that database. Thank you. Are there any
21 questions?

22 A.G. BALDERAS: Thank you. Are there any
23 questions from the Board? No.

24 And I wanted to give you some feedback as
25 well from the last presentation. There's some

1 dialogue going on right now about trying to increase
2 electronic participation and then even attendance,
3 which is why we try to get out in the communities.

4 We might pick your brain a little bit. I
5 think, in the areas of IPRA and open government, I
6 know law enforcement either sometimes doesn't have
7 legal counsel or they get beat up sometimes on a
8 transaction. It really is a critical experience.

9 But I think, listening to your comments last
10 time, we're toying around with the idea. And we would
11 love citizen input. When a department does provide
12 records or there's an incident, there should also be
13 at some point maybe a time to take input from you to
14 recognize those departments.

15 Because I know that we usually end up in a
16 tense situation with citizens, especially on a
17 shooting or something that's very stressful for the
18 community. But I do think, because of our feedback,
19 we do want to get more attendance in the public.

20 One way to do it is to bring community groups
21 and law enforcement departments together and, when
22 they do do something positive, that you should have an
23 ability for us to get that recognition and give it to
24 the department. So if you're open to that idea.

25 MR. ST. CYR: Totally open to it. And thank

1 you for raising that. Because, you know, too often,
2 as journalists or open government, we're seen as just
3 always carrying a big stick. And while that is an
4 important role, it is always my pleasure to pat people
5 on the back when they go above and beyond the
6 expectations. And, you know, it is a balance.

7 You know, in the IPRA, which is the
8 Inspection of Public Records Act, there is an
9 exemption for ongoing law enforcement activities. And
10 it's a balance, because the public also has a right to
11 know what kind of public safety threats there are.

12 And so is there something out there that's
13 threatening to the community and are the cops or the
14 law enforcement agencies not sharing it because, you
15 know, they're balancing their approach in, you know,
16 apprehending somebody or jeopardizing a trial compared
17 to, you know, that balance of what the public has a
18 right to know in their community.

19 So I've taken what you've said to heart. And
20 it would be my pleasure to pat some people on the back
21 when they do something.

22 A.G. BALDERAS: Yeah. I think we'll explore
23 that. Last night I was watching TV and there was an
24 AMBER Alert. There's an old example of that. You've
25 got to recognize the innovators, the departments that

1 do that well. Not all of us do that well.

2 I just wanted to let you know, you have us
3 thinking. And we'll be working with you in the
4 community.

5 MR. ST. CYR: Great. And if you guys wanted
6 to set up a working committee to, you know, come up
7 with some of the issues that are identified, we have
8 some time to do that.

9 A.G. BALDERAS: Thank you, Peter. Appreciate
10 you coming by. That now concludes public comment.

11 ITEM NO. 8: DISCUSSION OF POSSIBLE FUTURE RULE CHANGE
12 TO TRANSFER INVESTIGATORY AND RECOMMENDATION

13 RESPONSIBILITIES FROM DIRECTOR TO AN LEA-90 COMMITTEE

14 A.G. BALDERAS: We'll now go to item No. 8.
15 The next agenda item is a discussion of a potential
16 idea around a future rule change. I'll now yield to
17 our counsel, John Kreienkamp, to discuss this request.

18 MR. KREIENKAMP: Good morning, Members of the
19 Board. This particular agenda item again is just for
20 discussion purposes and probably a brief discussion at
21 that.

22 But it's an idea that comes out of
23 conversations that I've had with the Department of
24 Public Safety and in particular Deputy Secretary
25 August Fons about the Board's disciplinary process and

1 how that could look in the future.

2 Up until a few weeks ago, when the new
3 Director came in, those responsibilities of the
4 Director fell upon the Acting Director, which was
5 Deputy Secretary Fons. And one of the issues that the
6 department encountered fairly quickly was just the
7 sheer volume of these cases and sort of the burden
8 that that can place on DPS staff.

9 You know, in addition to reviewing all of
10 these cases and making recommendations, they also are
11 obligated to meet potentially with respondents who
12 have made a request for an oral response to a Notice
13 of Investigation.

14 And, you know, we do have a potential future
15 rule change coming up potentially in December of this
16 year. And in looking at ways to try to lighten the
17 load a little bit on DPS at least as much as possible,
18 one of the suggestions that was raised was the
19 creation of basically an LEA-90 committee or a
20 complaint committee.

21 And this would be very similar to what
22 virtually all New Mexico administrative licensing
23 boards are using. They have a subcommittee made up of
24 maybe one or two Members of the Board along with
25 several other members of the profession who assist the

1 Board by reviewing these disciplinary cases and making
2 recommendations to the full Board that they can
3 consider.

4 And this would be one way to take some of
5 that load off of the Director in this case. But the
6 obvious downside to it is it would require a lot more
7 involvement and work from several Members of the
8 Board, probably two or three Members of the Board.

9 From discussing this idea with your new
10 Academy Director, it sounds like this isn't an idea
11 that we necessarily want to leap into right now. But
12 as she gets a little bit more familiar with the
13 position and sees what this process would entail, then
14 it might be something that we would look at in advance
15 of potentially rolling out a rule change proposal to
16 the full Board sometime in December.

17 So I guess the question that is before the
18 Board is would a creation of something like an LEA-90
19 committee be something that the Board would be willing
20 to entertain. Because, if not, then that's not an
21 avenue that we would pursue in the interim.

22 A.G. BALDERAS: Are there any questions in
23 terms of what counsel is raising as an issue?

24 MR. TEDROW: Mr. Chair, I would be more
25 curious to see if our new Director would have an

1 interest in a committee like this before we give any
2 direction.

3 A.G. BALDERAS: Madam Director.

4 DIRECTOR ALZAHARNA: Chairman, Board Members,
5 I don't want to dismiss it at this point. I would
6 really like an opportunity to spend some time with the
7 current process. I know there is a backlog mainly
8 because of the gap in not having a Director.

9 So I'm aware of that backlog. I would kind
10 of like to get my feet wet a little bit just to see so
11 that I could give actually an informed suggestion
12 possibly for that.

13 A.G. BALDERAS: Thank you. Any other
14 questions? Mr. Mechels.

15 MR. MECHELS: Can I comment on this issue?

16 A.G. BALDERAS: Thirty seconds. But I don't
17 go back to the public comment.

18 MR. MECHELS: No. Just a comment on this
19 issue. Because when I first got involved and started
20 looking at the LEA, I started looking around at other
21 states. A lot of states use a subcommittee, not the
22 committee members themselves, but a subcommittee which
23 is tasked out and then feeds input to the committee.
24 That structure is used in places like Vermont and
25 Nebraska and seems to work very well.

1 A.G. BALDERAS: Thank you. Any further
2 comments, Director? Any questions? Great.

3 MR. TEDROW: I'm sorry, Mr. Chair. Do we
4 have a specific rule that's being looked at changed?
5 I'd ask your counsel.

6 MR. KREIENKAMP: It would be Part 1. Part 1
7 in the Board's rules contains a variety of provisions
8 with respect to the disciplinary process. Your
9 statute provides the Board with a lot of flexibility
10 and sort of the obligation to determine what that
11 process is going to look like.

12 MR. TEDROW: I think that would be my
13 follow-up, is there a need for a rule change or do we
14 have the flexibility just to allow the Director to set
15 a subcommittee.

16 MR. KREIENKAMP: So there is a need to
17 address several other issues in the rule. In talking
18 with DPS, we had talked about potentially rolling out
19 a rules proposal to the Board sometime in December.

20 And that's when the Board would vote to
21 initiate the rulemaking process and solicit public
22 comment. And this could be, you know, one issue that
23 is looked at.

24 MR. TEDROW: Thank you, Mr. Chair.

25 A.B. BALDERAS: Thank you.

1 SHERIFF MENDOZA: Mr. Chair, would this rule
2 change affect everything that's backlogged going
3 forward or just anything that happens after the rule
4 change?

5 MR. KREIENKAMP: It would affect what happens
6 after the rule change, yeah. The cases that have
7 already been -- the LEA-90s that have already been
8 received would be held in accordance with the current
9 process.

10 A.G. BALDERAS: Thank you. Any other
11 questions? Okay. I think we will move on. Thank you
12 for bringing that to our attention.

13 ITEM NO. 9: RATIFICATION OF CERTIFICATIONS FOR LAW
14 ENFORCEMENT OFFICERS

15 A.G. BALDERAS: We will now move to item
16 No. 9, ratification of certifications for law
17 enforcement officers.

18 Mr. Deputy Director, how are you?

19 DEPUTY DIRECTOR COSS: I'm well, sir. How
20 are you.

21 A.G. BALDERAS: Excellent. You have the
22 floor, sir.

23 DEPUTY DIRECTOR COSS: Thank you. Item No. 9
24 on the agenda, ratification of certifications for law
25 enforcement officers, agenda item A, Western New

1 Mexico, Certification Nos. 18-0225-P through
2 19-0019-P. We would ratify that these individuals
3 have met the requirements for certification and
4 request the Board ratify their certifications.

5 I direct our Board to item 9, Exhibit A,
6 18-0225-P to 19-0019-P. Is that correct, Deputy
7 Director?

8 DEPUTY DIRECTOR COSS: That is correct.

9 A.G. BALDERAS: Great. I will entertain a
10 motion to approve Exhibit A.

11 CHIEF ROMERO: Mr. Chairman, if I could
12 clarify his request, because these numbers aren't
13 sequential, it looks like there are numbers skipped.

14 DEPUTY DIRECTOR COSS: Correct. Exhibit A in
15 its entirety is what we're voting on. If you please,
16 the Board and the Vice Chair, it's 18-0225-P,
17 18-0274-P, 18-0275-P, 18-0401-P, and 19-0019-P in its
18 entirety for agenda item 9, Exhibit A.

19 A.G. BALDERAS: Any questions?

20 CHIEF ROMERO: No. Mr. Chair, I so move
21 approval.

22 A.G. BALDERAS: Thank you. There is a motion
23 to approve Exhibit A. Is there a second?

24 CHIEF JOHNSON: Second.

25 A.G. BALDERAS: There is a motion and a

1 second to approve Exhibit A for certifications. All
2 in favor say aye.

3 (The Board Members voted unanimously.)

4 A.G. BALDERAS: Are there any in opposition?
5 The motion is approved to accept Exhibit A. You can
6 now move to Exhibit B, sir.

7 DEPUTY DIRECTOR COSS: Thank you,
8 Mr. Chairman.

9 SERGEANT ANDERSON: Mr. Chairman, just to be
10 clear as to Mr. Mechels concerns previously stated, it
11 is my understanding that you have gone through all of
12 these certifications for each and every one of these
13 officers to make sure that they do qualify to actually
14 be certified in the State of New Mexico?

15 DEPUTY DIRECTOR COSS: There are several
16 levels that occur here. But it is a great question.

17 If I may, Mr. Chairman, Members of the Board,
18 if this is occurring at a satellite Academy, which in
19 this case it was, Western New Mexico Academy, the
20 Director of that Academy then attests in writing to
21 each and every individual that completes their
22 training program, just as in any other satellite
23 Academy in our state, including our own Academy.

24 Our Basic Training Bureau Chief, if you will,
25 attests to the fact to the Director that these

1 individuals have completed all the requirements
2 required in state statute as well as the New Mexico
3 Administrative Code.

4 The satellite Academy will then issue, or in
5 our case the Law Enforcement Academy, will issue a
6 course completion certificate for successfully
7 completing that block of training, being the Basic
8 Academy, CBW, telecommunicator.

9 And then right behind that then will become
10 the issuance of the certification, if they have met
11 those standards. And so the certification issuance is
12 based off of us receiving that affidavit by the
13 training Director that, yep, they have met all the
14 training requirements.

15 And then we move forward with that process
16 through you all as the Executive Secretary and the
17 Board. And the Director acting in that capacity
18 issues those certifications on your behalf.

19 SERGEANT ANDERSON: Thank you. And it's my
20 understanding that it would probably be likely
21 over-cumbersome for this Board to be able to review
22 each and every requirement for every officer to be
23 able to do that in this meeting?

24 DEPUTY DIRECTOR COSS: Mr. Chairman, Members
25 of the Board, that would be about 400 or so on the law

1 enforcement officer side and probably another 200 to
2 250 or so on the telecommunicator side, just so you
3 have some more or less numbers.

4 SERGEANT ANDERSON: Thank you, sir.

5 A.G. BALDERAS: Thank you. Any other
6 questions?

7 MR. TEDROW: Mr. Chair, if I may. Mr. Coss,
8 when you present to this Board, you're looking at the
9 qualifications for certification or the satellite
10 Director has reviewed all the qualifications for
11 certification, with the final one being a certificate
12 of completion?

13 DEPUTY DIRECTOR COSS: Correct.

14 MR. TEDROW: So does the certificate of
15 completion incorporate the other qualifications; is
16 the Director saying, for example, this is a citizen of
17 the United States and has reached the age of majority,
18 holds a high school diploma or the equivalent, valid
19 driver's license, not convicted, and so forth? Is
20 that included with the certificate of completion?

21 DEPUTY DIRECTOR COSS: In particular are you
22 discussing 29-7-6 of the New Mexico State Statutes,
23 qualifications for certification?

24 MR. TEDROW: Yes.

25 DEPUTY DIRECTOR COSS: And the answer is

1 absolutely. That's what that is based upon as well as
2 the 10 parts -- depending on what part is applicable,
3 the 10 parts of your Board rules within the New Mexico
4 Administrative Code. But the answer is absolutely.

5 MR. TEDROW: So now as Members we are being
6 asked to -- the word ratify is discussed a lot. But
7 to approve, which is the same as ratify, these
8 certifications that have been reviewed?

9 DEPUTY DIRECTOR COSS: Correct.
10 Mr. Chairman, Members of the Board, just so you
11 understand, the qualifications for certification,
12 29-7-6, those are the entrance requirements to get
13 into an Academy.

14 You don't even start an Academy unless you
15 meet those, as well as some others. But the very
16 specific requirements are articulated in 29-7-6.
17 Those must be met before an individual enters into an
18 Academy.

19 MR. TEDROW: But the certificate of
20 completion is the completion of the Basic Academy?

21 DEPUTY DIRECTOR COSS: Correct. They've met
22 all of those requirements on the front side. And then
23 they've met all of the academic and physical
24 requirements of the core curriculum.

25 MR. TEDROW: And our agencies including our

1 satellites are following to the best of your knowledge
2 any statutes set forth by the legislature on what they
3 want from the Academies; is that correct?

4 DEPUTY DIRECTOR COSS: That is correct.

5 MR. TEDROW: Okay. Thank you. Thank you,
6 Mr. Chair.

7 SHERIFF MENDOZA: Mr. Chair, I'm just going
8 to jump on the bandwagon for this discussion.

9 Based on the comments made by Mr. Mechels,
10 and I'll just defer to counsel, he brought up issues.
11 And has that been reviewed by counsel to make sure
12 that we are abiding by whatever is necessary for
13 certifications for our officers and has a
14 determination been made?

15 A.G. BALDERAS: Sure. That's an excellent
16 question. And I will address it this way. Two
17 things. One, you can expect a legal memo from counsel
18 on the duties, requirements, and kind of the process.

19 That's not to say that, with this Board's
20 leadership or guidance, we can't change the somewhat
21 unclear rules. Rules can always get a little better
22 and more specific. So hopefully that memo will at
23 least identify a couple areas, if you would like to
24 change this process.

25 The other area that I would offer some

1 guidance, we use the ratification process. Rather
2 than independently reviewing these, we rely on
3 representations. All the other boards and commissions
4 generally use a ratification process or we would
5 ultimately independently be reviewing these for weeks
6 I think. But if there are concerns, you can expect a
7 memo.

8 And then number two, we can take action on
9 any other areas of interest or follow-up that you
10 need, if you're still concerned that the ratification
11 process and approval meets the regulations and
12 standards.

13 Do you have anything to add, Mr. Coss, to
14 that?

15 DEPUTY DIRECTOR COSS: No, sir.
16 Mr. Chairman, Members of the Board, I think it's
17 always good to look at the rules, right, and to
18 continue to try to stay progressive and to continue to
19 try to improve processes.

20 If there's confusion, which obviously in some
21 cases there is, then we need to seek some type of
22 resolution so that it is no longer confusing. I don't
23 believe it's confusing to any of our satellite
24 Academies. I don't believe it's confusing to any of
25 the law enforcement agencies.

1 But if it is confusing to members of the
2 public, then obviously we have some work to do.
3 Whether that's communication, better explanation of
4 what these processes are, or whether it's looking at a
5 revision to these processes.

6 A.G. BALDERAS: I would share this to the new
7 Director, some of the concerns of the past. As you
8 know, most of us are fairly new. I've been on this
9 Board now for five years. But there's a cycle of
10 turnover no matter what when you serve your term.

11 So each new Board has come in during the
12 orientation process to raise certain issues.
13 Mr. Mechels raises one in terms of what is the
14 approval process in the event we are relying on
15 information that is coming from the Academy process.

16 And so I think you're hearing a little bit of
17 concerns about why we're approving and what we're
18 approving. So obviously, in the areas of accuracy, we
19 should talk a little bit about that. We don't ever
20 want to approve incorrect information, and
21 certifications that aren't in these batches would also
22 be a concern.

23 There are some limitations in terms of our
24 oversight and approval because of the volume. But I
25 would also say that we can talk a little bit about

1 making sure that the quality control process between
2 our Board and management is sound.

3 DEPUTY DIRECTOR COSS: Absolutely,
4 Mr. Chairman. And agenda item 9 A would be a perfect
5 example of that. You see that has a starting year of
6 '18. That was placed on your last agenda for
7 ratification. There was an error in recording one of
8 the certification numbers.

9 So we asked the Board to skip that agenda
10 item. And we placed it again at the top of the order
11 here, when that agenda was corrected. So those
12 processes are in place. But again, you know, I think
13 the more we can work on it, the better.

14 A.G. BALDERAS: We do get some guidance from
15 our boards and commissions, much like a board of
16 regents would approve a budget. But really they rely
17 on the accuracy of the management.

18 And so we do have to govern. But I do take
19 note of the Board's concern that we're approving
20 accurate information or, more importantly, ratifying
21 that the process was completed thoroughly. These
22 documents are only representations of the training and
23 qualifications.

24 I somewhat disagree slightly with
25 Mr. Mechels' interpretation of what the document

1 means. The document is a representation that the
2 person is qualified. He was using terms like "illegal
3 documentation."

4 And as you know, in law enforcement there is
5 a whole entire process. There's independent judicial
6 determination before someone can say that or the law
7 enforcement officers have their own property rights in
8 terms of their own certification. So it's a
9 complicated process.

10 But my biggest concern is that our Board be
11 presented with accurate information. And I know
12 you're already short-staffed. And that will be
13 something that we'll have to work on together.

14 Any other questions as to our ratification
15 process at this time? Those are great questions by
16 the way.

17 Mr. District Attorney, any other questions
18 you might have?

19 MR. TEDROW: You've got me reading the
20 statutes.

21 MS. MONAHAN: So, Mr. Chairman, can I
22 interrupt. Coming from the public health perspective,
23 there are two actions.

24 I mean I would be training the same nurses.
25 And they would complete a course completion, but then

1 they would practice for two years. And an external
2 agency would actually do the certification. That
3 doesn't happen here.

4 So I think one of the things that I hear from
5 the community representative is that it's one agency,
6 DPS, the Law Enforcement Academies, that are doing
7 both the training and the certification. Am I
8 like projecting -- I know I am. But is that mind-set
9 from the public health world relevant to this issue?

10 A.G. BALDERAS: Yes. That is absolutely
11 correct. I think what we're now starting to
12 explore -- and I wanted to let you guys kind of take
13 your own time. But there are absolute infrastructure
14 challenges that this Board -- when I said policy, we
15 do discipline, certifications.

16 And then what I was saying is you guys
17 develop your own agendas, come to us with your policy
18 ideas. I think that is one critical risk that I've
19 always known.

20 So, for instance, John just presented another
21 idea besides the accuracy of certifications. Now that
22 we're pitching around the idea of do you all want to
23 independently investigate the LEA-90 complaint. And
24 that to me is an infrastructure problem. They don't
25 have the resources.

1 Somebody needs to do proper fact-finding on
2 an LEA-90 complaint. But traditionally the
3 legislature hasn't thoroughly funded that. As an
4 independent service, they should.

5 And I'll give you my Chairman's report
6 backwards. The legislature needs to critically fund
7 not only 911 dispatchers, but more due process and
8 process professionals within this very complex
9 certification and disciplinary process.

10 But you're basically doing it with duct tape,
11 right? You don't have to give that opinion.

12 I'm worried that the Board does have an
13 oversight role and we have a determination role
14 legally. We don't also have the staff. I give some
15 of my staff from our office.

16 But we don't have independent staff to do
17 independent verification like you said and/or the
18 discipline. And you've already expressed some concern
19 that you have limited resources to do independent
20 investigations.

21 So I guess it's going to be a shared
22 challenge for the legislature to properly fund these
23 divisional duties. Can you imagine some of the other
24 commissions that have less staff that are taking away
25 dental licenses. Anyway, I don't want to get on a

1 policy soapbox here.

2 But the Board is definitely identifying
3 accurately the lack of critical infrastructure. And
4 so they're starting to ask questions, which is a good
5 thing.

6 Madam Director.

7 DIRECTOR ALZAHARNA: Chairman and Board
8 Members, that's why I'd like a little bit of time just
9 to kind of soak into the process. The board and the
10 directorship I held with another state are very, very
11 similar to the setup that you all have.

12 And I think that, in my brief time and what
13 I've seen of how the processes are set up, that it is
14 doable. I think it's a matter of understanding how
15 they interact with each other. I'm finding that we
16 may have a little bit of a backlog.

17 But I think part of it can be improved with
18 our communication, my communication with the agencies
19 who are sending in these concerns, and what steps we
20 take. If we have information missing, if we don't
21 have enough information to move forward in our
22 process, to get on that, to get with them to see what
23 we can do to get that information.

24 And I haven't been on long enough to say that
25 I absolutely think it's 100 percent doable the way it

1 is. But I think it's a good design as set up. And
2 once we understand how the parts interact with each
3 other, we can get it running a little smoother.

4 A.G. BALDERAS: That's fantastic.

5 CHIEF ROMERO: Mr. Chair, I do have one
6 comment or reminder maybe for those that are not in
7 traditional law enforcement positions.

8 Once a police officer is hired and
9 commissioned and put out into the field, they have 12
10 months to be certified. Otherwise, they lose that
11 commission and may no longer be out in the field
12 serving as a police officer.

13 So there's also a practicality, if you will,
14 to this that depending on when that officer was hired,
15 when that officer or deputy is able to get into an
16 academy to go through the training for certification,
17 when they get out; and then, when we actually have a
18 Board meeting, they may have gone over that 12-month
19 period.

20 And they have to wait until this Board meets
21 to certify, which gets back to your issue of this
22 Board would have to meet much more regularly to ensure
23 that we don't violate that and create all kinds of
24 issues relating to that officer and his property
25 rights and interests as you mentioned and what it's

1 going to do to departments if they have to
2 decommission people.

3 So there's kind of a practical matter that
4 has to be considered in this process as well. Because
5 again, after 12 months, that officer or deputy could
6 be out in the field. And then we're creating even
7 more issues. So we do have to kind of factor that
8 into our process.

9 A.G. BALDERAS: I would say that we don't
10 want to punish potentially all the qualified members
11 that are eligible for certification or ratification.

12 But I will say that any Board error or
13 management error can be judicially corrected or we
14 have an ability to correct through the open meetings
15 process any concerns or errors that we might
16 accidentally ratify due to error. So I want to calm
17 the Board a little bit.

18 And then secondly, we -- you know, and I do
19 this for a living on my other day job. I defend the
20 State on litigation. And like I said earlier, we have
21 not been sued under my administration for violating
22 some process or not following the law. I'm not
23 welcoming a lawsuit from the community. But we will
24 look at this issue.

25 Now you want to walk us through B.

1 DEPUTY DIRECTOR COSS: Mr. Chairman, Members
2 of the Board, I would be glad to present Exhibit B for
3 your consideration.

4 MR. TEDROW: Mr. Chair, if I may, I would
5 like to motion to the Chair that we recognize
6 Exhibit B as submitted by the Director of the Law
7 Enforcement Academy and that we recognize and let it
8 speak for itself that those listed have obtained and
9 completed the necessary requirements for certification
10 and that we accept it in its whole. And at this time
11 I would move its approval by this Board.

12 A.G. BALDERAS: We welcome a more detailed
13 motion from our Mr. District Attorney. There is
14 motion for a pass as stated for Exhibit B. Is there a
15 second to that?

16 CHIEF JOHNSON: Second.

17 A.G. BALDERAS: There is a second. There is
18 a motion and a second to pass Exhibit B as presented
19 and approved and however the District Attorney stated
20 that motion. All in favor say aye.

21 (The Board Members voted unanimously.)

22 A.G. BALDERAS: Are there any in opposition?
23 Great. That motion passes. Next exhibit, sir.

24 DEPUTY DIRECTOR COSS: Thank you,
25 Mr. Chairman, Members of the Board. Now it's

1 Exhibit C.

2 MR. TEDROW: Mr. Chairman, if I so may, I
3 would like to reinstate my previous motion that we now
4 accept Exhibit C as presented to this Board in its
5 entirety and let the document speak for itself. And I
6 would ask this Board to now move to approve the
7 certifications as listed in Exhibit C.

8 A.G. BALDERAS: There is a motion. Is there
9 a second to that very fine, detailed motion?

10 SERGEANT ANDERSON: I'll second.

11 A.G. BALDERAS: There is a second. All in
12 favor for a motion to pass Exhibit C as presented, all
13 in favor say aye.

14 (The Board Members voted unanimously.)

15 A.G. BALDERAS: Is there any opposition? No.
16 The motion passes, sir.

17 DEPUTY DIRECTOR COSS: Thank you,
18 Mr. Chairman, Members of the Board. I now present
19 Exhibit D.

20 MR. TEDROW: I'll let you present that one.

21 A.G. BALDERAS: Please.

22 MR. TEDROW: We're on D.

23 Mr. Chair, at this time I would move that we
24 accept Exhibit D as submitted to this Board in its
25 entirety and allow the document to speak for itself.

1 At this time I would ask the Members of the Board to
2 approve the certification as listed in Exhibit D
3 before you.

4 A.G. BALDERAS: There is a motion for
5 passage. Is there a second?

6 CHIEF ROMERO: Second.

7 A.G. BALDERAS: We appreciate the motion and
8 second. All in favor say aye.

9 (The Board Members voted unanimously.)

10 A.G. BALDERAS: Any in opposition? Your
11 motion passes.

12 DEPUTY DIRECTOR COSS: Mr. Chairman, Members
13 of the Board, we now present Exhibit E.

14 MR. TEDROW: Mr. Chair, if I may, Mr. Chair,
15 at this time I would like to ask the Board to
16 recognize Exhibit E as submitted to the Board for the
17 listed certifications. I would ask this Board to
18 recognize Exhibit E and allow this document to speak
19 for itself. And at this time I would move the
20 approval of Exhibit E and certifications as listed
21 therein.

22 A.G. BALDERAS: There is a motion. Is there
23 a second to that motion?

24 MS. MONAHAN: Second.

25 A.G. BALDERAS: Great. All in favor say aye.

1 (The Board Members voted unanimously.)

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

3 The motion passes. Next exhibit.

4 DEPUTY DIRECTOR COSS: Thank you,
5 Mr. Chairman, Members of the Board. Exhibit F.

6 MR. TEDROW: Mr. Chair, if I may at this time
7 make a motion that this Board recognize Exhibit F as
8 submitted to this Board for certifications presented
9 and allow this document to speak for itself. I would
10 ask this Board to now recognize this document and move
11 its approval before this Board on this date.

12 A.G. BALDERAS: There is a motion to approve
13 Exhibit F. Is there a second to that motion?

14 CHIEF JOHNSON: Second.

15 A.G. BALDERAS: There is a motion and a
16 second to pass Exhibit F. All in favor say aye.

17 (The Board Members voted unanimously.)

18 A.G. BALDERAS: Any in opposition? The
19 motion passes for Exhibit F.

20 DEPUTY DIRECTOR COSS: Thank you,
21 Mr. Chairman, Members of the Board. The next item is
22 Exhibit G.

23 MR. TEDROW: Mr. Chairman, if I may, at this
24 time I would like to ask the Board to recognize
25 Exhibit G as submitted before them, ask this Board to

1 recognize Exhibit G and allow the document to speak
2 for itself. And at this time I would ask the Board to
3 approve the certifications as listed in Exhibit G.

4 A.G. BALDERAS: There is a motion to approve
5 Exhibit G. Is there a second to that motion?

6 SERGEANT ANDERSON: I'll second.

7 A.G. BALDERAS: Great. There is a motion and
8 a second to approve Exhibit G as listed. All in favor
9 say aye.

10 (The Board Members voted unanimously.)

11 A.G. BALDERAS: Any in opposition? The
12 motion does pass for Exhibit G.

13 DEPUTY DIRECTOR COSS: Thank you,
14 Mr. Chairman, Members of the Board. The next item is
15 Exhibit H.

16 MR. TEDROW: Mr. Chairman, at this time I
17 would ask that this Board recognize Exhibit H as
18 submitted and allow the document to speak for itself.
19 And at this time I would ask the Board to approve the
20 certifications as submitted in Exhibit H.

21 A.G. BALDERAS: There is a motion to approve
22 and ratify Exhibit H. Is there a second to that
23 motion?

24 MS. MONAHAN: Second.

25 A.G. BALDERAS: There is a motion and a

1 second to approve and ratify Exhibit H as stated. All
2 in favor say aye.

3 (The Board Members voted unanimously.)

4 A.G. BALDERAS: Any in opposition? The
5 motion passes for Exhibit H.

6 DEPUTY DIRECTOR COSS: Thank you,
7 Mr. Chairman, Members of the Board. Next would be
8 Exhibit I.

9 A.G. BALDERAS: You're doing well,
10 Mr. Tedrow.

11 MR. TEDROW: Mr. Chairman, if I may, at this
12 time I would ask this Board to recognize Exhibit I in
13 its entirety as submitted to this Board and ask this
14 Board to recognize this document and allow this
15 document to speak for itself. And at this time I
16 would ask the Board to approve the certifications
17 listed in Exhibit I.

18 A.G. BALDERAS: There is a motion to
19 recognize and approve Exhibit I. Is there a second?

20 CHIEF ROMERO: Second.

21 A.G. BALDERAS: There is a motion and a
22 second to recognize and approve Exhibit I as stated.
23 All in favor say aye.

24 (The Board Members voted unanimously.)

25 A.G. BALDERAS: Any in opposition to this

1 motion? The motion to approve and recognize Exhibit I
2 does pass.

3 DEPUTY DIRECTOR COSS: Thank you,
4 Mr. Chairman, Members of the Board. Next would be
5 Exhibit J.

6 MR. TEDROW: Mr. Chairman, at this time I
7 would ask this Board to recognize Exhibit J as
8 submitted. I would ask this Board to recognize the
9 document and recognize that it speaks for itself. And
10 at this time I would ask the Board to approve the
11 certification as listed in Exhibit J.

12 A.G. BALDERAS: There is a motion to
13 recognize and approve as listed in Exhibit J. Is
14 there a second to that motion?

15 CHIEF JOHNSON: Second.

16 A.G. BALDERAS: There is a motion and a
17 second to approve Exhibit J as listed. All in favor
18 say aye.

19 (The Board Members voted unanimously.)

20 A.G. BALDERAS: Any in opposition to that
21 motion? The motion to pass Exhibit J is approved.

22 Is there a K?

23 ITEM NO. 10: RATIFICATION OF CERTIFICATIONS FOR
24 PUBLIC SAFETY TELECOMMUNICATORS

25 DEPUTY DIRECTOR COSS: Next would be agenda

1 item No. 10, Exhibit A, public safety
2 telecommunicators for your consideration.

3 MR. TEDROW: Mr. Chairman, if I may, at this
4 time I would ask the Board to recognize Exhibit A,
5 certifications listed for ratification, and I'll ask
6 this Board to recognize the document as submitted
7 before it and allow the document to speak for itself.

8 And at this time I would ask this Board to
9 approve the certifications as listed in Exhibit A for
10 I believe it's ten of our very finest first
11 responders.

12 A.G. BALDERAS: I believe I have nine.
13 Thank you. There is a motion to approve nine
14 wonderful public servants in Exhibit A. Is there a
15 second to approve Exhibit A?

16 MS. MONAHAN: Second.

17 CHIEF ROMERO: Second.

18 A.G. BALDERAS: There are two seconds
19 competing against each other to approve Exhibit A as
20 listed. All in favor.

21 (The Board Members voted unanimously.)

22 A.G. BALDERAS: Any in opposition to approval
23 of Exhibit A? We have a passage and approval of
24 Exhibit A.

25 DEPUTY DIRECTOR COSS: Thank you,

1 Mr. Chairman, Members of the Board.

2 A.G. BALDERAS: Thank you.

3 We are now at the phase where we've completed
4 the certification process. We'll take a ten-minute
5 break. And then we'll come back and go into executive
6 session.

7 (Recess.)

8 CHIEF ROMERO: I'll call the meeting back to
9 order. At this time I'll entertain a motion from one
10 of the Board Members for the Board to go into closed
11 executive session to discuss only those disciplinary
12 and litigations matters listed on the agenda under
13 Executive Session pursuant to NMSA 1978 10-15-1(H)(1),
14 (3), and (7). Do I have a motion?

15 MR. TEDROW: Mr. Chair, so moved.

16 CHIEF ROMERO: Okay. We have a motion. Do I
17 have a second, please?

18 SERGEANT ANDERSON: I'll second.

19 CHIEF ROMERO: And we have a second. And we
20 do need a roll call vote.

21 MS. MEDRANO: Honorable Hector Balderas.

22 (No response.)

23 MS. MEDRANO: Robert Tedrow.

24 MR. TEDROW: Yes.

25 MS. MEDRANO: Chief Tim Johnson.

1 CHIEF JOHNSON: Yes, ma'am.

2 MS. MEDRANO: Sheriff Mendoza.

3 SHERIFF MENDOZA: Yes.

4 MS. MEDRANO: Chief Romero.

5 CHIEF ROMERO: Yes.

6 MS. MEDRANO: Sergeant Hollie Anderson.

7 SERGEANT ANDERSON: Yes.

8 MS. MEDRANO: Ms. Connie Monahan.

9 MS. MONAHAN: Yes.

10 CHIEF ROMERO: Now we'll go into executive
11 session.

12 (Recess from 11:25 a.m. to 1:35 p.m.)

13 ITEM NO. 21: RETURN TO OPEN SESSION

14 CHIEF ROMERO: Okay. Thank you all for being
15 patient with us. I'd like to welcome everyone back.

16 The Board is now in open session. I'd like
17 to affirm that, while in closed session, it discussed
18 only those matters specified in the motion to close
19 and listed on the agenda under Executive Session in
20 accordance with NMSA 1978 10-15-1(H), (1), (3), and
21 (7).

22 ITEM NO. 11: JAMES LOGSDON

23 CHIEF ROMERO: With that we will go to item
24 No. 11 concerning James Logsdon. And do I have a
25 motion regarding that agenda item?

1 MR. TEDROW: Yes, Mr. Chair. In reviewing
2 this from the past hearing, I'd like to make a motion
3 that we accept a four-month suspension; however, we
4 have a begin date of 6/22 of '19.

5 CHIEF ROMERO: Okay. We have a motion. Do I
6 have a second?

7 CHIEF JOHNSON: Second.

8 CHIEF ROMERO: And we have a second. Any
9 further discussion? Seeing none, all in favor.

10 (The Board Members voted unanimously.)

11 CHIEF ROMERO: Any opposed? The motion
12 carries.

13 ITEM NO. 12: THOMAS HENNIGH

14 CHIEF ROMERO: We'll go to item No. 12,
15 Thomas Hennigh. Do I have a motion regarding
16 Mr. Hennigh?

17 SERGEANT ANDERSON: I'll move to table this
18 discussion.

19 CHIEF ROMERO: Okay. We have a motion. Do I
20 have a second?

21 MS. MONAHAN: I second.

22 CHIEF ROMERO: Hold on. We have to back up.
23 Bear with us for a minute.

24 Right now we're going to come back to No. 12.

25 ITEM NO. 13: GABRIEL ORTIZ

1 CHIEF ROMERO: We'll go to No. 13, Gabriel
2 Ortiz. Do I have a motion regarding Gabriel Ortiz?

3 MR. TEDROW: Yes, Mr. Chair. I would move to
4 table this at this time. However, I would like to
5 ask, as part of this motion, that we direct our
6 Director to obtain further evidence for our reviews.

7 CHIEF ROMERO: Okay. We have a motion. Do I
8 have a second?

9 CHIEF JOHNSON: Second.

10 SHERIFF MENDOZA: Mr. Chair, prior to the
11 vote, I would like to go on record that I abstained
12 from the vote on this issue.

13 CHIEF ROMERO: Okay. We have a motion and a
14 second with one abstaining. All those in favor.

15 (The Board Members voted unanimously.)

16 CHIEF ROMERO: Any opposed? Okay. The
17 motion carries.

18 ITEM NO. 14: KENNETH ARGUELLO

19 CHIEF ROMERO: We'll go to item No. 14
20 regarding Kenneth Arguello. Do I have a motion?

21 SHERIFF MENDOZA: Mr. Chair, in reference to
22 Mr. Arguello, I would like to make a motion to approve
23 the request for voluntary relinquishment upon the
24 signature of the amended settlement agreement.

25 CHIEF ROMERO: Okay. We have a motion. Do

1 we have a second?

2 MS. MONAHAN: I second.

3 CHIEF ROMERO: Okay. We have a motion and a
4 second on agenda item No. 14. Any further discussion?
5 Seeing none, all those in favor please say aye.

6 (The Board Members voted unanimously.)

7 CHIEF ROMERO: Any opposed? The motion
8 carries.

9 ITEM NO. 15: JAMES GEHA

10 CHIEF ROMERO: Item No. 15, James Geha. Do I
11 have a motion regarding Mr. Geha?

12 SHERIFF MENDOZA: Mr. Chair, I'll make a
13 motion to accept the voluntary relinquishment from
14 Mr. James Geha.

15 CHIEF ROMERO: We have a motion. Do we have
16 a second?

17 MS. MONAHAN: I second.

18 CHIEF ROMERO: We have a motion and a second.
19 Any further discussion? Seeing none, all those in
20 favor please say aye.

21 (The Board Members voted unanimously.)

22 CHIEF ROMERO: Any opposed? The motion
23 carries.

24 SERGEANT ANDERSON: Mr. Chairman, for the
25 record, I would like to note that I recused myself

1 from the vote.

2 CHIEF ROMERO: Okay. One recusal.

3 ITEM NO. 16: ERIC YTUARTE

4 CHIEF ROMERO: Item No. 16, Mr. Eric Ytuarte.
5 Do I have a motion regarding Mr. Ytuarte?

6 SERGEANT ANDERSON: Mr. Chairman, I move to
7 accept the voluntary relinquishment of his
8 certification.

9 CHIEF ROMERO: We have a motion. Do we have
10 a second?

11 MS. MONAHAN: I second.

12 CHIEF ROMERO: Okay. We have a motion and a
13 second. Any further discussion? Seeing none, all
14 those in favor please say aye.

15 (The Board Members voted unanimously.)

16 CHIEF ROMERO: Any opposed? The motion
17 carries.

18 ITEM NO. 17: JORGE FRIAS

19 CHIEF ROMERO: Item No. 17, Jorge Frias. Do
20 I have a motion?

21 SHERIFF MENDOZA: Mr. Chair, I make a motion
22 to accept the pre-NCA suspension settlement agreement
23 for misconduct in reference to Mr. Jorge Frias.

24 CHIEF ROMERO: We have a motion on item
25 No. 17. Do we have a second?

1 SERGEANT ANDERSON: I'll second.

2 CHIEF ROMERO: We have a motion and a second
3 on item No. 17, Mr. Jorge Frias. Any further
4 discussion? Seeing none, all those in favor please
5 say aye.

6 (The Board Members voted unanimously.)

7 CHIEF ROMERO: Any opposed? The motion
8 carries.

9 ITEM NO. 18: JAYSON HOFF

10 CHIEF ROMERO: Item No. 18, Jayson Hoff. Do
11 I have a motion?

12 CHIEF JOHNSON: Mr. Chair, I make a motion to
13 reject the settlement offer for a year starting what
14 was presented and revising that settlement to one year
15 starting 8/12/19 through 8/12/20.

16 CHIEF ROMERO: Okay. We have a motion on
17 Mr. Jayson Hoff. Do I have a second?

18 SHERIFF MENDOZA: I'll second the motion.

19 CHIEF ROMERO: Okay. We have a motion and a
20 second on item No. 18, Jayson Hoff. Any further
21 discussion? Seeing none, all those in favor please
22 say aye.

23 (The Board Members voted unanimously.)

24 CHIEF ROMERO: Any opposed? Seeing none, the
25 motion carries.

1 ITEM NO. 19: JOSHUA KELLEY

2 CHIEF ROMERO: Item No. 19, Joshua Kelley.

3 Do I have a motion?

4 SHERIFF MENDOZA: Mr. Chair, I'll make a
5 motion to accept the pre-NCA suspension settlement
6 agreement for misconduct for Mr. Joshua Kelley.

7 CHIEF ROMERO: Okay. We have a motion. Do I
8 have a second?

9 MS. MONAHAN: I second.

10 CHIEF ROMERO: Okay. We have a motion and a
11 second regarding Joshua Kelley. Any further
12 discussion? Seeing none, all those in favor please
13 say aye.

14 (The Board Members voted unanimously.)

15 CHIEF ROMERO: Any opposed? Seeing none, the
16 motion carries. Please hold with us for a moment.

17 ITEM NO. 12: THOMAS HENNIGH

18 CHIEF ROMERO: So we're going to go back to
19 agenda item No. 12, Mr. Thomas Hennigh. And at this
20 time I would entertain a motion.

21 SERGEANT ANDERSON: Mr. Chairman, I'll move
22 to direct our Director to offer the Respondent a
23 pre-NCA settlement agreement, consisting of a
24 voluntary relinquishment, with the opportunity to
25 reapply for certification and to automatically refer

1 this offer for an NCA in the event that the Respondent
2 rejects this proposed offer.

3 CHIEF ROMERO: Okay. We have a motion on
4 item No. 12, Thomas Hennigh. Do I have a second?

5 MS. MONAHAN: I second.

6 CHIEF ROMERO: Okay. We have a motion and a
7 second for item No. 12, Thomas Hennigh. Any further
8 discussion? Seeing none, all those in favor please
9 say aye.

10 (The Board Members voted unanimously.)

11 CHIEF ROMERO: Any opposed? Seeing none, the
12 motion carries. And I think we're about done at this
13 point.

14 So the next Board meeting is scheduled for
15 October 23 in the beautiful city of Red River. Is
16 that going to work for all the Board Members so that
17 Ms. Medrano can gear up for that or make any changes?

18 CHIEF JOHNSON: Is there any chance we can do
19 it the 22nd?

20 MS. MEDRANO: I believe we can. We may have
21 to either start it later or the Attorney General may
22 not be able to attend. I think he has a prior
23 engagement.

24 CHIEF JOHNSON: The 23rd will work. That's
25 okay. If everybody already agreed to the 23rd, I'll

1 go with it.

2 MS. MEDRANO: Well, I'll make this
3 suggestion. I haven't had a chance to talk to my boss
4 yet, but I'll go ahead and lay it out there.

5 I was thinking that maybe, because everybody
6 is traveling there, if we did maybe in the morning
7 like a Board orientation, where maybe, if the counsel
8 is available, you could go over like the policies and
9 procedures and responsibilities and that stuff.

10 And then after that we could start the
11 meeting and possibly the Attorney General could make
12 it at that time on Tuesday. If that's amenable to
13 everybody.

14 CHIEF JOHNSON: I'll go either way. That
15 will work out for me.

16 MR. KREIENKAMP: I'm happy to provide a
17 training like that for the Board to sort of follow-up
18 on what we did at the last meeting. It appears that
19 I'm available on both the 22nd and 23rd, but I can't
20 speak for the A.G. I'm not sure when he's available.

21 MS. MEDRANO: I'll speak to his assistant
22 this afternoon and see if that would work for them.
23 Because I'm sure he wouldn't have to be there for the
24 orientation. If that works, is everybody good for the
25 22nd?

1 CHIEF ROMERO: The 22nd or 23rd work for
2 everybody else?

3 SHERIFF MENDOZA: Either one.

4 MS. MONAHAN: Yes.

5 CHIEF ROMERO: Everybody is good? Okay.
6 There you go.

7 ITEM NO. 22: ADJOURNMENT

8 CHIEF ROMERO: At this point that concludes
9 our meeting. So do I have a motion to adjourn?

10 MR. TEDROW: So moved.

11 CHIEF ROMERO: Do I have a second?

12 MS. MONAHAN: Second.

13 CHIEF ROMERO: And a second. Thank you all
14 very much. We are adjourned.

15 (The meeting was adjourned at 1:50 p.m.)

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REPORTER'S CERTIFICATE

I, JAN A. WILLIAMS, New Mexico CCR #14, DO
HEREBY CERTIFY that on September 9, 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 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.

JAN A. WILLIAMS, RPR
New Mexico CCR #14
License Expires: 12/31/19

White Paper by NAMI New Mexico
Potential Changes to NM Statute Chapter 30
Regarding Battery Upon a Protected Class

The issues associated with Battery upon a protected class are:

- Inconsistency in sentences for Battery Upon a Protected Class;
- Collateral consequences of Battery charges (felony) upon a Healthcare Worker or Peace Officer for people living with a mental disorder;
- Proposed modifications to the statutes.

New Mexico statutes have increased charges for Battery upon a number of protected classes, in particular, Peace Officer, School Personnel, Health Care Personnel, Sports Official, and Household Member. The following charges currently apply:

- Simple Battery – Petty Misdemeanor
- Battery on a Sports Official or Household Member – Misdemeanor
- Battery on Peace Officer or Healthcare Worker – 4th Degree Felony

These increased charges were implemented with the intent of deterring disrespectful behavior towards these protected classes.

For a statute to act as a deterrent, the person must understand the consequences of their action. Those that do not study law, have only a cursory understanding of law and most likely do not understand the consequences of Battery upon one of these protected classes. In addition to this probable ignorance of a law, a person living with a mental disorder may be in a psychosis when interacting with a Peace Officer or Healthcare Worker. In this case, it is hard to understand how the law can act as a deterrent. With a 4th degree felony, healthcare, government benefits, jobs, and housing are compromised or sometimes inaccessible; thereby creating more homelessness, emergency room visits, re-arrests – and more burden on law enforcement, corrections, and state and local budgets.

A felony conviction has a number of other collateral consequences as well as enumerated in the July 29, 2019 Criminal Justice Reform Committee presentation by Smart Justice New Mexico on “Collateral Consequences”

(<https://www.nmlegis.gov/handouts/CJRS%20072919%20Item%204%20Collateral%20Consequences%20Presentation%202019.pdf>). Obtaining housing is one – for a person living with a mental illness and convicted of battery on a Healthcare Worker, housing is critical to recovery. Rep. Antonio Martinez’s presentation to the same committee on “Classification of Crimes in New Mexico Criminal Code” (<https://www.nmlegis.gov/handouts/CJRS%20072919%20Item%202%20Classification%20of%20Crimes%20in%20NM%20Criminal%20Code.pdf>) reveals that if this same person is convicted of a second felony, he/she is a habitual offender and the sentence shall be increased by one year. For a third conviction it is increased by four years and a fourth or more convictions the increase is 8 years. So, a person with four convictions could end up incarcerated for up to 19 years. A system designed for deterrence would have a lesser charge the first one or two times before a felony and a focus on treatment or jail diversion for a person with a mental disorder.

After consultation with various forensic government organizations, a proposal aimed at Battery upon all protected classes has emerged for discussion:

- First occurrence – Petty Misdemeanor
- Second occurrence – Misdemeanor

- Third and following occurrences – 4th Degree Felony

It is important that there be an up-front focus on obtaining treatment for the individual with a diagnosed mental disorder, and all offenders receive education on the law and the harsher consequences that come with future convictions.

Helping people with mental disorders stay out of jail and placed into treatment is a top priority for NAMI, as we believe that everyone should have access to a full array of mental health services and supports in their communities to help prevent interactions with police. Therefore, your consideration on modifying the charges and sentences for Battery on a protected class is appreciated by those people living with a mental illness and their families. This is the time to bring consistency to the Battery charges.

Members NAMI-NM Legislative Committee:

Jim Ogle, j.ogle01@comcast.net

Betty Shover

Dan Nicholson

ARTICLE 7

Law Enforcement Training

29-7-1. Short title.

Chapter 29, Article 7 NMSA 1978 may be cited as the "Law Enforcement Training Act".

History: 1953 Comp., § 39-6-1, enacted by Laws 1969, ch. 264, § 1; 1970, ch. 48, § 1; 1981, ch. 114, § 1; 1993, ch. 255, § 1.

ANNOTATIONS

The 1993 amendment, effective July 1, 1993, substituted "Chapter 29, Article 7 NMSA 1978" for "Sections 29-7-1 through 29-7-11".

29-7-2. Academy established.

The "New Mexico law enforcement academy" is established to provide a planned program of basic law enforcement training and in-service law enforcement training for police officers and to furnish instruction and seminars to constantly upgrade law enforcement within the state.

History: 1953 Comp., § 39-6-2, enacted by Laws 1969, ch. 264, § 2; 1970, ch. 48, § 2; 1981, ch. 114, § 2.

ANNOTATIONS

Am. Jur. 2d, A.L.R. and C.J.S. references. — Liability of supervisory officials and governmental entities for having failed to adequately train, supervise, or control individual peace officers who violate plaintiff's civil rights under 42 USCS § 1983, 70 A.L.R. Fed. 17.

29-7-3. New Mexico law enforcement academy board.

A. There is created the "New Mexico law enforcement academy board".

B. The academy shall be controlled and supervised by policy set by the board. The board shall be composed of the attorney general, who shall serve automatically by reason of office and serve as chair of the board, and eight members who are qualified electors to be appointed by the governor and confirmed by the senate. An appointed board member shall serve and have all of the duties, responsibilities and authority of that office during the period prior to the final action by the senate in confirming or rejecting the appointment.

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C. Appointments to the board shall be for terms of four years or less made in such manner that the terms of not more than two members expire on July 1 of each year. At all times, the board shall have represented on it, as members, one municipal police chief, one sheriff, one state police officer, one attorney who is currently employed in a district attorney's office, one certified police chief of a New Mexico Indian tribe or pueblo, one certified New Mexico police officer holding the rank of sergeant or below and two citizen-at-large members, neither of whom shall be a police officer or retired police officer or have familial or financial connections to a police officer or any agency or department for which a police officer works. Vacancies shall be filled by the governor for the unexpired term.

D. Members of the board shall receive, for their service as members of the board, per diem and mileage as provided in the Per Diem and Mileage Act [10-8-1 through 10-8-8 NMSA 1978].

History: 1978 Comp., § 29-7-3, enacted by Laws 1979, ch. 202, § 42; 1983, ch. 121, § 1; 1993, ch. 250, § 1; 1993, ch. 255, § 2; 1994, ch. 39, § 1; 2015, ch. 3, § 22.

ANNOTATIONS

Repeals and reenactments. — Laws 1977, ch. 257, § 51 repealed a former 39-6-3, 1953 Comp., relating to the academy board, and enacted a new 39-6-3, 1953 Comp. (29-7-3 NMSA 1978).

Laws 1979, ch. 202, § 42 repealed former 29-7-3 NMSA 1978, relating to the control and management of the law enforcement academy, and enacted a new 29-7-3 NMSA 1978.

The 2015 amendment, effective July 1, 2015, provided for the reorganization of the department of public safety by amending the qualifications for the composition of the New Mexico law enforcement academy board; in Subsection B, after "reason of", deleted "his", after "serve as", deleted "chairman" and added "chair", and after "of the board, and", deleted "six" and added "eight"; in Subsection C, deleted "On or before July 1, 1994, the governor shall increase the number of members on the board to eight by appointing two additional members. The seventh member of the board shall be a citizen at-large member whose term shall end on July 1, 1996. The eighth member of the board shall be a police officer who is a New Mexico certified police officer, holding the rank of sergeant or below at the time of his appointment, and whose term shall end on July 1, 1996 or sooner if he retires or is deactivated from duty for longer than thirty days.", after "police officer, one", deleted "district", after "attorney", added "who is currently employed in a district attorney's office", and after "citizen-at-large members", added the remainder of the sentence.

The 1994 amendment, effective May 18, 1994, deleted "not later than July 1, 1983" following "governor" in the second sentence in Subsection B; and, in Subsection C, substituted the first three sentences for the former first three sentences, relating to appointment of the first board members, and substituted "Appointments to the board" for "Thereafter, all appointments" in the fourth sentence and "one certified New Mexico police officer holding the rank of sergeant or below and two citizen-at-large members" for "and one citizen-at-large member" in the next-to-last sentence.

The 1993 amendment, effective July 1, 1993, substituted "academy" for "New Mexico law enforcement academy" in the first sentence of Subsection B.

29-7-4. Powers and duties of board.

The board shall:

- A. approve or disapprove the appointment of the director by the secretary;
- B. develop and implement a planned program of:
 - (1) basic law enforcement training and in-service law enforcement training, a portion of which may be conducted on a regional basis; and
 - (2) basic telecommunicator training and in-service telecommunicator training, as provided in the Public Safety Telecommunicator Training Act [29-7C-1 to 29-7C-9 NMSA 1978], a portion of which may be conducted on a regional basis;
- C. prescribe qualifications for instructors and prescribe courses of instruction for:
 - (1) basic law enforcement training and in-service law enforcement training; and
 - (2) basic telecommunicator training and in-service telecommunicator training, as provided in the Public Safety Telecommunicator Training Act;
- D. report annually to the governor;
- E. in its discretion, accept donations, contributions, grants or gifts from whatever source for the benefit of the academy, which donations, contributions, grants or gifts are appropriated for the use of the academy;
- F. adopt, publish and file, in accordance with the provisions of the State Rules Act [Chapter 14, Article 4 NMSA 1978], all regulations and rules concerning the operation of the academy and the implementation and enforcement of the provisions of the Law Enforcement Training Act and the Public Safety Telecommunicator Training Act;
- G. issue, grant, deny, renew, suspend or revoke a:
 - (1) peace officer's certification for any cause set forth in the provisions of the Law Enforcement Training Act; and
 - (2) telecommunicator's certification for any just cause set forth in the Public Safety Telecommunicator Training Act;
- H. administer oaths, subpoena persons and take testimony on any matter within the board's jurisdiction; and
- I. perform all other acts appropriate to the development and operation of the academy.

History: 1953 Comp., § 39-6-6, enacted by Laws 1969, ch. 264, § 6; 1970, ch. 48, § 4; 1977, ch. 257, § 52; 1979, ch. 202, § 43; 1981, ch. 114, § 3; 1987, ch. 254, § 20; 1993, ch. 255, § 3; 2003, ch. 320, § 1.

ANNOTATIONS

The 2003 amendment, effective July 1, 2003, in Subsection A deleted "of the academy" following "of the director" and deleted "of public safety" following "by the secretary"; rewrote former Subsection B to create present Subsection B and Paragraph B(1); added Subsection B(2); rewrote former Subsection C to create present Subsection C and Paragraph C(1); added Subsection C(2); inserted

"and the Public Safety Telecommunicator Training Act" following "Law Enforcement Training Act" near the end of Subsection F; rewrote former Subsection G to create present Subsection G and Paragraph G(1); added Subsection G(2); and inserted "subpoena persons" following "administer oaths," in Subsection H.

The 1993 amendment, effective July 1, 1993, deleted former Subsection F, which read "promulgate rules concerning the operation of the academy; and"; added present Subsections F, G, and H; and redesignated former Subsection G as present Subsection I.

Board is authorized to set qualifications for instructors at the academy. 1982 Op. Att'y Gen. No. 82-10.

Qualifications for instructors at facilities independent of academy. — Police officers may receive basic law enforcement training at a facility which offers a program which is comparable to or exceeds the standards of the programs of the law enforcement academy. If such comparable programs are offered by a regional training facility certified by the director of the academy with the approval of the board, the board has the authority to prescribe qualifications for instructors. However, if such comparable programs are offered by facilities which are established independently of the law enforcement academy, the board cannot have given that authority. 1982 Op. Att'y Gen. No. 82-10.

29-7-4.1. Domestic abuse incident training.

Domestic abuse incident training that includes information on strangulation shall be included in the curriculum of each basic law enforcement training class. Domestic abuse incident training shall be included as a component of in-service training each year for certified police officers.

History: Laws 2002, ch. 34, § 3; 2002, ch. 35, § 3; 2018, ch. 37, § 1.

ANNOTATIONS

The 2018 amendment, effective July 1, 2018, required that information on strangulation be included in domestic abuse incident training in the curriculum of each basic law enforcement training class; and after "Domestic abuse incident training", added "that includes information on strangulation".

29-7-4.2. Child abuse incident training.

Child abuse incident training shall be included in the curriculum of each basic law enforcement training class. Child abuse incident training shall be included as a component of in-service training each year for certified police officers.

History: Laws 2011, ch. 49, § 1.

ANNOTATIONS

Effective dates. — Laws 2011, ch. 49, § 2 made Laws 2011, ch. 49, § 1 effective July 1, 2011.

29-7-5. Powers and duties of the director.

The director shall:

A. be the chief executive officer of the academy and employ necessary personnel;

B. issue a certificate of completion to any person who:

(1) graduates from an approved basic law enforcement training program and who satisfies the qualifications for certification as set forth in Section 29-7-6 NMSA 1978; or

(2) graduates from an approved basic telecommunicator training program and who satisfies the qualifications for certification as set forth in the Public Safety Telecommunicator Training Act [29-7C-1 to 29-7C-9 NMSA 1978];

C. perform all other acts necessary and appropriate to the carrying out of his duties;

D. act as executive secretary to the board;

E. carry out the policy as set by the board; and

F. annually evaluate the courses of instruction being offered by the academy and make necessary modifications and adjustments to the programs.

History: 1953 Comp., § 39-6-7, enacted by Laws 1969, ch. 264, § 7; 1977, ch. 257, § 53; 1978, ch. 2, § 1; 1979, ch. 202, § 44; 1981, ch. 114, § 4; 1993, ch. 255, § 4; 2003, ch. 320, § 2.

ANNOTATIONS

The 2003 amendment, effective July 1, 2003, rewrote former Subsection B to create present Subsection B and Paragraph B(1) and added Paragraph B(2).

The 1993 amendment, effective July 1, 1993, deleted "as such" preceding "employ" in Subsection A; deleted former Subsection B, which read "certify graduates of approved basic law enforcement training programs in accordance with Section 29-7-8 NMSA 1978"; deleted former Subsection C, which read "issue appropriate certifications to graduates of the academy programs"; added present Subsection B; and redesignated Subsections D through G as C through F, respectively.

29-7-5.1. Removal of director.

The director may be removed by the board in accordance with the procedures provided in Section 29-2-11 NMSA 1978 for removal of members of the New Mexico state police holding permanent commissions. In the case of removal proceedings for the director under that section, "commission", as used in Subsections C and D of Section 29-2-11 NMSA 1978, shall be construed to mean the New Mexico law enforcement academy board.

History: 1978 Comp., § 29-7-5.1, enacted by Laws 1979, ch. 202, § 45; 1993, ch. 255, § 5; 2015, ch. 3, § 23.

ANNOTATIONS

The 2015 amendment, effective July 1, 2015, provided for the reorganization of the department of public safety by clarifying language relating to the procedures for removal of the director of the New Mexico law enforcement academy; in the second sentence, after "section", deleted "the words 'New Mexico state police board' or 'board'", and added "'commission' as used in Subsections C and D of Section 29-2-11 NMSA 1978".

The 1993 amendment, effective July 1, 1993, in the first sentence, substituted "director" for "director of the New Mexico law enforcement academy" and substituted "board" for "New Mexico law enforcement academy board" and in the second sentence, substituted "that section" for "Section 29-2-11 NMSA".

29-7-6. Qualifications for certification.

A. An applicant for certification shall provide evidence satisfactory to the board that he:

- (1) is a citizen of the United States and has reached the age of majority;
- (2) holds a high school diploma or the equivalent;
- (3) holds a valid driver's license;
- (4) has not been convicted of or pled guilty to or entered a plea of nolo contendere to any felony charge or, within the three-year period immediately preceding his application, to any violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances or other crime involving moral turpitude and has not been released or discharged under dishonorable conditions from any of the armed forces of the United States;
- (5) after examination by a licensed physician, is free of any physical condition that might adversely affect his performance as a police officer or prohibit him from successfully completing a prescribed basic law enforcement training required by the Law Enforcement Training Act;
- (6) after examination by a certified psychologist, is free of any emotional or mental condition that might adversely affect his performance as a police officer or prohibit him from successfully completing a prescribed basic law enforcement training required by the Law Enforcement Training Act;
- (7) is of good moral character;
- (8) has met any other requirements for certification prescribed by the board pursuant to regulations adopted by the board; and
- (9) has previously been awarded a certificate of completion by the director attesting to the applicant's completion of an approved law enforcement training program.

B. A person employed as a police officer by any law enforcement agency in this state shall forfeit his position unless, no later than twelve months after beginning his employment as a police officer, the person satisfies the qualifications for certification set forth in Subsection A of this section and is awarded a certificate attesting to that fact.

History: 1978 Comp., § 29-7-6, enacted by Laws 1993, ch. 255, § 6.

ANNOTATIONS

Repeals and reenactments. — Laws 1993, ch. 255, § 6 repealed former 29-7-6 NMSA 1978, as amended by Laws 1988, ch. 58, § 1, and enacted a new section, effective July 1, 1993. For provisions of former section, see the 1992 NMSA 1978 on *NMOneSource.com*.

Cross references. — For the inapplicability of the Criminal Offender Employment Act to law enforcement agencies, see 28-2-5 NMSA 1978.

Authority to act as a police officer prior to certification. — An officer who becomes employed as a police officer after a break in service that was not intended to circumvent the certification requirement is provided twelve (12) months from the date of the officer's new employment to obtain certification. *State v. Reyes*, 2009-NMCA-091, 146 N.M. 776, 215 P.3d 85, cert. denied, 2009-NMCERT-007, 147 N.M. 361, 223 P.3d 358.

Where a police officer was employed by a municipal police department and attended the police academy; after two months of employment, the officer dropped out of the police academy due to traffic violations and for two years, obtained different employment; the officer then restarted a career as a police officer by re-enrolling in the police academy and obtaining a job as an officer with a municipal police department; after four months of employment with the police department and while the officer was still in the police academy, the officer arrested defendant; and after the officer arrested defendant, within twelve months of the officer's employment with the police department, the officer completed training in the police academy and received police certification, the officer was authorized to perform the duties of a police officer when the officer arrested defendant. *State v. Reyes*, 2009-NMCA-091, 146 N.M. 776, 215 P.3d 85, cert. denied, 2009-NMCERT-007, 147 N.M. 361, 223 P.3d 358.

Health inquiry not necessarily excepted from ADA. — The fact that New Mexico law makes good health a prerequisite for police officer certification does not necessarily mean that inquiring into officer's health and terminating him as a result of his response falls within the "job-related and consistent with business necessity" exception of the Americans with Disabilities Act, 42 USC § 12112(d)(4)(A); whether an inquiry falls within this exception is a fact-intensive question, and the existence of the New Mexico law, although it supports such a finding, is only one fact to be considered. *Gonzales v. Sandoval Cnty.*, 2 F. Supp. 2d 1442 (D.N.M. 1998).

Forfeiture of position for failure to receive certificate of completion. — A deputy sheriff must forfeit the deputy sheriff's position if the deputy sheriff has not been awarded a certificate of completion by the director of the New Mexico law enforcement academy board attesting to the deputy sheriff's completion of an approved law enforcement training program within twelve months after beginning the deputy sheriff's employment as a deputy. 2009 Op. Att'y Gen. No. 09-01.

Decommissioning process for failure to receive certificate of completion. — The mechanical process of decommissioning a deputy sheriff, for failure to obtain a certificate under Subsection B of Section 29-7-6 NMSA 1978 or otherwise, is a matter for the reasonably exercised discretion of the sheriff. If a deputy sheriff fails to obtain a certificate, procedural due process would not require a hearing in order to terminate employment as a deputy sheriff and consequent revocation of the appointment or commission to act as such. 2009 Op. Att'y Gen. No. 09-01

A merit system ordinance does not override the forfeiture provision. — There is no indication that the legislature intended that a merit system ordinance enacted by a county pursuant to Section 4-41-5 NMSA 1978, as further authorized by Section 4-41-6 NMSA 1978, overrides the "forfeiture" provision of Subsection B of Section 29-7-6 NMSA 1978. 2009 Op. Att'y Gen. No. 09-01.

Regulations cannot be waived. — A county sheriff and a board of county commissioners do not have the authority to waive or otherwise disregard the regulations promulgated by the law enforcement academy board where a deputy sheriff fails to submit to the department of public safety training and recruiting division an application for certification and required supporting documentation within fourteen days of the deputy sheriff's employment as a deputy sheriff, as set forth in 10.29.9.18 (C) NMAC, or within thirty days of his employment, as set forth in 10.29.9.10 (B)(1) NMAC. 2009 Op. Att'y Gen. No. 09-01.

Must reach eighteenth birthday. — One who has reached his eighteenth birthday is entitled to apply for, and be admitted to, the New Mexico law enforcement academy, provided he meets the other requirements specified in the section. 1971 Op. Att'y Gen. No. 71-126.

Candidate with general discharge from military may be certified. — A candidate for admission to the law enforcement academy who received a general discharge from the military may be certified as a police officer. In order to comply with constitutional and statutory requirements, the academy should evaluate candidates who have received general discharges on an individual basis. The circumstances surrounding the discharge should be evaluated to determine if the discharge was predicated on reasons which would render the applicant ineligible for certification. In the absence of such circumstances, applicants with general discharges should not be excluded solely because they received a general discharge. 1989 Op. Att'y Gen. No. 89-23.

Effect of gubernatorial pardon on eligibility of convicted felon. — An unconditional gubernatorial pardon allows a person convicted of a felony to be eligible for certification by the law enforcement academy for permanent appointment as a police officer. However, if authorized by statute or regulation, a pardoned felon's character and the acts underlying the conviction may be considered in certification or licensing. 1992 Op. Att'y Gen. No. 92-09.

Am. Jur. 2d, A.L.R. and C.J.S. references. — 70 Am. Jur. 2d Sheriffs, Police, and Constables § 10. Sex discrimination in law enforcement and corrections employment, 53 A.L.R. Fed. 31. 63 C.J.S. Municipal Corporations § 478 et seq.

29-7-6.1. County sheriffs; training requirement.

A. Every county sheriff, except sheriffs who have previously been awarded a certificate attesting to completion of a basic law enforcement training program, shall participate in and complete an administrative law enforcement training program no later than twelve months after the date the sheriff assumes office as a county sheriff.

B. The director shall establish the administrative law enforcement training program for county sheriffs, subject to review and approval by the executive committee of the sheriff's affiliate of the New Mexico association of counties.

C. A county sheriff's per diem, mileage and tuition expenses attributed to attendance at the administrative law enforcement training shall be paid for by the governing body of the county served by that sheriff.

History: 1978 Comp., § 29-7-6.1, enacted by Laws 1993, ch. 255, § 7; 2015, ch. 3, § 24.

ANNOTATIONS

The 2015 amendment, effective July 1, 2015, provided for the reorganization of the department of public safety by amending language relating to training requirements for county sheriffs; in Subsection A, after "date", deleted "he" and added "the sheriff"; and in Subsection B, after "director", deleted "of the training and recruiting division of the department of public safety".

29-7-7. Definitions.

For the purpose of the Law Enforcement Training Act:

- A. "academy" means the New Mexico law enforcement academy;
- B. "basic law enforcement training" means a course consisting of not less than four hundred hours of instruction in basic law enforcement training as required by the Law Enforcement Training Act;
- C. "board" means the New Mexico law enforcement academy board;
- D. "conviction" means an adjudication of guilt or a plea of no contest and includes convictions that are suspended or deferred;
- E. "director" means the director of the division;
- F. "division" means the New Mexico law enforcement academy of the department of public safety;
- G. "in-service law enforcement training" means a course of instruction required of all certified peace officers and designed to train and equip all police officers in the state with specific law enforcement skills and to ensure the continuing development of all police officers in the state. The training and instruction shall be kept current and may be conducted on a regional basis at the discretion of the director;
- H. "police officer" means any commissioned employee of a law enforcement agency that is part of or administered by the state or any political subdivision of the state, and includes any employee of a missile range civilian police department who is a graduate of a recognized certified regional law enforcement training facility and who is currently certifiable by the academy, which employee is responsible for the prevention and detection of crime or the enforcement of the penal, or traffic or highway laws of this state. The term specifically includes deputy sheriffs. Sheriffs are eligible to attend the academy and are eligible to receive certification as provided in the Law Enforcement Training Act. As used in this subsection, "commissioned" means an employee of a law enforcement agency who is authorized by a sheriff or chief of police to apprehend, arrest and bring before the court all violators within the state; and
- I. "certified regional law enforcement training facility" means a law enforcement training facility within the state certified by the director, with the approval of the academy's board of directors, that offers basic law enforcement training and in-service law enforcement training that is comparable to or exceeds the standards of the programs of the academy.

History: 1978 Comp., § 29-7-7, enacted by Laws 1981, ch. 114, § 6; 1988, ch. 58, § 2; 1993, ch. 255, § 8; 1997, ch. 213, § 1; 2015, ch. 3, § 25.

ANNOTATIONS

Repeals and reenactments. — Laws 1981, ch. 114, § 6 repealed former 29-7-7 NMSA 1978, relating to basic course minimum requirements, and enacted a new 29-7-7 NMSA 1978.

The 2015 amendment, effective July 1, 2015, provided for the reorganization of the department of public safety by clarifying definitions of the Law Enforcement Training Act; in Subsection E, after "director of the", deleted "academy" and added "division"; added new Subsection F, and redesignated the subsequent subsections accordingly; in the present Subsection G, after "officers", added "and"; and in the present Subsection H, after "certifiable by the", deleted "New Mexico law enforcement".

The 1997 amendment, effective June 20, 1997, inserted "and includes any employee of a missile range civilian police department who is a graduate of a recognized certified regional law enforcement training facility, and who is currently certifiable by the New Mexico law enforcement academy" in the first sentence of Subsection G.

The 1993 amendment, effective July 1, 1993, substituted "the Law Enforcement Training Act" for "this Act" in Subsection B; added present Subsection D; redesignated former Subsections D through G as E through H; substituted "academy" for "New Mexico law enforcement academy" in Subsection E; rewrote Subsection F; and made minor stylistic changes in Subsections G and H.

Police officers are public employees, not public officers, and have no sovereign power. *Walck v. City of Albuquerque*, 1994-NMCA-058, 117 N.M. 651, 875 P.2d 407, cert. denied, 118 N.M. 695, 884 P.2d 1174.

An agent of the department of alcoholic beverage control (ABC) is a "police officer" as defined in Subsection G and is required to satisfy the law enforcement certification requirement of former Section 29-7-8 NMSA 1978, even if the agent was hired by the department before the enactment of this section in 1981, which expanded the definition of "police officer" to include agents such as those employed by ABC. *Serrano v. State Dep't of Alcoholic Beverage Control*, 1992-NMCA-015, 113 N.M. 444, 827 P.2d 159.

"Police officer". — The livestock board in its capacity of enforcing the law is a "law enforcement agency", its officers are "police officers" for purposes of this section, and livestock inspectors have 12 months after employment in which to receive their certification from the law enforcement academy or forfeit their positions. 1987 Op. Att'y Gen. No. 87-34.

29-7-7.1. In-service law enforcement training; requirements; eligibility.

A. In-service law enforcement training consists of at least forty hours of academic instruction, approved by the board, for each certified police officer during each twenty-four month period of employment or service with a political subdivision. The first training course shall commence no later than twelve months after graduation from an approved basic law enforcement training program.

B. All certified police officers who are eligible for in-service training shall, during each twenty-four month period of employment, complete a minimum of forty hours of in-service law enforcement training in courses approved by the board. All certified police officers shall provide proof of completing in-service law enforcement training requirements to the director no later than March 1 of the year in which the requirements must be met. The director shall provide annual notice to all certified police officers regarding in-service law enforcement training requirements. Failure to complete in-service law enforcement training requirements may be grounds for suspension of a certified police officer's

certification. A police officer's certification may be reinstated by the board when the police officer presents the board with evidence of satisfying in-service law enforcement training requirements.

History: 1978 Comp., § 29-7-7.1, enacted by Laws 1981, ch. 114, § 7; 1993, ch. 255, § 9.

ANNOTATIONS

The 1993 amendment, effective July 1, 1993, rewrote this section.

In-service training not mandatory. — The legislature has required the establishment of in-service training programs by the law enforcement academy, but has not compelled attendance at such programs by imposing the sanction of forfeiture of employment. As police officers are not bound to obey the requirement for in-service training, it is not mandatory. 1981 Op. Att'y Gen. No. 81-10 (rendered under prior law).

29-7-7.2. Reports.

Every law enforcement agency within the state shall submit quarterly a report to the director on the status of each police officer employed by the law enforcement agency. The reports shall include the status of in-service law enforcement training. The reporting forms and submittal dates shall be prescribed by the director.

History: 1978 Comp., § 29-7-7.2, enacted by Laws 1981, ch. 114, § 8; 1988, ch. 58, § 3.

ANNOTATIONS

The 1988 amendment, effective July 1, 1988, added the second sentence.

29-7-7.3. Ensuring child safety upon arrest; training.

Training for ensuring child safety upon the arrest of a parent or guardian shall be included in the curriculum of each basic law enforcement training class and as a component of in-service training each year for certified police officers.

History: Laws 2007, ch. 89, § 1.

ANNOTATIONS

Effective dates. — Laws 2007, ch. 89, contained no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, was effective June 15, 2007, 90 days after the adjournment of the legislature.

29-7-7.4. Missing person and AMBER alert training.

A minimum of four hours of combined missing person and AMBER alert training shall be included in the curriculum of each basic law enforcement training class. Missing person and AMBER alert training shall be included as a component of in-service training each year for certified police officers.

History: Laws 2010, ch. 33, § 1.

ANNOTATIONS

Effective dates. — Laws 2010, ch. 33 contained no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, was effective May 19, 2010, 90 days after the adjournment of the legislature.

29-7-7.5. Interaction with persons with mental impairments; training.

A. A minimum of forty hours of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, shall be included in the curriculum of each basic law enforcement training class.

B. A minimum of two hours of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, shall be included as a component of in-service law enforcement training pursuant to Section 29-7-7.1 NMSA 1978.

C. A pre-recorded course on crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, shall not satisfy the requirements of the basic law enforcement training class required pursuant to Subsection A of this section.

D. As used in this section, "mental impairment" includes a mental illness, developmental disability, posttraumatic stress disorder, dual diagnosis, autism, youth in crisis and traumatic brain injury.

History: Laws 2011, ch. 180, § 1.

ANNOTATIONS

Effective dates. — Laws 2011, ch. 180, § 6 made Laws 2011, ch. 180, § 1 effective July 1, 2011.

Temporary provisions. — Laws 2011, ch. 180, § 3 provided:

A. The chief law enforcement officer of a state, county or municipal law enforcement agency who was elected or appointed prior to July 1, 2011 shall complete a minimum of two hours of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, no later than July 1, 2012.

B. A law enforcement officer who on September 1, 2010 held an intermediate proficiency certificate or an advanced proficiency certificate issued pursuant to Section 29-7-7.1 NMSA 1978 shall complete a minimum of two hours of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, no later than July 1, 2012.

C. As used in this section, "mental impairment" includes a mental illness, developmental disability, posttraumatic stress disorder, dual diagnosis, autism, youth in crisis and traumatic brain injury.

29-7-7.6. Law enforcement officers; naloxone rescue kit.

A. As agency funding and agency supplies of naloxone rescue kits permit, each local and state law enforcement agency shall provide naloxone rescue kits to its law enforcement officers and require that officers carry the naloxone rescue kits in accordance with agency procedures so as to optimize the officers' capacity to timely assist in the prevention of opioid overdoses.

B. Nothing in this section shall be construed to impose civil or criminal liability on a local or state law enforcement agency or law enforcement officer when ordinary care is used in the administration or provision of naloxone in cases where an individual appears to be experiencing an opioid overdose.

C. As used in this section:

(1) "naloxone" means naloxone hydrochloride, which is an opioid antagonist for the treatment of opioid overdose; and

(2) "naloxone rescue kit" means a kit containing:

(a) two doses of naloxone in either a generic form or in a form approved by the federal food and drug administration; and

(b) overdose education materials that conform to department of health or federal substance abuse and mental health services administration guidelines for opioid overdose education that explain the signs and causes of an opioid overdose and instruct when and how to administer in accordance with medical best practices: 1) life-saving rescue techniques; and 2) an opioid antagonist.

History: Laws 2017, ch. 59, § 2.

ANNOTATIONS

Effective dates. — Laws 2017, ch. 59 contained no effective date provision, but, pursuant to N.M. Const., art. IV, § 23, was effective June 16, 2017, 90 days after the adjournment of the legislature.

29-7-7.7. Tourniquet and trauma kit training and distribution.

A. Tourniquet and trauma kit training shall be included in the curriculum of each basic law enforcement training class and as a component of in-service law enforcement training each year for certified police officers. The academy, in coordination with certified regional law enforcement training facilities, shall provide a tourniquet and trauma kit to each cadet who graduates from the academy or from a certified regional law enforcement training facility and to each previously certified police officer who attends a certification-by-waiver course.

B. The academy shall provide hands-on tourniquet and trauma kit training to all officers using tourniquet and trauma kit equipment designed for training purposes. The training shall be designed in a manner that will safely replicate field conditions without the risk of injury in order for officers to develop the necessary skills to use tourniquets and trauma kits. In order to supplement the hands-on training, the academy may produce a training video on the proper use of tourniquets and trauma kits for use in the academy and certified regional law enforcement training facilities.

C. The academy, in coordination with certified regional law enforcement training facilities, shall distribute a tourniquet and trauma kit to each police officer who has been certified pursuant to the Law Enforcement Training Act.

History: Laws 2017, ch. 35, § 1.

ANNOTATIONS

Effective dates. — Laws 2017, ch. 35, § 6 made Laws 2017, ch. 35, § 1 effective July 1, 2017.

29-7-8. Repealed.

ANNOTATIONS

Repeals. — Laws 1993, ch. 255, § 11 repealed 29-7-8 NMSA 1978, as enacted by Laws 1979, ch. 202, § 48, relating to prerequisites for permanent appointment and continued employment as a police officer, effective July 1, 1993. For provisions of former section, see the 1992 NMSA 1978 on *NMOneSource.com*.

29-7-9. Repealed.

ANNOTATIONS

Repeals. — Laws 1988, ch. 58, § 7 repealed former 29-7-9 NMSA 1978, as enacted by Laws 1971, ch. 247, § 3, relating to the definition of "police officer", effective July 1, 1988. For present comparable provisions, see 29-7-7 NMSA 1978.

29-7-10. Certification by waiver.

A. The director shall, with the approval of the board, waive the basic law enforcement training program and certify applicants who are employed as full-time police officers and who furnish evidence of satisfactory completion of a basic law enforcement training program which is comparable to or exceeds the standards of the programs of the academy.

B. All individuals allowed a waiver under this section must meet the requirements set out in the Law Enforcement Training Act, and this section shall not be construed to exempt them from such

requirements in any manner.

History: 1953 Comp., § 39-6-12, enacted by Laws 1971, ch. 247, § 4; 1977, ch. 257, § 54; 1979, ch. 104, § 1; 1979, ch. 202, § 49; 1981, ch. 107, § 1; 1981, ch. 114, § 10.

ANNOTATIONS

Authority of director to consider qualifications of instructors. — In exercising his authority to certify by waiver, the director should take into account the qualifications of instructors to determine if another basic law enforcement training program is comparable to the academy program. In that context, the director and the board are authorized to review and consider the qualifications of instructors at facilities not otherwise under the control of the law enforcement academy board. 1982 Op. Att'y Gen. No. 82-10.

29-7-11. Repealed.

ANNOTATIONS

Repeals. — Laws 1991, ch. 44, § 3 repealed 29-7-11 NMSA 1978, as enacted by Laws 1988, ch. 58, § 5, pertaining to the law enforcement training center fund, effective July 1, 1991. For provisions of former section, see the 1990 NMSA 1978 on *NMOneSource.com*. For present comparable provisions, see 29-7-12 NMSA 1978.

29-7-12. Charges; fund created; use.

A. The division shall not charge local public bodies or New Mexico Indian tribes or pueblos for any expenses associated with providing basic law enforcement training programs to applicants for certification seeking commission pursuant to the provisions of the Law Enforcement Training Act. The division may charge state agencies and institutions and federal agencies and shall charge civilian participants for the cost of providing basic law enforcement training programs, which charges shall be specified in a tuition and fee schedule promulgated by the board and shall not exceed the actual cost of providing the training programs.

B. The division may charge state agencies and institutions, local public bodies, New Mexico Indian tribes and pueblos and federal agencies and shall charge civilian participants for the cost of providing advanced training programs, which charges shall be specified in a tuition and fee schedule promulgated by the board and shall not exceed the actual cost of providing the training programs.

C. The division may charge for the rental or other use of the academy's facility, personnel and equipment, which charges shall be specified in a tuition and fee schedule promulgated by the board and shall not exceed the actual cost of the facility, personnel or equipment.

D. The "law enforcement training and recruiting fund" is created in the state treasury. Money received by the division for activities specified in this section shall be deposited in the fund. The department of public safety shall administer the fund, and money in the fund is appropriated to the division to offset the operational costs of the division. Money in the fund shall be nonreverting. Money

shall be expended on warrants issued by the secretary of finance and administration upon vouchers signed by the secretary of public safety or the secretary of public safety's authorized representative.

E. As used in this section, "local public body" means all political subdivisions of the state and their agencies, instrumentalities and institutions.

History: 1978 Comp., § 29–7–12, enacted by Laws 1981, ch. 114, § 12; 1983, ch. 270, § 1; 2000, ch. 14, § 1; 2015, ch. 3, § 26.

ANNOTATIONS

Cross references. — For department of public safety, see 9-19-1 NMSA 1978.

The 2015 amendment, effective July 1, 2015, provided for the reorganization of the department of public safety by amending language relating to the New Mexico law enforcement academy's charges for providing law enforcement training programs; in Subsection A, after "The", deleted "training and recruiting", after "division", deleted "of the department of public safety", after "bodies", deleted "and" and added "or", after tribes, deleted "and" and added "or", and after "promulgated by the", deleted "New Mexico law enforcement academy"; in Subsection B, after "The", deleted "training and recruiting", and after "promulgated by the", deleted "New Mexico law enforcement academy"; in Subsection C, after "The", deleted "training and recruiting", and after "promulgated by the", deleted "New Mexico law enforcement academy"; and in Subsection D, after "Money received by the", deleted "training and recruiting", after the second sentence, deleted the sentence "Unexpended unencumbered balances in the fund shall revert to the general fund at the end of the fiscal year." and added the new sentence "Money in the fund shall be nonreverting.", and after "public safety", deleted "his" and added "the secretary of public safety's".

The 2000 amendment, effective May 17, 2000, added "Fund created; Use" to the section heading; designated most of the existing provisions of the section as Subsection A; in Subsection A, substituted "training and recruiting division of the department of public safety" for "New Mexico law enforcement academy", substituted "and" for "or" following "local public bodies" and "New Mexico Indian tribes", and added the last sentence; added Subsections B, C and D; and designated the former last sentence of the section as Subsection E.

29-7-13. Refusal, suspension or revocation of certification.

A. After consultation with the employing agency, the board may refuse to issue, or may suspend or revoke a police officer's certification when the board determines that a person has:

- (1) failed to satisfy the qualifications for certification, set forth in Section 29-7-6 NMSA 1978;
- (2) committed acts that constitute dishonesty or fraud;
- (3) been convicted of, pled guilty to or entered a plea of no contest to:
 - (a) any felony charge; or

(b) any violation of federal or state law or a local ordinance relating to aggravated assault, theft, driving while under the influence of intoxicating liquor or drugs, controlled substances or any law or ordinance involving moral turpitude;

(4) knowingly made any false statement in his application for certification.

B. The board shall develop, adopt and promulgate administrative procedures for suspension or revocation of a police officer's certification that include notice and an opportunity for the affected police officer to be heard as well as procedures for review of the board's decision.

History: 1978 Comp., § 29-7-13, enacted by Laws 1993, ch. 255, § 10.

By the Authority of the Board of the

NEW MEXICO LAW ENFORCEMENT ACADEMY

and upon meeting the Statutory requirements of the Law Enforcement Training Act, 1978, Chapter 29, Article 7,

David C Bogan

has been awarded

Law Enforcement Officer

Issued this 9th day of November in the year 2018


and is therefore eligible to serve as a certified Law Enforcement Officer in the State of New Mexico.

Witness the Seal of the State of New Mexico and the signatures of the

Chairman and Director.



Certification Number 18-0278-P


Hector Balderas, Chairperson
Academy Board


Stephan Marshall, Director
NM Law Enforcement Academy

By the Authority of the Board of the

NEW MEXICO LAW ENFORCEMENT ACADEMY

and upon meeting the Statutory requirements of the Law Enforcement Training Act, 1978, Chapter 29, Article 7,

Aaron Pool

has been awarded

Law Enforcement Officer

Issued this 15th day of May in the year 2019


and is therefore eligible to serve as a certified Law Enforcement Officer in the State of New Mexico.


Witness the Seal of the State of New Mexico and the signatures of the

Chairman and Director.



Certification Number 19-0044-P


Hector Balderras, Chairperson
Academy Board


Dr. August M. Fons, Interim Director
NM Law Enforcement Academy

By the Authority of the Board of the

NEW MEXICO LAW ENFORCEMENT ACADEMY

And upon meeting the requirements of LAWS, 1979, Chapter 7, Section 42 through 49

Michael Brown

has been awarded this

POLICE OFFICER CERTIFICATION

Issued this 9th day of October 2015 at Santa Fe, New Mexico

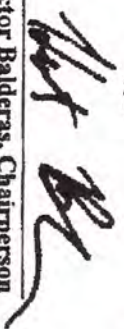
and is therefore eligible to serve as a Police Officer in the State of New Mexico

Witness the Seal of the State of New Mexico and the signatures of the

Chairman and Director

CERTIFICATE NUMBER 15-0360-P




Hector Balderas, Chairperson
Academy Board


Jack F. Jones II, Director
NM Law Enforcement Academy

THE 116TH CADET CLASS

Avagon, Sara
 Baca, Alycia
 Callihan, Sean
 Casey, Curtis
 Chavez, Jason
 Delaney, Sean
 Dunagan, Gary
 Dunn, James
 Fitzpatrick, Jason
 Franco, Carlo
 Friesen, Kevin

Fritz, Emmett
 Gallagher, Jessie
 Garey, Brianna
 Golson, Adam
 Ingram, Stephen
 Jackson, Wesley
 Johnson, Devin
 Judson, Patrick
 Kelly, Colin
 Martinez, Derrick
 Maycumber, Marc

Department Staff

McClarin, Dallas
 McMillin, Jacob
 Melville, Ian
 Perez, Jacob
 Rankowsky, Andrew
 Ramos, Sid Vanne
 Roberson, Patrick
 Roman, Christina
 Ronin, Todd
 Silva, Matthew

Chief Gordon E. Eden, Jr.
 Major Jessica Tyler, Professional Accountability Bureau
 Commander James Collins, Director of Training
 Lieutenant Robert Middleton, Academy Lieutenant
 Sergeant Dave Jaramillo, Basic Training
 Sergeant Shawn Locke, Advanced Training
 Sergeant Jacob Hoisington, Recruiting & Backgrounds

Basic Training Unit

Officer Jason Gallegos, Officer Joseph Mannarino,
 Officer Donna Richter, Officer Pete Rogahn, & Officer Richard Ryan

Mentors

Officer Aron Beck & Officer Tillery DiCenzo

Wellness Unit

Mr. J.D. Maes

Firearms Range

Rangemaster Officer Dave Bartram,
 Officer Catherine Garduno & Range Staff

Academy Administrative Staff

Miss Lorissa Quintana, Mrs. Raquel Hernandez-Osborne,
 Mrs. Michelle Acosta, Miss Lohetta Gallegos,
 Miss Andraeah Lopez, & Miss Rebecca Covalt

Photography and Video

A.P.D. Photography Unit, Timeless Images , A.P.D. Real Time Crime Cen-
 ter's Daily 49 Unit, & Officer Adam Theroux

Albuquerque Police Department

Presentation of National Colors..... A.P.D. Honor Guard

National Anthem..... Officer Tasia Sullivan

Invocation..... Chaplain Ann Wells

Introductions.....Lieutenant Robert Middleton

Opening Remarks

Slate of New Mexico Governor.....Susana Martinez

Albuquerque Police Department Chief of Police... Gordon E. Eden, Jr.

Special Awards Provided by

Kaufman's West..... Nate Korn
 Robert Caswell Investigations..... Matt McWethy & Gene Pettit
 New Mexico Fraternal Order of Police..... Albuquerque Lodge #1

Student Address..... Cadet Marc Maycumber

Presentation of Diplomas

Albuquerque Police Department Chief of Police.... Gordon E. Eden, Jr.
 Rio Rancho Police Department Chief of Police..... Michael Geier

Commissioning Ceremony

Oath of Office..... New Mexico Judge Brett R. Lovelless

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

EARL C. VOILES, III
ANTHONY MAXWELL
GEORGE PUGA
PHILLIP GALLEGOS

Plaintiff

v.

No. 14-CV-00428-KBM-SCY
14-CV-00422-SCY-RHS
14-CV-00440-SCY-KBM
14-CV-00441-SCY-RHS

STATE OF NEW MEXICO DEPARTMENT OF PUBLIC SAFETY; and
STATE OF NEW MEXICO LAW ENFORCEMENT ACADEMY; and
GORDEN E. EDEN, Jr. (Former Cabinet Secretary, Department of Public Safety),
in his individual and official capacity; and
PATRICK MOONEY (Deputy Cabinet Secretary, Department of Public Safety),
in his individual and official capacity; and
LOUIS MEDINA (Director of New Mexico Law Enforcement Academy),
in his individual and official capacity; and
JACK JONES (Deputy Director of New Mexico Law Enforcement Academy),
in his individual and official capacity; and
MARK SHEA (Advanced Bureau Chief at New Mexico Law Enforcement Academy),
in his individual and official capacity; and,
WILLIAM HUBBARD (Interim Director of New Mexico Law Enforcement Academy).
Defendants.

CONSOLIDATED COMPLAINT FOR DAMAGES

I. JURISDICTION

1. COMES NOW Plaintiffs, by and through their attorney, Joseph E. CampBell, and bring this Complaint For Damages and injuries caused by the Defendants' negligent and tortious conduct. This action is brought pursuant to §41-4-1, et seq. NMSA 1978, Notice of Claims; and §10-16C-1 et seq. NMSA 1978, Whistleblower Protection Act; the Constitution of the United State; the New Mexico Constitution; and the laws of the State of New Mexico.

85 officers

CERTIFICATION #	NAME	ACADEMY	CERTIFICATION DATE	AGENCY
15-0359-P	Aaron Brick	APD Academy # 113	10/9/2015	Rio Rancho PD
15-0360-P	Michael Brown	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0361-P	Justin DeHerrera	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0362-P	Gianfranco Di Paolo	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0363-P	Ian Fraser	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0364-P	Robert Garnand	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0365-P	Dylan Glenn	APD Academy # 113	10/9/2015	Rio Rancho PD
15-0366-P	Christopher Harp	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0367-P	Jennie Hatch	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0368-P	Kevin Hernandez	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0369-P	Austin Hertz	APD Academy # 113	10/9/2015	Rio Rancho PD
15-0370-P	Mikhail Kupper	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0371-P	Efrain Martinez	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0372-P	Devon Menear	APD Academy # 113	10/9/2015	Rio Rancho PD
15-0373-P	Carlos Navarro	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0374-P	Santana Padilla	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0375-P	Arniel Sampang	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0376-P	Adam Theroux	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0377-P	Tomas Urioste	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0378-P	Steven Weinstein	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0379-P	Cody Willsey	APD Academy # 113	10/9/2015	Albuquerque Police Dept.
15-0380-P	David Sandoval	SNMLEA # 35	11/5/2015	Clovis Police Department
15-0381-P	Marcelina Anderson- Zuni	CBW # 87	12/4/2015	Isleta Police Department
15-0382-P	Richard Aragon	CBW # 87	12/4/2015	Milan Police Department
11-0155-P	Isaac Bauch	CBW # 87	12/4/2015	Hurley Police Department
97-0220-P	Denise Billy	CBW # 87	12/4/2015	Isleta Police Department
15-0383-P	James Butler	CBW # 87	12/4/2015	Colfax County Sheriff's Dept.
89-0336-P	Timothy Frybarger	CBW # 87	12/4/2015	Santa Ana Department of Natural Resources
15-0384-P	James Gladeau	CBW # 87	12/4/2015	Taos Pueblo DPS
00-0087-P	David Gonzalez	CBW # 87	12/4/2015	Attorney General's Office
15-0385-P	Aaron Heidebreder	CBW # 87	12/4/2015	Ruidoso Police Department
15-0386-P	Lindsay Lewin	CBW # 87	12/4/2015	Santa Fe Police Department
15-0387-P	Maurice Martinez	CBW # 87	12/4/2015	Grants Police Department
85-0138-P	Michael Martinez	CBW # 87	12/4/2015	Santa Ana Department of Natural Resources
15-0388-P	Terry McGaha	CBW # 87	12/4/2015	NM Gaming Control Board
98-0315-P	Shannon Mendoza	CBW # 87	12/4/2015	NM Livestock Board
15-0389-P	Gibson Montano	CBW # 87	12/4/2015	Farmington Police Department
15-0390-P	Jeffrey Montoya	CBW # 87	12/4/2015	Colfax County Sheriff's Dept.
15-0391-P	Daniel Oelcher	CBW # 87	12/4/2015	Grants Police Department
15-0392-P	Val Panteah	CBW # 87	12/4/2015	Isleta Police Department
10-0077-P	Eric Percival	CBW # 87	12/4/2015	Albuquerque Police Dept.
15-0393-P	Justin Pillera	CBW # 87	12/4/2015	Bernalillo County Sheriff's Department
15-0394-P	Nikki Rightmire	CBW # 87	12/4/2015	Aztec Police Department
11-0192-P	Jeffrey Sperling	CBW # 87	12/4/2015	Bernalillo County Sheriff's Department
15-0395-P	Christopher Tyrolt	CBW # 87	12/4/2015	Bosque Farms Police Department
15-0396-P	Matthew Valverde	CBW # 87	12/4/2015	DA's Office Las Vegas
15-0397-P	Michael Vasquez	CBW # 87	12/4/2015	NM Gaming Control Board
15-0398-P	Nickolas Wadford	CBW # 87	12/4/2015	Grants Police Department
15-0399-P	John Welsh	CBW # 87	12/4/2015	Aztec Police Department
16-0311	Matthew Bedonie	SJCCIA Academy # 39	11/16/2016	Farmington Police Department
16-0312	Quintin Blood	SJCCIA Academy # 39	11/16/2016	San Juan County Sheriff's Office
16-0313	John Briseno	SJCCIA Academy # 39	11/16/2016	Farmington Police Department
16-0314	Robert Eshom	SJCCIA Academy # 39	11/16/2016	NM Game and Fish
16-0315	Jeremy Farley	SJCCIA Academy # 39	11/16/2016	San Juan County Sheriff's Office
16-0316	Daniel K. Geremia	SJCCIA Academy # 39	11/16/2016	San Juan County Sheriff's Office
16-0317	Cierra Manus	SJCCIA Academy # 39	11/16/2016	Farmington Police Department
16-0318	Ralph Martinez	SJCCIA Academy # 39	11/16/2016	NM Livestock Board
16-0319	Barkley McClellan	SJCCIA Academy # 39	11/16/2016	Farmington Police Department
16-0320	Miles Mead	SJCCIA Academy # 39	11/16/2016	Farmington Police Department
16-0321	Lonie Morales	SJCCIA Academy # 39	11/16/2016	NM Game and Fish
16-0322	Trevor Nyguen	SJCCIA Academy # 39	11/16/2016	NM Game and Fish
16-0323	Rachel Off	SJCCIA Academy # 39	11/16/2016	Farmington Police Department

CERTIFICATION #	NAME	ACADEMY	CERTIFICATION DATE	AGENCY
16-0324	Isaih Reynolds	SJCCIA Academy # 39	11/16/2016	NM Game and Fish
16-0325	Garrett Silva	SJCCIA Academy # 39	11/16/2016	NM Game and Fish
16-0326	Lenny Touchin	SJCCIA Academy # 39	11/16/2016	Farmington Police Department
16-0327	Mario R. Acedo	SENMLA Academy # 37	12/2/2016	Bosque Farms Police Department
16-0328	Edward J. Alcon	SENMLA Academy # 37	12/2/2016	Springer Police Deptamant
16-0329	Cody W. Arsbom	SENMLA Academy # 37	12/2/2016	Lea County Sheriff's Office
16-0330	Christopher P. Fom	SENMLA Academy # 37	12/2/2016	Lea County Sheriff's Office
16-0331	Bryan Gore	SENMLA Academy # 37	12/2/2016	Portales Police Department
16-0332	Jose Hernandez	SENMLA Academy # 37	12/2/2016	Lovington Police Department
16-0333	Martin Hernandez	SENMLA Academy # 37	12/2/2016	NMSU Police Department
16-0334	Roberto Hernandez	SENMLA Academy # 37	12/2/2016	Lovington Police Department
16-0335	Ernest Lovato	SENMLA Academy # 37	12/2/2016	NM Livestock Board
16-0336	Stephanie Mills	SENMLA Academy # 37	12/2/2016	Hobbs Police Department
16-0337	Jim C. Montez	SENMLA Academy # 37	12/2/2016	Jal Police Department
16-0338	Maria D. Olivares-Aguilar	SENMLA Academy # 37	12/2/2016	Distict Attorney's Office
16-0339	Rudolpho Ozuna	SENMLA Academy # 37	12/2/2016	Hobbs Police Department
16-0340	Damario Pedraza	SENMLA Academy # 37	12/2/2016	NMSU Police Department
16-0341	Michael D. Ray	SENMLA Academy # 37	12/2/2016	Tucumcari Police Department
16-0342	Ramon C. Rodriquez	SENMLA Academy # 37	12/2/2016	Portales Police Department
16-0343	Scott Russell	SENMLA Academy # 37	12/2/2016	Hobbs Police Department
16-0344	Cruz Sanchez	SENMLA Academy # 37	12/2/2016	Jal Police Department
16-0345	Joshua J. Schwope	SENMLA Academy # 37	12/2/2016	Curry County Sheriff's Department
16-0346	Travis R. Wilson	SENMLA Academy # 37	12/2/2016	Lovington Police Department

Exhibit A

Certification #	Name	Type of Cert	Issue Date	Employing Agency
18-0225-P	Carlos A. Murrieta	Western Academy	6/22/2018	Lordsburg Police Department
18-0274-P	John Silva	Western Academy	6/22/2018	Belen Police Department
18-0275-P	Eliot Kittrelle	Western Academy	6/22/2018	Los Lunas Police Department
18-0401-P	Alex Chavez	Western Academy	6/28/2018	Silver City Police Department
19-0019-P	Cutter Gouker	Western Academy	6/22/2018	Los Lunas Police Department

Exhibit B

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0066-P	Fouad Cherair	CNM # 1	5/20/2019	Albuquerque Police Department
19-0067-P	Adan Corral, II	CNM # 1	5/20/2019	Albuquerque Police Department
19-0068-P	Joshua D. Lloyd	CNM # 1	5/20/2019	Albuquerque Police Department
19-0069-P	Derick G. Maines	CNM # 1	5/20/2019	Albuquerque Police Department
19-0070-P	Henryk Hinkle-Zaleski	CNM # 1	5/20/2019	Albuquerque Police Department
19-0071-P	ASHLEY R. FREELIN	CNM # 1	5/20/2019	Albuquerque Police Department
19-0072-P	Adam Greenhaw	CNM # 1	5/20/2019	Albuquerque Police Department
19-0073-P	Samantha Grunow	CNM # 1	5/20/2019	Albuquerque Police Department
19-0074-P	Ashley N. Martinez - Licon	CNM # 1	5/20/2019	Albuquerque Police Department
19-0075-P	Steven B. Reazin	CNM # 1	5/20/2019	Albuquerque Police Department
19-0076-P	Norman Shatto	CNM # 1	5/20/2019	Albuquerque Police Department
19-0077-P	Brandon Weatherspoon	CNM # 1	5/20/2019	Albuquerque Police Department
19-0078-P	Ashalyn Eylicio	CNM # 1	5/20/2019	Albuquerque Police Department
19-0079-P	Antonio Hernandez	CNM # 1	5/20/2019	Albuquerque Police Department
19-0080-P	Lane Heisey	CNM # 1	5/20/2019	Albuquerque Police Department
19-0081-P	Deserae S. Martinez	CNM # 1	5/20/2019	Albuquerque Police Department
19-0082-P	Violeta G. Baca	CNM # 1	5/20/2019	Albuquerque Police Department
19-0083-P	Brittany Chacon	CNM # 1	5/20/2019	Albuquerque Police Department
19-0084-P	Kevin Gonzales	CNM # 1	5/20/2019	Albuquerque Police Department

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0085-P	Shea Henthorn	SNMLEA # 42	5/29/2019	New Mexico EMNRD - State Parks
19-0086-P	Justin L. Santos	SNMLEA # 42	5/29/2019	Hobbs Police Department
19-0087-P	Jennifer N. Scheller	SNMLEA # 42	5/29/2019	Hobbs Police Department
19-0088-P	Tyler Barker	SNMLEA # 42	5/29/2019	Carlsbad Police Department
19-0089-P	Jasen Kershaw	SNMLEA # 42	5/29/2019	New Mexico EMNRD - State Parks
19-0090-P	Isaac Cobos	SNMLEA # 42	5/29/2019	Carlsbad Police Department
19-0091-P	Nehemiah Curry, Jr.	SNMLEA # 42	5/29/2019	Hobbs Police Department
19-0092-P	Jeremy Gonzales	SNMLEA # 42	5/29/2019	New Mexico EMNRD - State Parks
19-0093-P	Tanner S. Essary	SNMLEA # 42	5/29/2019	Portales Police Department
19-0094-P	Dalton Hacker	SNMLEA # 42	5/29/2019	Hobbs Police Department
19-0095-P	Mark Maloney	SNMLEA # 42	5/29/2019	New Mexico EMNRD - State Parks
19-0096-P	Victor Murillo	SNMLEA # 42	5/29/2019	Lovington Police Department
19-0097-P	Timo Rosenthal	SNMLEA # 42	5/29/2019	Clovis Police Department
19-0098-P	Jacob Marquez	SNMLEA # 42	5/29/2019	Carlsbad Police Department
19-0099-P	Amanda McComb	SNMLEA # 42	5/29/2019	New Mexico Livestock Board Inspec. Div
19-0100-P	Kandace Padilla	SNMLEA # 42	5/29/2019	New Mexico EMNRD - State Parks
19-0101-P	Jordan Reyes	SNMLEA # 42	5/29/2019	Carlsbad Police Department

Exhibit D

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0102-P	Michael J. Smathers	APD Lateral # 4	5/30/2019	Albuquerque Police Department

Exhibit E

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0103-P	Lan N. Bui	NMSP # 94	6/10/2019	New Mexico State Police
19-0104-P	Arturo Casillas	NMSP # 94	6/10/2019	New Mexico State Police
19-0105-P	Migel A. Flores	NMSP # 94	6/10/2019	New Mexico State Police
19-0106-P	Eric J. A2:A24Fouratt	NMSP # 94	6/10/2019	New Mexico State Police
19-0107-P	Thomas R. Hernandez	NMSP # 94	6/10/2019	New Mexico State Police
19-0108-P	Jeffery S. Hernandez	NMSP # 94	6/10/2019	New Mexico State Police
19-0109-P	James A. Jeantet	NMSP # 94	6/10/2019	New Mexico State Police
19-0110-P	Bryce M. Leavey	NMSP # 94	6/10/2019	New Mexico State Police
17-0227-P	Fernando Lopez	NMSP # 94	6/10/2019	New Mexico State Police
19-0111-P	Bobby R. Lopez	NMSP # 94	6/10/2019	New Mexico State Police
19-0112-P	Levy E. Lujan	NMSP # 94	6/10/2019	New Mexico State Police
19-0113-P	Malik D. Matthews-Gordon	NMSP # 94	6/10/2019	New Mexico State Police
19-0114-P	Elizabeth Ogaz-Carreon	NMSP # 94	6/10/2019	New Mexico State Police
19-0115-P	Marcus I. Packer	NMSP # 94	6/10/2019	New Mexico State Police
19-0116-P	Mark A. Preciado	NMSP # 94	6/10/2019	New Mexico State Police
19-0117-P	Edward J. Quintana	NMSP # 94	6/10/2019	New Mexico State Police
19-0118-P	Christopher M. Romero	NMSP # 94	6/10/2019	New Mexico State Police
19-0119-P	Miguel A. Sena	NMSP # 94	6/10/2019	New Mexico State Police
19-0120-P	Andreas Stamatiadis	NMSP # 94	6/10/2019	New Mexico State Police
19-0121-P	Andres Tarango	NMSP # 94	6/10/2019	New Mexico State Police
19-0122-P	Isaiah E. Taylor	NMSP # 94	6/10/2019	New Mexico State Police
19-0123-P	Zachary A. Thill	NMSP # 94	6/10/2019	New Mexico State Police
19-0124-P	Mario M. Villanueva	NMSP # 94	6/10/2019	New Mexico State Police

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0125-P	Maxwell S. Jojola	SJCJTA # 44	6/13/2019	San Juan County Sheriff's Office
19-0126-P	Walter A. Luba	SJCJTA # 44	6/13/2019	New Mexico EMNRD - State Parks
19-0127-P	Tobias I. MacRobie	SJCJTA # 44	6/13/2019	New Mexico EMNRD - State Parks
19-0128-P	Logan Kelley	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0129-P	Chee Dorenda	SJCJTA # 44	6/13/2019	Bloomfield Police Department
19-0130-P	Tristen Howard	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0131-P	Anthony Peterson	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0132-P	Travis A. Bessett	SJCJTA # 44	6/13/2019	New Mexico Department of Game & Fish
19-0133-P	Garrett D. Flack	SJCJTA # 44	6/13/2019	San Juan County Sheriff's Office
19-0134-P	Brian W. Gardner	SJCJTA # 44	6/13/2019	Cibola County Sheriff's Office
19-0135-P	Nathaniel S. Goodrich	SJCJTA # 44	6/13/2019	New Mexico EMNRD - State Parks
19-0136-P	Matthew W. Tipton	SJCJTA # 44	6/13/2019	Cibola County Sheriff's Office
19-0137-P	Brandon L. Will	SJCJTA # 44	6/13/2019	Cibola County Sheriff's Office
19-0138-P	Steve Boren	SJCJTA # 44	6/13/2019	Bernalillo Police Department
19-0139-P	Draesen D. Avery	SJCJTA # 44	6/13/2019	San Juan County Sheriff's Office
19-0140-P	Parker White	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0141-P	Stephen Frazier	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0142-P	Randy Langlitz	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0143-P	Nathan McPherson	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0144-P	Robert Shuttleworth	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0145-P	Cody Taboada	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0146-P	Jonathan B. Berhost	SJCJTA # 44	6/13/2019	San Juan County Sheriff's Office
19-0147-P	Michael J. Porter	SJCJTA # 44	6/13/2019	Cibola County Sheriff's Office
19-0148-P	Montana R. Tidwell	SJCJTA # 44	6/13/2019	New Mexico Department of Game & Fish
19-0149-P	Drew G. Van Liew	SJCJTA # 44	6/13/2019	New Mexico EMNRD - State Parks
19-0150-P	Kevin Coombs	SJCJTA # 44	6/13/2019	Farmington Police Department
19-0151-P	Jesus Munoz	SJCJTA # 44	6/13/2019	Bloomfield Police Department
19-0152-P	Kayla M. Brauer	SJCJTA # 44	6/13/2019	New Mexico Department of Game & Fish
19-0153-P	Joseph Barreto	SJCJTA # 44	6/13/2019	Farmington Police Department

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0154-P	Robert A. Lucero	CBW # 98	6/14/2019	Grants Police Department
08-0170-P	AVA G. BURNETT	CBW # 98	6/14/2019	Lea County Sheriff's Office
19-0155-P	Jeffrey C. Asuncion	CBW # 98	6/14/2019	New Mexico EMNRD - State Parks
95-0026-P	Michael P. Tafoya	CBW # 98	6/14/2019	Taos County Sheriff's Office
19-0156-P	Justin J. Gioffredo	CBW # 98	6/14/2019	Santa Fe County Sheriff's Office
19-0157-P	Robert Touchin	CBW # 98	6/14/2019	Milan Police Department
19-0158-P	Jerold E. Stewart	CBW # 98	6/14/2019	Raton Police Department
02-0006-P	James Vigil	CBW # 98	6/14/2019	NMPRC State Fire Marshal's Office
19-0159-P	Brian A. Fernandez	CBW # 98	6/14/2019	Sunland Park Police Department
82-0409-P	Gary R. Georgia	CBW # 98	6/14/2019	Albuquerque Public Schools Police Department
19-0160-P	Daniel Latham	CBW # 98	6/14/2019	Sandoval County Sheriff's Office
99-0382-P	Della Murray	CBW # 98	6/14/2019	Sandoval County Sheriff's Office
19-0161-P	Tytus P. Sandoval	CBW # 98	6/14/2019	Navajo Department of Fish & Wildlife LE
11-0284-P	Joann K. Urbanic	CBW # 98	6/14/2019	Albuquerque Public Schools Police Department
04-0184-P	Sally K. Dyer	CBW # 98	6/14/2019	Rio Rancho Police Department
19-0162-P	Mathew Ramirez	CBW # 98	6/14/2019	Sunland Park Police Department
19-0163-P	Mark Heldt	CBW # 98	6/14/2019	Clovis Police Department
93-0174-P	Brandon K. Cordova	CBW # 98	6/14/2019	UNM Police Department
19-0164-P	Clayton M. Tamburelli	CBW # 98	6/14/2019	Clovis Police Department
19-0165-P	Dora Galindo	CBW # 98	6/14/2019	New Mexico Tax Fraud Investigations Division
13-0214-P	Wells W. Michael	CBW # 98	6/14/2019	Bloomfield Police Department
13-0362-P	Joey J. Landgraf	CBW # 98	6/14/2019	Carlsbad Police Department
19-0166-P	Rhonda J. Salazar	CBW # 98	6/14/2019	Clayton Police Department
19-0167-P	Barbara M. Kohn	CBW # 98	6/14/2019	Grants Police Department
97-0130-P	Brandy M. McConnell	CBW # 98	6/14/2019	Albuquerque Public Schools Police Department
81-0076-P	Heriberto Flores	CBW # 98	6/14/2019	New Mexico Military Institute Police Dep
93-0094-P	Jimmy A. Garcia	CBW # 98	6/14/2019	Luna County Sheriff's Office
19-0168-P	Ryan T. Blanton	CBW # 98	6/14/2019	Tularosa Police Department

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0169-P	Hector A. Lopez	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0170-P	Victor A. Mendoza	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0171-P	Eric I. Torres	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0172-P	Erik A. Tristano	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0173-P	John C. Guaderrama, II	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0174-P	LOURDES A. HERNANDEZ	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0175-P	Joseph J. Montoya	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0176-P	Jaime Aguilera, III	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0177-P	Andrew Contreras	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0178-P	Anthony J. Fierro	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0179-P	Misael Ibarra	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0180-P	Andrew J. Lazarin	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0181-P	Kevin S. Ramirez	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0182-P	Tristan H. Smith	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0183-P	David Tovar, Jr.	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0184-P	Jared R. Johnson	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0185-P	Nina Johnson	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0186-P	Ashley N. Rueffer	LCPD # 48	6/24/2019	Las Cruces Police Department
19-0187-P	Luis E. Medina	LCPD # 48	6/24/2019	Las Cruces Police Department

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0188-P	James D. Bush	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0189-P	Estevan Jojola	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0190-P	Robert Lowe	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0191-P	Stephanie Fitzgerald	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0192-P	Devon S. Richards	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0193-P	Justin Placencio	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0194-P	Kimberly Hopper	BCSO # 40	6/25/2019	Rio Rancho Police Department
19-0195-P	Dino Di Donato	BCSO # 40	6/25/2019	Rio Rancho Police Department
19-0196-P	Benjamin Parker	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0197-P	Donaciano Gutierrez	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0198-P	Amber Baldonado	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0199-P	Jesus Roybal	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0200-P	Peter McCann	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0201-P	Alfred Duchaussee	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0202-P	Anthony Messina	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0203-P	Michael Fernandez	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0204-P	Daniel Burns	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0205-P	Joey Martinez	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0206-P	Angelina Navarro	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0207-P	Tomas Salgado	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0208-P	Raymond Meier	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0209-P	Austin Young	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0210-P	Dominic Szabo	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0211-P	Kristopher Tuell	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0212-P	Anthony Benavidez	BCSO # 40	6/25/2019	Rio Rancho Police Department
19-0213-P	Kevin Buchanan	BCSO # 40	6/25/2019	Rio Rancho Police Department
19-0214-P	Taryn Willis-Gregory	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0215-P	Gino Martinez Licon	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0216-P	Matthew P. Lamoureaux	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0217-P	Jeffrey Moreland, Jr.	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0218-P	Daniel Vazquez	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0219-P	Santiago Sandoval	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0220-P	Matthew Dusenbery	BCSO # 40	6/25/2019	Bernalillo County Sheriff's Office
19-0221-P	Maria-Elena Rael	BCSO # 40	6/25/2019	District Attorney's Office, 2nd District
19-0222-P	Eduardo Iglesias, III	BCSO # 40	6/25/2019	District Attorney's Office, 2nd District

Exhibit J

Certification #	Name	Type of Chart	Issue Date	Employing Agency
19-0223-P	Anthony I. Chavez	Western # 64	6/21/2019	New Mexico Department of Game and Fish

Exhibit A

Certification #	Name	Type of Cert	Issue Date	Employing Agency
19-0048-PST	Arias, Evelyn	SNMLEA #15	5/10/2019	Lea County Communications Authority
19-0049-PST	Bowie, Megan N	SNMLEA #15	5/10/2019	Carlsbad Police Department
19-0050-PST	Coronel, Martha D	SNMLEA #15	5/10/2019	Lea County Communications Authority
19-0051-PST	Dalton, Christine	SNMLEA #15	5/10/2019	Regional Emergency Dispatch Authority
19-0052-PST	Lemon, Stephanie	SNMLEA #15	5/10/2019	Regional Emergency Dispatch Authority
19-0053-PST	Lopez, Betsy	SNMLEA #15	5/10/2019	Lea County Communications Authority
19-0054-PST	Molina, Olivia I	SNMLEA #15	5/10/2019	Carlsbad Police Department
19-0055-PST	Murillo, Juan F	SNMLEA #15	5/10/2019	Carlsbad Police Department
19-0056-PST	Park, Allison S	SNMLEA #15	5/10/2019	Clovis Police Department