

BEFORE THE LAW ENFORCEMENT ACADEMY BOARD

FOR THE STATE OF NEW MEXICO

BOARD MEETING

JUNE 2, 2022

9:05 a.m.

REPORTED BY: Arlette McClain, CCR #85
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2	<p>1 A P P E A R A N C E S</p> <p>2 MR. HECTOR BALDARAS, Chairman (Telephonically)</p> <p>3 MR. ADAN MENDOZA, Board Member</p> <p>4 MR. ROBERT P. TEDROW, Board Member</p> <p>5 MS. SUMMER MIRABAL, Board Member</p> <p>6 MR. HENCE WILLIAMS, Board Member</p> <p>7</p> <p>8 Also present: Mr. Benjamin Baker, Interim Director</p> <p>9 Mr. Gideon Elliot, Board Counsel</p> <p>10 Ms. Alexis Salazar</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	4
3	<p>1 CHAIRMAN BALDARAS: I'm calling this</p> <p>2 meeting to order. I can't personally be in</p> <p>3 attendance. I had a medical emergency with my</p> <p>4 daughter, but I do appreciate everyone coming</p> <p>5 together.</p> <p>6 And I'll let everyone know that my</p> <p>7 telephonic appearance is really focused on making</p> <p>8 sure we get the certifications approved, and that we</p> <p>9 don't cause any delay, or impossibility. So I want</p> <p>10 to thank everyone for coming together.</p> <p>11 First item of business is if we could get a</p> <p>12 roll call, to see if we have a quorum.</p> <p>13 We can do the roll call right now, item</p> <p>14 number 2.</p> <p>15 MS. SALAZAR: The Honorable Hector</p> <p>16 Baldaras?</p> <p>17 CHAIRMAN BALDARAS: Present.</p> <p>18 MS. SALAZAR: District Attorney Rick</p> <p>19 Tedrow?</p> <p>20 MR. TEDROW: Present.</p> <p>21 MS. SALAZAR: Chief Tim Q. Johnson?</p> <p>22 Sheriff Adan Mendoza?</p> <p>23 MR. MENDOZA: Present.</p> <p>24 MS. SALAZAR: Chief Summer Mirabal?</p> <p>25 MS. MIRABAL: Present.</p>	5
4	<p>1 MS. SALAZAR: Officer Hence Williams?</p> <p>2 MR. WILLIAMS: Present.</p> <p>3 MS. SALAZAR: Dr. Bobby Gene Green?</p> <p>4 Mr. Danny Roybal?</p> <p>5 CHAIRMAN BALDARAS: I count five members</p> <p>6 and three absent. Is that a correct accounting of</p> <p>7 the roll call?</p> <p>8 MS. SALAZAR: Yes.</p> <p>9 Okay. And, Gideon, can you hear us? Are</p> <p>10 you present?</p> <p>11 MR. ELLIOT: Yes, sir.</p> <p>12 CHAIRMAN BALDARAS: We're now at item</p> <p>13 number 3.</p> <p>14 Do we have enough for a quorum for the</p> <p>15 complete agenda at this point?</p> <p>16 MR. ELLIOT: Not for the disciplinary</p> <p>17 portion of the agenda.</p> <p>18 CHAIRMAN BALDARAS: Okay. So let me just</p> <p>19 put on the record, in terms of our roll call I'm</p> <p>20 showing that we have five members present, three that</p> <p>21 are absent, unavailable, and I do understand it was</p> <p>22 the wish of the Board to begin these meetings in</p> <p>23 person, so I do want to reiterate my apology for not</p> <p>24 being able to attend in person.</p> <p>25 The slight dilemma and maybe the</p>	5
5	<p>1 consideration of how we'll approve this agenda and</p> <p>2 act on the agenda today is that I, generally, have to</p> <p>3 de-conflict my role in the disciplinary process.</p> <p>4 So even though I can administer the meeting</p> <p>5 here today, so we get through the certifications and</p> <p>6 the other new business, I'm slightly concerned that</p> <p>7 we're not going to have a quorum, unless Chief</p> <p>8 Johnson, Board Member Roybal or Dr. Green become</p> <p>9 available at the disciplinary portion of our meeting.</p> <p>10 And so I just want to note that for the</p> <p>11 record. In the event that we're notable to attack, I</p> <p>12 believe it is item number 8, discipline. I do want</p> <p>13 to let the general public be aware of that, that we</p> <p>14 might not be able to do that portion of the meeting,</p> <p>15 and probably take no action on that today, and</p> <p>16 reschedule that piece.</p> <p>17 We can now move to item three, the approval</p> <p>18 of the agenda. We do need to look at the agenda.</p> <p>19 I'll take a motion to approve today's</p> <p>20 agenda, unless there needs to be a modification, but</p> <p>21 I will entertain an approval so we get through the</p> <p>22 meeting.</p> <p>23 MR. TEDROW: Mr. Chair, this is DA Tedrow.</p> <p>24 I'll move to approve the agenda as presented.</p> <p>25 CHAIRMAN BALDARAS: Thank you, Board</p>	5

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1 member. Is there a second to approve today's agenda?
 2 MS. MIRABAL: Chief Mirabal seconds.
 3 CHAIRMAN BALDARAS: Thank you, Board
 4 member. We have a second.
 5 There is a motion and a second to approve
 6 the agenda of June 2nd, 2022, this morning.
 7 All in favor?
 8 MR. TEDROW: Aye.
 9 MS. MIRABAL: Aye.
 10 MR. MENDOZA: Aye.
 11 MR. WILLIAMS: Aye.
 12 CHAIRMAN BALDARAS: Any in opposition?
 13 The motion does pass. We do have an active
 14 agenda. We can move forward.
 15 Now, item number 4, approval of the minutes
 16 for April 14th. If you take a few minutes, we did
 17 pre-distribute those minutes to all of the Board
 18 members, and they are always available on the LEA
 19 website.
 20 If there are any corrections to the
 21 meetings, in terms of who was present, or any
 22 corrections, I'll entertain a motion either to
 23 approve minutes or to amend those minutes, as well.
 24 MR. TEDROW: Mr. Chair, this is DA Tedrow.
 25 I move to approve the minutes, as presented. I do

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1 not see any changes.
 2 CHAIRPERSON BALDARAS: Thank you for that
 3 motion.
 4 Is there a second to approve the minutes
 5 from April 14th?
 6 MR. MENDOZA: This is Sheriff Mendoza.
 7 I'll second the motion.
 8 CHAIRMAN BALDARAS: Thank you for the
 9 second.
 10 There is a motion and second to approve the
 11 April 14th minutes of 2022 as presented.
 12 All in favor?
 13 MR. MENDOZA: Aye.
 14 MR. TEDROW: Aye.
 15 MR. WILLIAMS: Aye.
 16 MS. MIRABAL: Aye.
 17 CHAIRMAN BALDARAS: Any in opposition?
 18 I believe the motion passes five to zero.
 19 We do have approval of the April 14th minutes.
 20 I'd like to go to item number 5, our
 21 director's report, Interim Ben Baker. I do want to
 22 compliment -- I don't know how many people got the
 23 opportunity to attend, recently, the law enforcement
 24 memorial services at DPS the other day, but I did
 25 want to commend the DPS staff, the leadership and

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1 many of the law enforcement community that assisted
 2 with that.
 3 It was -- not that there are better
 4 ceremonies than other ceremonies, but I was blown
 5 away by the level of detail and professionalism and
 6 thought that went into the law enforcement memorial
 7 services the other day. So I do want to commend Ben
 8 Baker and his team, and the secretary. It was just a
 9 very high level event, and I was grateful that they
 10 also invited the LEAB Board and team to be involved.
 11 So, Ben, without any further adieu, we can
 12 go to your director's report.
 13 MR. BAKER: Certainly.
 14 Good morning. Can everyone hear me okay?
 15 Thank you, Mr. Chair, members of the Board.
 16 Privilege and honor to be here again. This is the
 17 second board meeting I've had the pleasure of
 18 participating in, in this role.
 19 Those of you who know don't me, I'm
 20 Benjamin Baker. I'm the Deputy Cabinet Secretary,
 21 and I'm acting as the Interim Law Enforcement Academy
 22 Director at this time. I'm a 25-year veteran of New
 23 Mexico certified law enforcement service.
 24 I have the pleasure of serving, as the
 25 Attorney General was kind enough to mention, with a

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1 incredibly professional and dedicated staff here at
 2 the New Mexico Law Enforcement Academy, as well as
 3 the Department of Public Safety. I would like to
 4 recognize a new member to our team that will be new
 5 to folks from the last board meeting, and that is
 6 Alexis Salazar, who has joined me at the table to my
 7 right. Alexis has been graciously assisting me with
 8 all matters discipline-related to my role, as well as
 9 preparation for this Board meeting. So thank you,
 10 Alexis, for your participation.
 11 Welcome to our members of the public.
 12 Welcome to members of the Governor's staff, law
 13 enforcement who is here; we appreciate your
 14 attendance, and members of the media and the public,
 15 as I mentioned, as well as some our academy leaders
 16 from some of our satellites. Thank you for being
 17 here.
 18 We serve 5,600-plus New Mexico certified
 19 peace officers, and 2,500-plus telecommunicators who
 20 serve approximately 180 agencies statewide.
 21 By way of summary, I respectfully present
 22 the following information, highlighting the
 23 activities of the New Mexico Law Enforcement Academy
 24 that have taken place since we last met.
 25 The first thing I would like to talk about

<p style="text-align: right;">10</p> <p>1 is the law enforcement academy director vacancy, 2 which we expressed last time. That vacancy has been 3 posted publicly and we have received robust interest 4 nationally. At present, we're conducting resume 5 reviews and trying to distal that candidate pool down 6 to a workable number. And it would not be outside of 7 the realm of possibility if this Board was presented 8 for a recommendation at its September meeting. That 9 is my sincere hope.</p> <p>10 Next, license holder graduations, which the 11 Attorney General mentioned, which is a really 12 important part of not only why we're here today, but 13 why we're gathered here under the statute.</p> <p>14 The New Mexico Law Enforcement Academy 15 Basic Training calendar year 2022, year to date, has 16 graduated 214 officers, including all of our partners 17 and satellite academies and certification by waiver 18 program.</p> <p>19 Here at DPS, we were very blessed to have 20 academy class 203, that class graduated 33 cadets 21 from 20 agencies. Some of those leaders are here 22 today. That graduation day was May the 18th, and 23 we're very proud of those folks. Those 24 certifications will appear on your agenda today.</p> <p>25 Private safety telecommunicators graduated</p>	<p style="text-align: right;">12</p> <p>1 with this Board, with Presbyterian Health Services 2 and they have offered to provide to this academy 3 instruction specific to psychological services to be 4 offered to the community via law enforcement 5 practitioners, as well as accrediting the use of 6 force instruction, and beginning the process of 7 school resource officer training, which is required 8 by New Mexico State Statute 29-7-14. Those things 9 are currently being implemented.</p> <p>10 It is also of note, and for this Board's 11 consumption that since January of '22 this agency has 12 accredited a total of 288 courses. 37 of those are 13 specifically in-service course accreditations, which 14 agencies and contract vendors alike can utilize to 15 train police officers and telecommunicators 16 statewide.</p> <p>17 In addition, we have received hundreds of 18 instructor certification applications designed to 19 replenish the ranks and teach accredited curriculum 20 statewide.</p> <p>21 On the records, training and data 22 management system, as I reported to you at the last 23 meeting at in April, the Acadis Readiness Suite 24 phase-in continues to make significant progress. 25 I'll give you an update on the progress today.</p>
<p style="text-align: right;">11</p> <p>1 17 out of class 155 in the adjacent room to us, last 2 week, on Friday, so that is very fresh for us.</p> <p>3 Statewide, year to date, Public Safety 4 Telecommunicators graduates 62 telecommunicators, 5 including all satellite academies.</p> <p>6 So 214 and 62 year to date.</p> <p>7 By way of advanced training update for the 8 Board's edification, the New Mexico Law Enforcement 9 Academy will be offering at least three advanced 10 training classes during duration of this summer, 11 including Institute for Law Enforcement Standards, 12 Internal Affairs, professional standards and Fair and 13 Impartial Policing.</p> <p>14 Procurement is underway for those classes, 15 and accreditation from the State Of New Mexico has 16 already been completed.</p> <p>17 It is the goal of the New Mexico Law 18 Enforcement Academy to return to regularly hosting 19 advanced training provided free to our constituents 20 whenever possible.</p> <p>21 Efforts are currently underway to identify 22 which trainings and which train the trainer 23 opportunities exist and are needed by our 24 constituents statewide.</p> <p>25 We have recently met, since we met last</p>	<p style="text-align: right;">13</p> <p>1 There are over 340 approved agency-training 2 portal users. The reason why this is significant, 3 and the significant movement that has been made since 4 the last Board meeting is at present those approved 5 Acadis data entry folks from our agencies -- from our 6 constituency can now enter in mandatory 2202 and 2023 7 in-service annual and biannual accredited course 8 rosters directly into the system.</p> <p>9 The number of users, the number of people 10 who have received the training and the number of 11 availability of that data, literally increases daily. 12 As I mentioned at the last meeting, we have conducted 13 webinar rollouts of this, starting in January of this 14 calendar year, for the purposes of training users on 15 the law enforcement side and the telecommunicator 16 side, so they can better service their agencies and 17 provide the most accurate and up-to-date information 18 to the regulator and to the public.</p> <p>19 Other matters the Attorney General 20 mentioned, so I won't spend a lot of time on it. May 21 19th we had our Fallen Officer Memorial. Some of 22 you were in attendance. It honors the police 23 officers who have died in the line of duty. We added 24 three names to our wall outside, which if you haven't 25 had a chance to look at it, I encourage you to take a</p>

<p style="text-align: right;">14</p> <p>1 look at it during your time visiting with us here 2 today at it. Members of my staff were responsible 3 for the coordination and delivery, and I agree with 4 what was said earlier. I'm very proud of their 5 efforts. They did a good job honoring the families 6 of the police officers who died in the line of duty. 7 On to disciplinary matters. By way of 8 summary for the consumption of the Board, the agenda 9 consists of five cases. A snapshot of the current 10 case catalog is as follow: April 14th, which is 11 the date of our last meeting, through June 1st, 12 yesterday, 2022, the New Mexico Law Enforcement 13 Academy has received 17 LEA 90s reporting allegations 14 of police officer or telecommunicator misconduct. 20 15 current cases are under review, or in the notice of 16 investigation process. 17 Historical cases currently being 18 prosecuted, 16 cases in the Notice of Contemplated 19 Action process, seven of which are awaiting issuance 20 by the Office of the Attorney General, our 21 administrative prosecutor. Nine of which have been 22 issued and served, and are awaiting response from 23 respondents to answer them. We have four oral 24 responses scheduled with respondents and counsel 25 which are imminent, meaning tomorrow. We have five</p>	<p style="text-align: right;">16</p> <p>1 Increased communication with the 2 administrative prosecutor, increased availability and 3 efficiency are contributing to our success in that 4 category, is our belief. 5 Here at the New Mexico Law Enforcement 6 Academy, and at the satellite academies, not only 7 represented here today, but statewide, we train 8 police officers and dispatchers. That is our job. 9 The goal is to make them smarter, safer, more 10 responsive and to give better service to their 11 community. 12 Every day when I return here, I'm reminded 13 of that fact -- when I attend things like our 14 graduations and our memorial ceremonies and meetings 15 such as this, it reminds me to rededicate myself to 16 the notion, that is why we're here and that is who we 17 serve, the future of our law enforcement and our 18 public safety. It is an honor to be here to report 19 to you. I continue to look forward, during the time 20 that I have in this role, and going forward in my 21 leadership role, to serve this board and to learn the 22 best ways to support and guide New Mexico Law 23 Enforcement training. 24 I will gladly stand for any questions. 25 CHAIRMAN BALDARAS: Thank you.</p>
<p style="text-align: right;">15</p> <p>1 cases pending formal hearing, and we have 13 cases 2 where formal hearings have been conducted and are 3 pending a Hearing Officer's report. 4 Also of note, and I think for the Board's 5 awareness, in the last 30 days this agency has issued 6 immediate suspension against three New Mexico license 7 holders charged with felony crimes. 8 There are five cases pending adjudication 9 today, as I mentioned earlier, and to date, and I 10 think this is important by way of comparing and 11 contrast, 59 total active cases exist within the New 12 Mexico Law Enforcement Academy Board, disciplinary 13 case catalog, comparing that to the number of 78 14 which existed at the last meeting. 15 I think it is no surprise that those of you 16 met me, or were in attendance at the last meeting, 17 that my interim role, and I've been for a relatively 18 short period of time. Today marks the 69 day that 19 I've occupied this role. I'm grateful to work 20 closely with not only our staff, but the teamwork and 21 professionals, the administrative lawyer and 22 administrative prosecutor and their staff. The 23 discipline cases are in not only a manageable volume, 24 but I think in a volume that has not been seen here 25 in quite some time.</p>	<p style="text-align: right;">17</p> <p>1 MR. TEDROW: I'm sorry, Mr. Chair, this is 2 DA Tedrow. I was going to ask if I could ask some 3 questions of the director. 4 HEARING OFFICER BALDWIN: Sure. Go ahead, 5 Board Member. 6 MR. TEDROW: Thank you, Mr. Chair. 7 Director Baker, I would like to say first 8 and foremost, I would like to say welcome. I know at 9 the last meeting I could hear your voice, but it is 10 good to see you again. 11 And I would like to thank you and your 12 staff. You mentioned you are at day 69, I've seen a 13 lot of buzz going on down here, and that's always a 14 good thing, so I would like to thank you and your 15 staff jumping right in, picking it up and going with 16 it. 17 Secondly, Mr. Chair, I would like to thank 18 the staff and Mr. Baker down here, of course, for the 19 Fallen Officers' Memorial. When I used to serve as 20 the president of our association, it was always the 21 biggest honor to be -- you don't really want to say 22 you were happy to be here, but it was an honor to be 23 here in May to present a wreath. So while I still do 24 it at home, it is always our president's duty to do 25 it, and so it is always a wonderful thing. So thank</p>

<p style="text-align: right;">18</p> <p>1 you for that.</p> <p>2 And I would also like to thank -- I was</p> <p>3 just thinking about it, looking at Exhibit A, we have</p> <p>4 all of these names of people from New Mexico that are</p> <p>5 standing up and volunteering and taking on the duty</p> <p>6 of a law enforcement officer.</p> <p>7 And so if you get the opportunity, will you</p> <p>8 please thank them for doing this duty. I know it has</p> <p>9 become hard over the years. I know we've seen a lot</p> <p>10 of changes, both from the courts and the legislators,</p> <p>11 and just the community in general. Please let them</p> <p>12 know a thank you and that it is appreciated that they</p> <p>13 stand up to do this duty.</p> <p>14 And then I did have one question that was</p> <p>15 brought to my attention approximately a month ago, a</p> <p>16 couple of weeks ago, that we may have issues with the</p> <p>17 LEA-84s being filed, either by individuals or</p> <p>18 agencies, which is sort of required.</p> <p>19 And wondered if you could sort of give me</p> <p>20 an idea of what's going on with LEA-84s or the</p> <p>21 agencies who are filing them or not filing them, or</p> <p>22 individuals that have to file or not file, just sort</p> <p>23 of give me sort of an update on what's going on</p> <p>24 there.</p> <p>25 MR. BAKER: Certainly. Mr. Chair, DA</p>	<p style="text-align: right;">20</p> <p>1 verifying and certifying that the minimum number of</p> <p>2 hours required within state statute have been trained</p> <p>3 and accomplished by their individual police officers</p> <p>4 employed at their agency.</p> <p>5 So this form is filled out by the agency</p> <p>6 head and submitted to the Law Enforcement Academy</p> <p>7 director to certify those facts. Delineated within</p> <p>8 are the statutory requirements, which are changing</p> <p>9 and variable, based on legislative movement, but at</p> <p>10 present we're talking about safe pursuit, hate</p> <p>11 crimes, so on and so forth. There is a box to be</p> <p>12 checked, and an affirmation to be made relative to</p> <p>13 the employees who are certified professionally within</p> <p>14 their agency, or an agency, and their compliance with</p> <p>15 these requirements.</p> <p>16 The same form exists for handgun</p> <p>17 qualification shoots, that is what is referred to as</p> <p>18 an LEA-83, and folks who are practitioners in this</p> <p>19 room are very familiar with these. Those are also</p> <p>20 requirements.</p> <p>21 These are dealt with on pretty -- well, not</p> <p>22 pretty, very specific deadlines related to the New</p> <p>23 Mexico State Statute, and the dates of importance to</p> <p>24 think about the reporting period that just closed are</p> <p>25 December 31st of 2021, was the deadline to complete</p>
<p style="text-align: right;">19</p> <p>1 Tedrow, thank you for the question.</p> <p>2 This has been the source of many inquiries</p> <p>3 and I've pulled a significant amount of data. I'll</p> <p>4 try to encapsulate it in a way that is meaningful for</p> <p>5 the Board and the public's consumption. I think the</p> <p>6 best way for me to do that is to explain kind of the</p> <p>7 numbers that you were talking about, the forms, and</p> <p>8 what their purpose is.</p> <p>9 So when Board Member Tedrow was talking</p> <p>10 about LEA-84s and 82s, what we're talking about is</p> <p>11 affidavits confirming and certifying mandatory</p> <p>12 compliance with the State's laws associated with</p> <p>13 biannual training and firearms. So there are things</p> <p>14 that are required of our telecommunicators and our</p> <p>15 police officers to be conducted, because these run in</p> <p>16 cycles. And I mention that, because the cycle that</p> <p>17 most recently came to a close, the reporting deadline</p> <p>18 of March 1st, is the calendar years '20 and '21,</p> <p>19 biannual training cycle. So the form that you're</p> <p>20 talking about, which I have a copy of that I could</p> <p>21 reference, particularly drawing attention to what is</p> <p>22 referred to as the LEA-84. It is the agency</p> <p>23 in-service training report for a law enforcement</p> <p>24 officer.</p> <p>25 This is filled out by an agency head,</p>	<p style="text-align: right;">21</p> <p>1 the training -- the preceding two-year time period.</p> <p>2 The deadline to report compliance with that training</p> <p>3 was March 1st, 2022.</p> <p>4 In order to alleviate any confusion,</p> <p>5 despite this being in the statute, this office sends</p> <p>6 out, in this case in November of 2021, not only a</p> <p>7 reminder of the statutory obligations to law</p> <p>8 enforcement leaders, but more importantly, the how-to</p> <p>9 piece associated with what forms need to be filled</p> <p>10 out and why, with specificity lent towards the</p> <p>11 deadlines and the reporting requirements.</p> <p>12 The final paragraph of the letter sent out</p> <p>13 to law enforcement leaders in November of 2021, so</p> <p>14 trying to be well in advance of the December 31st</p> <p>15 training deadline, and then particularly in front of</p> <p>16 the March 1st reporting deadline.</p> <p>17 Final paragraph, annual in-service training</p> <p>18 for '20 and 2021 biannual in-service training, shall</p> <p>19 be completed no later than December 31st, 2021.</p> <p>20 Reporting is due no later than March 1st, 2022.</p> <p>21 The Board requests updates regarding annual and</p> <p>22 biannual in-service training, compliance at their</p> <p>23 regularly-scheduled board meetings, which is what</p> <p>24 you're raising today.</p> <p>25 So that notification went to law</p>

<p style="text-align: right;">22</p> <p>1 enforcement leaders in November of 2021. What I have 2 are categorization of the data compiled relative to 3 the compliance deadline that passed March 1st. And 4 they are distinctly related into a couple of 5 different categories, and I think that is the best 6 way to view them, because as I mentioned, and that's 7 why I went through what probably seems like an 8 extraneous explanation, the difference between an 83 9 and 84 is they are distinctive and separate, but both 10 equally required for full compliance. It is 11 possible, and I will demonstrate here in a minute, to 12 have done one or another, but not both. That, 13 obviously, would communicated.</p> <p>14 MR. TEDROW: If I may, for clarification, 15 on the 84 it is just an affidavit of what is 16 statutorily required. So if an officer were to take 17 some other continuing education or training classes, 18 those don't necessarily get reported on this; is that 19 right? This is just what the statutes are requiring?</p> <p>20 MR. BAKER: Right. This, specifically, and 21 it delineates on the face of the form, the statutory 22 required subcategories of required training.</p> <p>23 MR. TEDROW: Okay.</p> <p>24 MR. BAKER: There is a whole robust 25 category of external advanced training that folks do.</p>	<p style="text-align: right;">24</p> <p>1 deadline required.</p> <p>2 So we talked about the deadlines. That is 3 a category of folks. Another category of folks, 4 those agencies who submitted an affidavit certifying 5 partial compliance. What I mean by that is there are 6 agencies who submitted either an 84 or an 83, but not 7 both. And then there are agencies who did not submit 8 an affidavit certifying compliance in either category 9 by the deadline. Those categories are what I see as 10 existing. That categorization does not take into 11 account instances where the training was conducted 12 and not reported. That is simply data that we would 13 not be aware of.</p> <p>14 The data compilation from the reporting 15 deadline which passed in March of 2022 is follows: 16 Agencies who reported an 83 and 84, so that first 17 category, indicating their attestation to their full 18 compliance, the number is 59 agencies.</p> <p>19 Again, we're talking about the approximate 20 number of 180 law enforcement agencies.</p> <p>21 Agencies who reported only an LEA-83, which 22 is only the firearms, three.</p> <p>23 Agencies who reported only an LEA-84, so 24 that is all of the mandatory in-service required 25 training, 30.</p>
<p style="text-align: right;">23</p> <p>1 We compile that, as well, and keep that information 2 and report it, as well, but this --</p> <p>3 MR. TEDROW: Simply the statutory 4 reporting?</p> <p>5 MR. BAKER: Yes, sir, that is correct.</p> <p>6 The three categories that I would basically 7 separate these into are those agencies -- this is an 8 agency form. Again, the purpose of the explanation 9 was to make clear to folks who might not understand 10 how this comes in.</p> <p>11 The individual license belongs to the 12 practitioner. The reporting form is the agency who 13 employs them, because we're talking about certified 14 for licensure, commissioned, agency-salaried 15 employees. Those three things must exist to be in 16 the pool that we're talking about. It is not 17 identical to other licensed professions that exist 18 within New Mexico, where one can be a solo 19 practitioner, or one can be a freelanced practitioner 20 of whatever field they may be licensed in. So I 21 think that distinction is important, and sometimes is 22 overlooked.</p> <p>23 So subcategories, those agencies who have 24 submitted an affidavit certifying compliance with all 25 mandated requirements of in-service training by the</p>	<p style="text-align: right;">25</p> <p>1 Agencies who did not report either form by 2 the mandatory deadline of March 1st, 96.</p> <p>3 Not ignoring the licensed professionals 4 also governed by this Board, the public safety 5 telecommunicator agencies who reported, they do not 6 have firearms requirement, so there's no LEA-83 for 7 those folks, that number did report full compliance, 8 is 24.</p> <p>9 And the agencies who did not report, 10 according to our records and the deadline imposed by 11 the statute, is 31.</p> <p>12 So I mentioned the statute a couple of 13 times, I'll tell you guys what it is, and a couple 14 thoughts that will hopefully answer the district 15 attorney's question more thoroughly. 29-7-7.1 16 in-service training requirements. This statute 17 includes a penalty that can be afforded via this 18 Board for noncompliance on the license holder. 19 There's no mechanism to hold to account the 20 certification of the agency to which they are 21 employed.</p> <p>22 There is no mechanism within the statute to 23 accommodate for late submissions that were, in fact, 24 conducted within the deadline. So if you achieved 25 the December 31st training deadline, but you failed</p>

<p style="text-align: right;">26</p> <p>1 to report, we'll still accept the training here at 2 the LEA. We will update the file, absolutely. But 3 you are in technical noncompliance with the statute, 4 as it was written. 5 I think -- 6 MR. TEDROW: Director, and I'm sorry, I 7 wanted to pull up 29-7-7.1, but I'm currently 8 charging right now. 9 Does the statute actually call for the 10 affidavit itself? 11 MR. BAKER: Yes, sir. 12 MR. TEDROW: Does the law enforcement 13 academy have the ability to report and record all 14 certified officers trainings that they do? 15 MR. BAKER: I'm not sure I understand the 16 question. 17 MR. TEDROW: I guess -- okay, let me break 18 it down. In my position, as an attorney, I have to 19 do CLEs every year, continuing legal education every 20 year, and then I file them with the State Bar. It 21 sits in the State Bar, and it shows what I had, and 22 it shows that I have the credits for the year and 23 that I'm in compliance. 24 Can an officer or an agency log into some 25 sort of system and submit -- let's just say they did</p>	<p style="text-align: right;">28</p> <p>1 enforcement training requirements to the director no 2 later than March 1st of the year in which the 3 requirements must be met. The director shall provide 4 annual notice to all certified police officers 5 regarding in-service law enforcement training 6 requirements. Failure to complete in-service law 7 enforcement training requirements may be grounds for 8 suspension of a certified police officer's 9 certification. The officer's certification may be 10 reinstated by the Board when the police officer 11 presents the Board with evidence satisfying the 12 in-service law enforcement training requirements. 13 And so I think, to kind of round out what I 14 think the training -- or what I understand your 15 question to be is, this is not the same as using the 16 example you used, the attorney servicing his or her 17 license relative to the bar or whatever the 18 regulatory entity. It is different presently than 19 the New Mexico law contemplates for a certified 20 police officer, for a couple of those 21 employment-specific reasons that I mentioned earlier. 22 And so one of the things that is really 23 important, for my perspective, is to make sure that 24 it is super clear that there is no attachment in the 25 statute relative -- what you didn't hear is where the</p>
<p style="text-align: right;">27</p> <p>1 a training yesterday on hate crimes. Can they submit 2 it over to you the next day, and it goes into their 3 record? 4 MR. BAKER: That's an excellent question 5 and something that is of relatively recent 6 development, going back to my compliance presentation 7 about our Acadis capability. 8 So, six months ago, no. Today that is 9 become being more and more commonplace, the agency's 10 ability to be able to upload in real time certified 11 training that was accredited and conducted through 12 the Acadis portal. And the reason why this is so 13 important, from my perspective, and my examination of 14 learning, not only about this job, but about the 15 rules that deal with this profession, there is no 16 more discussion about whether it gets lost in the 17 mail, how it arrives here, because that's not 18 contemplated in the statute. 19 And I think it will be helpful if I give 20 you a little excerpt from it. All certified police 21 officers who are eligible for in-service training 22 shall, during each 24-month period of employment, 23 complete a minimum of 40 hours in-service courses 24 approved by the Board. All certified police officers 25 shall provide proof of completing in-service law</p>	<p style="text-align: right;">29</p> <p>1 employer fits in relative to that. What you heard 2 are all of the incumbencies on the licensee 3 reporting. I'm a layperson related to the law but 4 that is my reading of the statute as it exists. 5 MR. TEDROW: Director Baker, and I'm sorry, 6 what do you call the system now where people file -- 7 MR. BAKER: Acadis is the platform. 8 MR. TEDROW: It sounds like and, I'll just 9 ask it, because I think it may be a recommendation 10 for the new formation of two different boards that 11 we're going to see come out of -- I hear off the last 12 legislation. With the Acadis system, is there a need 13 for the 84 and the 83? 14 MR. BAKER: I think the notion of an agency 15 reporting in a holistic way, it's compliance -- and, 16 again, we're talking about New Mexico, we have a 17 robust group of law enforcement agencies. Our 18 largest agency, employing 1,000 people or so, and we 19 have agencies that have one or two certified law 20 enforcement officers. This encapsulates the entirety 21 of the department's compliance with what is supposed 22 to be a voluntary compliance based system. 23 So I think until a suitable alternative is 24 suggested, perhaps by this Board or perhaps even in 25 legislation, I think this is the reliant piece that</p>

<p style="text-align: right;">30</p> <p>1 we have existed with. But I certainly am open to any 2 discussion or suggestion.</p> <p>3 MR. TEDROW: Director Baker, I just -- in 4 reviewing stuff, and now with the new system and 5 stuff, I almost wonder if when we have the creation 6 of the new Board if we shouldn't look at whether 7 there is either a need or necessity -- I think it's a 8 best practice. If I had to put a best practice, and 9 I'm running an agency, I want to make sure all of my 10 people are certified and ready to roll. But I almost 11 wonder if it's a necessity. So maybe it's something 12 down the road that the Board or the academy to look 13 at, is -- I would almost say, Is it a necessity, 14 first?</p> <p>15 And then my second question on this -- you 16 said the reporting date was 3/1 of '22. And it's for 17 the years 2020 and '21. Because of COVID, because of 18 the shutdowns that we saw, was there a problem with 19 officers getting their certifications or their 20 trainings, that you noticed?</p> <p>21 MR. BAKER: The certification -- thank you 22 for the question, Mr. Chair, DA Tedrow, the training 23 was somewhat complicated, because it was done through 24 the mechanisms that this board will approve licensure 25 on. So I would be -- it would be ridiculous for me</p>	<p style="text-align: right;">32</p> <p>1 there certainly had to have been an effect.</p> <p>2 MR. TEDROW: Do you know, did people have 3 to leave the state to get their trainings, or to get 4 their updates or anything?</p> <p>5 MR. BAKER: Mr. Chair, DA Tedrow, I do not 6 know.</p> <p>7 MR. TEDROW: My last question for you would 8 be, I know this board, somewhere during the pandemic, 9 we addressed the one-year rule that people have to 10 be -- remember when we did that? You got one year 11 for being hired, to get through the academy I know we 12 addressed that. Did we fail to address continuing 13 eds?</p> <p>14 MR. BAKER: Mr. Chair, DA Tedrow, I would 15 hesitate to say we failed to address continuing 16 education. It's simply matter, and hopefully I did a 17 reasonable job of explaining, it is a matter of 18 statute and administrative code.</p> <p>19 That does not have any flexibility inlaid 20 within the law, so I don't believe so.</p> <p>21 MR. TEDROW: Okay. Director, thank you. 22 Thank you for addressing this. Like I said, when it 23 was brought to my attention, it made me go read some 24 more stuff, and I had some questions, and I thank 25 you.</p>
<p style="text-align: right;">31</p> <p>1 to say, particularly, from the seat that I occupied 2 at that point in time, that there was no impact on 3 the ability to ingress police officers to this 4 profession during a pandemic. I'm certain that did 5 have an impact, because that is what makes a person 6 certified, either academy, or certification by waiver 7 of previous training. Those both happened in 8 settings like this. Those both happened in this 9 room, for example. So I think I would be foolish to 10 say that that had no impact. I'm certain that it 11 did. We struggled in our own ways here, during my 12 direct kind of observation of what to do when running 13 a police academy during a pandemic. How do you 14 mitigate the spread of viruses? How do you manage 15 folks who are going to be out for periods of time? 16 So it did have a significant impact on that.</p> <p>17 In terms of how agencies conduct their 18 training requirements and incumbency under the 19 statute is something that does not necessarily happen 20 at this centralized location.</p> <p>21 So I think the best folks to answer those 22 questions are the leaders of the agencies, and what 23 they did to mitigate those same problems and 24 challenges that we encountered here, in the kind of 25 base training certification environment. I believe</p>	<p style="text-align: right;">33</p> <p>1 And that's all I have.</p> <p>2 MR. WILLIAMS: Director Baker, Hence 3 Williams, if it falls back on the individual, the 4 officer to take the course, is there any way the 5 individual can -- I think you said there was 99 -- I 6 don't remember the exact number of individuals or 7 agencies that had not reported in time. But it falls 8 back on the individual officer with regard to their 9 certification.</p> <p>10 Is there any way, or is it even possible 11 for that individual, whether they send the form in 12 directly to this agency -- I know you have another 13 way of reporting now that is going to be a lot 14 faster, but is there any way they can self-report so 15 they don't lose that certification, if the agency 16 isn't sending it in?</p> <p>17 MR. BAKER: Certainly. Mr. Chair, Officer 18 Williams, thank you for the question. I think it's a 19 very good one. This office -- we have some folks 20 with credible amounts of longevity in this office, so 21 I have a really good, even though it's not 22 interpersonal -- a really good understanding of how 23 things historically worked here from folks who know 24 much better than I, we'll accept any training that 25 you send to us. You're a New Mexico licensed police</p>

<p style="text-align: right;">34</p> <p>1 officer/telecommunicator and you send us a form 2 indicating you have completed training, whether it is 3 early, whether it is late, whether it is not typed, 4 those things are not contemplated by this office. We 5 will ingress that and populate it in the file -- 6 obviously, accredited coursework that meets all the 7 various criteria, so there is nothing that is 8 prohibitive of a license holder from doing what 9 you're describing.</p> <p>10 I think where we run into a problem, and 11 the form, and it's robust, but there is an 12 attestation at the bottom that the agency head who 13 fills this out, understands that failure to submit 14 this by the March 1st deadline, reporting these 15 results, may result in the suspension of a law 16 enforcement officers certification for your 17 employees.</p> <p>18 So if you think about a traditional police 19 department, the name of the person filling this out 20 and the certification is also inlaid within the 21 reporting. So while the question is a good one, and 22 I think there's no prohibition -- there certainly is 23 no prohibition within the statute that says you 24 cannot submit training. And I will tell you 25 practically, not only from my observation, but from</p>	<p style="text-align: right;">36</p> <p>1 and that's the reading of the statute. 2 So, hopefully, that answers the question. 3 MR. WILLIAMS: You did, thank you. 4 MR. MENDOZA: Mr. Chair, if I could weigh 5 in on this issue. I appreciate all of the questions. 6 I know this has been an issue, and sitting on the 7 Board for the last three years, it is something that 8 we realize there is a gap between agencies that are 9 reporting and not reporting, and how that's being 10 tracked. And I think one of the inherent issues is 11 the statute requires the agency to report, but there 12 is no accountability to the agency if they don't. 13 The accountability lies within the individual 14 officer.</p> <p>15 So I think in a perfect world, what would 16 happen is, is if the reporting -- because the license 17 is tied to the individual, if the reporting and the 18 training isn't done, then our system would flag that 19 individual, send them a letter of noncompliance, and 20 tell them they are not in compliance. The Board 21 would be made aware of that and we would move forward 22 with whatever necessary action we have to take. Or 23 there has to be something built in the statute that 24 the agency would be held accountable in some form or 25 fashion.</p>
<p style="text-align: right;">35</p> <p>1 folks, we will accept those. We have accepted a 2 number of compliance documents and training 3 attestations that came after the March 1st 4 deadline. What I'm trying to demonstrate to this 5 group, and I think hopefully successfully, is that 6 there simply is not laid in any flexibility to do 7 anything about that.</p> <p>8 One thing that I should mention, there is 9 no rehabilitation of a failure to be in compliance in 10 the reading of the statute. When you have reached 11 March 1st and failed to report, regardless of 12 whether it's an individual person or the agency 13 reporting on behalf of that person, there is no rehab 14 to go back rearward in time and become compliant. We 15 will absolutely take the training and populate the 16 file to be reflective of the reality of the 17 situation, because that's a fact. There are people 18 who have replied late, for example, agencies, that 19 did, in fact, training and did conduct it within the 20 prescribed time period. They simply reported late. 21 That is a category of folks that exists here to. The 22 statute doesn't afford for an apportionment. And I 23 think the DA did a good job of encapsulating it, you 24 are now no more in compliance then you were on 25 March 2nd. You are technically out of compliance,</p>	<p style="text-align: right;">37</p> <p>1 This might not be a popular belief, but you 2 know we do, with the LEPP, the Law Enforcement 3 Protection Fund, we do hold money for certified 4 officers. If they are not in compliance, maybe we 5 need to tie that appropriation of money to actual 6 certified and trained officers. Maybe that will get 7 the departments to report as required.</p> <p>8 There is a gap here, and I think they need 9 to strengthen the statute, and clarify the statute 10 for accountability, and to make sure that there's -- 11 that law enforcement agencies -- I know they're 12 trying to do the right thing. There's a -- it's a 13 lot to track training and reporting, and especially 14 for the law enforcement academy to track all of this 15 information.</p> <p>16 I think we're going in the right direction 17 with Acadis, and I'm hoping that now that this is up 18 and running, that it will be a lot easier to 19 determine who's not in compliance, and what we can do 20 about that.</p> <p>21 But I want to weigh in on that. It's an 22 issue. It's been an issue for years. And although 23 with all of the work we're taking a step in the right 24 direction, I don't think it's enough. 25 And, as a Board sitting on here for the</p>

38	<p>1 last few years, I'm not sure we've actually made a 2 recommendation to any of the rules, on how we can 3 change some of these. And I think I'm willing to 4 work on that, and I know this board will, too, 5 because as law enforcement agencies and law 6 enforcement officers, we want accountability. We 7 want the proper training. 8 CHAIRMAN BALDARAS: Director Baker, I 9 appreciate that feedback. 10 We're going to now move to item number 5 11 our agenda. I would like to yield to the Roswell 12 Police Chief, Mr. Smith, you do have the floor, sir. 13 MR. SMITH: Greetings, Board. It's nice to 14 finally see you all in person, instead of reading 15 about you. 16 And, Director Baker, thank you for putting 17 us on the agenda. 18 I'm very pleased to be here in your first 19 in-person meeting after COVID. 20 A little bit about myself, just so you 21 don't think I have a speech impediment. I have 25 22 years back East in law enforcement, and I have almost 23 11 here in New Mexico; 12 years as a police chief, 9 24 here in Roswell. I'm an adjunct undergraduate. I'm 25 also a subject matter expert in transformational</p>	40	<p>1 The academy must undergo an accreditation 2 process. You're going to look at Law Enforcement 3 Academy training staff and our budget, which is all 4 submitted in that comprehensive application. 5 You would be looking at our facilities, the 6 instructors, program management, and the curriculum 7 that has to meet or exceed the standards and 8 expectations established by this board and the 9 director. This application document that I did 10 submit will be shared with law enforcement 11 communities regarding the City of Roswell's interest 12 in recreating a regional satellite academy. 13 We sent out informational letters to 14 surrounding areas that may be interested in 15 participating if we were allowed to have our 16 satellite academy. 17 Stakeholders, I have them posted on this -- 18 I'll get to the stakeholders later, but there is a 19 lot of interest in having the academy. 20 This should be of interest to you that 21 Roswell is in the final stages, we have about a year 22 left, of the national accreditation process. So 23 we're going to maintain standards, and we're going to 24 maintain top standards, and that will include the 25 academy.</p>
39	<p>1 leadership and organizational leadership. 2 What I'm here to talk about today, though, 3 is to reestablish the Roswell police academy, 4 satellite academy. 5 In my humble opinion, there isn't a logical 6 reason why we can't reinstate that academy. About a 7 year and three months ago, I submitted an application 8 that is 21 pages long. I don't know if you got 9 copies of it. I know somebody did, because they sent 10 me a message and said, We want more data. 11 I feel we can adequately accommodate an 12 academy like that. I think we have the training and 13 personnel. I think we have the qualifications, and 14 I'm here to humbly ask the Board to consider it, to 15 allow us to train our own recruits in the 16 southeastern part of the state, not in Hobbs and not 17 in Santa Fe. We want one in Roswell. 18 A little background, the New Mexico Law 19 Enforcement Academy in front of me, determines the 20 maximum number of satellite academies which may be 21 certified at any time. In making its determination, 22 the New Mexico Law Enforcement Academy weighs the 23 impact on other academies, which in this case would 24 be Santa Fe and Hobbs. Those are the related 25 academies close to us.</p>	41	<p>1 Another note is this was 10 to zero by my 2 City Council that they want this academy. Some of 3 the interest in this did happen because of COVID. We 4 brought interest to the Board and people in my area 5 that we would like to have control, and that's a good 6 word for it, control in management and oversight of 7 our recruits. 8 Another point of interest is that we 9 have -- one of our stakeholders is Eastern New Mexico 10 University in Roswell. They have offered facilities, 11 and not only the facilities, but they also are going 12 to tie the academy credits into the potential for 13 going to two-year or four-year degree program. This 14 is an opportunity we can't just look past or fluff 15 off. 16 So if you look at the -- I wanted to do a 17 PowerPoint, but you can thank Brian that we're not 18 going to do a twist, and so we printed this off so it 19 will help expedite it. 20 Again, background and history, in the '80s 21 Roswell had a police academy -- satellite academy. 22 I'm not sure why it was discontinued. 23 We currently do have the fire academy 24 there -- the Roswell Fire Academy, so it's not a 25 foreign entity. It hasn't been totally dismissed.</p>

<p style="text-align: right;">42</p> <p>1 The City of Roswell complies with all the 2 requirements recognized by the New Mexico 3 Administrative Code, the NMAC, in establishment of a 4 regional satellite academy.</p> <p>5 One -- some of the main reasons why I'm 6 seeking this, recruits here in Roswell and the 7 surrounding area will have access to a certified 8 police academy and reducing travel time one way of up 9 to three and half hours, and if you are going south, 10 it's two hours.</p> <p>11 Training will be more specific to the 12 southeastern part of the state. And what I mean by 13 that, we're not going to go rogue. Of course, we'll 14 follow the accredited curriculum that's provided 15 here, but it would be awful nice to have access to 16 our recruits in Roswell and have nearby as they go 17 through the academy. It makes perfect sense.</p> <p>18 Also, the oversight -- I don't know if any 19 of you are familiar with this. There is not a lot of 20 gray area in the way we handle our personnel matters 21 in Roswell. You fly right, and there's not any 22 latitude as well. We would like to have that 23 reference to our recruits from the start. We don't 24 want to give them a break to fly up to Santa Fe or 25 Hobbs.</p>	<p style="text-align: right;">44</p> <p>1 It's a year behind, I'll tell you that, because it 2 was a year that this was designed, but our payment 3 program goes up 2 percent, and it has a cost of 4 living increase, so it's pretty close. Those are the 5 rough numbers, and we're prepared for this. We have 6 everything. We have the facilities. We have the 7 resources. We have the personnel. And we have the 8 commitment from the stakeholders. So you'll see the 9 financial consideration, operating budget, that's 10 your salaries -- full-time salaries with two people 11 involved.</p> <p>12 We definitely feel that we -- Roswell 13 alone, could supply the 10 people per academy class. 14 We need 20 per year to justify it, but we have the 15 surrounding communities, Chaves County, Eddy County, 16 Lea County, Lincoln County, and all of the agencies 17 within. I don't think we'll have any problem housing 18 that.</p> <p>19 The other thing I would like to do is run 20 our academies off cycle, the ones being run, the 21 January side and July side, I would like to run ours 22 in the off cycle. I think it would be beneficial for 23 the whole state. How many times do you have somebody 24 who pulls an ankle or something in the third week, 25 and he has to wait all of the way around again? They</p>
<p style="text-align: right;">43</p> <p>1 It is a cost savings, wear and tear on 2 vehicles; again, we like the oversight. RPD 3 possesses all the in-house qualified training staff 4 and the facilities.</p> <p>5 We supply this academy a lot of certified 6 trainers. It doesn't make any sense, when we have 7 them right there in Roswell. We still would assist 8 this academy, because it's our state academy, but it 9 doesn't make any sense to fly our guys north when we 10 could do it in-house.</p> <p>11 The proposed regional academy will be 12 implemented under existing organizational authority. 13 We have everything in place already. This is not 14 going to tax the Roswell Police Department. We 15 already have an addition lieutenant, salaried. We 16 have the clerical person, and it will be part of our 17 organizational chart and part of our program down 18 there. We're already proposed for it. We don't have 19 to go for budgeting or anything. We are all lined up 20 for this. Like I said, a year ago we had the counsel 21 vote on it. I did a memoranda, agenda, and we went 22 through it. Again, it was 10-0. They're still 23 asking about it, what the progress is.</p> <p>24 You'll see in this PowerPoint recreation 25 financial consideration outlined for five years.</p>	<p style="text-align: right;">45</p> <p>1 may have access to our academy.</p> <p>2 Stakeholders and partners, I have a list 3 there, I don't know if you want me to read them off, 4 but Mystic produces has driving range, as well as a 5 flexy forty minutes down the road, the City of 6 Roswell, Eastern New Mexico University, the New 7 Mexico Military Institute, New Mexico Medical Center, 8 Roswell Independent School District, Roswell Air 9 Center, and, of course, the community, I rattled that 10 off.</p> <p>11 Because of the qualifications of the 12 Roswell Police Department staff, and our access to 13 facilities, and our stakeholder support, I find there 14 isn't a logical reason to send recruits to Hobbs and 15 Santa Fe, if we can have a satellite academy here in 16 Roswell.</p> <p>17 I'll take any questions. I've been waiting 18 patiently for this. I'm motivated.</p> <p>19 MR. TEDROW: Mr. Chair, this is DA Tedrow, 20 if I may ask some questions of Chief Smith.</p> <p>21 CHAIRMAN BALDARAS: Sure.</p> <p>22 MR. TEDROW: Thank you.</p> <p>23 Chief, first, I would say I heard you 24 mention NMMI a couple of times. Didn't they just 25 accomplish something really often called the JUCO</p>

<p style="text-align: right;">46</p> <p>1 World Series Championship?</p> <p>2 MR. TEDROW: Absolutely, and they came in</p> <p>3 second in volleyball and they just won something in</p> <p>4 baseball, the high school.</p> <p>5 MR. SMITH: They are putting a lot of</p> <p>6 weight on their program. We have an excellent</p> <p>7 relationship with NMMI. In fact, I like to use their</p> <p>8 indoor qualifying range.</p> <p>9 MR. TEDROW: As I like to say, over the</p> <p>10 past several years NMMI has done an incredible job of</p> <p>11 taking multiple New Mexico baseball players and</p> <p>12 putting them down there. So to walk out with the</p> <p>13 championship is quite an honor, because that team is</p> <p>14 made up of many, many New Mexico kids.</p> <p>15 Second question was, 11 years here and you</p> <p>16 still have that accent. Where it is from?</p> <p>17 MR. SMITH: I could have come in here and</p> <p>18 said I didn't have an accent, that it was a speech</p> <p>19 impediment. But, no, I'm from 25 minutes north of</p> <p>20 Boston. I had the pleasure and luxury to work in my</p> <p>21 hometown department for 25 years. I started as the</p> <p>22 police cadet at 18, but I was certified and sworn at</p> <p>23 20. Salem, New Hampshire, I'm right on the line.</p> <p>24 We're all in that valley. We jump that line to get</p> <p>25 away from the Massachusetts taxes.</p>	<p style="text-align: right;">48</p> <p>1 I know there is nothing on agenda for us to</p> <p>2 really vote on or anything, but, you know, as long as</p> <p>3 I'm here I'll ask Director Baker if we could work</p> <p>4 towards assisting them in what they need in that</p> <p>5 area.</p> <p>6 MR. SMITH: I appreciate that.</p> <p>7 MR. BAKER: Yes, sir, understood.</p> <p>8 MR. TEDROW: Thank you. And that's all I</p> <p>9 have, Mr. Chair.</p> <p>10 Thank you.</p> <p>11 CHAIRMAN BALDARAS: Thank you. Any more</p> <p>12 questions?</p> <p>13 MR. SMITH: If you have any more questions,</p> <p>14 you can e-mail me.</p> <p>15 CHAIRMAN BALDARAS: Great. Appreciate your</p> <p>16 presentation.</p> <p>17 We would like to go to item number 6,</p> <p>18 called a comment. I'm not sure if there is a sign-in</p> <p>19 sheet there, but I would like to recognize anyone</p> <p>20 from the public, take a few minutes -- introduce</p> <p>21 yourself. Do we have anybody on the list?</p> <p>22 MS. SALAZAR: Charles Mulinary.</p> <p>23 CHAIRMAN BALDARAS: Mr. Mulinary, you have</p> <p>24 the floor.</p> <p>25 MR. MULINARY: Thank you, Mr. Chair and the</p>
<p style="text-align: right;">47</p> <p>1 MR. TEDROW: I was jut out there in</p> <p>2 September and enjoyed the heck out of that whole</p> <p>3 area. I'm trying to get back there just for fun.</p> <p>4 Third question is, you are not on the</p> <p>5 agenda. Are you asking something of the Board? Is</p> <p>6 there something that the Board is required to do?</p> <p>7 Mr. Baker, you may be able to answer that</p> <p>8 question for me a little bit.</p> <p>9 MR. BAKER: Mr. Chair, DA Tedrow, thank</p> <p>10 you -- Chief Smith. So the purpose of placing Chief</p> <p>11 Smith on the agenda today was to give this</p> <p>12 presentation, so if there are questions, inquiries</p> <p>13 that the Board might have. It is my understanding,</p> <p>14 and I'm sure he is right, that he made the request</p> <p>15 that he has made. I can't speak to it, because I was</p> <p>16 not here when that happened; however, I'm aware of</p> <p>17 that now, and that I think complies with the</p> <p>18 distillation from my office, and then some forward</p> <p>19 prospective things relative to this board.</p> <p>20 MR. TEDROW: Thank you, Mr. Baker.</p> <p>21 And Chief Smith, I'll tell you this, I</p> <p>22 believe in the satellites. Up in San Juan County</p> <p>23 where we run the satellite academy up there. And I</p> <p>24 think you are absolutely correct, it helps, really,</p> <p>25 the local agencies build.</p>	<p style="text-align: right;">49</p> <p>1 Board, for giving me a couple minutes. I wanted to</p> <p>2 introduce myself. I'm Charles Mulinary. I'm the new</p> <p>3 Associate Dean at Central New Mexico Community</p> <p>4 College, where we have our satellite law enforcement.</p> <p>5 I'll be working with Director Fritz closely as we go</p> <p>6 forward. And I just wanted to take the time to</p> <p>7 introduce myself to the Board and the public, and the</p> <p>8 audience here, and the law enforcement officials</p> <p>9 here, as well.</p> <p>10 I look forward to working with you guys as</p> <p>11 we go forward. I know at CNM we are currently in</p> <p>12 discussions on the potential of a law enforcement</p> <p>13 based two-year associate's degree. We're looking at</p> <p>14 the possibility of how we get that put into play, and</p> <p>15 hope to work with you all closely on how we get that</p> <p>16 curriculum established.</p> <p>17 So that's all I have. Thank you for your</p> <p>18 time.</p> <p>19 MR. WILLIAMS: Thank you.</p> <p>20 MR. TEDROW: Thank you.</p> <p>21 MR. BAKER: Thank you.</p> <p>22 CHAIRMAN BALDARAS: If we have been through</p> <p>23 public comment, we can go to item number 7, and</p> <p>24 number eight, the law enforcement certification</p> <p>25 approval.</p>

50	<p>1 I would like to recognize Interim Director 2 Baker again. 3 MR. BAKER: Thank you, Mr. Chair, Board 4 members. 5 Directing your attention to Exhibit A, law 6 enforcement officer certifications for today's board 7 meeting, which you'll find is a three-page document 8 containing 116 total names, beginning with the first 9 name Joshua Burbank, and ending with the last name 10 John Martinez. This is -- illustrates 116 total New 11 Mexico law enforcement certifications to be 12 contemplated in Exhibit A for your consumption. 13 CHAIRMAN BALDARAS: Thank you, Mr. Baker. 14 I think you presented the Exhibit A, if I heard you 15 correct. I'll now entertain a motion to approve all 16 individuals within Exhibit A. 17 MR. TEDROW: Mr. Chair, this is DA Tedrow. 18 I would so move the admission of Exhibit A, and the 19 certification of those listed thereupon to this 20 Board. 21 CHAIRMAN BALDARAS: Thank you, Board Member 22 Tedrow. There is a motion to approve certification 23 A, as presented. 24 Is there a second to Board Member Tedrow's 25 motion to prove?</p>	52	<p>1 Exhibit B from any of the Board members. 2 MR. TEDROW: Mr. Chair, this is DA Tedrow. 3 At this time, I would like move for the approval of 4 Exhibit B, listing the 28 people. And just a side 5 note on that, if I didn't actually tell you to thank 6 them for their services, as well. I know a lot of 7 times we say officers, and I always include them in 8 there, but congratulations to them, and thanks to 9 them when you get a chance. 10 But I would move to approve these 28 names, 11 Mr. Chair. 12 CHAIRMAN BALDARAS: Thank you, Board Member 13 Tedrow. There is a motion to approve the 14 telecommunicators agenda item, as presented, and some 15 gratitude from Board Member Tedrow to our 16 telecommunicator community. 17 Is there a second to approve this Exhibit 18 B? 19 MS. MIRABAL: Chief Mirabal. I'll second. 20 HEARING OFFICER BALDWIN: Thank you, Board 21 Member Mirabal. 22 There is a motion and second to approve 23 Exhibit B. Congratulations to our telecommunicator 24 certifications. 25 All in favor say aye.</p>
51	<p>1 MS. MIRABAL: Chief Mirabal, I'll second. 2 HEARING OFFICER BALDWIN: Thank you, Board 3 Member. 4 There is a motion and second to approve all 5 items in Exhibit A. All in favor say aye. 6 MR. WILLIAMS: Aye. 7 MR. MENDOZA: Aye. 8 MR. TEDROW: Aye. 9 MS. MIRABAL: Aye. 10 CHAIRMAN BALDARAS: Any in opposition? 11 Motion and second to pass Exhibit A, item 12 number seven on our agenda does pass with no 13 opposition. 14 Director Baker, we can now move to Exhibit 15 B. 16 MR. BAKER: Mr. Chair, Board members, 17 directing your attention to Exhibit B, Public Safety 18 Telecommunicator Certifications for today's Board 19 meeting, June 2nd, 2022. Single page, 28 total 20 names beginning with Jasmine Aurelias and ending with 21 Anna Womack. 28 total names, Exhibit B for your 22 consumption. 23 CHAIRMAN BALDARAS: If I heard you 24 correctly, Director Baker, there is a presentation of 25 Exhibit B. I'll entertain a motion to approve</p>	53	<p>1 MR. WILLIAMS: Aye. 2 MR. MENDOZA: Aye. 3 MR. TEDROW: Aye. 4 MS. MIRABAL: Aye. 5 CHAIRMAN BALDARAS: Any in opposition? 6 There is a motion and a second and an 7 approval. I believe it is 5-0 to approve Exhibit B, 8 telecommunicator certification. 9 I believe I'm at item number 8, and I just 10 want to confirm with our staff, we don't -- we have 11 not had any members of the LEAB appear, right? We're 12 still at five. 13 Okay. So I want to note for the record, we 14 are at 5-0. I cannot do the discipline, due to a 15 conflict because we prosecute administratively the 16 will of the Board on these officer cases. 17 And so due to the fact that we will now 18 have four board members, we will have an inadequate 19 quorum to move forward on the executive portion of 20 our discipline process. So understanding that 21 modification, I now take us to, I believe, item 22 number 14 on adjournment. We've completed the agenda 23 that we actually can address today with the adequate 24 quorum that we do have. 25 I would suggest for the members of the</p>

1 public and press, that the discipline portion, it's
2 the Board's will to address this as soon as possible.
3 We'll probably reschedule, contacting the rest of our
4 board members to ensure we have an adequate quorum,
5 and ensure the members of the public that this Board
6 will be addressing the discipline cases that were
7 scheduled for today in the very near future, and
8 we'll promptly post notice when that next meeting
9 will take place.

10 At this time, I would like to entertain any
11 questions from the Board before we adjourn, or
12 comments, if we don't have any.

13 I would like to, again, apologize, I would
14 have normally been there, but my daughter has a
15 health emergency, so I'm kind of locked down in the
16 house.

17 If there are no questions or comments, I'll
18 entertain a motion to adjourn.

19 MR. TEDROW: Mr. Chair, this is DA Tedrow.
20 At this time, since we will not have the quorum
21 necessary to proceed to our executive session and
22 disciplinary matters, I would move to adjourn and ask
23 Director Baker to get it set as soon as we can to
24 address stuff so we can keep caught up.

25 HEARING OFFICER BALDWIN: Thank you, Board

1 Member Tedrow.

2 Is there a second to his motion to adjourn?

3 MS. MIRABAL: Chief Mirabal. I'll second.

4 CHAIRMAN BALDARAS: Thank you.

5 There's a motion and second to adjourn.

6 All in favor say aye.

7 MR. WILLIAMS: Aye.

8 MR. MENDOZA: Aye.

9 MR. TEDROW: Aye.

10 MS. MIRABAL: Aye.

11 CHAIRMAN BALDARAS: Any in opposition? The
12 motion to adjourn does pass.

13 I want to thank the public for their
14 participation, and our guests.

15 Director Baker, we'll let you reschedule
16 very soon. Thank you, guys.

17 (The meeting was adjourned at 10:14 a.m.)
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2 COUNTY OF BERNALILLO
3 REPORTER'S CERTIFICATE

4 I, Arlette McClain, New Mexico CCR #85, DO
5 HEREBY CERTIFY that the Board Meeting in the
6 above-entitled cause was reported by me
7 stenographically on June 2, 2022, and that the
8 foregoing is a true and accurate transcription of my
9 shorthand notes.

10 I FURTHER CERTIFY that I am neither employed by
11 nor related to any of the parties or attorneys in
12 this case, and that I have no interest in the final
13 disposition of this case in any court.
14
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16

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2 JOB NUMBER: (6769N)AM

3 CASE CAPTION: NMLEA Board Meeting

4 *****

5 ATTORNEY: LEAB

6 DOCUMENT: Transcript / Exhibits / Disks / Other _____

7 DATE DELIVERED: _____ DEL'D BY: _____

8 REC'D BY: _____ TIME: _____

9 *****

10 ATTORNEY:

11 DOCUMENT: Transcript / Exhibits / Disks / Other _____

12 DATE DELIVERED: _____ DEL'D BY: _____

13 REC'D BY: _____ TIME: _____

14 *****

15 ATTORNEY:

16 DOCUMENT: Transcript / Exhibits / Disks / Other _____

17 DATE DELIVERED: _____ DEL'D BY: _____

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19 *****

20 ATTORNEY:

21 DOCUMENT: Transcript / Exhibits / Disks / Other _____

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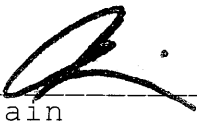
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