



NEW MEXICO LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL



DATE: Wednesday June 12th, 2024

REGULAR MEETING

TIME: 9:00 AM

LOCATION:

San Juan County Criminal Justice Training Authority
428 Road 6480, Farmington, NM 87401

AGENDA

I. COUNCIL CALL TO ORDER

LEA Director Sonya K. Chavez called the meeting to order at 9:01 am.

A. Roll Call

LEA Executive Secretary Lily Romero conducted roll call, confirming the in-person attendance of members Dir. Sonya K. Chavez, Lt. Jacob Garcia, Cmdr. Joseph Viers, Lt. Santiago Roybal, Dir. Tate McBride, Sgt. Jonathan Jensen, District Attorney Sam Bregman, Guadalupe Tarango, Nicole Brown, Rachel Feldman, Sheriff Dennis Garcia, Chief Mizel Garcia, and Teresa Beaty.

Attending virtually were Dir. Ray Fritts, Cpt. Samuel Ramos, and Sara Millspaugh.

Absent members were Dir. Walter Coburn, Dir. Gilbert Najjar, Mark Swanson, Richard Mathews and Chief Adrian Armijo.

B. Approval of Agenda

DA Sam Bregman made a motion to approve the June 12th, 2024, NMLESTC Agenda, seconded by Lt. Santiago Roybal. None opposed. Motion passed unanimously.

C. Approval of Meeting Minutes from May 9th, 2024, Meeting

DA Sam Bregman made a motion to approve the NMLESTC Meeting Minutes, seconded by Cmdr. Joseph Viers. None opposed. Motion passed unanimously.

D. Welcome from Farmington Police Chief Steve Hebbe and State Representative Bill Hall

Chief Hebbe welcomed the Council to Farmington and informed them of his struggles regarding recruitment and the importance of culture and reinforcing the need for Police.

State Representative Hall welcomed the Council and agreed with Chief Hebbe regarding the importance of training and expressed how proud they are to have their own academy.

Dir. Chavez also introduced Rebecca Guay with the Attorney General's Office who will be on the Certification Board's Counsel and Josh Calder who is the selected candidate for the Certification Board's CEO position. Dir. Chavez also asked the Farmington staff to introduce themselves.

II. REPORTS

A. Director Reports

Director Chavez asked Sheriff Garcia to provide a synopsis of an incident in which he was shot on May 14th. Sheriff Garcia informed the Council of the details of this incident and added that he was blessed to be here.

Director Chavez provided hiring updates to the Council. Dir. Chavez introduced new hires: Henry Delgado and Jessica Arballo and addressed the LEA's issue with office space. She informed the Council that the PST & BPOT Instructor Manager positions are posted. Dir. Chavez informed the Council of her recent undertakings, including accepting the National HIDTA award in Washington, DC on behalf of New Mexico, being a keynote speaker at the CNM Academy, and leading 2 workshops at the Safe NM Annual Training Conference. Dir. Chavez also provided updates on ACADIS and advised of Layla Reyes' promotion. Dir. Chavez concluded with informing the Council of the human trafficking joint training with State Police that was recently funded.

1) Job Task Analysis Updates

Deputy Director Brian Coss informed the Council of the upcoming meeting the LEA has to review the results of the surveys for the JTA. Dep. Dir. Coss advised that they have a comprehensive data set, and a gap analysis is next. He added that ultimately, a set of objectives will come out, then curriculum development, which has not been funded yet. Member Rachel Feldman advised Dep. Dir. Coss that it is time to bring the Council Members into the technical review process. Dep. Dir. Coss assured that they will be involved. Member Nicole Brown questioned why the information is not currently available to the Council. Dep. Dir. Coss advised that he does have copies of the raw data that he can provide. Sgt. Jonathan Jensen asked if this would be rolled out all at once or block by block. Dep. Dir. Coss advised that it will be rolled out as changes to the curriculum are made.

2) Academy Reports & Updates

Dir. Chavez advised that the LEA is working on finishing the updates to the firearms range, as well as developing the track. She also stated that LEA is also working with DPS and the Legislature to build a new academy. She also encouraged everyone to attend legislative committee meetings. Council Counsel Blaine Moffatt advised Council members that they are public employees and need to abide by the Government Conduct Act. Mr. Moffatt expanded on the prohibited actions and ethical principles included in the act. Mr. Moffatt also cautioned members not to individually speak on the Council's behalf. Dir. Chavez informed the Council that the Attorney General's office has offered to train the Council again on the Council's authority, OMA, IPRA and statutory rules. Dir. Chavez advised that the Attorney General's Office, also known as the Department of Justice, will provide a roadmap pertaining to the rules process in collaboration with the working groups. She also advised that LEA will be working on posting the meeting agendas before the 72-hour requirement. Dir. Chavez also advised Directors to remind recruiters that there is no appeal process for failed psychological assessments with lateral hires when applying for another agency. Member Millsbaugh advised that she and the law enforcement working group have discussed changing and improving the psychological evaluation process.

Lt. Santiago Roybal informed the Council that the final walkthrough of BCSO's new academy was approaching and hopefully it would be completed by the end of the month.

Lt. Jacob Garcia informed the Council of their recent class graduation of 8 recruits and their upcoming class of which they have 47 recruits in process so far. Lt. Garcia also advised that they will be hosting a youth academy, and a lateral class soon.

Sgt. Jonathan Jensen advised that they have a current class of 15 who will graduate next Friday.

3) Budget Update

Dir. Chavez advised that a snapshot of the Budget will be sent out to members. Member Feldman inquired about the 2 years of appropriation funding that LEA received and how much is left. Dir. Chavez informed Member Feldman that only \$500,000 was received and it is being used for the JTA and other priorities that took precedence and that may be why the full amount was not approved. Dir. Chavez indicated that budgetary matters need to be coordinated with the Secretary's Office. Dir. Chavez also advised that the budget is being prepared currently and once those preliminary priorities are established, the LEA will be in a better position to collaborate with the Council moving forward.

B. Updates from Rulemaking Working Groups

1) Law Enforcement Rulemaking Working Group

Sgt. Jensen began by thanking the Council for travelling to Farmington and was honored to host. Sgt. Jensen advised that this working group was still working through the NMAC section by section and they identified that they would need LEA's input for section 2. Sgt. Jensen also informed the Council of his attendance at the Courts, Corrections, and Justice Committee meeting and encouraged members to attend. He also advised that they will be preparing a rough draft of a presentation to the Courts, Corrections, and Justice Committee. Dir. Chavez volunteered to send the dates and times for those meetings to members. Sgt. Jensen also advised that Dir. Gilbert Najar put together a survey for input from academy directors regarding curriculum updates.

2) Telecommunicator Rulemaking Working Group

Member Brown advised that they are still working through the NMAC as well and are looking forward to receiving the roadmap. Member Brown also asked if they could add telecommunicator instructors to the survey to receive their feedback as well.

3) Legislative Rulemaking Working Group

Member Feldman informed the Council of her work with Indivisible SOS, a community-based organization, and their proposal for two pieces of legislation to clarify the authority of the Council and the Certification Board. She requested representatives from the Council and the Board to provide updates to the Committee. Mr. Moffatt cautioned that members have duties to this Council and to represent the Council's interests. He explained that being part of other groups could cause conflicts of interest and there needs to be full disclosure. Member Feldman advised that she would need Mr. Moffatt's advice through this process. Dir. Chavez also asked members to be mindful that the Chief's and Sheriff's are involved in the process of legislation behind the scenes. Member Feldman clarified that she does not doubt they are involved but stated that there are things that haven't been addressed at this point. Member Feldman also informed the Council that they are looking to propose the addition of a Professional Development Unit to the LEA, and she needs to get a budget together for this. DA Bregman questioned whether the LEA does this daily anyway, and asked who is proposing this. Member Feldman informed that it is her community group that is proposing this. DA Bregman

stated that it is important to have community groups involved in this, but the distinction needs to be made that it is the community group who is proposing this and not the Council. DA Bregman also added that professional development is what the LEA does. Mr. Moffatt agreed that as a public officer of this Council, there needs to be a distinction between what the Council is doing and what the community group is doing. Member Feldman assured the Council that she understands this and believes that she has made that distinction clear. Mr. Moffatt cautioned again about the importance of this due to conflicts of interest. Dir. Chavez added that legislation is not needed to create a professional development unit at the LEA, and she believes bringing this to the legislature at this time may negatively affect the priorities that are already in motion. Chief Mizel Garcia stated that he read the proposal and believes that the LEA already has everything in it. Chief Garcia also added that he feels phased out and he does not have enough of a voice in this Council. Chief Garcia believes that they need to redefine what the Council needs to be doing and that the Directors and Chiefs need more of a voice. Member Feldman passed out a paper regarding proposed policy decisions and definitions on interactions between the Certification Board and Council. Mr. Moffatt advised that these are premature as both the Certification Board and the Council have not completed their draft rules yet and this can be kept in mind for the future. Mr. Moffatt also advised that this can be discussed in the rulemaking working groups for both the Board and the Council. Dir. Chavez added that both herself and Certification Board CEO Josh Calder will be responsible for ensuring that there is communication between both bodies while keeping in mind that the priority is the police officer who needs training and the police officer who needs discipline. Member Feldman added that her goal is to move the rulemaking process along. Dir. Chavez asked Member Feldman if there was anything else she would like to add in the interest of time. Member Feldman advised that there is a new draft of performance standards based on everyone's previous feedback and highlighted that there are no state level standards that say what law enforcement is supposed to provide to the community. Member Feldman added that she accepts feedback and will keep bringing this back because it is an issue. Dir. Chavez cautioned about how the word *standards* is characterized because it is insulting to say that law enforcement agencies do not have standards. Dir. Chavez assured that every agency does have performance standards. Member Feldman stated that that is not her intention, and the point is that the public does not have a written, understandable version of what the standards are. Dir. Chavez advised that they all want to move toward being more accountable to the public but asks that Member Feldman be mindful of what the daily scenario is for the other members, and this is an overwhelming ask. Cpt. Ramos asked Member Feldman if this proposal is coming from Rachel Feldman Indivisible SOS or Rachel Feldman as a member of this Council because the document says from Indivisible SOS. Member Feldman advised that it is coming from her as a Council member, however she is always involved in Indivisible SOS. Lt. Roybal added that Member Feldman previously stated this would help with recruiting and he asked if the age range of the people she collaborated with was between 20-30 years old. Member Feldman stated that they were not in this age range, but they did have kids and grandkids and are aware of the role social media plays in recruiting. Lt. Roybal stated that introducing this into NMAC will not assist in attracting people to a law enforcement career. Member Feldman stated that the information would be used for recruiting materials and outreach. Lt. Roybal made a motion to not discuss the performance standards proposal any further as it stands. Dir. Chavez clarified that Member Feldman is not proposing to introduce this into NMAC. Member Brown asked if they are voting to table this discussion. Lt. Roybal clarified that the motion is to not discuss this performance standards proposal any further. Member Feldman opposed the motion and stated that she felt disrespected. Member Teresa Beaty seconded the motion and

questioned the good that these standards would do. Member Beaty compared it to her military service and stated that if she had to create performance standards for her job, they would have changed for every mission she did. Member Beaty stated that you would have to be so general that it would be more confusing than helpful. Member Feldman stated that she understands what Member Beaty is stating, and she knows it's new and unfamiliar but doing this would make other things possible. Dir. Tate McBride asked for clarification that Member Feldman is asking for state level performance standards that are legally binding. Member Feldman confirmed that she is proposing a framework for monitoring performance. Dir. McBride invited Member Feldman to speak with him after the meeting so he can explain his issues with the language in the proposal. Sheriff Garcia advised the Council that his Sheriff's office is one of the smallest offices and standards set by the Council may not work in his office. He advised that as the Sheriff, he sets the standards, and they should be agency specific. DA Bregman asked Mr. Moffatt if this is in the scope of the Council's duties. Mr. Moffatt stated that the scope of the powers of this Council are to implement law enforcement training and in-service training for both police officers and telecommunicators, not to set statewide standards to evaluate law enforcement. DA Bregman stated that he will support the motion as this is not within the scope of this Council. Cpt. Ramos stated that the 21st Century Policing 6 Pillars is something that President Obama put together nationwide and is implemented by Dona Ana County Sheriff's Office every day.

Lt. Santiago Roybal made a motion to not discuss the performance standards proposal any further as it stands. Member Teresa Beaty seconded the motion. Member Feldman opposed. Motion passed.

Dir. Chavez concluded that this decision was in the spirit of moving forward and stressed the importance of remembering why they are here and what their duties are.

III. PUBLIC COMMENT

No public comments made.

IV. NEW BUSINESS

A. Law Enforcement Training Requirements Discussion

Sgt. Jensen explained to the Council that agencies should be allowed to choose to teach different curriculum in lieu of state curriculum if they meet the state standards. He added that he does not want agencies to feel discouraged from choosing better training because they must do the state's training as well. Dir. Chavez welcomed feedback on this topic and asked that agencies send classes and topic areas that fit this scenario to her and Dep. Dir. Coss so LEA can evaluate them and determine if they meet the training requirements. Dep. Dir. Coss added that the agencies are free to use other curriculum that is accredited. Dep. Dir. Coss also advised that agencies be sure to meet the hour requirements. Member Brown asked if they could start developing a yearly process to get national classes accredited. Dep. Dir. Coss advised that there will be a section pertaining to that in the repeal and replace. Dir. Chavez observed that the LEA needs to communicate the different class options that are available and offered to send something out to prompt agencies to look at their training and they can submit it for accreditation. Dep. Dir. Coss also asked members to keep in mind that the LEA purchased a learning management system that should help with this issue. Sgt. Jensen suggested that once a training is approved, that information could be sent out to the agencies or uploaded to the website for all agencies to use. Member Beaty asked if there were any college credits attached to this training. Dir. Chavez advised that LEA and State Police have met with New Mexico State University Global Initiative to create a prototype curriculum to push out to agencies that will include microcredits. Dep. Dir. Coss also added that basic training academies have articulation agreements with various colleges.

Member Beaty expressed her excitement about this development.

- B. Mesilla Valley Regional Dispatch Authority Satellite Academy Proposal Presentation
- Interim Executive Director, Jennifer Gorham introduced herself and Deputy Director Albert Flores. Exec. Dir. Gorham informed the Council of their request to create a standalone academy for telecommunicators in Las Cruces. She explained that they will not be requesting additional funding or staff. Exec. Dir. Gorham informed members that they currently have 5 certified instructors and will be adding 3 more by the end of the month. Exec. Dir. Gorham expressed the need for a telecommunicator satellite academy in the southern region as it would be closer than Santa Fe for many PSAPs and requested they be allowed to accept telecommunicators from all PSAPs. Exec. Dir. Gorham also informed the Council of their intention to send telecommunicators through the academy earlier in their employment. She anticipated that their classes would have about 4-6 candidates from MVRDA, which would leave 4-6 spots available for candidates from other PSAPs. Member Feldman asked for clarification if they were asking for an exemption as to the number of telecommunicators required in a class. Exec. Dir. Gorham explained that the current application process requires a minimum of 10 students for a PST academy. She continued that they would try to work with that number, however sometimes it is difficult to obtain a class of 10 students, hence why they are asking for an exemption. Member Brown expressed her support for a PST academy. Member Guadalupe Tarango asked if they would be holding 1 class per quarter. Exec. Dir. Gorham confirmed that they are looking to have a hiring cycle every quarter and incorporating the academy process alongside those cycles. Dir. Chavez proposed a review of the proposal packet and invited the telecommunicator members of the Council to assist. She advised they would plan to present a recommendation at the next meeting. Dep. Dir. Coss added that members should be aware that this may add a member to the Council as there would be a new academy director. Dir. Chavez concluded by thanking Exec. Dir. Gorham and Dep. Dir. Flores for their presentation and advised that she will be in touch with them.

V. ANNOUNCEMENTS AND ADJOURNMENT

A. Next Meeting

- 1) September 11th, 2024 – Silver City

B. Member Announcements

Dir. Chavez addressed the issue of LEA instructors not being included in the Law Enforcement Retiree Plan and assured members that they have met with legislators and PERA to work towards getting them included in the plan.

Dir. Chavez also reminded members of the next meeting in Silver City and informed them of Dir. Najjar's plan to hold a celebration of their 50th year prior to the meeting.

C. Adjourn

DA Bregman motioned to adjourn at 11:55 am. Seconded by Cmdr. Viers. None opposed. Motion passed unanimously.