



LAW ENFORCEMENT CERTIFICATION BOARD

MEETING MINUTES

DATE: Thursday, June 12, 2025

TIME: 9:00 AM

LOCATION: NM Law Enforcement Academy

4491 Cerrillos Rd., Santa Fe, NM 87001

Zoom Link:

<https://us02web.zoom.us/j/81372856885?pwd=KW6T8tJScLuZSszYYhK1oPwQ0tQvpz.1>

Meeting ID: 813 7285 6885

Passcode: 985595

The Law Enforcement Certification Board ("Board") reserves the right to enter into closed during the meeting pursuant to an appropriate exception under NMSA 1978, Section 10-15-1(H). Pursuant to Section 10-15-1(I), the closure shall be approved by a majority vote of a quorum of the Board; the motion shall state with reasonable specificity the authority under which a closed discussion is permitted; and the vote shall be taken by roll call. Any closed session is limited to discussing the matter(s) identified in the motion and any final action shall be taken on the record upon returning to open session.

Roll call

- The meeting was called to order at 9:02 a.m. by Vice-Chair Cody R. Rogers. New Mexico Law Enforcement Academy Staff Manager Jessica Arballo conducted roll call confirming the in-person attendance of members: Chief Erin Toadlena-Pablo, Chief Thomas Romero (ret.), Carly Huffman, Joseph Walsh, Vice-Chair Cody R. Rogers, and Dawn Myers. Sheriff Matthew T. Hutchinson, Chief Summer Mirabal, and Dr. Bobbie Green attended virtually. Member Julie Ball attended in person and arrived after the roll call at 9:12 a.m. A quorum was established.

Approval of agenda

- Member Sheriff Matthew Hutchinson moved to approve the agenda. Member Chief Summer Mirabal seconded. Vice-Chair Cody R. Rogers asked members for all in favor and those against. The motion passed with 9 votes in favor and none against.

Approval of minutes from March 20, 2025, Meeting

- Member Chief Erin Toadlena-Pablo moved to approve the minutes from March 20, 2025, special board meeting. Member Joseph Walsh seconded. Vice-Chair Cody R. Rogers asked members for all in favor and those against. The motion passed with 10 votes in favor and none against.

Public Comment

- Vice-Chair Cody Rogers called upon audience members and virtual participants who wished

to provide public comments. The time afforded for each person wishing to speak was limited to (3) minutes. The audience members included Chief Christopher Williams, Martha Bird, Rachel Feldman, Valerie Morris, Cindy Paps, Mitsy Lettingham, Shiela Lewis, and Pam Rogers. Virtual participants include Senator Antoinio “Moe” Maestas and Chris Mechels.

Reports, Discussion and Action Items:

- I. Rule Making Working Groups
 - a. Misconduct Rules Working Group – Member – Member Julie Ball
 - Vice-Chair Cody Rogers stated there are two rulemaking groups that are active but have delayed due to other priorities. A contractor was hired to assist but has produced no deliverables, and the contract will expire in September. As a result, rule making efforts are essentially starting over, now with the support from the New Mexico Department of Justice. The Board is coordinating with New Mexico Law Enforcement Standards and Training Council to ensure consistency between overlapping rulemaking responsibilities. Despite limited staff, the Board is moving forward. Rulemaking remains a top priority.
 - b. Certification Qualifications and Issuance Rules Working Group – Vice Chair Cody Rogers
 - Report discussed under above agenda item.
- II. Report from Vice Chair
 - Vice-Chair Cody Rogers stated the Board was informed that the contractor intended to support the rulemaking process was funded by the New Mexico Law Enforcement Standards and Training Councils budget, even though the scope included work for this board. No deliverables have been received under the contract. Staffing remains limited, and Deputy Cabinet Secretary/ Interim Director Sylvia Serna has agreed to assist in revising the organizational chart. The current structure appears heavy on administrative roles and light on investigators, a revised draft will be shared with board members for review. The CEO search is still ongoing, but immediate priorities include hiring investigators and essential staff to ensure continued progress on the caseload.
- III. Clarification of Legal Standards Applicable to Certification by Waiver Process
 - Vice-Chair Cody Rogers stated case law came out that the board was involved in and based on the case law, Vice-Chair asked board attorneys to clarify the process as it pertains to retirees. The order regarding the case law does not apply to 10.29.6.9 NMSA therefore the board cannot deny certification by waiver based on 10.29.6.9 NMSA. Member Julie Ball requested a copy of the court order. No action was taken.
- IV. Report from ad hoc working group regarding non-jurisdictional (“citizen”) complaints
 - Vice-Chair Cody Rogers stated at the last meeting that an ad hoc working group was created to address the ongoing discussion around non-jurisdictional or citizen

complaint. After speaking with individuals on both sides of the issue, the controlling factor must be the statue as it currently stands- no future interpretations or desired changes. Vice-Chair Cody Rogers made a motion to request a formal legal opinion from the New Mexico Department of Justice. None opposed.

V. Report from Vice Chair

- Duplicate – See report above

VI. Motion by Administrative Prosecutor, Dan Rubin, to amend the Notice of Contemplated Action (“NCA”) in the matter of Patrick Rael, Case #22-073 & Case #23-038 – Bernalillo County Sheriff’s Office

- NMDOJ AAG Daniel Rubin presented a summary of the motions provided to the board. Respondent Patrick Rael answered questions from members. Member Joseph Walsh moved to adopt the proposed order provided by AAG Daniel Rubin. Member Chief Thomas Romero (ret.) seconded. None Opposed. 10 votes in favor. Motion carried unanimously.

VII. Ratification and Approval of Pending Certifications

a. Law Enforcement Officers (Exhibit A)

- Vice-Chair Chair Cody Rogers entertained a motion to approve the ratification of pending certifications as listed in Exhibit A. Member Joseph Walsh moved for approval of the ratification of pending certifications as listed in Exhibit A. Member Chief Thomas Romero (ret.) seconded. None opposed. 10 votes in favor. Motion carried unanimously.

b. Public Safety Telecommunicators (Exhibit B)

- Vice-Chair Chair Cody Rogers entertained a motion to approve the ratification of pending certifications as listed in Exhibit B. Member Joseph Walsh moved for approval of the ratification of pending certifications as listed in Exhibit B. Member Sheriff Matthew Hutchinson seconded. None opposed. 10 votes in favor. Motion carried unanimously.

Disciplinary and/or Litigation matters:

I. Proposed settlements:

a. Melvin Torivio, Case #24-017 – Pueblo of Acoma Police Department

- Vice-Chair Cody Rogers moved to reject the proposed settlement agreement and countered with revised proposed settlement agreement with amended language. Member Joseph Walsh seconded. 10 voted in favor. None opposed. Motion carried unanimously.

b. Ahmaad White, Case #24-025 – Hobbs Police Department

- Member Joseph Walsh moved to reject the proposed settlement agreement and

countered with a referral to New Mexico Department of Justice for a Notice of Contemplated Action. Member Chief Thomas Romero (ret.) seconded. Vice-Chair Cody Rogers abstained. Sheriff Matthew Hutchinson recused himself. 8 voted in favor. None opposed. Motion carried.

- c. Ernest Saucedo, Case #24-051 – Espanola Police Department
 - Member Chief Erin Toadlena-Pablo moved to accept the proposed settlement agreement for a 1-day suspension. Member Chief Thomas Romero (ret.) seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- d. Hari Gray, Case #24-052 – Lincoln County Sheriff's Office
 - Member Chief Thomas Romero (ret.) moved to reject the proposed settlement agreement and counter with a 90-day suspension. Member Joseph Walsh seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- e. Daniel Martinez, Case #24-072 – Santa Fe County Sheriff's Office
 - Member Chief Thomas Romero (ret.) moved to accept the settlement agreement proposal of a 90-day suspension. Member Joseph Walsh seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- f. Sharon Saavedra, Case #24-121 – Albuquerque Police Department
 - Member Chief Thomas Romero (ret.) moved to reject the proposed settlement agreement and dismiss. Member Dawn Myers seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- g. Elian Lozano, Case #24-097 – New Mexico State Police
 - Vice-Chair Cody Rogers moved to reject the proposed settlement agreement and dismiss. Member Chief Summer Mirabal seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- h. Edgar Madrid, Case #25-009 – New Mexico State Police
 - Vice-Chair Cody Rogers moved to reject the proposed Settlement Agreement and counter with a 36-month suspension. Member Joseph Walsh seconded. Chief Summer Mirabal abstained from voting. 9 voted in favor. Motion carried.
- i. Joshua Montano, Case #24-026 – Albuquerque Police Department
 - Member Joseph Walsh moved to accept the proposed settlement agreement of voluntary relinquishment. Member Dawn Myers seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- j. Richard Rangel III, Case #23-052 – Gallup Police Department
 - Member Joseph Walsh moved to accept the default revocation. Vice-Chair Cody Rogers seconded. Chief Erin Toadlena-Pablo abstained from voting. 9 voted in favor. None opposed. Motion carried.

II. Default actions:

- a. Christopher McGuinness, Case #23-020 – Tularosa Police Department
 - Vice-Chair Cody Rogers moved to issue a default order imposing the action contemplated in the Notice of Contemplated Action. Member Chief Erin Toadlena-Pablo seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- b. Israel Saenz, Case #23-069 – Luna County Sheriff's Office
 - Vice-Chair Cody Rogers moved to table this matter pending further efforts to serve the Respondent with the Notice of Contemplated Action. Member Sheriff Matthew Hutchinson seconded. 10 voted in favor. None Opposed. Motion carried unanimously.
- c. Javier Tapia, Case #23-031 – Vaughn Police Department
 - Vice-Chair Cody Rogers moved to table this matter pending further efforts to serve the Respondent with the Notice of Contemplated Action. Member Sheriff Matthew Hutchinson seconded. 10 voted in favor. None opposed, Motion carried unanimously.

III. Recommended Dismissals and Declinations

- a. Trevor Rankin, Case #24-093 – Eddy County Sheriff's Office
 - Member Julie Ball moved to issue a Notice of Contemplated Action. Member Chief Thomas Romero (ret.) seconded. Sheriff Matthew Hutchinson recused himself from voting. 9 voted in favor. None opposed. Motion carried.
- b. Amy Gallegos, Case #24-094 – Eddy County Sheriff's Office
 - Member Julie Ball moved to issue a Notice of Contemplated Action. Member Chief Thomas Romero (ret.) seconded. Sheriff Matthew Hutchinson recused himself. 9 voted in favor. None opposed Motion carried.

IV. Hearing Officer Reports

- a. Miguel Rodriguez, Case #22-066 – Taos County Sheriff's Office
 - Vice-Chair Cody Rogers moved to adopt the Hearing Officer's recommendation. Member Chief Thomas Romero (ret.) seconded. Dr. Bobbie Green recused herself. 9 voted in favor. None opposed. Motion carried.

V. Admission Appeals

- a. Justin Dean, Case #24-071(A) – Taos County Sheriff's Office
 - Member Joseph Walsh moved to adopt the Hearing Officer's findings and recommended disposition. Member Julie Ball seconded. 10 voted in favor. None opposed. Motion carried unanimously.
- b. Gino Evans, Case #24-043(A) – Albuquerque Police Department
 - Member Dawn Myers moved to dismiss. Member Joseph Walsh seconded. 10

voted in favor. None opposed. Motion carried unanimously.

VI. Litigation Matters

- a. D-101-CV-2024-00351 Justin Burke
 - No report.
- b. D-101-CV-2022-01960 Israel Castruita
 - No report.

Limited Personnel Matters:

- I. Discussion regarding CEO search and LECB staffing.
 - Matter discussed in close session.

Next Meeting – July, 2025, location TBD Adjourn