



LAW ENFORCEMENT CERTIFICATION BOARD

MEETING MINUTES

DATE: Thursday, December 11, 2025

TIME: 9:00 AM

LOCATION: NMLEA

4491 Cerrillos Rd., Santa Fe, N.M. 87507

Zoom Link:

<https://us06web.zoom.us/j/86470651304?pwd=VOYD9Oy6YEMXfbW5ouTrf1xqBiIe4f.1>

Meeting ID: 864 7065 1304 Passcode: 088614

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 9:04 a.m. by Vice-Chair Cody Rogers. New Mexico Law Enforcement Academy Executive Assistant Sheyenne Boling conducted roll call confirming the in-person attendance of Vice-Chair Cody Rogers, Members Carly Huffman, and Julie Ball. Members Joseph Walsh, Dr. Bobbie Green, Chief Summer Mirabal, and Sheriff Matthew Hutchinson attended virtually. Members Chief Thomas Romero (ret.) and Chief Erin Toadlena-Pablo were absent. A quorum was established.

Approval of agenda

- Member Julie Ball made a motion to approve the agenda. Member Carly Huffman seconded. Vice-Chair Cody Rogers asked members for all in favor and those against. The motion passed with 7 votes in favor and none against.

Approval of minutes from August 22, 2025, Special Meeting

- Member Carly Huffman made a motion to approve the minutes from the August 22, 2025, special Meeting. Member Chief Summer Mirabal seconded. The motion passed with 7 votes in favor and none against.

Public Comment

Jason Sanchez, who identified himself as an exoneree from Eddy County, spoke in support of item XI. He stated the resolution must be enforceable and not merely symbolic. He described his wrongful conviction as an example of the harm caused when misconduct is not reported or addressed, citing failures in evidence handling, leadership, and accountability. He expressed concern about a culture that discourages reporting misconduct and urged the Board to make clear that failure to report misconduct is itself misconduct, regardless of rank, in order to restore public trust.

Nathein Apodaca addressed the Board regarding his dismissed case (Case #24-107). Although he did not sign up in advance for public comment, Vice-Chair Cody Rogers allowed him to speak. Mr. Apodaca expressed appreciation for the dismissal decision but stated he has been unable to obtain the official LEA-90 dismissal letter confirming the outcome. He explained that he completed all required steps, including obtaining a declination letter from the District Attorney's Office, but received unclear guidance on how to obtain the LEA-90 dismissal letter. He stated the delay has prevented him from accepting a law enforcement position and caused financial hardship. He requested a clear and timely process for issuing LEA-90 dismissal letters and encouraged the Board to consider standardizing the procedure.

Reports, Discussion and Action Items:

NEW BUSINESS:

I. Rule Making Working Groups

a. Misconduct Rules Working Group – Vice Chair Cody Rogers

- Vice-Chair Cody Rogers provided an update on the ongoing rules rewrite effort. She reported that she has reached out to the New Mexico Department of Justice regarding how the process is expected to proceed and stated that she has not yet received any substantive updates or drafts.

She further stated that the New Mexico Standards and Training Council has invited interested Board members to attend and observe its rules rewrite meetings, which occur approximately monthly and are conducted virtually. She explained that she will circulate the meeting link once it's received from Sgt. Jensen and noted that while the Standards and Training Council had a different mission and scope, observing its process can be helpful.

Vice Chair Cody Rogers as stated that she would follow up with the New Mexico Department of Justice regarding the status of the draft. Board Counsel Marianne Bowers reported that the draft has been prepared and is currently under supervisory review. She stated that once approval is received, the working draft will be circulated to the Board members.

- b. Certification Qualifications and Issuance Rules Working Group – Member Julie Ball
- c. LESTC Rules Working Group- LECB participation

II. Report from Vice-Chair

a. LECB Staffing/Recruiting

- Vice-Chair Cody Rogers provided staffing updates, including organizational changes and recruitment efforts. Ivan Ramirez was introduced as the new Misconduct Staff Manager and briefly summarized his background. The Vice-Chair reported on the status of the investigator and attorney hiring and explained that the CEO position has been reconfigured to allow for potential contract appointment.

III. Ratification and Approval of Pending Certifications

a. Law Enforcement Officers (Exhibit A)

- Member Carly Huffman made a motion to ratify and approve Exhibit A. Member Julie Ball seconded. The motion passed with 7 votes in favor and none against.

b. Public Safety Telecommunicators (Exhibit B)

- Member Joseph Walsh made a motion to ratify and approve Exhibit B. Member Carly Huffman seconded. The motion passed with 7 votes in favor and none against.

IV. Certification by Waiver

a. John Barney

- The Board discussed Certification by Waiver for Public Safety Telecommunicator Directors. Discussion focused on the absence of a clearly defined Certification by Waiver process, operation challenges faced by the agencies, and inconsistency between current rules and practice. Item IV (a) was initially tabled pending legal research and clarification. Vice-Chair Cody Rogers made a motion to un-table item IV, which was seconded by Member Carly Huffman. Vice-Chair Cody Rogers made a motion to allow John Barney and Robbie McCormick to submit Certification by Waiver applications and if application and training hours meet the standard or are higher, they will be allowed to take the PST exam in order to meet the requirements for certification. Member Carly Huffman seconded. The motion passed with 7 votes in favor and none against.

V. Proposed settlements:

VI. Default actions:

VII. Recommended Dismissals and Declinations

a. Anthony Martin, Case #23-041 – Albuquerque Fire Rescue (AFR)

- Vice-Chair Cody Rogers made a motion to dismiss due to lack of jurisdiction. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none

against.

VIII. Hearing Officer Reports

a. Bryceson Burden, Case #25-066(A)

- Vice-Chair Cody Rogers made a motion to adopt the Hearing Officer Report and Recommended Decision. Sheriff Matthew Hutchinson seconded the motion. The motion passed with 7 votes in favor and none against.

b. Patrick Rael, Case# 22-073 & 23-038

- Vice-Chair Cody Rogers made a motion to adopt the Hearing Officer Report and Recommended Decision but with the following change to the discipline: The Board orders suspension until the Respondent successfully completes an academy approved legal update training focusing specifically on Fourth Amendment search and seizure law. Sheriff Matthew Hutchinson seconded the motion. The motion passed with 7 votes in favor and none against.

IX. Admission Appeals

X. Litigation Matters

- a. D-202-CV-2025-08836 John Bonet
 - b. D-101-CV-2022-01960 Israel Castruita
- The Board legal counsel Marianne Bowers and Mr. Fred Mowrer who represents Mr. Castruita discussed the form of an amended order, and after discussion, a finalized version was agreed upon by all parties. As part of the agreement, the District Court appeal will be dismissed. Board Counsel Marianne Bowers notes two changes in the amended order: removal of references to dishonesty and confirmation that the 36-month suspension has been served. Vice-Chair Cody Rogers made a motion to approve the amended order. Member Joseph Walsh seconded. The motion passed with 7 Votes in favor and none against.

XI. Consideration, discussion and possible adoption of Resolution requiring law enforcement agencies to comply with their duty to report alleged misconduct by police officers employed by the law enforcement agency.

- The Board discussed a proposed resolution clarifying law enforcement agencies' duty to report alleged misconduct. Members noted that existing statutes and NMAC provisions already require LEA-90 to be reported, and the resolution is intended to reinforce these requirements.

Discussion emphasized the importance of timely, accurate reporting for consistency, accountability, and public confidence. Members consider reason reports might be missed such as misunderstandings, oversight, or intentional non-compliance and stressed distinguished willful failures for inadvertent errors. The Board also highlighted the reporting requirements should be applied fairly and replace internal personnel

management.

No action was taken.

Vice-Chair Cody R. Rogers moved to enter into closed session to discuss agenda item Disciplinary and/or Litigation matters pursuant to exceptions provided under NMSA 1978, Section 10-15-1(H)(1) and (7), New Mexico Open Meetings Act. Carly Huffman seconded. A roll call vote was held with all board members voting in favor, none opposed. The motion passed with 7 votes in favor and none against.

The matters discussed in closed session were limited only to NMSA 1978, Section 10-15-1(H)(1) and (7), regarding disciplinary and litigation matters and no votes or official action were taken during the closed session.

OLD BUSINESS:

I. Disciplinary and/or Litigation matters [postponed from 8/22/2025 Special Mtg.]:

b. Review of Investigative Report Done by Previous Staff

[none]

c. Review of Recommendations of Notice of Investigation by Previous Staff

[none]

d. Review of LEA-90s

a. ----

b. ----

c. 25-057

d. 25-058

e. 25-059

f. 25-060

g. 25-062

h. 25-063

i. 25-067

j. 25-068

k. 25-069

l. 25-070

m. 25-077

n. 25-078

o. 25-079

p. 25-080

- q. 25-081
- r. 25-082
- s. 25-083
- t. 25-084
- u. 25-085
- v. 25-086
- w. 25-087

e. Possible Issuance of Notice of Contemplated Action

- a. 22-050
 - b. 23-014
 - c. 23-031
 - d. 23-041
 - e. 23-069
 - f. 23-073
 - g. 24-001
 - h. 24-002
 - i. 24-007
 - j. 24-034
 - k. 24-046
- Vice-Chair Cody Rogers made a motion for the referral for issuance of a Notice of Contemplated Action for Suspension of certification of 6 months. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - l. 24-059
 - m. 24-060
- Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - n. 24-062
 - o. 24-065
 - p. 24-074
 - q. 24-075
 - r. 24-093
 - s. 24-094
 - t. 24-095
 - u. 24-118
 - v. 24-120

f. Proposed settlements

- a. 25-009
- Vice-Chair Cody Rogers made a motion to accept the settlement agreement as proposed by Mr. Tom Grover on May 30, 2025. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- b. -----

- c. 23-023
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- d. 24-018
 - Vice-Chair Cody Rogers made a motion to submit the settlement offer approved by the Board to Respondent. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- g. Hearing Officer Reports
 - a. Admission Appeals
 - [none]
- h. Miscellaneous Matters for Possible Disposition by Board
 - a. 22-036
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - b. 23-016
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - c. 23-019
 - Vice-Chair Cody Rogers made a motion for the referral for issuance of a Notice of Contemplated Action for Revocation of certification. Member Joseph Walsh Seconded. The motion passed with 7 votes in favor and none against.
 - d. 23-021
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - e. 23-024
 - Member Josph Walsh made a motion for the referral for issuance of a Notice of Contemplated Action for Revocation of certification. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - f. 23-029
 - Vice-Chair Cody Rogers made a motion for the referral for issuance of a Notice of Contemplated Action for Suspension of certification. Member Sheriff Matthew Hutchinson Seconded. The motion passed with 7 votes in favor and none against.
 - g. 23-030
 - Vice-Chair Cody Rogers made a motion for the referral for issuance of a Notice of Contemplated Action for Suspension of certification. Member Sheriff Matthew Hutchinson Seconded. The motion passed with 7 votes in favor and none against.

- h. 23-075
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- i. 23-039
 - Vice-Chair Cody Rogers made a motion to dismiss due to declination of prosecution. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- j. 23-059
 - Vice-Chair Cody Rogers made a motion to dismiss due to declination of prosecution. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- k. 24-018
 - l. 24-024
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- m. 24-028
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- n. 24-029
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- o. 24-030
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- p. 24-031
 - Vice-Chair Cody Rogers made a motion for the referral for issuance of a Notice of Contemplated Action for Suspension of certification. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- q. 24-035
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- r. 24-038
 - Vice-Chair Cody Rogers made a motion for the referral for issuance of a Notice of Contemplated Action for Suspension of certification of 10 days. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
- s. 24-039
 - Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson

seconded. The motion passed with 7 votes in favor and none against.

- t. 24-040
- u. 24-042
- v. 24-050
- Member Julie Ball made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - w. 24-057
- Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - x. 24-058
- Vice-Chair Cody Rogers made a motion to dismiss. Member Sheriff Matthew Hutchinson seconded. The motion passed with 7 votes in favor and none against.
 - y. 24-083
 - z. 24-086
 - aa. 24-087
 - bb. 24-091
 - cc. 24-092
 - dd. 24-096
 - ee. 24-101
 - ff. 24-109
 - gg. 24-117
 - hh. 24-122
 - ii. 24-123
 - jj. 25-008
- i. Summary Suspensions
 - a. 24-115
 - b. 24-116
 - c. 25-004
- j. Certification by Waiver

[none]
- k. Litigation Matters
 - a. D-101-CV-2024-00351/A-1-CA-42314 - Justin Burke

Adjournment

I. Next Special Meeting; Regular Meeting Schedule for 2026

II. Adjourn

- Vice Chair Cody Rogers stated the remainder of the matters have been tabled until the next meeting regular or special meeting.
- The meeting was adjourned.