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Sent: Wednesday, 28 October 2026 11:02:29
To: Ramirez-Arechiga, Ivan, DPS <ivan.ramirez-arechiga@dps.nm.gov>
Subject: [EXTERNAL] Exhibit re LECB

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Thank you. Yesterday I spoke about misconduct reporting involving agency heads. Today I want to state the changes I am requesting: open proceedings, mandatory accountability, and the same current training standards for everyone seeking the same certification.

The final rules must identify who is required to act, when action is required, what records must be preserved, and what happens when someone fails to perform that duty.

First, disciplinary hearings shall be public.

I oppose the proposed blanket closure of disciplinary hearings. I also oppose allowing the parties to agree to close them. The public has an independent interest in seeing how the Board examines evidence and exercises its authority.

Hearings conducted by an appointed hearing officer shall be subject to the same openness requirements. Final actions shall occur publicly. Final orders shall contain findings of fact, conclusions of law, and reasons addressing the allegations.

Where controlling law requires particular information to remain confidential, the Board shall use narrowly tailored protections. Every restriction shall identify the legal requirement and explain why a narrower measure is insufficient. An agreement between the parties shall not justify closure.

Second, misconduct reporting and investigation shall be mandatory, including when the subject is a sheriff, chief, or other agency head.

The Board shall accept complaints directly from the public, assign a case number, preserve the submission and supporting evidence, and acknowledge receipt. A complainant shall not have to obtain permission from the very agency being challenged.

Allegations that, if established, constitute misconduct within the Board's jurisdiction shall be assigned for investigation. Complaints against agency heads shall receive an investigator independent of that agency and outside the accused official's chain of command.

I request removal of the preliminary committee-review requirement for those complaints. Rank shall not create an additional barrier to investigation.

The Board shall make its own findings. An employing agency's conclusion that its investigation was sufficient shall not end the Board's independent review. The complainant shall receive a written disposition addressing each allegation and identifying the evidence considered. If the Board concludes that it lacks jurisdiction, it shall explain that conclusion and identify the appropriate referral. There shall be a reviewable record of the decision.

The rule shall establish deadlines for acknowledgment, assignment, progress reports, and disposition. Any extension shall state its reasons and a new completion date. A complaint shall not disappear into an undocumented administrative delay.

Agency heads shall report qualifying apparent misconduct without waiting for a sustained finding. The reporting deadline shall not become permission to withhold information until an internal investigation is finished.

Agencies shall preserve and provide supporting evidence, supplement their reports, and cooperate with independent review. Failure to report, withholding required evidence, or obstructing an investigation shall trigger a separate misconduct investigation.

Third, dishonesty shall expressly include material omissions and false attribution.

I have firsthand experience disputing false information circulated about me and questioning why central facts from my statement were missing from an official account. That experience is why I am asking for a rule that examines the complete evidentiary record.

The rule shall address knowingly false statements and knowing or reckless omissions of information that an officer is required to disclose when those omissions make an account materially misleading.

It shall also address attributing words to someone who did not say them, presenting an officer's inference as a witness's statement, altering evidence, and knowingly approving or circulating a misleading account.

These duties shall apply to reports, sworn complaints, affidavits, testimony, investigative responses, supervisory approvals, and official communications.

Preparers and approving supervisors shall verify material facts against available source evidence. Agency misconduct submissions and supplements shall be signed and affirmed as accurate and complete to the signer's knowledge after reasonable inquiry.

Investigators shall compare recordings, original statements, report versions, edit histories, and supervisory approvals. Findings shall identify who prepared, changed, approved, or circulated the disputed information.

Material corrections shall be preserved and communicated to the appropriate recipients. Administrative accountability for dishonesty shall not depend on a criminal perjury prosecution.

Fourth, the public misconduct database shall provide meaningful oversight.

The database shall be searchable by name and certification number, with employing agencies, dispositions, action dates, appeal status, and links to public final orders. Entries shall distinguish allegations from established findings and explain dismissals.

The Board shall establish a lawful process for receiving and evaluating judicial findings and prosecutor credibility notifications, and for referring potentially disclosable Brady/Giglio information.

Agencies shall document checks of certification, disciplinary, and available credibility records before hiring someone or approving a return to service. The public shall be able to understand the outcome and the reasons.

Fifth, training requirements shall apply consistently to new, returning, and incoming personnel.

The Board's own certification exhibit lists Miguel Bittony through CBW class number ninety-nine, with certification issued in November 2019. That is a concrete reason for my concern about how prior training and eligibility are verified.

I oppose discretionary waivers that excuse completion of current New Mexico training. Previous service, rank, retirement, or certification elsewhere shall not substitute for the current requirements of the position.

Returning officers and officers arriving from other jurisdictions shall complete the same full current New Mexico curriculum and assessments as new officers. Returning and incoming telecommunicators shall complete the same current requirements as new telecommunicators.

I specifically request the sixty-eight-hour legal-training block and the forty-hour BATI Investigative Interview and Interrogation course, with instruction appropriate to each role and demonstrated competency.

After an absence exceeding six years, I request full requalification, including the current certification examination. The proposed examination exemption shall be removed.

The rules shall distinguish the length of an absence from the time needed to enroll in training. A two-year absence threshold shall not be treated as a grace period for working without required qualifications.

New Mexico has multiple approved training locations. Class availability shall determine when an applicant can complete the requirements. It shall not excuse returning to operational duties before completing them.

Finally, misconduct shall not be erased by separation, relocation, or reapplication.

Resignation or retirement to avoid a misconduct investigation shall not qualify as honorable separation. Leaving an agency shall not terminate an investigation or eliminate a reporting duty.

Applicants shall disclose complete employment, certification, disciplinary, and separation histories. Agencies and the Board shall verify those histories against source records.

Currently suspended personnel shall not return through a waiver or reentry provision. I request a permanent bar following final revocation. A new employer, an out-of-state credential, or another training course shall not provide a route around that bar.

Documented unresolved allegations affecting certification fitness shall receive prompt independent investigation and a reasoned disposition before return is approved. Established disqualifying misconduct shall bar return.

A general statement of good standing shall not replace the underlying records or a written eligibility determination.

I ask the Board and Standards and Training Council to adopt these requirements within their respective authority. Where a statute prevents a requested safeguard, identify that statute and the legislative amendment needed.

For every requested change, I ask for a public explanation of what is adopted, what is rejected, and why.

Open proceedings. Mandatory duties. Truthful records. Current training. Decisions supported by evidence.

Those are the standards I am asking you to put into the rules and enforce.

Jamie Martin

She/Her/Hers

And the judge initially “would not,” but because she **continually came**, he eventually answered her.
Luke 18:3–5