**Re 19 New Mexico Register (1 Color Document**

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**Deposition of :**

**taken on: August 25, 2026**

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CUMBRE

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STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF:
LAW ENFORCEMENT ACADEMY STANDARDS AND TRAINING COUNCIL RULEMAKING RE 10.28.1 et seq;
REPEAL OF 10.29.2; 10.29.3; 10.29.4; 10.29.5; 10.29.7; 10.29.8; 10.29.9; 10.29.10.

BEFORE THE HONORABLE BRIAN CARR

TUESDAY, AUGUST 25, 2026

9:21 A.M.

CERTIFIED TRANSCRIPT

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Santa Fe, New Mexico
August 25, 2026
9:21 a.m.

HEARING OFFICER CARR: Good morning, everybody. Please have a seat.

I apologize; we had some technical issues. We are up and running now.

Volume okay?

CERTIFIED COURT REPORTER: (No audible response.)

HEARING OFFICER CARR: This hearing will please come to order:

Let the record reflect that we have convened at 9:21 a.m., on Tuesday, August 25, 2026, and I will be continuing this meeting on August 26th and 27th.

I am Brian Carr. I will be acting as the Presiding Officer for this Rule Hearing.

The purpose of this hearing is for the Council to receive Public Comments on proposed Law Enforcement Standards and Training Council Rules. The Council welcomes everyone.

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This hearing is being conducted pursuant to, and in accordance with, the States Rules Act, 14-4-1 through -11, NMSA 1978;

The Open Meetings Act, Sections 10-15-1 to -4, NMSA 1978;

The Law Enforcement Training Act, Sections 29-7-1 to -16; and,

The Public Safety Telecommunicator Training Act Sections 29-7C-1 to -9, NMSA 1978.

The Lobbyist Regulation Act regulates activities before Boards and Commissions in Rulemaking proceedings. Contact the Secretary of State's Office for information and registration.

Public Notice of this hearing was advertised in the New Mexico Register and the Sunshine Portal.

Copies of the Proposed Rules were also posted on the Council's internet website, www.lea.nm.gov, and were available by request to anyone who requested them.

Copies of the Proposed Rules have been available from the LEA office since the

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Notices were published, and are available to the public attending this hearing.

We'll end up having a lunch break or lunch recess from 12:00 to 12:30, and approximately every 70, 75 minutes or so we'll take a 10-main break so the Court Reporter can get his bearings again.

I would like to remind everyone to sign the attendance sheet that will be entered as an exhibit into the record of this hearing.

Will the Council Administrator call the roll of the Law Enforcement Standards and Training Council.

MR. DEAN: Marshall Dean, Council Administrator.

Richard Matthews, Chair.

CHAIRMAN MATTHEWS: Present.

MR. DEAN: Lieutenant Tate McBride, Vice Chair;

Director Fabian Valdez;

Lieutenant John Barricklow;

Director Gilbert Najar;

Guadalupe Tarango;

Joana Wells;

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Chief Greg Concho;

Lieutenant Dominic Thornock for Lieutenant Veronica Saenz;

Director Anthony Maez;

Sergeant Carlos Martinez;

District Attorney Sam Bregman;

Nicole Brown;

Sheriff Dennis Garcia;

Sara Millspaugh;

Captain Jason Gleason;

Director Dennis Kelly;

Teresa Beaty; and,

Lieutenant Juan Cabrera.

HEARING OFFICER CARR: Let the record show that Assistant Attorneys General Marriane Bowers and Chris Harrington, and, Council Administrator, Dean Marshall, are present.

For the record would the members of the audience please introduce themselves and state their affiliation.

MS. KENDRICK: Mahlia Kendrick, Court Reporter, Cumbre Court Reporting.

HEARING OFFICER CARR: Please speak loudly just so the Court Reporter can get

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you.

MS. LEE: Jackie Lee, Cumbre Court Reporting.

MS. GUERRA: Jennifer Guerra, CLEC Dispatch Coordinator.

MR. RYAN: Joel Ryan, Technicon Training & Consulting Services.

MR. RAMIREZ: Juan Ramirez, Operations Officer, Law Enforcement Certification.

MS. GUERRA: Jennifer Guerra, Combined Law Enforcement Certification Compliance Officer.

HEARING OFFICER CARR: Thank you.

This is a formal proceeding which will be recorded and transcribed, and the transcript will become a part of the Rule Hearing record. Therefore, when someone is recognized to address the Hearing Officer, that person is asked to state their first and last name for the record each time you address the Hearing Officer, and to speak loudly and clearly so we get a clear record.

This hearing will be conducted in the following manner:

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The Council Administrator will present exhibits to the Council. As the Hearing Officer I will rule on the admissibility of the exhibits offered for admission after allowing questions from members of the Council.

Admitted exhibits are available for review by members of the public. Exhibits may not be removed from the room.

After the Council Administrator offers the exhibits and their admission has been ruled upon I will open the hearing for comments from members of the public who are present. We will then proceed in numerical sequence through each Proposed Rule. As the exhibits and documents have already been presented and available to the public, I will not read them in their entirety.

We will address only 1 Rule at a time. However, you may refer to other Rules that reasonably relate to the Rule being discussed, or which relates to your comments.

The Rules of Evidence do not apply to Public Rule Hearings. In the interests

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of efficiency I reserve the right to limit all Public Comments deemed irrelevant, redundant, or unduly repetitious pursuant to 1.24.25.13 NMAC.

May I have a show of hands as to who intends to comment on the Proposed Rules?

Okay. Two.

MR. RYAN: If you get to me in time.

HEARING OFFICER CARR: Thank you.

At this point we will allow 10 minutes for Public Comment per person. Each member of the public will be given 10 minutes to address each Rule.

After a person has offered Public Comment I will permit Council Members to question that person. Any member of the audience wishing to question that person may do so after being recognized by the Hearing Officer and after you identify yourself for the record.

After the Rule Hearing, at a later date, the Council will convene a meeting where Council Members will conduct

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discussions of the Proposed Rules. Discussion of the Proposed Rules by Council Members will not take place during this hearing.

The Public Hearing is now open.

Council Administrator, do you have any exhibits to introduce for admission into the record?

MR. DEAN: Marshall Dean, Council Administrator.

Hearing Officer, I have the following exhibits to introduce:

Exhibit 1: Legal Notice Published in the New Mexico Register.

Exhibit 2: Notice in the Sunshine Portal.

Exhibit 3: Notice to Legislative Council.

Exhibit 4: Notice to DPS Legal department.

Exhibit 5: New Title 10, Chapter 28, Part 1, "General Provisions."

Exhibit 6: New Title 10, Chapter 28, Part 2, "Definitions."

Exhibit 7: New Title 10, Chapter

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28, Part 3, "Facilities."

Exhibit 8: New Title 10, Chapter 28, Part 4, "Regional Satellite Academies."

Exhibit 9: New Title 10, Chapter 28, Part 5, "Qualifications for Admission to the Academy."

Exhibit 10: New Title 10, Chapter 28, Part 6, "Course Accreditation Procedures."

Exhibit 11: New Title 10, Chapter 28, Part 7, "Instructor Credentialing."

Exhibit 12: New Title 10, Chapter 28, Part 8, "Law Enforcement Training."

Exhibit 13: New Title 10, Chapter 28, Part 9, "Public Safety Telecommunicator Training."

Exhibit 14: Repeal Title 10, Chapter 29, Part 2, "Financial."

Exhibit 15: Repeal Title 10, Chapter 29, Part 3, "Course Accreditation Procedures/Guidelines."

Exhibit 16: Repeal Title 10, Chapter 29, Part 4, "Instructor Certification and Advanced Certifications."

Exhibit 17: Repeal Title 10,

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Chapter 29, Part 5, "Regional/Satellite Police Officer Basic Academies."
Exhibit 18: Repeal Title 10, Chapter 29, Part 7, "In-Service Training Requirements."
Exhibit 19: Repeal Title 10, Chapter 29, Part 8, "Officer Transition Training Program."
Exhibit 20: Repeal Title 10, Chapter 29, Part 9, "Police Officer."
Exhibit 21: Repeal Title 10, Chapter 29, Part 10, "Public Safety Telecommunicator."
MS. BOWERS: Mr. Hearing Officer, Marianne Bowers, Counsel for the Council.
There are additional exhibits that we have not yet marked. We'll mark them on the break and offer them for admission after the break.
HEARING OFFICER CARR: Were these exhibits made available to the public?
MS. BOWERS: Mr. Hearing Officer, these are Public Comments received from the public through the email posted on the LEA website for receiving Public Comments.

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We have gathered the Public Comments and printed them out, and we'll mark them and offer them after a break.
HEARING OFFICER CARR: Thank you.
I also understand that the attendance sheet that you all have signed or will sign before we leave will also be an exhibit that will be entered into the record.
Exhibits 1 through currently 21 admitted into the record.
(LEA Standards and Training Council Exhibit 1 was marked for identification.)
(LEA Standards and Training Council Exhibit 2 was marked for identification.)
(LEA Standards and Training Council Exhibit 3 was marked for identification.)
(LEA Standards and Training Council Exhibit 4 was marked for identification.)
(LEA Standards and Training Council Exhibit 5 was marked for identification.)

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(LEA Standards and Training Council Exhibit 6 was marked for identification.)
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(LEA Standards and Training Council Exhibit 14 was marked for identification.)
(LEA Standards and Training Council Exhibit 15 was marked for identification.)
(LEA Standards and Training Council Exhibit 16 was marked for identification.)
(LEA Standards and Training Council Exhibit 17 was marked for identification.)
(LEA Standards and Training Council Exhibit 18 was marked for identification.)
(LEA Standards and Training Council Exhibit 19 was marked for identification.)
(LEA Standards and Training Council Exhibit 20 was marked for identification.)
(LEA Standards and Training Council Exhibit 21 was marked for identification.)
HEARING OFFICER CARR: Does anybody

else have any items to be entered into the record?

Okay. Receiving no responses from those present, any persons wishing to comment or submit documentation to be entered into the record shall do so when recognized to comment.

Each document shall be introduced as an exhibit into the record. Upon admittance, each exhibit will be marked and entered into the record.

At this time each Proposed Rule will be introduced, and I will open the floor to members of the audience for comments on each Rule. Any discussion of proposed amendments by the Council will be held at a Council meeting at the conclusion of this hearing.

Would anyone wish to comment on 10.28.1 NMAC, "General Provisions"?

We are currently checking Zoom to see if there are any comments on Zoom for 10.28.1 NMAC, "General Provisions."

No comments were received on Zoom for "General Provisions."



Would anyone wish to comment on 10.28.2 NMAC, "Definitions"?

Nobody in the audience.

Checking Zoom.

Let the record show Director Valdez has arrived at 9:36 a.m.

Okay. No Zoom comments for 10.28.2 NMAC, "Definitions".

Would anyone wish to comment on 10.28.3 NMAC, "Facilities"?

No comments from those present.

Checking Zoom.

No comments on Zoom for 10.28.3 NMAC, "Facilities".

Would anyone wish to comment on 10.28.4 NMAC, "Regional Satellite Academies"?

No comments from those present.

Checking Zoom.

No comments on 10.28.4 NMAC, "Regional Satellite Academies" from Zoom.

Would anyone wish to comment on 10.28.5 NMAC, "Qualifications For Admission to the Academy"?

No Public Comments from those



present.

Checking Zoom.

No comments received on 10.28.5 NMAC, "Qualifications For Admission to the Academy" on Zoom.

Would anyone wish to comment on 10.28.6 NMAC, "Course Accreditation Procedures"?

We have one.

Sir, please come up and come to the podium.

MR. RYAN: This is for 10.28.6; correct?

HEARING OFFICER CARR: Correct, "Course Accreditation Procedures."

I will need you to state your first and last name, clearly spelling both, and any affiliation you have, and you will have 10 minutes.

MR. RYAN: Great.

My name is Joel, J-O-E-L; Ryan, R-Y-A-N. I'm the Executive Director of Technicon Training & Consulting Services here in New Mexico.

I just have a few comments on the



accreditation procedures. I did submit written comments by mail to Jessica Arballo, the Deputy Director, and I also submitted them by email as well. Hopefully that should be a part of your record with all the detailed comments.

I would just kind of give a quick summary of what my comments were as far as the Accreditation Procedures, and I'll just quickly touch on each section for 10.28.6.9, "Course Accreditation Procedures."

The Rule change was:

> "The Academy shall establish procedures for the submission and accreditation of in-service advanced training classes...."

My comment was will these procedures be in writing and posted on the NMLEA?

One of the past issues that we have had, and I think a lot of agencies, if not most agencies in this State have had is the Unwritten Rules from the Law Enforcement Academy by whatever Administration is in place at that time.

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They will say, "Well here's the Rule, and here's the requirement for that Rule," but it's always unwritten, so it's one of those things. Will these be defined and will they be put in writing and available for agencies and instructors to see on the website for those Rules and requirements for each of the NMAC Rules?

Because those tend to change all the time, the Unwritten Rules, will the procedures be in writing and posted on the NMLEA for the submission procedures for accreditation?

The Rule change in Section B:

> "... [creating] a standardized statewide curriculum..."

Our comment was what does "... standardized statewide curriculum..." mean? It's like does that mean any curriculum that is submitted creates a statewide curriculum, or is that only for the basic Police Officer Academy, the basic Public Safety Telecommunicator Academy, or other specific requirements?

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It wasn't legally defined in the wording, so it was just more so a comment on what does that mean? What does "... [creating] a statewide curriculum..." mean when it's standardized? That was our question.

An example is we teach a myriad of classes, such as:

Background investigation;

Supervision; and,

Leadership.

Does that become a statewide standard? Because every agency does things differently. That was our question. What does that mean:

> "... statewide standardized curriculum..."?

Rule change Section C under the same Rule. The proposed change is:

> "When accrediting classes the Academy has the authority to review the material for appropriate curriculum design..."

Our comment was what is the review?

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What is the review process for that material?

How is it going to be reviewed?

Is it going to be reviewed by a Subject Matter Expert?

Is it going to be reviewed just by a member of the Academy?

Will those requirements for what is going to be reviewed, again, be posted so that everybody knows, and so that all instructors know and it's consistent?

Proposed Rule change Section D:

> "Lesson plans in approved Academy format, [and] any testing material...," which also relates to section...

Well for the "... Format [and] testing material...," our comment is will the approved Academy format be posted as well? Because you're going to have different instructors that have been taught different ways on how to put together a lesson plan.

Is there going to be a basic way that the Academy will accept specific

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information? Because there is no requirements at this point, and people are just submitting things in different formats.

We've been teaching for over 20 years here in New Mexico. I've been in Law Enforcement/Public Safety for over 40 years, and have been teaching for over 35 years. I've always submitted very articulate and detailed information for lesson plans, and that's what we teach in our Instructor Development course as well. We give them a basic template to use that is probably even over and above the information that the Law Enforcement Academy requires.

It's like what is going to be that format.

If there is going to be a template, is that going to be available to everybody as well for instructors?

Rule change Section J: "The Academy shall make changes to any Council-approved statewide curricula when the Academy is notified of changes to state or federal law that affect a

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particular class. The Academy shall provide its updated curriculum to instructors upon request."

There is no notification process for instructors. How are we going to know if something changes except by word of mouth?

So again, is something going to be posted on the website that this has changed?

For example, Firearms in-Service training for the 4 hours. I mean if that has changed at the end of the Biennium for the new Biennium, is it at least going to be posted that there has been changes so we now know to request that new lesson plan for a Firearms Instructor?

Those are some of the things, again, that we don't know, and those are some of the comments that we had on that.

Pretty much that was everything on the "... Accreditation Procedures" comments that we have. It might be a little bit more detailed in what we turned in as well, so...

Do I stand for any questions?

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HEARING OFFICER CARR: Council Members, are there any questions?

DIRECTOR VALDEZ: No questions.

HEARING OFFICER CARR: No questions.

MR. RYAN: Okay. Great. Thank you.

HEARING OFFICER CARR: I conferred with Ms. Arballo such that your document is in our possession and it will be entered as an exhibit.

MR. RYAN: Great. Thank you.

HEARING OFFICER CARR: Thank you.

Any comments from Zoom on 10.28.6 NMAC, "Course Accreditation Procedures"?

No comments received on Zoom for "Course Accreditation Procedures."

Would anyone wish to comment on 10.28.7 NMAC, "Instructor Credentialing."

MR. RYAN: Yes.

HEARING OFFICER CARR: Please come up, and you will need to go through the same process again.

MR. RYAN: Okay. Not a problem.

HEARING OFFICER CARR: Thank you.

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MR. RYAN: Thank you for hearing me. My name is Joel Ryan, Executive Director of Technicon Training & Consulting Services here in New Mexico.

Do you want me to give my background and stuff again?

HEARING OFFICER CARR: No, credentialing and affiliation, and name is good.

MR. RYAN: Okay. All right.

On 10.28.7.2 "Scope," the Proposed Rule change states:

> "All Law Enforcement agencies in the state of New Mexico, and law enforcement instructor, Professional Lecturer, or specialized law enforcement or telecommunicator instructor conducting training programs in New Mexico."

On the "Scope," our comment was why doesn't the "Scope" include not only the New Mexico Law Enforcement Academy Instructors, as well as Regional and Satellite Instructors as well? I know it's kind of an

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all-incorporated thing, but it should be specific such that it includes all of those entities to make sure it's clear. That was our comment on that.

10.28.7.8, "General Instructor," Section D, Subsection 2:

> "Completion of an accredited 40-hour Instructor Development course or equivalent training..."

Our comment is what is going to be the accepted "... equivalent training..."?

Is there going to be any specific thing stated?

In general are these going to be Unwritten Rules or Written Rules; okay?

They should be in writing as far as what the requirements are for that "... equivalent training..." to be accepted. This leaves it to the discretion of the different Directors and people within agencies in New Mexico, or the Academy and the Administrative Staff, on what the an "... equivalent..." could be at that time.

Proposed Rule change Section G:

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"All instructor credentials will require successful completion of an accredited Instructor Development refresher class of eight hours or more prior to the instructor applying to renew their instructor credential. An instructor with an expired instructor credential may take an accredited Instructor Development refresher course to renew an instructor credential."

That kind of leaves it open again.

Finally, we know that you can't put all the specifics of how many hours, et cetera, in the NMAC, but are there going to be Written Rules that say it will be after 6 months?

After 1 year?

After 2 years; okay?

You know, what's that expiration?

You know, are they going to have to attend an actual 40-hour class again?

Is that right now an Unwritten Rule

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in different departments and agencies throughout the State?

I have been told different things, okay, as far as once it expires. What is going to be the term?

What's going to be that timeline?

Can instructor certifications -- and this is our comment -- that have expired continue to teach when they are expired and before they get to an Instructor Update if there is a time limit, and they are going to meet that time limit?

Once it expires are they going to be required not to teach, okay, until they go to an update class?

You know, it could be 1 year; it could be 2 years. What's going to be the timeline? That's the biggest question.

I'll give a quick example, and that is earlier in the year departments had been telling us that they were told at the LEA that if their Instructor Certification, their General Instructor Certification expired by 1 day, they would have to go to a 40-hour class.

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Then other departments said, "Because we provide Instructor Update classes" --

I am a Master Instructor and Trainer, and some were coming to classes saying, "Hey, mine expired 2 months ago," and it's like, "Well you're going to have to check with the LEA to find out if that's going to be acceptable or not; all right? Because I don't know. I'm not the authority to issue Certifications for General Instructor."

Those are the questions that come up, and that's why we put those comments in there.

Rule change Section G, subsection 3:

"The Master Instructor must be able to produce a roster and course evaluation(s) [for recertification]."

I don't have a problem with that. I think we should be able to show we've been teaching, but is it a roster and a set of evaluations from 1 class, or from every one

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that we've taught as a Master Instructor?

As a Master Instructor I probably, in a 4-year period for recertification, teach at least 15 to 20 classes as a Master Instructor, so am I going to have to submit the rosters and a copy of the evaluations for every one of those classes? That's a lot of megabytes to try to send to the Academy if it's by email, or it's going to be a lot of pages that we're going to have to mail.

That was our comment; defining that a little bit more.

What about Master Instructor for Firearms, MARC, and Use of Force? Who is going to review those documents and what's going to be the criteria for reviewing the evaluations?

In reality you're going to have a student in a class that isn't happy with the class, but everybody else was. If there's 1 bad evaluation will someone say we're not going to get reaccredited in that specialty area?

Again, what is going to be the

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requirements for review of those documents and are we going to know what those requirements are?

Proposed Rule change Section B, Subsection (1):

> "A Professional Lecturer does not need to attend an Academy-accredited Instructor Development class..."

That means it can be based upon their level of expertise. For example, a degree at the level of Juris Doctor, Psychology, Medicine, or professor at a university or college.

Our comment is I have taken a lot of college classes, and I'll tell you, professors don't know how to teach that well. We've had comments, and I've asked in a lot of different classes, especially for legal, because we teach a lot of legal and liability in a lot of our classes.

In our understanding, some go to the basic Academy. With the variance in those instructors, but just because they are an attorney does not make them a good

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trainer or instructor.

Maybe there should be some requirement that they have be able to show what that equivalent training is to be able to train in an adult learning environment. Sometimes, because they are in that expertise area and have a degree, that does not mean they are a good trainer or a good instructor.

That was our comment on that one.

The other thing on Proposed Rule change B, Subsection 1:

> "A Professional Lecturer does not need to attend an Academy-accredited Instructor Development class..."

It can be based upon their level of expertise; same thing.

Subsection C under the Proposed Rule change:

> "A retired Law Enforcement Officer or a retired Telecommunicator may choose to apply to be a Professional Lecturer instead of a

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> credentialed instructor..."

Right now the Unwritten Rule is if you don't belong to an agency, then you cannot receive a General Instructor Certification even though you left in good standing from a law enforcement agency.

Again, there is that interpretation of "Professional Lecturer." Is it only for psychologists and doctors and attorneys, or is it going to be for people who are not currently working for an agency?

If they left in good standing, can they still apply for a General Instructor Certification?

That's always been the Unwritten Rule, and it depends on who is is there at that time and whether they would issue it or not.

That was our comment on that one.

"Specialized Law Enforcement Instructor" in Proposed Rule change section I:

> "Renewal of a Firearms Instructor, MARC instructor, or Use of Force Instructor

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> shall require successful completion of an accredited specialized Instructor Update class in that high-risk specialty every four years."

We have it for the Firearms Instructor; it's 2 days or 16 hours. There is nothing out there for the MARC and for the Use of Force; okay?

The Academy issued a mandate about that, and I think the last one was 2016, a 16-hour Use of Force Instructor update to continue as a Use of Force Instructor. That's the last one that's been out there.

The other question is will the Academy be able to put these classes on? Because you can't find instructors out there. I continually get calls saying:

> "Joel, when's the next Firearms Instructor update class?
>
> "I don't know."

Besides an individual department who provides it, because they have a Master Firearms Instructor, there is only 1 other

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company in the State, maybe 2, that provide the Firearms Instructor update class, and those are far and few between, so it's how are people supposed to stay --

HEARING OFFICER CARR: You've got 10 minutes.

MR. RYAN: The rest of them, like I said, it is just the Unwritten Rules on a lot of this stuff. Are they going to be stated?

Thank you very much.

HEARING OFFICER CARR: Council Members, are there any questions for this individual?

CHAIRMAN MATTHEWS: No questions.

HEARING OFFICER CARR: No questions by Council Members.

Were your comments regarding the "Instructor Credentialing" included with your comments about "Course Accreditation"?

MR. RYAN: Yeah, they were all put in the same package and separated out by:

Rule;

Section; and,

Subsection.

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HEARING OFFICER CARR: Thank you.

MR. RYAN: Thank you.

HEARING OFFICER CARR: Any comments on 10.28.7 NMAC, "Instructor Crediting" from Zoom?

No comments received from Zoom on "Instructor Credentialing."

Council Member Nicole Brown is present virtually; the time is 09:58 a.m.

Would anyone wish to comment on 10.28.8 NMAC, "Law Enforcement Training"?

Please.

MS. GORHAM: Good Morning. Jennifer Gorman, Executive Director of Mesilla Valley Regional Dispatch Authority, Las Cruces, New Mexico.

HEARING OFFICER CARR: Would you spell your name, please, for the Court Reporter.

MS. GORHAM: Yes. Jennifer, J-E-N-N-I-F-E-R; Gorham, G-O-R-H-A-M.

The only comment I have is that this is titled, "Law Enforcement Training," however, in the "Objective," it is still including "Certified Public Safety Telecommunicators," which is addressed later in Part 9.

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HEARING OFFICER CARR: Council Members, are there any questions for this individual?

CHAIRMAN MATTHEWS: No questions.

HEARING OFFICER CARR: No questions. Thank you.

Any questions from Zoom on 10.28.8 NMAC, "Law Enforcement Training"?

MS. ARBALLO: No questions.

HEARING OFFICER CARR: No questions received on Zoom.

Would anyone wish to comment on 10.28.9 NMAC, "Public Safety Telecommunicator Training"?

MS. GORHAM: (Indicating.)

HEARING OFFICER CARR: Please.

Same process, please.

MS. GORHAM: Jennifer Gorham, J-E-N-N-I-F-E-R G-O-R-H-A-M, Executive Director of Mesilla Valley Regional Dispatch Authority.

As stated, my name is Jennifer Gorham and I serve as the Executive Director of Mesilla Valley Regional Dispatch Authority, the Public Safety Answering Point serving Doña Ana County and located in Las Cruces. MVRDA also hosts the New Mexico Public Safety Telecommunicator Academy, providing training and education to the next generation of Public Safety Telecommunicators.

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Public Safety Telecommunicators, also known as PSTs, appreciate the work of the Council and its continued efforts to strengthen training standards and professionalism within Public Safety.

We also appreciate the Council's recognition that PSTs represent a significant and strong component of the Public Safety community, and play a vital role in the emergency response system. Thus, we do appreciate Part 9 clarifying the role of Public Safety Telecommunicators through the Academy.

I am in support of the proposed changes and appreciate the Council's efforts in establishing clear direction and updated standards for:

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"Law Enforcement";
"Public Safety Telecommunicator Training";
"Instructor credentialing";
and,
Related processes.
I do, however encourage the Council to continue developing clear standards and protocols for the Certification By Waiver process for Public Safety Telecommunicators. As New Mexico continues to attract experienced PSTs from other states, a clearly defined Waiver process would support the recruitment of qualified professionals.
It would also provide an opportunity to recertify individuals who were previously certified as PSTs who have left the profession and wish to return.
I also encourage the Council to replace the term "Telecommunicator" throughout the documents with the wording "Public Safety Telecommunicator." This terminology aligns with the national efforts to establish consistent language and recognize the critical role that PSTs play

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within the Public Safety system.
I've already addressed in Part 8 the removal of "Public Safety Telecommunicator," as that is "Law Enforcement Training."
I thank you for your consideration of my comments, which I did provide in writing, and your continued work to strengthen Public Safety training and Professional Standards throughout New Mexico.
HEARING OFFICER CARR: Thank you.
Council Members, are there any questions for this individual?
CHAIRMAN MATTHEWS: No questions.
HEARING OFFICER CARR: Ms. Brown on Zoom.
No questions.
Ms. Arballo, are you in receipt of her Written Comments?
MS. ARBALLO: Yes.
HEARING OFFICER CARR: That will also be entered as an exhibit.
Any questions from Zoom on 10.28.9 NMAC, "Public Safety Telecommunicator

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Training"?
No comments received on Zoom.
Would anyone wish to comment on repeal of 10.29.2 NMAC, "Financial"?
No Public Comments.
Any Zoom comments on Repeal of 10.29.2 NMAC, "Financial"?
MS. ARBALLO: No comments.
HEARING OFFICER CARR: No comments received.
Would anyone wish to comment on Repeal of 10.29.3 NMAC, "Course Accreditation Procedures/Guidelines."
No comments received.
Sorry; I lost track.
No comments on Zoom?
MS. ARBALLO: No comments.
HEARING OFFICER CARR: No comments received on Zoom also. Thank you.
Would anyone wish to comment on Repeal of 10.29.4 NMAC, "Instructor Certification and Advanced Certifications"?
No present comments.
Any comments from Zoom?
MS. ARBALLO: We have a comment

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from Marti Burt.
HEARING OFFICER CARR: Ms. Burt, you have 10 minutes.
Please state your first and last name, spell it, and speak slowly and loudly and clearly.
I believe you're on mute, ma'am.
We're not hearing you, ma'am.
Ma'am, we're still not hearing you.
Give us one minute to see if it's on our end.
If you can check on your end to make sure you're not on mute, please.
Try speaking again, ma'am.
I'm sorry, we're not picking you up. Give us one more minute to see if it's on our end.
Could she use the phone now?
MS. ARBALLO: She could.
HEARING OFFICER CARR: Ma'am, we're going to...
We're not sure what end it's on, but we're going to try to get your comment. If you can call...
Are you able to write this phone

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number down? If you can shake your head "Yes" or "No."
Okay. You are. Thank you.
We're getting you a phone number; give us one more minute.
Ms. Marti Burt. First name M-A-R-T-I; last name B-U-R-T.
Please attempt to call us at 1-719-359-4580.
You will have to enter the numbers 847-8284-9192 and the pound sign.
You will then have to enter *115412 pound.
Ma'am, if we can't receive your call for some reason, we'll verify our system is working. We're going to be having this meeting the next 2 days, so Wednesday and Thursday also with the same hours.
Do you want to try that number now?
Sorry, you're just going to have to give me a head shake "Yes" or "No."
MS. BURT: (No audible response.)
HEARING OFFICER CARR: Ms. Burt nodded in the affirmative.
Okay. Ms. Burt, one other option,

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if that phone number doesn't work for you, are you familiar with the Chat on Zoom? If so, you can type your comments there and we'll read them and give you time. It's going to be some typing, but we can also do it that way, whichever you prefer:
Okay. We're seeing Public Comments that everybody can hear her except us, and we're getting notice that it's on our end. We are looking at it and we are attempting to get her comments.
Ms. Burt, that number is from our Council Administrator. If you are able to call that number he will get you on speaker and get your comments heard.
MR. DEAN: Good morning, Ma'am. This is Marshall Dean, Council Administrator. I am going to put you on speaker; okay?
HEARING OFFICER CARR: We have Ms. Burt on the phone.
We appreciate you being patient with us.
Please state your name for the record, spell your first and last name, any

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affiliation you have with an organization, and then you have 10 minutes to make your comments.
MS. BURT: Okay. Thank you.
Can you hear me?
HEARING OFFICER CARR: Yes, we can.
MS. MARTHA BURT: Okay.
My name is Martha M-A-R-T-H-A, and the last name is Burt, capital B-U-R-T. I am, among other things, Cochair of Indivisible SOS Santa Fe.
What I want to say is that I object to the Repeal of any part of the Statute. The Statute was duly enacted in the Legislature. The intent was perfectly clear as to what the Standards and Training Council was supposed to be, which was independent and able to change the 40-year, out-of-date training that currently exists in the State of New Mexico which endangers both Law Enforcement, because they are unprepared to react to what they meet on the street, and also the citizens of the State because they are subject to the consequences of that inability to react in a way that

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calms down things instead of getting people killed on the street.
I have never seen anything remotely like this attempt to replace an entire section of law in all my years of following federal legislation and regulations.
Regulations are supposed to interpret -- not "... interpret."
Regulations are supposed to implement the clear intent of the Statute. They are supposed to make it possible for agencies to then follow the Statute's intent in their actions on an everyday basis. It is not up to the people writing regulations to redo the law in their own likeness; okay?
I think it takes a lot of nerve to do this. That's all I have to say.
HEARING OFFICER CARR: Thank you, Ms. Burt.
Council Members, are there any questions for this individual?
CHAIRMAN MATTHEWS: No questions.
HEARING OFFICER CARR: No questions from Council Members present.
MS. BURT: I assume this is going

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in the record even though you muted me for everybody else; no?
MR. DEAN: She's asking if she is going to be put into record because everyone else was muted.
HEARING OFFICER CARR: You are currently being transcribed, ma'am, and you are part of the record.
MS. BURT: Thank you very much.
HEARING OFFICER CARR: Thank you. I appreciate it.
MS. ARBALLO: No further comment or questions.
HEARING OFFICER CARR: There are no Zoom comments on 10.29.4 NMAC.
Would anyone wish to comment on Repeal of 10.29.5 NMAC, "Regional/Satellite Police Officer Basic Academies"?
No comment from those present.
Any Zoom comments on 10.29.5 NMAC, "Regional/Satellite Police Officer Basic Academies"?
MS. ARBALLO: No comments received.
HEARING OFFICER CARR: No comments received on Zoom.

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Would anyone wish to comment on Repeal of 10.29.7 NMAC, "In-Service Training Requirements"?
No Public Comments from those present.
Any comments on Zoom on 10.29.7 NMAC, the "Repeal of in-Service Training Requirements"?
MS. ARBALLO: No comment on Zoom.
HEARING OFFICER CARR: No comments received on Zoom.
Would anyone wish to comment on Repeal of 10.29.8 NMAC, "Officer Transition Training Program"?
No Public Comments from those present.
On Zoom, Repeal of 10.29.8 NMAC, "Officer Transition Training Program."
MS. ARBALLO: No comments.
HEARING OFFICER CARR: No comments received on Zoom.
Would anyone wish to comment on Repeal of 10.29.9 NMAC, "Police Officer"?
MS. ARBALLO: No comments received publicly.

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None on Zoom?
HEARING OFFICER CARR: No comments received on Zoom.
Would anyone wish to comment on repeal of 10.29.10 NMAC, "Public Safety Telecommunicator"?
No Public Comments received.
MS. ARBALLO: None received.
HEARING OFFICER CARR: None received on Zoom.
We're going to go ahead and take a break and address any IT issues we're still having.
The time is currently 10:18. We'll be back at 10:30. We are off the record at 10:19 a.m. Thank you.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 10:19 a.m. to 10:32 a.m.)
HEARING OFFICER CARR: We're back on the record; the time is 10:32 on August 25th.
We have a Public Commenter who just showed up.
Sir, please introduce yourself,

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spelling your first and last name, and your affiliation with your organization, and then you will have 10 minutes.
You will also, since you missed when we addressed each section piece by piece, I would like you to let us know what particular sections you're talking about specifically.
CHIEF JACK JONES: Okay, sir.
HEARING OFFICER CARR: Thank you. Go ahead.
CHIEF JACK JONES: First of all, thank you very much for hearing me on such short notice.
My name is Jack Jones, J-A-C-K J-O-N-E-S. I am the Chief of Police of the Española Police Department.
I have been in Law Enforcement since 1973. I have a number of years as an Instructor. I was an Instructor for the New Mexico State Police from 1975 until later when I left and went to a Federal Law Enforcement Academy.
I was the Director of the New Mexico Law Enforcement Academy for more than

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3 years, and worked there as the Deputy Director for 2 years prior to that. I am a Master Firearms Instructor.

I received an email yesterday, my ACADIS Manager, when we talk about Firearms Instructors. I received an email, my ACADIS Manager did, that said, "All the people that Jack Jones has qualified for the NMLEA Qualification Courses, for Day Qualification and Night Qualification, have to requalify. They've got to go back to the range and shoot again," which is:

Money;

Time; and,

Effort.

The Data Analysts from the LEA said that even though I was a Master Firearms Instructor and have been for 30 years, and taught numerous classes to many, many people to become Firearms Instructors, I cannot qualify people under the New Mexico Law Enforcement Academy Qual Course in this last year.

She says I have to go back to the people that have qualified, I've got to go

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back and tell them they have to go find another instructor that's certified to teach them. It's never been that way, and I don't know where that came from within the LEA Board.

I have a small Department. I try to teach and bring everybody up to speed on New Mexico Biennium and Annual Training. I've been training Law Enforcement Officers in firearms for a number of years.

I don't have the time and I don't have the money to go back and reshoot all of these people in other agencies that they say I cannot qualify under the New Mexico Law Enforcement Qualification Day and Night.

The Data Analyst even puts in there in the comments, she says...

And I'm not trying to get her in trouble, but she said this was what she was told by the people she works for; that a Master Firearms Instructor can only teach people to be Instructors, they can't teach Qualification Courses.

HEARING OFFICER CARR: Sir, I'm going to interrupt you for a second to get

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some sort of clarification:

The public meeting today is addressing proposed changes to NMAC and training standards, et cetera. You seem to be talking about something that's occurring present day. Is that correct?

CHIEF JACK JONES: Yes, sir.

HEARING OFFICER CARR: Okay. Go ahead and proceed, and then we'll --

CHIEF JACK JONES: I would just like to know if we have made that change. I've talked to several Master Firearms Instructors that have not seen this and this is a change. If this is a change, we all need to know so that we can make the adjustment, because if these people have not qualified with their firearms as it says in the NMAC, then they will be out of compliance this September 1st.

HEARING OFFICER CARR: Okay. Please proceed if you have more to add to that; I apologize for interrupting.

CHIEF JACK JONES: It wasn't an interruption, sir; thank you very much.

The point I'm making is that nobody

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has called and said that these are changes that have been made; that Master Firearms Instructors can't teach or can't shoot the Qual Course and score them.

In the past that's what we've all done. Master Firearms Instructors have done this for years since the 30 years that I've been doing it as a Master Firearms Instructor. It's just going to cost us a lot of money if this is something that the Board has made as a new Rule, or if this is something the LEA has done; I don't know.

I just know that a Data Analyst wrote this email and said that all the people that I've qualified have got to go get requalified, and right, wrong, or indifferent, it's only 50 rounds, but it's 2 hours of our time.

If I look at 70 people that I've done across the State of New Mexico, you know, I've got to call those agencies and notify them. It takes a lot of money; it takes a lot of time. I just want to know if this is a new Rule. We've got to know.

HEARING OFFICER CARR: Thank you.

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Council Members, are there any questions for this individual?
CHAIRMAN MATTHEWS: Yes, sir.
Richard Matthews, Chair of the Council.
Chief Jones, when that message was given, since we are updating the Administrative Code, was there a specific Administrative Code that they referred to in the email they sent to you, such as "10.28.9," and then a particular code?
CHIEF JACK JONES: No, it said "Annual Qualification Courses." It was that portion of the NMAC that talks about the Annual Qualification Course. It was that, and it said:
"Jack Jones does not have the qualifications to teach or to shoot and qualify these people."
But in the next paragraph she says:
"I see Jack Jones is a Master Firearms Instructor..."
My Master Certification is still current.

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"... but he can't shoot those."
I can't do the Qualification Courses for the people that work for me or anybody else.
CHAIRMAN MATTHEWS: Thank you.
HEARING OFFICER CARR: Any --
CHIEF JACK JONES: I'm asking if that's true, when are we going to know? When are we going to be told that these changes have come down?
HEARING OFFICER CARR: You understand, sir, we're taking Public Comment for proposed NMAC changes now.
CHIEF JACK JONES: I do. Absolutely I do, and I understand.
HEARING OFFICER CARR: Okay. If you do have any Written Comments you want to send in, you can do that over the next 2 and a half days.
CHIEF JACK JONES: Okay.
I also want to say that the Data Analysts and everybody that I talked to at the LEA has never been nothing but professional and taken care of business.

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Jessica has done nothing but help me out on things.
This is the first time, when I called and talked to the Data Analyst, she goes, "Well this is what I've been told, and," you know, "I can't change it." I go "Oh well, okay."
Who do I talk to? I talked to you on the phone this morning, but, you know, this is going to affect us drastically if we've got to go do this.
HEARING OFFICER CARR: Okay. Thank you, sir.
CHIEF JACK JONES: Thank you very much for your time and thank you for hearing me on such notice.
I just walked in. I am Chief of a small Department and I don't have time to wear a suit and tie to work every day. Thank you very much.
HEARING OFFICER CARR: Thank you, sir.
CHIEF JACK JONES: Good. Thanks.
HEARING OFFICER CARR: Are there any comments on Zoom?

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MS. ARBALLO: No, no comments or questions.
HEARING OFFICER CARR: I will now recognize Council Administrator Marshall Dean.
MR. DEAN: Marshall Dean, Council Administrator.
I move for the admission of the following exhibits:
Exhibit 22, from Mr. Joel Ryan, affiliated with Technicon Training.
Exhibit 23, from Rachel Feldman, no affiliation identified.
Exhibit 24, affiliation: Senator Mestas.
Exhibit 25, secondary Written Public Comment from Rachel Feldman, no affiliation identified.
Exhibit 26, from Barbara Schroder, no affiliation identified.
Exhibit 27, from Jayne Nordstrom, no affiliation identified.
Exhibit 28: Public Comment from Bev Hedin, no affiliation identified.
Exhibit 29, from Gilbert Najar,

affiliation with Western New Mexico University Law Enforcement Academy.

Exhibit 30, Marlene Merritt, no affiliation identified.

Exhibit 31, from Public Comment for Jason Bowie, Cabinet Secretary, New Mexico department of Public Safety; and,

Exhibit 32 from Jennifer Gorham, affiliation with MVRDA, or the Mesilla Valley Regional Dispatch Authority.

HEARING OFFICER CARR: Thank you.

State's Exhibits 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, will be entered into the record joining Exhibits 1 through 21 that were entered earlier.

Correction; adding also Exhibit 32. 3-2 is also added.

(LEA Standards and Training Council Exhibit 22 was marked for identification.)

(LEA Standards and Training Council Exhibit 23 was marked for identification.)

(LEA Standards and Training Council Exhibit 24 was marked for



identification.)

(LEA Standards and Training Council Exhibit 25 was marked for identification.)

(LEA Standards and Training Council Exhibit 26 was marked for identification.)

(LEA Standards and Training Council Exhibit 27 was marked for identification.)

(LEA Standards and Training Council Exhibit 28 was marked for identification.)

(LEA Standards and Training Council Exhibit 29 was marked for identification.)

(LEA Standards and Training Council Exhibit 30 was marked for identification.)

(LEA Standards and Training Council Exhibit 31 was marked for identification.)

(LEA Standards and Training Council Exhibit 32 was marked for identification.)



HEARING OFFICER CARR: Okay. Currently there was no individual within the auditorium for Public Comment.

There is nobody in the chat room?

MR. DEAN: No, nobody.

HEARING OFFICER CARR: Nobody on Zoom.

We're going to take a break. We'll be monitoring the auditorium and monitoring Zoom for any Public Comments regarding amendments to the NMAC.

The time is 10:45 a.m.; We are now off the record. Thank you.

(The LEA Standards and Training Council Rulemaking Hearing recessed from 10:45 a.m. to 11:52 a.m.)

HEARING OFFICER CARR: All right. We're back on the record; the time is 11:52 a.m.

There hasn't been anybody in the auditorium. We've been monitoring Zoom for comments; no comments as of yet.

We're going to go ahead and go on our break, and we'll be back at approximately 12:30. We're off the record



at 11:53.

(The LEA Standards and Training Council Rulemaking Hearing recessed from 11:53 a.m. to 12:38 p.m.)

HEARING OFFICER CARR: All right. Good afternoon. We're back on the record; the time is 12:38 on August 25th, 2026.

Still nobody in the auditorium and we're still monitoring Zoom. No comments for us at this time.

At this time I would like to recognize the Council Administrator, Mr. Dean.

MR. DEAN: Council Administrator Marshall Dean.

I move for the admission of the following exhibits:

A continuation from the previous, Exhibit 33, no affiliation mentioned from Martha Burt.

Exhibit 34, no affiliation mentioned for Valarie Morris.

Exhibit 35, no affiliation noted for a Katrin Smithback.

Exhibit 36, no affiliation

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mentioned for Cindy Pabst.
Exhibit 37, no affiliation mentioned for Natasha Deighton.
HEARING OFFICER CARR: Thank you.
Exhibit this 33, 34, 35, 36, and 37, will be entered into the record. They are joining Exhibits 1 through 32 that were entered previously. Exhibits Number 33 through 37 have been identified as Public Comments received by DPS in this matter.
(LEA Standards and Training Council Exhibit 33 was marked for identification.)
(LEA Standards and Training Council Exhibit 34 was marked for identification.)
(LEA Standards and Training Council Exhibit 35 was marked for identification.)
(LEA Standards and Training Council Exhibit 36 was marked for identification.)
(LEA Standards and Training Council Exhibit 37 was marked for identification.)

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HEARING OFFICER CARR: We're going back off the record; the time is 12:40 p.m.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 12:40 p.m. to 12:52 p.m.)
HEARING OFFICER CARR: We're back on the record; the time is 12:52 p.m.
Is anybody on Zoom who would like to make a Public Comment?
SENATOR MAESTAS: If I could, Mr. Chairman.
HEARING OFFICER CARR: Please.
I would like you to say your first name, last name, spell both, and indicate who you're with. You will have 10 minutes to make your comments.
SENATOR MAESTAS: Oh, wow. Thank you so much, Mr. Chairman. I won't take that much time.
My name is Antonio Maestas; A-N-T-O-N-I-O M-A-E-S-T-A-S. I am a State Senator from District 26.
I just want to thank you and everyone who put in countless hours to codify these Rules. It's fantastic that

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this is happening, and that the Agency can move forward.
We have the resources in State Government to have some of the finest training facilities some day in the country, and so every Police Officer, every Deputy wants to learn how to be better. Instead of having a 1 year career 20 times, they can have a 20-year career with just constant learning at the Academy throughout their careers.
It is not an issue for today or an issue that this Council has to deal with, it will probably be dealt with hopefully with the next Administration, but the Legislative intent, as you know, is that the Training Council be an independent Agency.
It is unfortunate that the growing pains involved in this new Agency are such that it is prohibiting that evolution, but no worries. No worries. Every employee, every Council Member, just keep doing what you're doing.
I just want to express, Mr. Chairman, how appreciative I am of:

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The work done;
The volunteer hours; and,
The leadership that this entails.
I sent a letter on Friday just making the point that when you see the word "Director" in the Proposed Rules, that should be the Director of the Council, not the Director of the Law Enforcement Academy.
The Law Enforcement Academy in Statute is not above the Council, the Council is administratively attached, which is a weird phenomena in State Government.
The Legislative Councils, everyone kind of freaks out on it. There is about 10 or 12 throughout State Government that function perfectly. You get a parking space, you get an office, you coordinate administrative things, but the department does not oversee the Agency.
Anyway, that's not for today. I appreciate your work, and thank you so, so much. I look forward to working with the Council to improve the Statute, and let me know what I can do to improve training here in New Mexico. Thank you, sir.

HEARING OFFICER CARR: Thank you, sir.

If you could just stand by 1 minute so we can inquire if there are any questions or comments by Council Members.

CHAIRMAN MATTHEWS: No questions.

Thank you very much for your time, sir.

HEARING OFFICER CARR: Senator, if you're still there.

SENATOR MAESTAS: I'll be here for a while, thank you.

HEARING OFFICER CARR: We did receive your Public Comments, and they were entered into the record that you submitted.

SENATOR MAESTAS: Thank you so much.

HEARING OFFICER CARR: Thank you.

Okay. We're going back off the record; the time is 12:56 p.m.

(The LEA Standards and Training Council Rulemaking Hearing recessed from 12:56 a.m. to 1:59 p.m.)

HEARING OFFICER CARR: All right. We're back on the record; the time is 1:59



p.m.

We will reconvene tomorrow at 9:00 a.m. at our same location. The Zoom link will be up again, and we'll be in person at the New Mexico State Law Enforcement Academy in Santa Fe.

Thank you, everyone.

Is there currently anybody on Zoom that wishes to make a comment?

All right. No comments on Zoom; no comments from the public. Nobody here in the auditorium.

We are ending our day. We are going off the record at 2:00 p.m. Thank you.

(The LEA Standards and Training Council Rulemaking Hearing adjourned at 2:00 p.m.)



STATE OF NEW MEXICO
DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF:
LAW ENFORCEMENT ACADEMY STANDARDS AND TRAINING COUNCIL RULEMAKING RE 10.28.1 et seq;
REPEAL OF 10.29.2; 10.29.3; 10.29.4; 10.29.5; 10.29.7; 10.29.8; 10.29.9; 10.29.10.

BEFORE THE HONORABLE BRIAN CARR

TUESDAY, AUGUST 25, 2026

9:21 A.M.

REPORTER'S CERTIFICATE

I, DAVID M. LEE, RMR, CRR, CERTIFICATE NUMBER 50391, NEW MEXICO CCR NUMBER 537, DO HEREBY CERTIFY that on TUESDAY, AUGUST 25, 2026, the Proceedings in the above-captioned matter was transcribed by me, and that I did report in stenographic shorthand the Proceedings set forth herein. The foregoing pages are a true and correct transcription, all done to the best of my ability.

I FURTHER CERTIFY that I am neither employed by, nor related to, nor contracted with (unless excepted by the rules) any of the parties or attorneys in this case, and that I have no interest whatsoever in the final disposition of this case in any court.

DATED at Santa Fe, New Mexico, this 16TH day of SEPTEMBER, 2026.

DAVID M. LEE, RMR, CCR
New Mexico CCR Number 537
License Expires: 12/31/2026

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**NOTICE OF PUBLIC HEARING ON PROPOSED PERMANENT RULE**

**Public Notice.** The New Mexico Law Enforcement Standards and Training Council ["NMLESTC"] gives notice that it will hold a public hearing at DPS's Law Enforcement Academy, Auditorium, at 4491 Cerrillos Rd, Santa Fe, NM 87507, and via Zoom, on Tuesday through Thursday, August 25–27, 2026, from 9:00 a.m. to 2:00 p.m. on the proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING. The public may attend via DPS or Zoom on a computer, mobile device, or telephone. The videoconference's Meeting ID and Password, videoconference link, and telephone number are:

Join the Zoom Meeting on Your Computer or Mobile App:
https://tinyurl.com/classifyingrule
Meeting ID: 847 8284 9192
Passcode:115412
Meeting chat link: https://us06web.zoom.us/launch/jc/84782849192
One tap mobile:
+17193594580,,84782849192#,,,,*115412# US
+17207072699,,84782849192#,,,,*115412# US (Denver)
Join by SIP: 84782849192@zoomcrc.com
Join instructions:
https://us06web.zoom.us/meetings/84782849192/invitations?signature=kRV49vb_IYExH4lcG8i6j8rFQRpkzwul0YnkLRqiwBk

**Purpose of the Rule:** The purpose of the rule is to enable the New Mexico Law Enforcement Standards and Training Council (NMLESTC) to update, establish, and implement requirements governing law enforcement training and telecommunicator training, instructor credentialing, and related processes.

**Copies of the Rule.** Copies of the rule may be viewed at the NMLEA website at Council Members and Staff - LEA, and through the sunshine portal at https://statenm.my.salesforce-sites.com/public/SSP_RuleHearingSearchPublic.

**Statutory Authorization.** The statutory authorization for this rulemaking is set forth in NMSA 1978, Sections 29-7-3 and 29-7-4(E).

**Permanent Rule.** The proposed rule will be a permanent rule.

**Comment on the Rule.** Interested persons may comment on the proposed permanent rule either at the hearing, by submitting written statements to Jessica Arballo, DPS Law Enforcement Academy at 4491 Cerillos Rd., P.O. Box 1628, 87504-1628, or by email at jessica.arballo@dps.nm.gov. All mailed statements must be received by August 24, 2026. Early submission of written statements is encouraged. Interested persons may also comment in writing at the public hearing.

**Reasonable Accommodation**. Individuals with disabilities who need any form of auxiliary aid to attend or participate in the public hearing, including a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service, are asked to contact Jessica Arballo by email at jessica.arballo@dps.nm.gov as soon as possible and no later than August 15, 2026. DPS requires at least ten calendar days' advance notice to provide special accommodations.

EXHIBIT 1

Rule Hearing Search

Law Enforcement

Hearing Date: All | Comments Deadline Date: All | Agency: ----

Search

Return to Search Results

**Proposed Rule Name:**
Proposed repeal of 10-29-2 to 5 & 7 to 10 NMAC LEA and new 10-28-1 to 9 LEST
**Agency:**
New Mexico Law Enforcement Standards and Training Council
**Purpose:**
The purpose of the rule is to enable the NMLESTC to update, establish and implement requirements governing law enforcement training and telecommunicator training, instructor credentialing, and related processes. The statutory authorization for this rulemaking is set forth in NMSA 1978, Sections 29-7-3 and 29-7-4(E).
**Summary:**
The public hearing will for the proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS, PART 2 DEFINITIONS, PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY, PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING, PART 8 LAW ENFORCEMENT TRAINING, PART 9 TELECOMMUNICATOR TRAINING.
**Rule Complete Copy :**
Copies of the rule may be viewed and downloaded from the NMLEA website at https://www.lea.nm.gov/council-members-and-staff/, and through the sunshine portal at https://statenm.my.salesforce-sites.com/public/SSP_RuleHearingSearchPublic.
**Corrections:**
Not available
**Rule Explanatory Statement:**
Not available
**Related New Mexico Register Publications:**
Not available
**For any additional information or questions concerning this rule making or posting please contact:**
Jessica Arballo
jessica.arballo@dps.nm.gov
505-827-9252
**Last Updated Date**
7/10/2026 6:12 PM

**How to submit Comments:**
Interested persons may comment on the proposed permanent rule either at the hearing, by submitting written statements to Jessica Arballo, DPS Law Enforcement Academy at 4491 Cerrillos Rd., P.O. Box 1628, 87504-1628, or by email at jessica.arballo@dps.nm.gov. All mailed statements must be received by August 24, 2026. Early submission of written statements is encouraged. Interested persons may also comment in writing at the public hearing.
**When are comments due:**
8/24/2026 11:45 PM

**Hearing Date:**
8/25/2026 9:00 AM

**Public Hearing Location:**
DPS's Law Enforcement Academy, Auditorium, at 4491 Cerrillos Rd. Santa Fe, NM 87507 8/25/2026 (9:00 AM -2:00 PM )
**How to participate:**
In person at DPS's Law Enforcement Academy, Auditorium, and via Zoom
Join the Zoom Meeting on Your Computer or Mobile App:
https://tinyurl.com/classifyingrule
Meeting ID: 847 8284 9192
Passcode:115412
Meeting chat link: https://us06web.zoom.us/launch/jc/84782849192
One tap mobile
+17193594580,,84782849192#,,,,*115412# US
+17207072699,,84782849192#,,,,*115412# US (Denver)
Join by SIP: 84782849192@zoomcrc.com
Join instructions: https://us06web.zoom.us/meetings/84782849192/invitations?signature=kRV49vb_IYExH4IcG8i6j8rFQRpkzwul0YnkLRqwBk

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| View Document | LESTC 10.28.6new rule_JULY 2026 | PDF | |

Outlook

## Notice of Propose Rulemaking - Law Enforcement Standards and Training Council

**From** Marianne Bowers <MBowers@nmdoj.gov>
**Date** Tue 7/14/2026 3:58 PM
**To** lcs@nmlegis.gov <lcs@nmlegis.gov>
**Cc** richardmathews12@gmail.com <richardmathews12@gmail.com>

1 attachment (105 KB)
2026.07.10 Rulemaking Notice - posted.pdf;

Good afternoon.
Attached please find a Notice of Proposed Rulemaking as per 14-4-2(E)(7) NMSA 1978.

The proposed rules can be found on the Sunshine Portal and here:

Council Members and Staff - LEA

Thank you.
Marianne

Marianne Bowers
Assistant Attorney General
Government Counsel & Accountability Bureau
New Mexico Department of Justice
505-917-2913
MBowers@nmdoj.gov

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Outlook

## Notice of Proposed Rulemaking - Law Enforcement Standards and Training Council

**From** Marianne Bowers <MBowers@nmdoj.gov>
**Date** Tue 7/14/2026 4:02 PM
**To** Gallardo, Julie, DPS <julie.gallardo@dps.nm.gov>; barbara.ryan@dps.nm.gov <barbara.ryan@dps.nm.gov>
**Cc** richardmathews12@gmail.com <richardmathews12@gmail.com>

1 attachment (105 KB)
2026.07.10 Rulemaking Notice - posted.pdf;

Good afternoon.
Attached please find a Notice of Proposed Rulemaking as per 14-4-2(E)(7) NMSA 1978.

The proposed rules can be found on the Sunshine Portal and here:

Council Members and Staff - LEA

Thank you.
Marianne

Marianne Bowers
Assistant Attorney General
Government Counsel & Accountability Bureau
New Mexico Department of Justice
505-917-2913
MBowers@nmdoj.gov

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EXHIBIT 4

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 1 GENERAL PROVISIONS**

**10.28.1.1 ISSUING AGENCY**: New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507.
[10.28.1.1 NMAC - N, xx/xx/2026

**10.28.1.2 SCOPE:** All police officers, telecommunicators, and law enforcement agencies in the state of New Mexico.
[10.28.1.2 NMAC - N, xx/xx/2026]

**10.28.1.3 STATUTORY AUTHORITY:** Subsection E of Section 29-7-4 NMSA 1978, Section 29-7-2 NMSA 1978, Section 29-7-3 NMSA 1978, Section 29-7-4 NMSA 1978, Section 29-7-4.1 NMSA 1978, Section 29-7-4.2 NMSA 1978, Section 29-7-4.3 NMSA 1978, Section 29-7-4.4 NMSA 1978, Section 29-7-5 NMSA 1978, Section 29-7-5.1 NMSA 1978, Section 29-7-6 NMSA 1978, Section 29-7-6.1 NMSA 1978, Section 29-7-7 NMSA 1978, Section 29-7-7.1 NMSA 1978, Section 29-7-7.2 NMSA 1978, Section 29-7-7.3 NMSA 1978, Section 29-7-7.4 NMSA 1978, Section 29-7-7.5 NMSA 1978, Section 29-7-7.6 NMSA 1978, Section 29-7-7.7 NMSA 1978, Section 29-7-12 NMSA 1978, Section 29-7-14 NMSA 1978, Section 29-7C-4 NMSA 1978, Section 29-7C-5 NMSA 1978; Section 29-7C-7 NMSA 1978.
[10.28.1.3 NMAC - N, xx/xx/2026]

**10.28.1.4 DURATION:** Permanent
[10.28.1.4 NMAC - N, xx/xx/2026]

**10.28.1.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.1.5 NMAC - N, xx/xx/2026]

**10.28.1.6 OBJECTIVE:** The objective of Part 1 is to establish procedures and policies for conducting meetings of the New Mexico Law Enforcement Standards and Training Council.
[10.28.1.6 NMAC - N, xx/xx/2026]

**10.28.1.7 DEFINITIONS: [Reserved]**
[10.28.1.7 NMAC - N, xx/xx/2026]

**10.28.1.8 REGULATIONS, POLICIES AND PROCEDURES FOR CONDUCTING THE BUSINESS OF THE LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL:**

**A. Duties of Council Members:**

**(1)** The Council shall annually elect the Council chair at the first Council meeting of each calendar year. The chair shall preside at all meetings and shall be charged with the responsibility of preserving order and decorum and enforcing these regulations. The chair shall execute all of those duties commonly performed by a presiding officer.

**(2)** The Council shall elect a vice-chair at the first Council meeting of each calendar year. The vice-chair shall act in the capacity of the chair in the absence or unavailability of the chair.

**B. Director:** The director shall be under the supervision and direction of the Secretary of the Department of public safety.

**(1)** The director provides administrative services to the Council. The director represents the Council in administrative matters and is subject to the direction of the Council through its official proceedings. The director is responsible for the review and certification of the minutes of the Council. The director implements the training standards and requirements developed and adopted by the Council.

**(2)** Because the director is subject to the direction of the council, the director may not hold the position of Council chair or vice-chair.

**(3)** The Council may direct the director to implement, carry out, or finalize a particular policy or agreement. When the Council has so directed, the director is authorized to sign on behalf of the Council those contracts and other documents that are customarily signed by the chair of the Council.



EXHIBIT 5

**(4)** The director supervises the operation of the academy as its chief executive officer. The director shall perform all duties delegated to the director by law and those customarily exercised by the chief executive officer of a state agency.

**(5)** The director ensures that regional satellite academies adhere to the training standards established by the Council.

**(6)** The director evaluates basic law enforcement training programs, basic telecommunicator training programs, certification by waiver programs, and in-service programs on a regular basis to ensure that they comply with standards set by the Council, in addition to state and federal law.

**(7)** The director shall accredit advanced training classes and ensure compliance whenever a specific curriculum for a class is established as a statewide standard by the Council.

**(8)** The director is responsible for maintaining training records for all officers and telecommunicators who complete basic law enforcement or telecommunicator training, as well as certification-by-waiver programs. The director is responsible for maintaining training records for officers and telecommunicators who successfully complete accredited advanced training and in-service classes.

**C. Meetings:** Regular meetings of the Council will be held at least four times a year at a time and place to be designated by the chair:

**(1)** A majority of the Council members currently serving shall constitute a quorum for the transaction of business at any regular or emergency meeting. The transaction of the Council's business shall be by the vote of the majority of its members present at the meeting. All members of the council, including the chair and those serving ex officio, have the same duties and responsibilities as any other member.

**(2)** If a number of Council members less than a quorum shall assemble for any meeting, they may postpone or adjourn the meeting until such time as a quorum can be obtained and notice again given in accordance with the rules herein set forth.

**(3)** If, prior to the commencement of a regular or emergency meeting, the director has received notice that the majority of the members of the Council will not be able to attend the meeting, the director may cancel the meeting and is instructed to attempt to give notice of cancellation of the meeting to all Council members.

**(4)** All meetings of the Council shall be open to the public, except that the Council may exclude the public for the portion of the meeting as authorized by the New Mexico Open Meetings Act.

**(5)** The Council may request that persons having business before the Council, in addition to providing written information for the Council to review, appear personally before the Council to discuss their item of business.

**(6)** All meetings of the Council that are open to the public shall allow for a portion of the meeting time to be designated for public comment. The Council shall receive comments from those attending in person or virtually. Members may ask questions for clarification but may not engage in substantive discussion or take formal action unless noticed in the meeting agenda. Comments will be taken under advisement and may be placed on the agenda of a future public meeting for discussion or action at the discretion of the Council.

**(7)** The order of business of the Council at regular meetings shall be as follows:

- **(a)** Roll call;
- **(b)** Approval of agenda;
- **(c)** Approval of minutes;
- **(d)** Old business;
- **(e)** New business;
- **(f)** Designation of place of next meeting; and
- **(g)** Adjournment.

**(8)** The chair shall prepare an agenda for each meeting.

**(9)** The agenda for an emergency meeting shall specify the items of business to be considered by the Council at that meeting. No business other than that specifically stated on the agenda for that emergency meeting shall be considered. The subject matter to be considered at any emergency meeting shall be included in that notice given by the director to the members of the Council as required in these regulations and the New Mexico Open Meetings Act.

**(10)** All meetings shall be called to order and the business of the meeting conducted by the chair of the Council, or in his absence, the vice-chair. Should both officers of the Council be absent from the meeting, if a quorum is present, the Council shall designate one of its members to assume the responsibilities of the chair for that meeting.



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(11) In the event a question as to the proper method of procedure arises in any meeting, the chair is vested with authority to resolve such questions, and the decisions shall be final.

(12) The chair shall send to all Council members prior to the regular meeting date a copy of the agenda for the regularly scheduled meeting and any documents or other items of information that may assist the Council members in preparing for the upcoming meeting.

(13) The minutes of each Council meeting shall comply with the requirements of the Open Meetings Act. The director or the staff is directed to compile the minutes of the meeting from stenographic notes of the meeting, a tape recording, a video recording, or any combination thereof. The approved minutes of a meeting shall constitute the official record of business transacted at the meeting. The approved minutes of the Council meeting shall be preserved physically or electronically and shall be available for public inspection during normal working hours.

**D. Request for Consideration as a Meeting Agenda Item:**

(1) All persons, other than members of the Council, desiring to place before the Council any item for discussion or time of business for the Council's consideration may do so by submitting a request in writing to the chair as early as possible, and no later than 10 days in advance of the regular meeting, a written request containing:

(a) A request that the item of business be placed on the agenda of the next regularly scheduled meeting;

(b) A description of the subject matter of the item of business, any supporting documentation, and any presentation material;

(c) The action that the requester desires the Council to take on the item of business; and

(d) The reason why the petitioner feels the action proposed by the petitioner is appropriate.

(2) The chair has the discretion to place any requested item on the agenda. The decision as to whether or not to place a requested item on the agenda, the method of presentation allowed, and the amount of time allowed to present on the item may be decided by the chair, and that decision is final.

**E. Regulations:** The Council may alter and amend these regulations from time to time as it deems necessary. Changes to the regulations shall comply with requirements under the State Rules Act, Chapter 14, Article 4, NMSA 1978.

**F. Rule Clarification**

(1) The Council is empowered to develop and promulgate statewide training requirements, curricula, methods, and professional development programs for law enforcement officers and public safety telecommunicators; and to adopt, publish, and file all rules necessary for the implementation and enforcement of such training, pursuant to Subsection B of Section 29-7-3 NMSA 1978and Subsection E of Section 29-7-4 NMSA 1978.

(2) The Standards and Training Council shall be responsible for reviewing and clarifying the New Mexico Administrative Code (NMAC) and state statutes related to law enforcement and telecommunicator training in Chapter 29 NMSA.

(3) When the director, the academy, or any other stakeholder requires clarification regarding NMAC or state statute related to law enforcement and telecommunicator training, the inquiry shall be referred to the chair of the Standards and Training Council.

(4) The chair may render a preliminary clarification, convene the NMAC Working Group to handle the preliminary clarification, or consult with the New Mexico Department of Justice attorney assigned to support the Standards and Training Council, as needed, to assist with the preliminary clarification.

(5) The preliminary clarification issued by the chair or NMAC Working Group shall serve as the controlling standard until such time as the Council convenes to discuss the issue.

(6) All preliminary clarifications of NMAC shall be reported to the Council at the next regularly scheduled Council meeting for a final decision. The Council may ratify, overrule, revise the clarification, or direct the NMAC Working Group to make recommendations for revisions to NMAC.

**G. Miscellaneous:**

(1) In computing any period of time prescribed or allowed by these regulations, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday or Sunday or legal holiday, in which even the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. For purposes of this rule, a legal



EXHIBIT 5

holiday shall include any day in which state offices are closed for any consecutive period of three hours or more between 8:00 a.m. and 5:00 p.m.

**(2)** The academy will maintain a database of all certified law enforcement officers and public safety telecommunicators that will reflect a valid mailing address for each individual. It will be incumbent on each certified individual to provide the academy a current and valid mailing address for the purpose of Council communications, notices of hearing, notices of action, and other official means of notification listed within the scope of this rule. Each certified law enforcement officer and public safety telecommunicator will provide notice of change of address in writing by use of the LEA 82A form within 30 days of any change of address. If an address change is due to termination, resignation, or retirement of a certified individual from a New Mexico public safety agency, the agency may provide a valid mailing address for the individual on the LEA-82 form. Reporting and notification to the academy of valid mailing address information is a requirement of certification maintenance and is the sole responsibility of the certified individual.

**H. Open Meetings Act Requirements:**

**(1)** Pursuant to subsection D of Section 10-15-1 of the Open Meeting Act, the Council will determine annually what constitutes reasonable notice of its public meetings, which shall be done in the form of a resolution adopted annually pursuant to the Open Meetings Act and these rules.

**(2)** Notice:

**(a)** Regular meetings of the Council shall ordinarily be held at least quarterly at a time and place designated in the notice. The agenda will be available from the director whose office is located at 4491 Cerrillos Road, Santa Fe, New Mexico. Notice of regular meetings will be given 10 days in advance of the meeting date.

**(b)** Special meetings of the Council may be called by the chair with notice of at least 72 hours.

**(c)** Emergency meetings of the Council are meetings called under circumstances that demand immediate action by the Council. Although the Council would avoid emergency meetings whenever possible, such circumstances may occasionally arise. Emergency meetings of the Council may be called by the chair upon notice of at least 24 hours, unless shorter notice is necessary as authorized by the Open Meetings Act.

**(3)** Closed Meetings: The Council may close a meeting to the public if the subject matter of such discussion or action is subject to a listed exemption of the Open Meeting Act. If any Council meeting is closed, such closure shall comply with the specific requirements described in the Open Meetings Act.

[10.28.1.8 NMAC - N, xx/xx/2026]

**History of 10.28.1 NMAC: [RESERVED]**



EXHIBIT 5

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 2 DEFINITIONS**

**10.28.2.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507.
[10.28.2.1 NMAC - N, xx/xx/2026]

**10.28.2.2 SCOPE:** All police officers, telecommunicators, and law enforcement agencies in the state of New Mexico.
[10.28.2.2 NMAC - N, xx/xx/2026]

**10.28.2.3 STATUTORY AUTHORITY:** Paragraph (1) of Subsection E of Section 29-7-4, NMSA 1978
[10.28.2.3 NMAC - N, xx/xx/2026]

**10.28.2.4 DURATION:** Permanent
[10.28.2.4 NMAC - N, xx/xx/2026]

**10.28.2.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.2.5 NMAC - N, xx/xx/2026]

**10.28.2.6 OBJECTIVE:** This part provides definitions for terms used in the rules in addition to those definitions in the Act for the New Mexico Law Enforcement Standards and Training Council.
[10.28.2.6 NMAC - N, xx/xx/2026]

**10.28.2.7 DEFINITIONS:**

**A.** "Absence" means a break in employment with a public safety agency as a full-time certified public safety telecommunicator.

**B.** "Academy" means the New Mexico Law Enforcement Academy.

**C.** "Accredited" refers to training that is recognized by the director as meeting required standards set by the Law Enforcement Standards and Training Council. Accredited advanced training courses may be counted toward a law enforcement officer's or telecommunicator's in-service training requirements.

**D.** "Advanced police training" or "advanced training" is police officer training beyond the basic law enforcement training program level and does not include mandated in-service training courses.

**E.** "Advanced telecommunicator training" or "advanced training" is telecommunicator training beyond the basic telecommunicator training program level and does not include mandated in-service training courses.

**F.** "Agency" means a law enforcement or public safety agency recognized by the New Mexico Law Enforcement Academy.

**G.** "Board" means the Law Enforcement Certification Board

**H.** "Credentialed Instructor" means meeting the training standards established by statute and rules as determined by the New Mexico Law Enforcement Standards and Training Council to teach law enforcement officers and telecommunicators in New Mexico. A credential is distinct from a certification or commission and may be issued to qualifying individuals regardless of current employment status or in-service training compliance. A credentialed instructor may be a state-certified law enforcement officer or public safety telecommunicator, including officers employed by a law enforcement agency, reserve police officers, or a duly elected sheriff. A credentialed instructor may also be a police administrator or other employee who works for a public agency within the criminal justice system. A currently employed, former, or retired law enforcement officer or telecommunicator may be a credentialed instructor as long as that individual's state certification is not currently suspended or revoked by the Law Enforcement Certification Board.

**I.** "Council" means the Law Enforcement Standards and Training Council

**J.** "Director" means the director of the New Mexico Law Enforcement Academy.

**K** "General instructor" means a credentialed general instructor who is authorized to teach generalized topics of instruction which would not otherwise require a specialized, technical, high-risk or master instructor credential.



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**L.** "High-risk specializations" are topics that involve significant danger or risk of injury when learning, training, practicing or applying the skills in the course of one's duties.

**M.** "ICS" means incident command system.

**N.** "Instructor course" is any accredited advanced police or telecommunicator training intended to further the individual's knowledge, skills, and abilities, beyond a basic level, for an instructor credential in the respective field.

**O.** "Master course" is any advanced police or telecommunicator training intended to further the individual's knowledge, skills, and abilities beyond an instructor course. A master course allows an instructor to apply to the academy for a master instructor credential.

**P.** "Master instructor" is a credentialed instructor authorized to train instructor-level or train-the-trainer courses.

**Q.** "NHTSA" means the National Highway Traffic Safety Administration.

**R.** "Public safety agency" means a unit of state or local government, a special purpose district or a private business that provides police, firefighting or emergency medical services.

**S.** "Professional Lecturer" means someone who is credentialed to teach law enforcement or telecommunicators, but who is not an instructor as defined in Section 10.28.2.7 and who has subject matter expertise, academic credentials, licensing, or professional experience.

**T.** "Senior Master Instructor" is a master instructor who has achieved the highest level of teaching credential. A senior master instructor is authorized to teach a master instructor course.

**U** "Separation" means a break in employment with a public safety agency as a full-time certified public safety telecommunicator after being employed for a minimum period of five years and having left the public safety agency in good standing.

**V.** "Specialized" means an instructor who has an additional credential that allows that instructor to teach specialized topics that require advanced training, experience and skills beyond those that are taught in a basic law enforcement training program, a certification-by-waiver program, or a standard in-service curriculum. Specialized topics may also be designated as high-risk or technical specializations.

**W.** "Technical specializations" are duties that require a level of expertise, certification, or licensure as established by the courts or a state or federal regulatory body. Technical topics do not involve a significant danger or risk of injury when learning, training, practicing or applying the skills in the course of one's duties.

**X.** "Telecommunicator" means an employee of a public safety agency who receives calls or dispatches the appropriate personnel or equipment in response to calls for police, fire or medical services, and makes decisions affecting the life, health, or welfare of the public or public safety agency employees.

[10.28.2.7 NMAC - N, xx/xx/2026]

**History of 10.28.2 NMAC: [RESERVED]**



EXHIBIT 6

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 3 FACILITIES**

**10.28.3.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87505
[10.28.3.1 NMAC - N, xx/xx/2026]

**10.28.3.2 SCOPE:** All law enforcement agencies in New Mexico (state, county, municipal, or other local governments, associations and other groups).
[10.28.3.2 NMAC - N, xx/xx/2026]

**10.28.3.3 STATUTORY AUTHORITY:** Paragraph (1) of Subsection E of Section 29-7-4 NMSA 1978
[10.28.3.3 NMAC - N, xx/xx/2026]

**10.28.3.4 DURATION:** Permanent
[10.28.3.4 NMAC - N, xx/xx/2026]

**10.28.3.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.3.5 NMAC - N, xx/xx/2026]

**10.28.3.6 OBJECTIVE:** The purpose of part 3 is to establish guidelines for use of academy facilities, fees for use of facilities and services offered by the academy and procedures for their collection.
[10.28.3.6 NMAC - N, xx/xx/2026]

**10.28.3.7 DEFINITIONS: [Reserved]**
[10.28.3.7 NMAC - N, xx/xx/2026]

**10.28.3.8 USE OF FACILITIES:**

**A.** The following guidelines are established for use in connection with handling requests for the use of the Department of Public Safety training center building and facilities. Please allow sufficient time for arrangements to be made for the facilities requested. The request shall be made in writing. Use of the training center building and facilities will be confined to the following:

**(1)** Official state agencies and institutions for official purposes;

**(2)** Official county, city, or municipal agencies for official purposes and specifically to include the New Mexico Municipal League and Association of Counties;

**(3)** The New Mexico Sheriffs' and Police Officers' Association;

**(4)** The New Mexico Mounted Patrol

**(5)** Other law enforcement-related associations or activities; and

**(6)** Other groups, agencies, and activities are at the discretion of the director.

**B.** Other requests not specifically mentioned or included above will be considered.

**C.** A fee may be charged for the use of the facilities.

**D.** The fee is subject to change, and quotes will be provided upon request.

**E.** Any organization requesting services that are not utilized will be obligated to pay for all services requested unless written notification of cancellation is made at least five days prior to the date of services.

**F.** All requests are contingent upon available facilities and compatibility with the training center's functions.

**G.** The director or designee may cancel the use of training center facilities 15 days prior to the scheduled date if circumstances warrant such cancellation.
[10.28.3.8 NMAC - N, xx/xx/2026]

**10.28.3.9 CHARGES:**

**A. Charges for Service**

**(1)** A fee may be established for services rendered by the academy.

**(2)** The fee will cover training costs, rooms, board, and facilities provided by the academy.

**(3)** The fee schedule shall be maintained by the director.



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(4) Said fee shall be subject to change without notice.

(5) The director may raise said fee at any time.

(6) Any increase shall take effect immediately.

(7) All increases shall be subject to the approval or disapproval of the New Mexico Law Enforcement Standards and Training Council at its next meeting.

**B. Charges for Dormitory Usage Only**

(1) The following policy is hereby established for use of the academy dormitory by non-students.

(2) Use of the training center's dormitory by non-students shall be at the discretion of the director of the academy.

(3) If permission is granted for use of the dormitory facilities by a non-student, a fee of $15.00 per day will be charged. The fee shall be paid to the academy.

(4) Any exceptions to the above can be made by the director of the academy.

[10.28.3.9 NMAC - N, xx/xx/2026]

**10.28.3.10 ACCOUNTS AND COLLECTIONS:**

**A.** The Department of Public Safety will submit invoices to each agency whose personnel have attended all or part of a basic or specialized training course. The notices of payment due will be mailed no later than seven days after the training course terminates.

**B.** If payment is not received within 30 days from the date of the invoice, the Department of Public Safety will send a second notice by certified return-receipt mail to delinquent agencies.

**C.** If payment is still not received after 15 days from the mailing of the second notice, said debts will be referred to the proper authorities for collection. The academy may also refuse to accept or certify further personnel from such departments until all debts to the Department of Public Safety are paid in full.

**D.** Payment in advance from continually delinquent agencies or departments or from those who have been referred for collection may be required at the discretion of the director.

[10.28.3.10 NMAC - N, xx/xx/2026]

**History of 10.28.3 NMAC: [RESERVED]**



EXHIBIT 7

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 4 REGIONAL SATELLITE ACADEMIES**

**10.28.4.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507.
[10.28.4.1 NMAC - N, xx/xx/2026]

**10.28.4.2 SCOPE:** All law enforcement agencies and any other entities who operate a police academy or criminal justice certificate program in New Mexico.
[10.28.4.2 NMAC - N, xx/xx/2026]

**10.28.4.3 STATUTORY AUTHORITY:** Paragraph 1 of Subsection E of Section 29-7-4 NMSA 1978
[10.28.4.3 NMAC - N, xx/xx/2026]

**10.28.4.4 DURATION:** Permanent
[10.28.4.4 NMAC - N, xx/xx/2026]

**10.28.4.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.4.5 NMAC - N, xx/xx/2026]

**10.28.4.6 OBJECTIVE:** The purpose of Part 4 is to establish procedures for the implementation of a satellite academy program, also known as a regional satellite law enforcement training facility; to define the required content for such programs and to implement evaluation procedures to be utilized by the New Mexico Law Enforcement Standards and Training Council.
[10.28.4.6 NMAC - N, xx/xx/2026]

**10.28.4.7 DEFINITIONS: [Reserved]**
[10.28.4.7 NMAC - N, xx/xx/2026]

**10.28.4.8 APPLICATION AND APPROVAL:**

**A.** The New Mexico Law Enforcement Standards and Training Council shall determine the maximum number of satellite academies that may be certified at any given time.

**B.** The academy shall conduct an administrative assessment to evaluate any proposal for a new regional satellite academy. The academy's formal accreditation process for a new regional satellite academy shall include an assessment of the proposed new regional satellite academy's ability to administer, manage, and sustain a training program that meets or exceeds the minimum training standards established by the Council.

**C.** When the academy determines that the proposed new regional satellite academy's facilities, instructors, program management, and curriculum meet or exceed the standards and expectations established by the Council, the director or designee shall present the proposal to the Council for a vote to approve or deny the creation of a new regional satellite academy. The New Mexico Law Enforcement Standards and Training Council shall evaluate the impact and need for an additional academy prior to approving a new regional satellite academy.

**D.** A Council-approved satellite academy may not be sold, purchased, or transferred without Council approval.

**E.** These procedures must be adhered to by all basic law enforcement, certification by waiver, and telecommunicator academies for the training program to be approved for accreditation in accordance with the Law Enforcement Training Act.
[10.28.4.8 NMAC - N, xx/xx/2026]

**10.28.4.9 PROGRAM IMPLEMENTATION:**

**A.** A satellite academy must undergo an accreditation process to ensure that the facilities, instructors, program management, and curriculum meet or exceed the standards and expectations established by the New Mexico Law Enforcement Standards and Training Council.

**B.** Initial accreditation will involve a detailed review to ensure that the satellite academy is equipped with the requisite facilities, staffing, infrastructure, and resources to operate a program that is comparable to the academy.



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**C.** An accredited satellite academy will renew its accreditation every three years. A renewal will automatically be processed by the New Mexico Law Enforcement Standards and Training Council, provided the academy has delivered at least three basic training programs during the previous three calendar years. If an academy has not done so, the director will review the academy's status and performance and make a recommendation to the Council for re-accreditation. The director will publish a compliance manual for satellite academy accreditation.

**D.** For basic law enforcement training and certification by waiver academies, comparable training facilities for the below-listed proficiency areas must be available or contracted for by the requesting agency or instructor and approved by the director.

**(1)** Comparable driving track facility;

**(2)** Comparable firearms range facility; and

**(3)** Comparable obstacle/agility course facility.

**E.** Upon receipt of this information, a thorough evaluation will be made, and notification will be sent to the agency or institution advising of the director's decision. If the program is not accredited, the agency or institution will be notified, and recommendations will be provided, advising them of the program's deficiencies. Once these deficiencies have been corrected, the program will be examined again, and a notification will be sent regarding the final disposition.

**F.** Once accreditation is granted, the agency or institution can conduct the program with the assurance that the program is comparable to or exceeds the minimum standards of training as established by the New Mexico Law Enforcement Standards and Training Council.

**G.** There is no minimum or maximum number of students. However, an appropriate instructor-to-student ratio must be maintained. A low certification percentage, as determined by the New Mexico Law Enforcement Standards and Training Council, may be grounds for non-renewal of academy accreditation.

**H.** The New Mexico Law Enforcement Standards and Training Council will establish minimum guidelines for instructor and student conduct.

[10.28.4.9 NMAC - N, xx/xx/2026]

**10.28.4.10 PROGRAM REPORTING:**

**A.** At least 45 days prior to the start date of a basic law enforcement training program, basic telecommunicator training program, certification-by-waiver program, police training program, or public safety telecommunicator and satellite academy directors shall submit the following information for review and accreditation:

**(1)** Start date and estimated graduation date

**(2)** Class schedule

**(3)** Accreditation worksheet

**(4)** An electronic copy of any additional classes, including lesson plans and handouts, as well as supplemental curriculum not included in the basic law enforcement training program, basic telecommunicator training program, or certification-by-waiver program authorized by the Council. This submission does not need to include the standard curriculum established by the Council, only what will be taught beyond that standard curriculum.

**(5)** List of credentialed instructors and their assigned classes. Specialized high-risk topics that must be taught by instructors who are credentialed to teach those specialized topics. If a specialized instructor is required for a particular class, that specialized instructor must supervise any credentialed general instructors who assist in teaching that class.

**B.** Two weeks prior to the start date, a Roster of students' full names, dates of birth, social security numbers, phone number, home address, email and agency, and the complete application package for each student, including any required physical fitness assessment, psychological testing reports, and medical examination reports, shall be submitted to the academy, giving the academy time to ensure that the application packet is complete for accurate record keeping.

**C.** There is no minimum or maximum number of students. However, an appropriate instructor-to-student ratio must be maintained.

**D.** The New Mexico Law Enforcement Standards and Training Council will establish minimum guidelines for instructor and student conduct.

**E.** The New Mexico Law Enforcement Standards and Training Council will determine which academies are authorized to conduct basic law enforcement training, certification by waiver of previous training, and telecommunicator training programs.

[10.28.4.10 NMAC - N, xx/xx/2026]



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**10.28.4.11 PROGRAM COMPLETION:** Upon completion of the training program, the regional satellite academy must provide the following information to the director prior to administration of the law enforcement officer certification examination (LEOCE) or telecommunicator certification examination (TCE).

**A.** Final student roster of graduating students, including any changes of address or other changes of personal status from what was originally submitted

**B.** Final class schedule: with any changes to dates, times, and length of instruction;

**C.** Final list of instructors

**D.** Test scores: Scores for each graded test, including any graded practical assessments, emergency vehicle operations scores, and firearms qualification scores, showing that the applicant met the standards for training as established by the Council for the basic law enforcement training program, the basic telecommunicator training program, or the certification by waiver program.

[10.28.4.11 NMAC - N, xx/xx/2026]

**10.28.4.12 LAW ENFORCEMENT OFFICER CERTIFICATION EXAMINATION (LEOCE)**

**A.** Only students who graduate from the academy, an accredited regional satellite academy, or an accredited certification by waiver program will be eligible for the LEOCE.

**(1)** Students will be allowed two opportunities in which to pass the LEOCE within one year from the date of completion of the satellite program.

**(2)** Students who fail the exam two times must attend the academic portion of the certification by waiver of the previous training program prior to taking the exam a third time.

**(3)** Students who fail the test three times will be required to attend either the entire academy or an entire regional satellite academy again.

**B.** If a student does not secure a law enforcement position within one year from the date of passing the LEOCE, they will be required to attend an accredited certification-by-waiver program to maintain their certification.

**C.** Students who pass the LEOCE will be provided with a letter from the director with their test score.

**D.** The director will submit a list of students who are eligible for certification to the Board for final approval and award of certification.

[10.28.4.12 NMAC - N, xx/xx/2026]

**10.28.4.13 PROGRAM MONITORING AND EVALUATION**

**A.** The director or designee has the authority to visit the regional training program at any time to monitor and evaluate the training conducted to ensure that the program meets the established minimum standards of training.

**B.** The director or designee will investigate any reported information concerning the operation of the satellite academy and the delivery of training programs. At any time that information on program deficiency is verified, the director can request decertification of the satellite program through the New Mexico Law Enforcement Standards and Training Council.

**(1)** The decertification procedures will require a written report on program deficiencies to the director of the satellite program, allowing for correction of noted deficiencies.

**(2)** If the corrections are not made to the director's satisfaction, decertification will be recommended to the New Mexico Law Enforcement Standards and Training Council.

**(3)** All efforts will be made by the director and the satellite program director to resolve program deficiencies prior to initiation of any decertification proceedings.

**(4)** The satellite program director may appear before the New Mexico Law Enforcement Standards and Training Council to defend against any program certification recommendations. Any decisions rendered by the council shall be final.

[10.28.4.13 NMAC - N, xx/xx/2026]

**History of 10.28.4 NMAC: [RESERVED]**



EXHIBIT 8

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY**

**10.28.5.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507
[10.28.5.1 NMAC - N, xx/xx/2026]

**10.28.5.2 SCOPE:**
[10.28.5.2 NMAC - N, xx/xx/2026]

**10.28.5.3 STATUTORY AUTHORITY:** Paragraph 1 of Subsection E of Section 29-7-4 NMSA 1978
[10.28.5.3 NMAC - N, xx/xx/2026]

**10.28.5.4 DURATION:** Permanent
[10.28.5.4 NMAC - N, xx/xx/2026]

**10.28.5.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.5.5 NMAC - N, xx/xx/2026]

**10.28.5.6 OBJECTIVE:** The purpose of Part 5 is to establish qualifications for admission to the academy or a regional satellite academy.
[10.28.5.6 NMAC - N, xx/xx/2026]

**10.28.5.7 DEFINITIONS: [Reserved]**
[10.28.5.7 NMAC - N, xx/xx/2026]

**10.28.5.8 QUALIFICATIONS FOR ADMISSION TO AN ACADEMY:**

**A. Qualifications for police officer admission:** Applicants may be rejected for admission to the academy or a regional satellite academy if, after investigation, it is determined that the applicant does not meet the following criteria:

**(1)** Is a citizen of the United States or has been authorized to work by the United States Citizenship and Immigration Services, and has reached the age of majority

**(2)** Holds a United States high school diploma or its equivalent

**(3)** Holds a valid driver's license

**(4)** Has not been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge, or within the three-year period immediately preceding their application, to any violation of any federal law or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances or other crime involving moral turpitude and has not been released or discharged under dishonorable conditions from any of the armed forces of the United States;

**(5)** After examination by a licensed physician, is free from any physical condition which might adversely affect their performance as police officers to prohibit them from successfully completing the prescribed basic law enforcement training required by the Law Enforcement Training Act;

**(6)** Is found, after examination by a certified psychologist, to be free of any emotional, cognitive, or mental condition which might adversely affect their performance as police officers or prohibit them from successfully completing prescribed basic law enforcement training required by the Law Enforcement Training Act;

**(7)** Is of good moral character;

**(8)** Has met any other requirements for certification prescribed by the Board pursuant to regulations adopted by the Board; and

**B. Status**: For applicants to the academy, the director shall apprise applicants of their status and any deficiencies therein, in writing, as soon as possible. For applicants to a regional satellite academy, the regional satellite academy director shall inform applicants of their status and any deficiencies in writing as soon as possible.
[10.28.5.8 NMAC - N, xx/xx/2026]

**10.28.5.9 FINGERPRINT CLEARANCE FOR ADMISSION:**



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**A.** All New Mexico police officer applicants for admission to the academy or a regional satellite academy must receive a fingerprint clearance from the Department of Public Safety Technical and Emergency Support Division and the Federal Bureau of Investigation. No person can apply for admission to the academy or a regional satellite academy, if that person has been convicted of, pled guilty to, or entered a plea of nolo contendere to any felony charge or, within the three-year period immediately preceding the application, to any violation of federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances, or other crimes involving moral turpitude, or if the officer has been discharged from any branch of the United States armed forces under dishonorable conditions.

**B.** One set (two cards) of applicant fingerprint cards shall be completed and forwarded to the Department of Public Safety Technical and Emergency Support Division. The division shall conduct the state records check and forward the second card to the Federal Bureau of Investigation Identification Section for a national records check. Incomplete or improperly completed fingerprint cards shall be returned to the requestor.

**C.** If information received from the Department of Public Safety Technical and Emergency Support Division or the Federal Bureau of Investigation indicates that the applicant has a criminal conviction for a felony or other disqualifying offense, it must be submitted as part of the application packet. If disposition information is not available on a criminal history record, the final disposition must be obtained and submitted as part of the application packet prior to admission to an academy.

[10.28.5.9 NMAC - N, xx/xx/2026]

**10.28.5.10 BASIC TRAINING; PSYCHOLOGICAL EXAMINATION:**

**A. Procedure:**

**(1)** Prior to admission to training as a law enforcement officer in the state of New Mexico, it shall be necessary for each applicant to be examined by a licensed/certified psychologist who shall certify the individual's emotional and mental condition on a form prescribed by the director and entitled "mental examination certification".

**(2)** Private firms that administer psychological examinations for law enforcement officers shall be acceptable if, however, a qualified representative as stated in Paragraph (1) of Subsection A of 10.28.5.10 NMAC completes the appropriate form as prescribed by the director.

**(3)** The applicant shall also prepare and submit a form prescribed by the director and entitled "Psychological Statement of Applicant".

**(4)** False or incorrect statements in either form are grounds for denial of admission to an academy

**(5)** Evaluations cannot be more than one year prior to the start date of the academy

**(6)** The psychological evaluation/written report will be required to be attached to the LEA-4 form.

**(7)** The applicant shall not hold the privilege of obtaining the evaluation; evaluations are the property of the referring agency and shall be held in the strictest of confidence. A self-sponsored applicant may hold the privilege of obtaining the evaluation; however, the original report must still be sent directly to the academy upon completion by the psychologist.

**(8)** If any information concerning psychological screening/evaluation is provided to the director for admission to the academy, the regional satellite academy director for admission to a regional satellite academy, or the person evaluating the applicant's suitability is found to be false or not truthful, the applicant may be refused enrollment.

**(9)** Applicant's failure of psychological examination must be reported to the academy within 30 days.

**B. Screening process:**

**(1)** Examiner standard: Pre-employment psychological testing shall be conducted by a licensed/certified psychologist. In the event that the psychologist lacks appropriate training in this area, he/she should seek supervision in accordance with the American Psychological Association's Ethical Standards and Code of Conduct.

**(2)** Overview of process: At a minimum, the pre-employment psychological testing process shall consist of the following:

**(a)** psychological testing;

**(b)** face-to-face interview, either in person or by virtual video, at the discretion of the examiner;

**(c)** written narrative report



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**(d)** completed New Mexico LEA-4 form; and

**(e)** informed consent/release of information form.

**(3)** Psychological testing: The pre-employment psychological testing shall include, at a minimum, testing across the following areas:

**(a)** a measure of reading ability such as the Wide Range Achievement Test (WRAT), the Nelson-Denny reading test, or other comprehensive measure that yields a grade-level score;

**(b)** a measure of psychopathology, such as the Minnesota Multiphasic Personality Inventory Second Revised Version (MMPI-2), the Personality Assessment Inventory (PAI), or the Millon-3; and

**(c)** a measure of normal personality functioning, such as the 16PF, the LEADER, or the Inwald personality inventory.

**(4)** Interview: The interview shall be conducted in-person by the licensed/certified psychologist in a face-to-face interview, either in person or by virtual video, at the discretion of the examiner. At a minimum, the interview will cover the following areas:

**(a)** a brief mental status exam;

**(b)** gather or review a social history, to include relevant information regarding early development, schooling, military service, job history, and potential problems or issues, such as drug and alcohol use, driving, fighting, domestic violence, and past critical life events;

**(c)** explore areas of judgment and reliability, such as impulse control, communication, appropriate use of force, social skills, common sense, and credit history; and

**(d)** any other aspects of personal development (i.e., medical history) that the examiner deems important.

**(5)** Written report: The report shall incorporate all information gathered in the interview and testing. Any clinically significant elevations in test scores shall be discussed and their impact upon job performance explored. The examiner should address the ability of the candidate to perform the essential job functions, some of which may be unique to the sponsoring agency. If the candidate is not recommended, the report should enumerate which essential job functions he/she is incapable of performing.

**(6)** All psychologists performing pre-employment testing must conform to the guidelines of the American Psychological Association regarding storage of records.

**C. Rejection of applicant and subsequent psychological evaluation within 12 months:**

**(1)** In the event an applicant receives a psychological rejection a subsequent or additional psychological evaluation may only be obtained. This evaluation must be requested within 30 days of the rejection.

**(2)** Any rejected applicant who does seek a second opinion may reapply to a New Mexico law enforcement agency 12 months from the signature date of the rejection.

**D. Second Opinion:** If a psychological test is failed, a second psychological opinion may be requested:

**(1)** The second opinion will be rendered by a New Mexico licensed psychologist chosen by the applicant or hiring agency.

**(2)** Psychologist will review all test data and other information that was available to the initial psychologist (i.e., background investigation and polygraph results).

**(3)** The second evaluation, at a minimum, will follow the guidelines for pre-employment evaluations as outlined by the academy. The psychologist may review the original test data and will use, at a minimum, one additional testing instrument for the second evaluation.

**(4)** Psychologist may request other information from the applicant, the agency, or the academy prior to conducting the evaluation.

**(5)** The cost of this evaluation will be borne by the agency or the applicant.

**(6)** If the applicant fails the second evaluation, the applicant may reapply to a New Mexico law enforcement agency 12 months from the signature date of the second opinion.

**(7)** If the applicant passes the second evaluation, the applicant's name will be removed from the list of failed applicants, and the applicant will be eligible to enroll in an academy or regional satellite academy. [10.28.5.10 NMAC - N, xx/xx/2026]

**10.28.5.11 MEDICAL SELECTION GUIDELINES:**

**A. Authority:** An applicant to the academy or a regional satellite academy must be examined by a licensed physician and be found to be free of any physical condition that might adversely affect his/her performance as a police officer or prohibit him/her from successfully completing a prescribed basic law enforcement training course. The director or satellite academy director reserves the right to determine if a candidate may pose a direct



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threat to his/her safety or that of others in attending and participating in all aspects of the training program at the academy.

**B. Guidelines:**

**(1)** Eyes and vision.

**(a)** Visual acuity - distant vision; uncorrected distant vision should be better than, or equal to, 20/100 (Snellen) binocular, and correctable to better than, or equal to, 20/30 (Snellen) binocular; distant vision correctable to better than, or equal to, 20/30 (Snellen) binocular. Preferred means of correction are soft contact lenses or shatterproof frames and lenses with headband.

**(b)** Visual acuity - near vision; near vision correctable to better than, or equal to, 20/40 (Snellen) binocular.

**(c)** Visual acuity - color vision; Correct reading of at least nine or more of the first 13 plates of the Ishihara test (24 plate edition). Recourse testing is available by means of the Farnsworth - Munsell 100-hue test.

**(d)** Visual acuity - depth perception; depth perception should be sufficient to demonstrate normal stereo depth perception with or without correction to the standard: 100 ARC seconds.

**(e)** Visual acuity - peripheral vision; Peripheral vision should be normal and not negatively impact a candidate's ability to perform essential tasks.

**(f)** Glaucoma - if the candidate meets visual acuity guidelines following treatment, then the condition is non-disqualifying.

**(g)** Strabismus - if the candidate meets visual acuity guidelines following surgery, then the condition is non-disqualifying.

**(h)** Cataracts, current - if the candidate meets visual acuity guidelines following treatment, the condition is non-disqualifying.

**(i)** Proliferative retinopathy - if the candidate meets visual acuity guidelines following treatment, the condition is non-disqualifying.

**(j)** Nystagmus or other extra-ocular movement - if the candidate meets visual acuity guidelines, then the condition is non-disqualifying.

**(k)** Monocular vision.

**(l)** Blindness, including night-blindness.

**(m)** Retinal detachment - if the candidate meets visual acuity guidelines following treatment, then the condition is non-disqualifying.

**(n)** Chronic keratitis - if the candidate meets visual acuity guidelines following treatment, then the condition is non-disqualifying.

**(o)** Optic neuritis - if the candidate meets visual acuity guidelines following treatment, then the condition is non-disqualifying.

**(2)** Ears and hearing.

**(a)** Hearing acuity - the *average* hearing level (HL) at the test frequencies, 500, 1000, and 2000 Hz will not exceed 25dB in either ear, and no single hearing level will exceed 30 dB at any of these test frequencies in either ear. Hearing loss at 3000 Hz will not exceed 40 dB HL in either ear. Recourse testing of speech discrimination ability using phonetically balanced word lists in the presence of noise is available.

**(b)** Acute otitis media, otitis externa, and mastoiditis - if the candidate meets hearing acuity guidelines and the condition is under treatment, then the condition is non-disqualifying.

**(c)** Any inner/middle/outer ear disorder affecting equilibrium - if the candidate has historically had episodes of vertigo, he or she may require further evaluation.

**(3)** Nose, throat, and mouth - the conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** loss of sense of smell;

**(b)** aphonia, speech loss or speech defects; or

**(c)** deformities interfering with the proper fitting of a gas mask.

**(4)** Peripheral vascular system - the conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Hypertension - resting blood pressure should be less than, or equal to, 140 mmHg systolic and 90mmHg diastolic on three successive readings. (If the candidate has controlled hypertension



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and is on medication with side effect profiles which do not interfere with performance of essential tasks then the condition may not be disqualifying.)

**(b)** Varicose veins - if the condition is serious enough to affect the candidate's ability to perform essential tasks, it should be noted.

**(c)** Venous insufficiency - if the condition is serious enough to affect the candidate's ability to perform essential tasks, it should be noted.

**(d)** Peripheral vascular diseases - if the condition is serious enough to affect the candidate's ability to perform essential tasks, it should be noted.

**(e)** Thrombophlebitis - if the condition is serious enough to affect the candidate's ability to perform essential tasks, it should be noted.

**(5)** Heart and cardiovascular system - the conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Congenital heart disease - if the candidate's functional work capacity is unimpaired, then the condition is non-disqualifying.

**(b)** Valvular heart disease - if the candidate's functional work capacity is unimpaired, then the condition is non-disqualifying.

**(c)** Coronary artery disease.

**(d)** ECG abnormalities *(if associated with organic heart disease)* including, but not limited to:

**(i)** Wolff-Parkinson-White (WPW) syndrome.

**(ii)** ST depression.

**(iii)** right or left bundle branch blocks.

**(iv)** 3 degree A-V block.

**(v)** Mobitz type ii A-V blocks.

**(vi)** Sinoatrial block or sick sinus syndrome.

**(vii)** Ventricular extrasystoles *(frequent - 20/minute with exercise, 10/minute without exercise).*

**(viii)** Ventricular tachycardia.

**(ix)** Atrial fibrillation or flutter.

**(x)** Symptomatic supraventricular tachycardia.

**(e)** Angina.

**(f)** Congestive heart failure.

**(g)** Cardiomyopathy.

**(h)** Active pericarditis, endocarditis, and myocarditis.

**(6)** Respiratory system - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Active pulmonary tuberculosis

**(b)** Chronic bronchitis.

**(c)** Active asthma - if satisfactorily treated, the condition is not disqualifying.

**(d)** Chronic obstructive pulmonary disease.

**(e)** Bronchiectasis and pneumothorax.

**(f)** Pneumonectomy.

**(g)** Acute/chronic mycotic diseases - Including, but not limited to, coccidiodomycosis and histoplasmosis.

**(7)** Gastrointestinal system - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Colitis - Including, but not limited to, Crohn's disease, ulcerative colitis, irritable bowel syndrome (symptomatic or needing medication), bacterial colitis. If satisfactorily treated, the condition is not disqualifying.

**(b)** Esophageal disorders - including, but not limited to, esophageal stricture, lower esophageal ring and esophageal spasm. If the candidate's condition is controlled, then the condition is non-disqualifying.



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**(c)** Hemorrhoids - If the candidate's condition is controlled, then the condition is non-disqualifying.

**(d)** Pancreatitis.

**(e)** Gall bladder disorders.

**(f)** Active peptic ulcer disease.

**(g)** Symptomatic inguinal, umbilical, ventral, femoral, or incisional hernias.

**(h)** Malignant disease of the liver, gall bladder, pancreas, esophagus, stomach, small or large bowel, rectum or anus.

**(i)** Gastrointestinal bleeding - If the condition is satisfactorily treated, then it is not disqualifying.

**(j)** Active or chronic hepatitis.

**(k)** Cirrhosis of the liver.

**(8)** Genitourinary system - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation. People with communicable diseases must be evaluated relevant to their ability to train for and perform essential tasks without posing a direct threat to the health and safety of themselves and others.

**(a)** Pregnancy - qualification of the candidate is dependent upon the stage of the pregnancy.

**(b)** Nephrectomy - If a candidate possesses this condition with normal renal functions, then the condition is non-disqualifying.

**(c)** Acute nephritis.

**(d)** Nephrotic syndrome.

**(e)** Acute renal/urinary calculi.

**(f)** Renal transplant.

**(g)** Renal failure.

**(h)** Hydrocele and varicocele (symptomatic).

**(i)** Malignant diseases of bladder, kidney, ureter, cervix, ovaries, breasts, prostate, etc.

**(j)** Active venereal diseases.

**(k)** Urinary tract infection.

**(l)** Polycystic kidney disease.

**(m)** Pelvic inflammatory disorders.

**(n)** Cervicitis.

**(o)** Endometriosis.

**(p)** Bartholin gland abscess.

**(q)** Vaginitis.

**(r)** Inflammatory disorders - including, but not limited to, prostatitis, orchitis, and epididymitis.

**(s)** Presence of illicit drugs.

**(9)** Endocrine and metabolic systems - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Untreated thyroid disease.

**(b)** Diabetes mellitus.

**(c)** Adrenal dysfunction - including, but not limited to, Addison's disease and Cushing's disease.

**(d)** Hypoglycemia.

**(e)** Pituitary dysfunction.

**(f)** Thyroid tumor.

**(10)** Skin and collagen diseases - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Serious dermatological disorders.

**(b)** Lupus erythematosus.

**(c)** Contact allergies (of a serious or relevant nature).



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**(11)** Musculoskeletal system - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Disorders that limit motor performance.

**(b)** Cervical spine or lumbosacral fusion.

**(c)** Degenerative cervical or lumbar disc disease (if symptomatic).

**(d)** Extremity amputation.

**(e)** Osteomyelitis.

**(f)** Loss in motor ability from tendon or nerve injury/surgery.

**(g)** Arthritis - if a candidate possesses this condition with no functional impairment, then the condition is non-disqualifying.

**(h)** Joint conditions - any condition which negatively impacts the ability of the candidate to perform essential tasks should be noted for further evaluation.

**(i)** Coordinated balance.

**(j)** Herniated disc (symptomatic).

**(k)** Spinal deviations.

**(l)** Fracture deformities (symptomatic).

**(12)** Hematopoietic and lymphatic systems - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Anemia (all).

**(b)** Polycythemia.

**(c)** Sickle cell trait - sickle cell trait is a non-disqualifying condition.

**(d)** Sickle cell disease.

**(e)** Hematopoietic disorders (including malignancies).

**(f)** Hemophilia.

**(13)** Nervous system - The conditions which follow are not meant to be exclusive. If the examining physician feels (an) other unstated condition(s) may adversely impact the ability of the candidate to perform the essential tasks of the job, it (they) should be noted for further evaluation.

**(a)** Epilepsy.

**(b)** Cerebral palsy.

**(c)** Movement disorders.

**(d)** Cerebral aneurysms.

**(e)** Syncope.

**(f)** Progressive neurological diseases - including, but not limited to, multiple sclerosis and Huntington's chorea.

**(g)** Peripheral nerve disorder - including, but not limited to, polyneuritis, mononeuritis and neurofibromatosis.

**(h)** Narcolepsy.

**(i)** Cerebral vascular accident.

**(j)** Central nervous system infections.

[10.28.5.11 NMAC - N, xx/xx/2026]

**History of 10.28.5 NMAC: [RESERVED]**



EXHIBIT 9

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 6 COURSE ACCREDITATION PROCEDURES**

**10.28.6.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507
[10.28.6.1 NMAC - N, xx/xx/2026]

**10.28.6.2 SCOPE:** All entities and organizations, either for-profit or public, that offer law enforcement training or educational courses.
[10.28.6.2 NMAC - N, xx/xx/2026]

**10.28.6.3 STATUTORY AUTHORITY:** Paragraph 1 of Subsection E of Section 29-7-4 NMSA 1978
[10.28.6.3 NMAC - N, xx/xx/2026]

**10.28.6.4 DURATION:** Permanent
[10.28.6.4 NMAC - N, xx/xx/2026]

**10.28.6.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.6.5 NMAC - N, xx/xx/2026]

**10.28.6.6 OBJECTIVE:** The purpose of Part 6 is to establish guidelines for the submission and accreditation of law enforcement and telecommunicator classes through the Law Enforcement Academy.
[10.28.6.6 NMAC - N, xx/xx/2026]

**10.28.6.7 DEFINITIONS: [Reserved]**
[10.28.6.7 NMAC - N, xx/xx/2026]

**10.28.6.8 JUSTIFICATION AND AUTHORIZATION:** The Council will prepare guidelines to be used to evaluate proposed training. Such guidelines shall be updated as necessary by the Council.
[10.28.6.8 NMAC - N, xx/xx/2026]

**10.28.6.9 COURSE ACCREDITATION PROCEDURES**

**A.** The academy shall establish procedures for the submission and accreditation of in-service, advanced law enforcement training classes, and advanced telecommunicator training classes.

**B.** Any class that creates a standardized statewide curriculum shall be approved by the Council.

**C.** When accrediting classes, the academy has the authority to review the material for appropriate curriculum design, to ensure that the lesson plan includes citations and references to its source material, and to ensure alignment with any statewide standard curriculum established by the Council.

**D.** Lesson plans in approved academy format, any testing material, instructor information, and citations of all reference material must be submitted to the academy no less than 30 days before the anticipated start of a class. This packet may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

**E.** If the academy denies the accreditation of a class, the academy shall communicate the reason in writing to the individual who submitted the class for accreditation.

**F.** The academy has 30 days to accredit or deny accreditation.

**(1)** If the academy has not accredited or provided a written denial of course accreditation within the 30-day period, the class may still be taught with the accreditation number being added retroactively once the class is accredited, as long as the class is taught 30 days or more after the submission date.

**(2)** If the academy denies an accreditation for a course that has been taught at or beyond the 30-day submission date, the instructor shall communicate in writing with each student within five business days after the class is denied.

**(3)** If the academy denies an accreditation for a course that has been taught at or beyond the 30-day submission date, and the instructor corrects the identified deficiencies, the course shall be accredited retroactively to the date of submission.



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**G.** Any disagreement with an academy decision regarding course accreditation may be sent to the chair of the Council as a request for consideration as a meeting agenda item.

**H.** The instructor can use any instructional modality, including but not limited to in-person training, online training, or a hybrid of in-person and online training, to teach a class, as long as the modality for teaching a particular class is not specifically required in statute. A course does not have to be reaccredited if the instructor changes the teaching modality during the period that the class is accredited, as long as the curriculum does not change.

**I.** Classes must be reaccredited every two years.

**J.** The academy shall make changes to any Council-approved statewide curricula when the academy is notified of changes to state or federal law that affect a particular class. The academy shall provide this updated curriculum to instructors upon request. The academy shall notify the Council of any and all changes made.

[10.28.6.9 NMAC - N, xx/xx/2026]

**History of 10.28.6 NMAC: [RESERVED]**



EXHIBIT 10

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 7 INSTRUCTOR CREDENTIALING**

**10.28.7.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507
[10.28.7.1 NMAC - N, xx/xx/2026]

**10.28.7.2 SCOPE:** All law enforcement agencies in the state of New Mexico, any law enforcement instructor, professional lecturer, or specialized law enforcement or telecommunicator instructor conducting training programs in New Mexico.
[10.28.7.2 NMAC - N, xx/xx/2026]

**10.28.7.3 STATUTORY AUTHORITY:** Paragraph 1 of subsection E of Section 29-7-4 NMSA 1978
[10.28.7.3 NMAC - N, xx/xx/2026]

**10.28.7.4 DURATION:** Permanent
[10.28.7.4 NMAC - N, xx/xx/2026]

**10.28.7.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.7.5 NMAC - N, xx/xx/2026]

**10.28.7.6 OBJECTIVE:** The purpose of part 7 is to regulate the credentialing of instructors and professional lecturers who intend to teach law enforcement and telecommunicators. Part 7 also includes requirements for advanced police certification beyond state certification.
[10.28.7.6 NMAC - N, xx/xx/2026]

**10.28.7.7 DEFINITIONS: [Reserved]**
[10.28.7.7 NMAC - N, xx/xx/2026]

**10.28.7.8 GENERAL INSTRUCTOR:**

**A.** A general instructor may teach all topics in a basic law enforcement training program, certification by waiver program, or standard in-service curriculum, except for emergency vehicle operations, use of force, mechanics of arrest and control, DWI/SFST, and firearms.

**B.** A general instructor may assist specialized instructors who teach high-risk or technical topics, as long as they are working under the supervision and guidance of that specialized instructor.

**C.** An instructor who teaches at least one class in a required in-service topic, or a basic law enforcement training program class that covers a required in-service topic, meets the annual or biennium requirement for attending an in-service class in that topic.

**D.** To qualify for a general instructor credential, an applicant shall complete the instructor credential application and satisfactorily demonstrate to the director a combination of education and experience in criminal justice, as well as proficiency in the instructional process, and meet the following requirements:

**(1)** Applicants for general instructor must have acquired two years of job-related experience, calculated from the time of certification. Other employees within the criminal justice system who do not fall into the law enforcement or telecommunicator categories must have three years of job-related experience, calculated from the time of hire. The two-year requirement may be waived by the director only upon written request with supporting documentation from the applicant, the agency head, or designee that attests to the applicant's training and experience being comparable to that of someone who has two years of experience in the intended area of instruction.

**(2)** Completion of an accredited 40-hour instructor development course, or equivalent training approved in writing by the director.

**E.** Qualified applicants for a general instructor designation will be issued a credential for a period of four years.

**F.** A course evaluation will be completed by the students for each class.

**G.** All instructor credentials will require successful completion of an accredited instructor development refresher class of eight hours or more prior to the instructor applying to renew their instructor



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credential. An instructor with an expired instructor credential may take an accredited instructor development refresher course to renew an instructor credential.

(1) To renew a general instructor credential, the applicant shall provide a written explanation demonstrating how they have maintained current knowledge in law enforcement or telecommunications during the preceding four years. The explanation shall include any of the following: actively teaching law enforcement topics or telecommunicator topics; continued employment or practice in the field; attending training related to law enforcement or telecommunications; or engaging in current research related to law enforcement or telecommunications.

(2) A master instructor in Instructor Development who teaches either Instructor Development or the Instructor Development Refresher during the four-year credential period does not need to attend an instructor development refresher course.

(3) The master instructor must be able to produce a roster and course evaluation(s) that show either teaching Instructor Development or Instructor Development Refresher, during the four-year credential period to avoid the requirement of attending the instructor development refresher class.

**H.** All instructor credential applications must be submitted to the academy no less than 30 days before the anticipated start of a class. Applications may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

(1) If the academy denies the application, the academy shall communicate the reason in writing to the individual who submitted the application.

(2) The academy has 30 days to issue or deny a credential.

(3) If the academy has not issued a credential or provided a written denial within the 30-day period, the class may still be taught with the instructor's credential being awarded retroactively to the date of submission, if the class is taught 30 days or more after the submission date.

(4) If the academy denies a credential application for a course that has been taught at or beyond the 30-day submission date, the instructor shall communicate in writing with each of the students that the instructor's credential has been denied within five business days of the class being denied.

(5) If the academy denies an instructor credential, and the instructor corrects the identified deficiencies, the credential shall be awarded retroactively to the date of submission.

**I.** Any disagreement with an academy decision regarding an instructor credential may be sent to the chair of the Council as a request for consideration as a meeting agenda item.

[10.28.7.8 NMAC - N, xx/xx/2026]

**10.28.7.9 PROFESSIONAL LECTURER:**

**A.** The director may give someone a credential as a professional lecturer in their formally recognized profession (e.g., medicine, law, psychology) who, by virtue of formal academic graduate degrees or professional experience, has developed special expertise in a subject area material to the presentation of criminal justice training or educational programs. To be eligible for a credential, an applicant shall:

(1) Be properly licensed or certified by a legally recognized state or national licensing body for the designated profession to actively engage in the designated profession or have retired in good standing. This requirement may be waived by the director upon written request if a license or certification does not exist for that profession;

(2) Have acquired a minimum of one year of practical experience in the designated profession and area of expertise; and

(3) Provide the following to the director for consideration:

(a) specify the professional subject area and training courses in which credential is requested.

(b) describe how both the applicant's academic and professional experience apply to the subject area and training courses for which the credential is requested.

**B.** Professional lecturer designation will be issued for a period of four years.

(1) A professional lecturer does not need to attend an academy-accredited instructor development class or instructor development refresher class to receive or renew a Professional Lecturer credential.

(2) To renew a professional lecturer credential, the applicant shall provide a written explanation demonstrating how they have maintained current knowledge of the topic they teach over the preceding four years. The explanation shall include any of the following: actively teaching the topic; continued employment or practice in a field related to the topic; attending training related to the field related to the topic; or engaging in current research within the field related to the topic.



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**C.** A retired law enforcement officer or a retired telecommunicator may choose to apply to be a professional lecturer instead of a credentialed instructor, provided that the officer or telecommunicator meets the requirements to be a professional lecturer, and their certification is not currently suspended or revoked by the Board.

**D.** A course evaluation will be completed by the students for each class.

**E.** All professional lecturer credential applications must be submitted to the academy no less than 30 days before the anticipated start of a class. Applications may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

**(1)** If the academy denies the application, the academy shall communicate the reason in writing to the individual who submitted the application.

**(2)** The academy has 30 days to issue or deny issuance of a credential.

**(3)** If the academy has not issued a credential or provided a written denial within the 30-day period, the class may still be taught with the professional lecturer's credential being awarded retroactively to the date of submission, if the class is taught 30 days or more after the submission date.

**(4)** If the academy denies a credential application for a course that has been taught at or beyond the 30-day submission date, the professional lecturer shall communicate in writing with each of the students that the professional lecturer's credential has been denied within five business days.

**(5)** If the academy denies a credential, and the professional lecturer corrects the identified deficiencies, the credential shall be awarded retroactively to the date of submission.

**F.** Any disagreement with an academy decision regarding a credential may be sent to the chair of the Council as a request for consideration as a meeting agenda item.

[10.28.7.9 NMAC - N, xx/xx/2026]

**10.28.7.10 RECOGNIZED COLLEGE/UNIVERSITY EDUCATORS:**

**A.** The director or satellite academy director may utilize an adjunct, assistant professor, associate professor, or professor who is employed at a New Mexico Higher Education Department (NMHED) recognized college or university.

**B.** This type of educator is defined as someone who has a master's degree or higher level of education and is employed by the institution to teach at the college level.

**C.** This type of educator may instruct any general instructor topic or specialized technical topics for which the educator has the training and experience to teach.

**D.** This classification of educator shall be recognized by the academy as holding a teaching credential equivalent to that of a credentialed instructor or professional lecturer, without the requirement to apply for a teaching credential.

**E.** The director and satellite academy directors shall follow reporting guidelines for these educators as outlined in 10.28.4.10 NMAC (Program Reporting) and 10.28.4.11 NMAC (Program Completion), consistent with procedures for reporting the use of credentialed instructors and professional lecturers.

[10.28.7.10 NMAC - N, xx/xx/2026]

**10.28.7.11 SPECIALIZED LAW ENFORCEMENT INSTRUCTOR:**

**A.** To qualify for a specialized law enforcement instructor credential, an applicant shall be required to demonstrate to the director proof of skills, successful experience, and training in the related field for which they will be providing instruction, and must meet the following requirements:

**(1)** completion of a 40-hour instructor development course and possess the credential as a General Instructor.

**(2)** minimum of two years of experience working in the area of specialization.

**(3)** Certificates of training in the specialized area may also be provided to the director for consideration as a substitute for the two-year minimum work experience requirement in the specialized field.

**B.** Instructors attending and completing a national highway traffic safety administration (NHTSA) driving while intoxicated and standardized field sobriety testing (DWI/SFST), or drug recognition expert (DRE) instructor course with the approval of the contract oversight committee of the department of transportation will not be required to attend and complete a 40 hour instructor training/development course, but may receive a limited instructor credential to teach only national highway traffic safety administration (NHTSA) approved courses in driving while intoxicated (DWI), standardized field sobriety testing (SFST) or drug recognition expert (DRE) courses and shall not permit the instructor to teach any other topics of instruction without completing a 40 hour general instructor training/development course.



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**C.** Applicants for credential who have federal training or certifications, or who have training or hold credentials from another state that meets or exceeds the minimum instructor requirements for the state of New Mexico, may be considered by the director upon written request for specialized instructor status upon successful proof of skills and equivalency standards set forth in this section.

**D.** Qualified applicants for a specialized law enforcement instructor designation will be issued a credential for a period of four years.

**E.** A course evaluation will be completed by the students for each class.

**F.** The Council shall have the authority to determine which topics are specialized beyond the basic academy curriculum that is common to all New Mexico law enforcement and public safety telecommunicator academies, as well as topics that are high-risk and technical specializations.

**G.** High-Risk and Technical Specialization Subject Areas: The following list is a guide to help an applicant determine whether a specialized credential is required. This list is not all-inclusive:

**(1)** High risk: use of force; explosives; crisis intervention and negotiations; emergency vehicle operations; motorcycle operations; S.W.A.T. related topics; Mechanics of Arrest, Restraint, & Control (MARC); and firearms.

**(2)** Technical: accident reconstruction, crime scene reconstruction, field training officer, hazardous materials, drone operations, Intoxilyzer, National Crime Information Center (NCIC).

**H.** Successful completion of an instructor development refresher class of at least eight hours shall serve as both a general instructor and a specialized instructor refresher when the instructor applies to renew their general and specialized instructor credentials, unless the Standards and Training Council determines that a particular specialized instructor credential requires a specific refresher course to renew that credential.

**(1)** To renew a specialized instructor credential, the applicant shall provide a written explanation demonstrating how they have maintained current knowledge in that specialized topic during the preceding four (4) years. The explanation shall include any of the following: actively teaching the specialized topic, continued employment or practice in a field related to the specialized topic, attending training related to the specialized topic, or engaging in current research on the specialized topic.

**(2)** A specialized instructor update class fulfills the requirement for renewal of a specialized instructor credential.

**I.** Renewal of a firearms instructor, MARC instructor, or use of force instructor credential shall require successful completion of an accredited specialized instructor update class in that high-risk specialty every four years. The content of the update shall include, at a minimum, any new rules, laws, tactics, techniques, and procedures taught in the academy, ensuring continuity between academy and post-academy training.

**(1)** A master instructor in the high-risk topics that require an update, who teaches that high-risk topic, or the update for that high-risk topic, during the four-year credential period, does not need to attend an update class for that same high-risk topic.

**(2)** The master instructor must be able to produce a roster and course evaluation(s) that show either teaching the high-risk topic or the high-risk topic update during the four-year credential period to avoid the requirement of attending an update in that particular high-risk topic.

**J.** All specialized instructor credential applications must be submitted to the academy no less than 30 days before the anticipated start of a class. Applications may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

**(1)** If the academy denies the application, the academy shall communicate the reason in writing to the individual who submitted the application.

**(2)** The academy has 30 days to issue or deny issuance of a credential.

**(3)** If the academy has not issued a credential or provided a written denial within the 30-day period, the class may still be taught with the instructor's credential being awarded retroactively to the date of submission, if the class is taught 30 days or more after the submission date.

**(4)** If the academy denies a credential application for a course that has been taught at or beyond the 30-day submission date, the instructor shall communicate in writing with each of the students that the instructor's credential has been denied within five business days.

**(5)** If the academy denies an instructor credential, and the instructor corrects the identified deficiencies, the credential shall be awarded retroactively to the date of submission.

**K.** Any disagreement with an academy decision regarding an instructor credential may be sent to the chair of the Council as a request for consideration of a meeting agenda item.

[10.28.7.11 NMAC - N, xx/xx/2026]



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**10.28.7.12 MASTER INSTRUCTOR:**

**A.** To qualify for a master instructor credential, an applicant shall be required to demonstrate to the director proof of skills, successful experience, and training in the related field for which they will be training new instructors, and must meet the requirements in either subsection one or two:

**(1)** Complete a minimum of two years as a credentialed general instructor, specialized instructor, or professional lecturer in the same subject area as the request for master instructor credential; and must show rosters and student evaluations from at least five training classes as an instructor in the same subject area; and complete an instructor-trainer course, train-the-trainer course or master instructor course (or what other term is used to describe a course that qualifies a person to train instructors) in the same subject area for which the credential is requested; **or**

**(2)** Complete at least one four-year period as a credentialed instructor in the particular subject area; and attend additional advanced training courses in the same subject area for at least half the number of hours as the original instructor-level credential course; and must show rosters and student evaluations from at least 10 training classes as an instructor in the same subject area. Attending refresher training classes in these subject areas does not count as additional advanced training hours that can be counted toward a master instructor credential.

**B.** If specific rosters and course evaluations are not available for individual classes taught within the basic law enforcement training program at the academy, a regional satellite academy, or any certification-by-waiver program, the director or regional satellite academy director responsible for that academy or certification-by-waiver program may provide a letter attesting to the instructor's involvement in teaching the class. In that letter, the director or regional satellite academy director must cite the specific class that the instructor taught or helped to teach, the date(s) of the class, and any positive or negative feedback received from students about that instructor.

**C.** A master instructor may provide instruction at any level within their credentialed subject area, including basic or academy-level training, advanced or in-service training, and instructor-level courses.

**D.** A course evaluation will be completed by the students for each class.

**E.** All master instructor credential applications must be submitted to the academy no less than 30 days before the anticipated start of a class. Applications may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

**(1)** If the academy denies the application, the academy shall communicate the reason in writing to the individual who submitted the application.

**(2)** The academy has 30 days to issue or deny issuance of a credential.

**(3)** If the academy has not issued a credential or provided a written denial within the 30-day period, the class may still be taught with the instructor's credential being awarded retroactively to the date of submission, if the class is taught 30 days or more after the submission date.

**(4)** If the academy denies a credential application for a course that has been taught at or beyond the 30-day submission date, the instructor shall communicate in writing with each of the students that the instructor's credential has been denied within five business days.

**(5)** If the academy denies an instructor credential, and the instructor corrects the identified deficiencies, the credential shall be awarded retroactively to the date of submission.

**F.** Any disagreement with an academy decision regarding an instructor credential may be sent to the chair of the Council as a request for consideration as a meeting agenda item.

[10.28.7.12 NMAC - N, xx/xx/2026]

**10.28.7.13 SENIOR MASTER INSTRUCTOR:** To qualify for a senior master instructor credential, an applicant shall be required to demonstrate to the director proof of skills, successful experience, and training in the related field for which they will be training new master instructors, and must meet the following requirements:

**A.** Complete at least one four-year period as a credentialed master instructor in the same subject area; and provide rosters and student evaluations from at least 10 training classes as the instructor or master instructor in the same subject area.

**B.** If specific rosters and course evaluations are not available for individual classes taught within the basic law enforcement training program at the academy, a regional satellite academy, or any certification-by-waiver program, the director or regional satellite academy director responsible for that academy or certification-by-waiver program may provide a letter attesting to the instructor's involvement in teaching the class. In that letter, the director or regional satellite academy director must cite the specific class that the instructor taught or helped to teach, the date(s) of the class, and any positive or negative feedback received from students about that instructor.



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**C.** All senior master instructor credential applications must be submitted to the academy no less than 30 days before the anticipated start of a class. Applications may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

**(1)** If the academy denies the application, the academy shall communicate the reason in writing to the individual who submitted the application.

**(2)** The academy has 30 days to issue or deny issuance of a credential.

**(3)** If the academy has not issued a credential or provided a written denial within the 30 day period, the class may still be taught with the instructor's credential being awarded retroactively to the date of submission, if the class is taught 30 days or more after the submission date.

**(4)** If the academy denies a credential application for a course that has been taught at or beyond the 30-day submission date, the instructor shall communicate in writing with each of the students that the instructor's credential has been denied within five business days.

**(5)** If the academy denies an instructor credential, and the instructor corrects the identified deficiencies, the credential shall be awarded retroactively to the date of submission.

**F.** Any disagreement with an academy decision regarding an instructor credential may be sent to the chair of the Council as a request for consideration as a meeting agenda item.

[10.28.7.13 NMAC - N, xx/xx/2026]

**10.28.7.14 REVOCATION OF INSTRUCTOR CREDENTIAL:**

**A.** The director may revoke or suspend any instructor's credential on the grounds that the instructor:

**(1)** failed to meet minimum standards;

**(2)** lacked the ability to effectively communicate or instruct in the academy setting; or

**(3)** had their police officer or telecommunicator certification suspended or revoked.

**B.** The satellite academy director or instructor's employer may request action on an instructor credential by submitting the request to the director in writing and including all supporting documentation. The director may initiate an action for instructors teaching at the academy.

**C.** The director shall take all necessary steps to review the matter.

**(1)** The director has 30 days to make a determination regarding the suspension or revocation of the credential.

**(2)** The director shall communicate the decision in writing to both the requesting agency and the instructor.

**D.** Any disagreement with the director's decision regarding an instructor credential may be sent to the chair of the Council as a request for consideration as a meeting agenda item.

[10.28.7.14 NMAC - N, xx/xx/2026]

**10.28.7.15 POLICE OFFICER ADVANCED CERTIFICATION:** The academy awards advanced certification credit for approved training beyond the basic level. An applicant must submit a completed application packet containing copies of all training certificates and other supporting documentation. Applications should be submitted only after the required number of hours has been accrued. Individual certificates will not be processed unless they are attached to an application for a specific certification level. Advanced certifications are ranked from intermediate to executive and are only awarded if the criteria for the previous level(s) of certification have been met.

**A. Advanced certification criteria and guidelines:**

**(1)** **Intermediate** (minimum of 200 cumulative hours required): two years' experience, non-probationary status at time of application, and 200 cumulative hours of advanced police training (beyond basic and maintenance training).

**(2)** **Advanced** (minimum of 400 cumulative hours required): four years' experience, non-probationary status at time of application, and 400 cumulative hours of advanced police training or formal education (beyond basic and maintenance training) approved by the director.

**(3)** **First-line supervisor** (minimum of 500 cumulative hours required): must have held a rank of corporal or sergeant with one year in rank and completion of a first-line supervisor course (40 hours minimum).

**(4)** **Command** (minimum of 700 cumulative hours required): must have held the rank of lieutenant with one year in rank and 100 hours of management training or formal education approved by the director.

**(5)** **Executive** (minimum of 800 cumulative hours required): must have held the rank of



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chief, assistant chief, sheriff, undersheriff, director, or deputy director with one year in rank, or majors and captains who report directly to the department head and have one year in rank; and 200 cumulative hours of management or administrative training or formal education approved by the director.

**B. Criteria for cumulative credit calculations:**

**(1) Certificate criteria:** The academy will accept certificates of completion for credit toward an advanced certificate.

**(2) College course credit:** College courses will receive the credit ratio of 15 advanced certification hours for each credit hour up to a maximum of 400 advanced hours. College course credits apply only to advanced-level certification and above. Official copies of college transcripts are required. Credit hours may be awarded only for college courses related to law enforcement.

**(3) Military course credit:** Military advanced-level courses related to law enforcement and approved by the director can be used for credit towards advanced level certification and above at an hourly ratio of one-to-one. Training hours and dates must be noted on the training certificate for credit or on an official training transcript.

**(4) In-service training:** academy-approved in-service training will be accepted based upon the approved course hours. Mandated training required to maintain police officer certification or instructor credential will not be credited towards advanced certifications. In-service training will be accepted only upon providing evidence that a test was administered and passed, or a certificate of completion was issued.

**(5) Rank requirements:** Certificates at the first-line supervisor level and above require that the prerequisite rank or title was held for a minimum period of at least one year prior to the date of the application. Documentation indicating date(s) of promotion must be included with the application packet. Non-traditional rank designations will be reviewed for equivalency to ranks designated for applicable certificates.

**(6) Out-of-state certificates:** Only course certificates clearly indicate the hours and dates of training received will be accepted.

[10.28.7.15 NMAC - N, xx/xx/2026]

**History of 10.28.7 NMAC: [RESERVED]**



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**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 8 LAW ENFORCEMENT TRAINING**

**10.28.8.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507
[10.28.8.1 NMAC - N, xx/xx/2026]

**10.28.8.2 SCOPE:** Applies to all law enforcement-certified police officers in the state of New Mexico, all law enforcement agencies in the state of New Mexico, and all applicants for police officer certification by waiver of basic training and all law enforcement agencies in the state of New Mexico.
[10.28.8.2 NMAC - N, xx/xx/2026]

**10.28.8.3 STATUTORY AUTHORITY:** Paragraph (1) of Subsection E of Section 29-7-4 NMSA 1978
[10.28.8.3 NMAC - N, xx/xx/2026]

**10.28.8.4 DURATION:** Permanent
[10.28.8.4 NMAC - N, xx/xx/2026]

**10.28.8.5 EFFECTIVE DATE**: xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.8.5 NMAC - N, xx/xx/2026]

**10.28.8.6 OBJECTIVE:** The purpose of Part 8 is to establish minimum standards of training for police officer certification, establish training requirements and eligibility standards for police officers who seek certification by waiver of basic training under Section 29-7-10 NMSA 1978, and establish in-service training requirements for certified police officers and certified public safety telecommunicators.
[10.28.8.6 NMAC - N, xx/xx/2026]

**10.28.8.7 DEFINITIONS: [Reserved]**
[10.28.8.7 NMAC - N, xx/xx/2026]

**10.28.8.8 POLICE OFFICER MINIMUM STANDARDS OF TRAINING:**

**A.** The Standards and Training Council shall approve the minimum standards of training for the academy's basic law enforcement training program and certification-by-waiver program. This curriculum shall be the standard curriculum for all regional satellite academies and certification-by-waiver programs. The LEOCE shall be based on this standard curriculum. The academy and regional satellite academies may add additional content to the standard curriculum, as long as that content is accredited. The additional content may not replace the standard curriculum unless that part of the curriculum conflicts with state or federal law and has not yet been formally updated by the academy.

**B.** The physical fitness entrance examination shall be administered no earlier than forty-five (45) days prior to the start date of the academy.

C. Fitness standards for basic police officer training academy entrance and exit standards. All entrance times were set by the NMLEA Board on September 3, 2014, with the altitude adjustment adopted by the NMLEA Board on June 8, 2016. Physical fitness testing standards:

| **>6000' + 40 sec adj.** | **Entrance Standard** | **Exit Standard** |
|---|---|---|
| 1.5 Mile run | 15:54 | 14:15 |
| 300 Meter | 71.0 sec | 64 |
| Sit-ups (1 min) | 27 | 37 |
| Push-ups (1 min) | 15 | 25 |
| **<6000'** | **Entrance Standard** | **Exit Standard** |
| 1.5 Mile run | 15:14 | 13:45 |



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| | | |
|---|---|---|
| 300 Meter | 71.0 sec | 64 |
| Sit-ups (1 min) | 27 | 37 |
| Push-ups (1 min) | 15 | 25 |

*20-minute mandatory rest period between the 1.5-mile run and the 300-meter run.

**(1)** Sit-ups: The student starts by lying on their back, knees bent, heels flat on the floor, fingers placed behind the ears. The partner holds the feet down firmly. In the up position, the student should bring the elbows to the knees, then return to the floor until the shoulder blades touch the floor. Any resting should be done in the up position. No rocking hips. If fingers become unlaced, adjustment must be made in the up position.

**(2)** Push-ups: The hands are placed about shoulder-width apart. The administrator or partner places a fist on the floor below the student's chest at the midpoint of the sternum (unless a male is testing a female). Starting from the up position (elbows fully extended), the student must keep the back straight at all times (no swayback or elevated hips) and lower their body to the floor until the chest touches the administrator's fist. The student then returns to the up position. Any resting should be done in the up position. Modified push-ups are no longer optional for female applicants. All applicants are required to perform standard push-ups as described in (a) and (b) above.

**D.** Exit job-specific agility course standard:

**(1)** Course #1: officer starts seated in their vehicle, hands on the steering wheel with seatbelt in use and wearing a 10-pound weight belt or vest around the waist to simulate a gun belt. As the timed exercise begins, the officer will:

**(a)** release seatbelt and open vehicle door;

**(b)** run 30 feet and open building door;

**(c)** cross the four-foot threshold, run up two flights of stairs, and pause for 60 seconds. (rise and run of seven inches by 11 inches is standard; eight inches by 10 inches or six inches by 12 inches are acceptable. Standard floor landings are 10 feet high.) If only one floor is available, it is acceptable to run up, run down, run up, and pause for 60 seconds. After 60 seconds, run down the stairs and out the door. There is no restriction on how the officer negotiates the stairs; however, both feet must contact the top and bottom stair.

**(d)** run 100 feet from the door to a five-foot-high platform, run up steps, ladder, or ramp to the top of the platform, and jump down.

**(e)** run 37 and one-half feet, turn and reverse touching the ramp, run 25 feet to a six-foot-high wall and scale it. The wall is constructed of unpainted cinder block with a smooth top. If the applicant chooses, they may drag a rigid aid or object 10 feet from the side of the wall and use it to scale the wall. The rigid object will have handles, a flat top, weigh 50 pounds, and be 25 inches tall.

**(f)** after scaling the wall, run 50 feet to a handcuff/arrest simulator, put arms down, touch ends, and hold for 60 seconds. The arrest simulator is five feet high with 60 pounds of resistance in the right arm and 40 pounds in the left arm.

**(g)** end exercise. The passing score is three minutes and five seconds.

**(2)** Course #2: Officer starts from a standing position wearing a 10-pound weight belt or vest around waist to simulate a gun belt. As the timed exercise begins, the officer will:

**(a)** run 30 feet straight ahead and jump across a four-foot-wide barrier. The barrier is low to the ground (e.g., a ditch or highway divider).

**(b)** run 12 and one-half feet, and climb, jump, or hurdle over a three-foot-high barrier. The barrier is to resemble a fence or low wall, no more than four inches wide and at least eight feet long, made of metal or wood.

**(c)** run 12 and one-half feet to the back of a vehicle, equivalent to a full-sized police vehicle and push it 30 feet on a flat surface in the direction of a clear area where a victim extraction will take place. The car is occupied by a dummy (victim) wearing a seatbelt and weighing 190 pounds plus or minus 10 pounds. The dummy must meet standards established by the Council.

**(d)** approach the victim's door; open the door; undo the seatbelt; pull the victim out of the vehicle and drag them 20 feet perpendicular to the direction of the vehicle.

**(e)** both officer and dummy (victim) must completely cross the finish line to end the exercise.

**(f)** end exercise. The passing score is 42 seconds.

[10.28.8.8 NMAC - N, xx/xx/2026]

**10.28.8.9 BASIC TRAINING; STUDENT HANDBOOK, PROCEDURES AND REGULATIONS:**



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Due to the need to ensure that students attending the academy comply with rules and regulations, the director is hereby instructed to prepare a handbook covering student rules and regulations, policies, and procedures. Such handbooks shall be updated as necessary, and when applicable, changes shall be reported to the Standards and Training Council at its next regularly scheduled meeting.
[10.28.8.9 NMAC - N, xx/xx/2026]

**10.28.8.10 POLICE OFFICER REGISTRY REPORTING:**

**A. Reporting Requirements:**

**(1)** Employment, termination, or conviction of any felony charge or violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances, or other crime involving moral turpitude of all peace officers in the state of New Mexico must be reported to the academy within 30 days of such action.

**(2)** Required reporting forms shall be established by the director.

**(3)** All law enforcement agencies that do not comply with the requirement of submitting to the academy status reports on their employees will not be eligible for training funds or attendance at basic or in-service/advanced training classes until the registry is made current. Repeated failures to maintain the registry shall result in a period of suspension of training eligibility to be set by the director.

**(4)** In order to protect the lives and safety of the officer involved, any law enforcement agencies employing undercover officers may indicate, in writing, a desire to protect the officer's identity. If such an indication is made, the officer's name shall not appear in the general office registry. Their name and other information requested shall, however, be furnished to the academy.

**B. Registry Requirements:**

**(1)** An applicant for training or for certification, or his department, must submit the Agency Employment Action Form (LEA 82) to the academy within 30 days of the initial hire date for said applicant.

**(2)** Non-compliance with the 30-day employment action requirement will result in assignment to class after completion of all other requirements herein on a space-available basis only - no special consideration will be given to the applicant, and the applicant must have his/her commission suspended if he/she exceeds one year from the initial hire date.

**(3)** No applicant shall be admitted to the academy or regional satellite academy after one year of the initial hire date unless the applicant and their chief, sheriff, or agency head certify:

**(a)** that he was suspended from duty as a law enforcement officer and their commission revoked within one year of their initial hire date; **and**

**(b)** that the department will reinstate the officer based on their successful completion of the basic training course and certification by the New Mexico Law Enforcement Certification Board.

**(4)** The academy or regional satellite academy where the applicant plans to attend shall be notified of any change in the medical or psychological condition of the applicant prior to their admission or certification.

**(5)** Applicants who falsify any information on their application for admission or certification will not be considered for admission or certification.
[10.28.8.10 NMAC - N, xx/xx/2026]

**10.28.8.11 BASIC TRAINING; ENTRY LEVEL AND REQUALIFICATION FIREARMS TRAINING:**

**A. Entry-level handgun standards:** The entry-level officer category includes any officer who is newly hired and has not previously received academy-level training. Prior to carrying a handgun on or off duty, all entry-level noncertified officers working in a law enforcement capacity prior to the academy shall receive a minimum of sixteen (16) hours of instruction in the following areas:

**(1)** Safety
- **(a)** on/off duty
- **(b)** range

**(2)** Legal aspects
- **(a)** state statutes
- **(b)** use of force policy
- **(c)** departmental policy
- **(d)** civil liability considerations

**(3)** Mental conditioning and awareness training



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(4) Weapons care and cleaning
- (a) nomenclature
- (b) weapons operation
- (c) disassembly/cleaning

(5) Marksmanship fundamentals
- (a) stance
- (b) grip
- (c) sight alignment
- (d) sight picture
- (e) breath control
- (f) trigger control
- (g) follow through

(6) Weapon manipulation:
- (a) draw and presentation
- (b) reloading techniques
- (c) aimed pairs
- (d) failure drills
- (e) malfunction clearance techniques
- (f) use of cover
- (g) shooting positions
- (h) night shooting techniques

(7) Range training and testing
- (a) practical (non-shooting skills training)
- (b) live-fire manipulation drills (minimum 130 rounds)
- (c) decisional shooting (minimum 20 rounds), with a minimum of three scenarios, including shoot/don't shoot scenarios and multiple assailants.
- (d) handgun qualification eighty percent or greater (minimum 75 rounds);
  - (i) 50-round day qualification (see specific course);
  - (ii) 25-round night qualification (see specific course);

**B. Entry-level shotgun/rifle standards:** The entry-level officer category includes any officer who is newly hired and has not previously received academy-level training. Prior to carrying a shotgun/rifle, all entry-level noncertified officers working in a law enforcement capacity prior to the academy shall receive a minimum of eight (8) hours of instruction in the following areas, in addition to Entry Level Handgun Standards training above:

(1) Safety
- (a) on/off duty
- (b) range

(2) Legal aspects
- (a) use of force policy
- (b) departmental policy

(3) Weapons care and cleaning
- (a) nomenclature
- (b) weapons operation
- (c) disassembly/cleaning

(4) Weapon manipulation
- (a) low/high ready
- (b) sling positions
- (c) reloading techniques
- (d) malfunction clearance techniques
- (e) shooting positions

(5) Range training and testing
- (a) practical (non-shooting skills training)
- (b) manipulation drills (minimum 50 rounds)
- (a) agency live-fire qualification

**C. Minimum standards description:** Specific handgun courses of fire designed for daylight and nighttime conditions will be used for qualification.



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**D. Instructor standards:** All firearms training will be conducted by credentialed firearms instructors or credentialed instructors who are supervised by a credentialed firearms instructor.

**E. Requalification:** All law enforcement officers must participate in requalification firearms training in accordance with the target/scoring methodology described in Subsection G of 10.28.8.11 NMAC.

**F. Reporting:**

**(1)** No uncertified police officer will be allowed to carry a weapon while on duty until the entry-level training has been completed and reported to the academy.

**(2)** Requalification scores of every law enforcement officer in the state of New Mexico shall be reported yearly to the academy by the employing agency for the daytime, and nighttime firearm qualification courses as established in subsections G through K of 10.28.8.11.

**G. Target/scoring methodology:**

**(1)** Silhouette dimensions will be no larger than 20 inches wide by 35 inches tall overall. Any target similar in design to the scoring boxes is acceptable for qualification. The target will represent the silhouette of a human with the following scoring zones: A "Coke bottle" shape scoring area - this area is worth two points (worth four points in the low-light night qualification course). A template of the scoring area can be obtained from the academy and drawn onto the agency target.

**(2)** Any rounds impacting outside the scoring area, even if they are on the silhouette, are not worth any points.

**(3)** When the course calls for a "head shot," the rounds must hit within the oval-shaped scoring area in the head, with the bottom limit of the "head shot" scoring area established at or above the bottom of the "business card". The "business card" is the square-shaped scoring area within the oval "head shot" scoring area.

**H. Ammunition:** All firearms training will be with ammunition that is substantially similar to the duty ammunition. Only factory-made new ammunition should be carried on duty.

**I. Equipment:** Officers will qualify with their duty equipment authorized by the department.

**J. Qualification course:** Day (50-round course) - A minimum score of eighty percent is required. Please refer to the NMDPS LEA Day Pistol Qualification.

**K. Qualification course:** Night (25-round course) - A minimum score of eighty percent is required. Low-light conditions would include parking lights from vehicles, naturally existing light, or other light that is just enough to identify a threat. Please refer to the NMDPS LEA Night Pistol Qualification.

[10.28.8.11 NMAC - N, xx/xx/2026]

**10.28.8.12 BASIC TRAINING; CONTINUATION OF CERTIFICATION AFTER SEPARATION:**

**A.** In the event a New Mexico-certified officer, who has retired from law enforcement service for more than six years, makes application to return to service, the officer shall satisfy the following requirements:

**(1)** Must have graduated from a certified law enforcement academy that was comparable to or exceeds the standards of the programs of the academy.

**(2)** Separation must have been under honorable conditions. Retirement in lieu of investigation into misconduct will not be considered an honorable separation.

**(3)** The officer's certification must not be revoked or currently suspended by the Board.

**(4)** Must successfully complete the equivalent of:

**(a)** If separated for less than six years, those officers will be required to fulfill the annual in-service requirements within 90 days of rehire and the bi-annual in-service requirements by the end of that in-service training cycle.

**(b)** If separated for more than six years, they must attend a certification by waiver of the basic training program but are not required to retake the Law Enforcement Officer Certification Examination (LEOCE).

**(5)** If sponsored by an agency, the officer must complete any other requirements imposed on applicants by that sponsoring agency.

**B.** If a New Mexico certified law enforcement officer in the state of New Mexico, who leaves their position for any reason and is not employed full-time for a period of more than two years, makes application to return to service, the officer shall satisfy the following requirements:

**(1)** Separation must have been under honorable conditions. Resignation in lieu of investigation into misconduct will not be considered an honorable separation.

**(2)** The officer's certification must not be revoked or currently suspended by the Board

**(3)** Must successfully complete the equivalent of:



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(a) If separated for less than six years, those officers will be required to fulfill the annual in-service requirements within 90 days of rehire and the bi-annual in-service requirements by the end of that in-service training cycle.

(b) If separated for more than six years, must attend a certification by waiver of the basic training program but are not required to retake the Law Enforcement Officer Certification Examination (LEOCE).

(4) If sponsored by an agency, complete any other requirements imposed on applicants by that sponsoring agency.

C. A New Mexico certified officer who has retired or separated from a New Mexico law enforcement agency may maintain their certification without being required to attend the equivalent of a certification by waiver program, as long as they fulfill the biannual in-service requirements, and the annual in-service requirements for at least one of the years in the two-year in-service cycle, as established by the Council, as long as their certification has not been revoked or is not currently suspended by the Board.

[10.28.8.12 NMAC - N, xx/xx/2026]

**10.28.8.13 IN-SERVICE TRAINING FOR LAW ENFORCEMENT OFFICERS:**

**A. Curriculum Development**

(1) During the first year of each in-service cycle, which occurs in even-numbered years, the Council shall plan the required in-service training topics for the next cycle. In developing these topics, the Council shall consult with the Courts, Corrections, and Justice Committee of the New Mexico Legislature and the Office of the Governor.

(2) The Council shall approve the required in-service topics at its final meeting of the first year of the current cycle.

(3) The academy shall use the first nine months of the second year of the cycle to develop the curriculum for the upcoming in-service cycle. The academy may incorporate the approved topics into existing required in-service courses or create a new required course to cover them.

(4) If the Council identifies an urgent or critical topic, such as a change in law or an issue affecting the health, welfare, or safety of officers or the public, the Council may direct the academy to create a class addressing that topic. The Council shall allow the academy a reasonable time to develop and distribute the curriculum. Once developed, the academy may distribute the material to instructors or offer the class as advanced training at any time.

(5) If an urgent or critical topic is identified during the first year of the current cycle, it may be added to the next in-service cycle. If identified in the second year, the academy shall determine whether there is sufficient time to complete curriculum development before the next cycle begins. If not, the topic shall be delivered as an advanced training class and will not be included in the upcoming in-service cycle.

B. In-service law enforcement training consists of a minimum of 40 hours of academic instruction approved by the council for each certified police officer during each 24-month period of employment or service with a state or local law enforcement agency. The first required in-service law enforcement training period shall commence no later than twelve months after graduation from an approved basic law enforcement training program. Each two-year in-service training cycle will begin on the first day of the subsequent even-numbered year and conclude on the final day of the subsequent odd-numbered year.

C. The 40 hours of training shall include, but not be limited to, current practices and updates in the following topics:

(1) A minimum of four hours of training shall be in safe pursuit pursuant to Section 29-20-3 NMSA 1978.

(2) A topic of training shall be in domestic violence incident training pursuant to Section 29 7-4.1 NMSA1978, **annually.**

(3) A minimum of two hours of training shall be in the detection, investigation, and reporting of a crime motivated by hate pursuant to Subsection B of Section 31-18B-5 NMSA 1978.

(4) For all officers who may be involved in the arrest of driving while intoxicated (DWI) offenders as a normal part of their duties, four hours of training shall be in NHTSA-approved standardized field sobriety testing (SFST) protocols or successful course completion of the NHTSA-approved 16-hour advanced roadside impaired driving enforcement course.

(5) A topic of training shall be in ensuring child safety upon arrest pursuant to Section 29-7-7.3 NMSA 1978, **annually**.

(6) Four hours of accredited day and night firearms training on agency-approved weapons



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systems, including but not limited to duty handgun, backup handgun, shotgun, and rifle. No more than one hour of training shall be classroom lecture. Training shall include day and night training and shall consist of practical exercises using live fire, Simmunitions®, Airsoft®, virtual reality, or other firearms training systems. Qualification testing may not be used as training to meet this requirement.

**(7)** A topic of training in child abuse incident training pursuant to Section 29-7-4.2 NMSA 1978, **annually.**

**(8)** A topic of training shall be in missing persons and Amber alert training pursuant to Section 29-7-7.4 NMSA 1978, **annually**.

**(9)** A minimum of two hours of training shall be in an academy-accredited interaction with persons with mental impairments training pursuant to Section 29-7-7.5 NMSA 1978.

**(10)** A topic of training shall be in academy-accredited tourniquet and trauma kit training pursuant to Section 29-7-7.7 NMSA 1978, **annually**.

**(11)** A topic of training shall be in legal update training to include changes in New Mexico state statutes and recent state and federal case law.

**(12)** Remaining training hours shall be in maintenance or advanced areas to meet the agency's specific needs.

**D.** Training content and accreditation for in-service classes

**(1)** The Council may expand annual or biennium in-service training requirements as necessitated by changes to the law, regulatory changes, or emerging professional standards. This additional training may increase the 40-hour biennium minimum standard for that individual time period.

**(2)** The academy is responsible for creating a standard in-service curriculum for all required in-service classes to ensure that the curriculum is in line with the standard basic law enforcement training curriculum. This content shall be made available to all agencies six months before the start of the in-service training cycle.

**(3)** An individual agency may create its own in-service courses that add content to the standard in-service curriculum. These courses must be accredited by the academy.

**E.** Required training may be received through the following means:

**(1)** Where scheduling will allow, the academy will assign staff to instruct the course at the academy and regional training sites.

**(2)** Curriculum developed by the academy will be provided to individual agencies upon request for their own credentialed instructors to present to their officers, provided the instructor is qualified in the subject matter.

**(3)** Individual agencies or private contractors may develop curriculum for review and accreditation by the academy that meets the criteria established by the Council.

**(4)** The instructor can use any instructional modality, including but not limited to in-person training, online training, or a hybrid of in-person and online training to teach a class, as long as the teaching modality for a particular class is not specifically required by statute.

**F.** Implementation is to begin on January 1 of the first even-numbered year of a training cycle.

**G.** Officers obtaining certification within an even-numbered year will be required to obtain one-half of the in-service training requirements. Officers obtaining certification in an odd-numbered year will be required to meet the next two-year in-service training requirement, which will take effect on January 1 of the succeeding even-numbered year. The in-service training requirements are applicable in subsequent two-year cycles (one even-numbered year and the subsequent odd-numbered year constitute a two-year cycle. Officers transferring from one agency to another will carry with them the responsibility for in-service training.

[10.28.8.13 NMAC - N, xx/xx/2026]

**10.28.8.14 CERTIFICATION BY WAIVER; REQUIREMENTS FOR OFFICERS: [RESERVED]**

[10.28.8.14 NMAC - N, xx/xx/2026]

**10.28.8.15 CERTIFICATION BY WAIVER; REQUIREMENTS FOR NON-NEW MEXICO CERTIFIED POLICE OFFICERS: [RESERVED]**

[10.28.8.15 NMAC - N, xx/xx/2026]

**History of 10.28.8 NMAC: [RESERVED]**



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**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 9 PUBLIC SAFETY TELECOMMUNICATOR TRAINING**

**10.28.9.1 ISSUING AGENCY:** New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507
[10.28.9.1 NMAC - N, xx/xx/2026]

**10.28.9.2 SCOPE:** All applicants and certified telecommunicators under the Public Safety Telecommunicator Training Act.
[10.28.9.2 NMAC - N, xx/xx/2026]

**10.28.9.3 STATUTORY AUTHORITY:** Subsection E of Section 29-7-4 NMSA 1978.
[10.28.9.3 NMAC - N, xx/xx/2026]

**10.28.9.4 DURATION:** Permanent
[10.28.9.4 NMAC - N, xx/xx/2026]

**10.28.9.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.9.5 NMAC - N, xx/xx/2026]

**10.28.9.6 OBJECTIVE:** The purpose of Part 9 is to establish all guidelines for admission into academy, minimum training standards, and certification for public safety telecommunicators.
[10.28.9.6 NMAC - N, xx/xx/2026]

**10.28.9.7 DEFINITIONS: [Reserved]**
[10.28.9.7 NMAC - N, xx/xx/2026]

**10.28.9.8 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY:**

**A. Qualifications for telecommunicator admission:** Applicants may be rejected for admission to the academy or a regional satellite academy if, after investigation, it is determined that the applicant does not meet the following criteria:

**(1)** Is a citizen or legal resident of the United States and has reached the age of majority;

**(2)** Holds a United States high school diploma or its equivalent from an accredited institution;

**(3)** Has not been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge, or within the three-year period immediately preceding their application, to any violation of any federal law or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances or other crime involving moral turpitude and has not been released or discharged under dishonorable conditions from any of the armed forces of the United States.;

**(4)** Is found to be of good moral character and has not committed any acts constituting dishonesty or fraud;

**(5)** Is found not to have committed any other acts which would be grounds for denial, revocation, or suspension of certification.

**(6)** Has been examined by a certified technician and has no uncorrected hearing loss in either ear greater than 25 dB at 500, 1000, 2000 Hz, and no more than a 20 dB loss in the better ear by audiometry, using American National Standards Institute (ANSI 1969) standards.

**B. Status:** For applicants to the academy, the director shall apprise applicants of their status and any deficiencies therein, in writing, as soon as possible. For applicants to a regional satellite academy, the regional satellite academy director shall inform the applicants of their status and any deficiencies in writing as soon as possible. If an applicant is denied admission, the written order shall include an explanation of the specific facts and circumstances upon which the decision is based.
[10.28.9.8 NMAC - N, xx/xx/2026]

**10.28.9.9 PUBLIC SAFETY TELECOMMUNICATOR CERTIFICATION EXAMINATION (TCE);**

**A.** Only students who graduate from the academy, an accredited regional satellite academy, or an



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accredited certification-by-waiver program will be eligible for the TCE.

(1) Students will be allowed two opportunities in which to pass the TCE within one year from the date of completion of the satellite program.

(2) Students who fail the exam two times must attend the academic portion of the certification by waiver of the previous training program prior to taking the exam a third time.

(3) Students who fail the test three times will be required to attend either the entire academy or an entire regional satellite academy again.

**B.** If a student does not secure a telecommunicator position within one year from the date of passing the TCE, they will be required to attend an accredited certification by waiver program to maintain their certification.

**C.** Students who pass the TCE will be provided with a letter from the director with their test score.

**D.** The director will submit a list of students who are eligible for certification to the Board for final approval and award of certification.

[10.28.9.9 NMAC - N, xx/xx/2026]

**10.28.9.10 BASIC TRAINING:** The public safety telecommunicator (PST) certification course is a minimum of 130 hours of training in eight blocks of instruction. There will be 12 prerequisite distance-learning training hours that an applicant must complete prior to attending the public safety telecommunicator academy, for a minimum of 118 contact training hours during the course. The Standards and Training Council shall approve the minimum standards of training for the academy. This curriculum shall also be the standard curriculum for all regional satellite academies. The TCE is based on the standard curriculum established by the Council.

[10.28.9.10 NMAC - N, xx/xx/2026]

**10.28.9.11 IN-SERVICE TRAINING:**

**A.** All New Mexico-certified public safety telecommunicators shall receive a minimum of 20 hours of training bi-annually (every other year). Each two-year in-service training cycle will begin on the first day of the subsequent even-numbered year and conclude on the final day of the subsequent odd-numbered year.

(1) A topic of interactions with persons with mental impairments, training in line with requirements pursuant to Section 29-7C-7 NMSA 1978.

(2) Remaining training hours shall be in maintenance or advanced training areas to meet the agency's specific needs and abilities of the telecommunicator.

**B.** Training content and accreditation for in-service classes

(1) The Council may expand annual or biennium in-service training requirements as necessitated by changes to the law, regulatory changes, or emerging professional standards. This additional training may increase the biennium minimum standard for that individual time period.

(2) The same curriculum-development procedures and timelines established in Subsection A of 10.28.8.13 NMAC for law enforcement in-service training shall also apply to required in-service training for telecommunicators, including consultation requirements, curriculum development periods, and the process for addressing urgent or critical training needs.

(3) The academy is responsible for creating a standard in-service curriculum for all required in-service classes to ensure that the curriculum is in line with the standard basic telecommunicator training curriculum. This content shall be made available to all agencies six months before the start of the in-service training cycle.

(4) An individual agency may create its own in-service courses that add content to the standard in-service curriculum. These courses must be accredited by the academy.

**C.** Required training may be received through the following means.

(1) Where scheduling will allow, the academy will assign staff to instruct the course at regional training sites.

(2) Curriculum may be developed by the academy and provided to individual agencies for their own credentialed instructors to present to their telecommunicators, provided the instructor is qualified in the subject matter.

(3) Individual agencies or private contractors may develop curriculum for review and accreditation by the academy that meets the criteria established by the Council.

(4) The instructor can use any instructional modality, including but not limited to in-person training, online training, or a hybrid of in-person and online training, to teach a class, as long as the modality for teaching a particular class is not specifically required in statute.

**D.** Implementation is to begin on January 1 of the first even-numbered year of a training



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cycle.

**E.** Telecommunicators obtaining certification within an even-numbered year will be required to obtain one-half-of the in-service training requirements. Telecommunicators obtaining certification in an odd-numbered year will be required to meet the next two-year in-service training requirement, which will take effect on January 1 of the succeeding even-numbered year. The in-service training requirements are applicable in subsequent two-year cycles (one even-numbered year and the subsequent odd-numbered year constitute a two-year cycle). Telecommunicators transferring from one agency to another will carry with them the responsibility for in-service training.

[10.28.9.11 NMAC - N, xx/xx/2026]

**10.28.9.12 CERTIFICATION BY WAIVER TRAINING PROGRAM: [RESERVED]**

[10.28.9.12 NMAC - N, xx/xx/2026]

**10.28.9.13 REQUIREMENTS FOR NON-NEW MEXICO PUBLIC SAFETY TELECOMMUNICATORS: [RESERVED]**

[10.28.9.13 NMAC - N, xx/xx/2026]

**10.28.9.14 TELECOMMUNICATOR ADVANCED CERTIFICATION:** The academy awards advanced certification credit for approved training beyond the basic level. An applicant must submit a completed application packet containing copies of all training certificates and other supporting documentation. Applications should be submitted only after the required number of hours has been accrued. Individual certificates will not be processed if they are not attached to an application for a specific level of certification. Advanced certifications are ranked from intermediate to executive and are only awarded if the criteria for the previous level(s) of certification have been met.

**A. Advanced certification criteria and guidelines**:

**(1) Intermediate** (minimum of 200 cumulative hours required): two years' experience, non-probationary status at time of application, and 200 cumulative hours of advanced telecommunicator training (beyond basic and maintenance training).

**(2) Advanced** (minimum of 400 cumulative hours required): four years' experience, non-probationary status at time of application, and 400 cumulative hours of advanced telecommunicator training or formal education (beyond basic and maintenance training) approved by the director.

**(3) First-line supervisor** (minimum of 500 cumulative hours required): must have held the title of shift supervisor, terminal agency coordinator (TAC), or training officer with one year in rank and completion of an academy-approved first-line supervisor course (40 hours minimum).

**(4) Command** (minimum of 700 cumulative hours required): must have held the rank of deputy director, assistant supervisor, terminal agency coordinator (TAC), 9-1-1 coordinator, or training coordinator with one year in rank and 100 hours of management training or formal education approved by the director.

**(5) Executive** (minimum of 800 cumulative hours required): must have held the rank of director or deputy director with one year in rank, or held the title or rank of regional manager or manager who reports directly to the department or agency head and have one year in rank; and 200 cumulative hours of management or administrative training or formal education approved by the director.

**B. Criteria for cumulative credit calculations:**

**(1) Certificate criteria:** The academy will accept certificates of completion for credit toward an advanced certificate.

**(2) College course credit:** College courses will receive the credit ratio of 15 advanced certification hours for each credit hour up to a maximum of 400 advanced hours. College course credits apply only to advanced-level certification and above. Official copies of college transcripts are required. Credit hours may be given only for college courses that are law enforcement-related and approved by the director.

**(3) Military course credit:** Military advanced-level courses related to law enforcement and approved by the director can be used for credit towards advanced level certification and above at an hourly ratio of one-to-one. Training hours and dates must be noted on the training certificate for credit or on an official training transcript.

**(4) In-service training:** Academy-approved in-service training will be accepted based upon the approved course hours. Mandated training required to maintain telecommunicator certification or instructor certification will not be credited towards advanced certifications. Other in-service training will be accepted only upon provided evidence that a test was administered and passed, or a certificate of completion was issued.

**(5) Rank requirements:** Certificates at the first-line supervisor level and above require that



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the prerequisite rank or title was held for a minimum period of at least one year prior to the date of the application. Documentation indicating date(s) of promotion must be included with the application packet. Non-traditional rank designations will be reviewed for equivalency to ranks designated for applicable certificates.
[10.28.9.14 NMAC - N, xx/xx/2026]

**10.28.9.15 PUBLIC SAFETY TELECOMMUNICATOR REGISTRY REPORTING AND APPLICATIONS FOR ADMISSION/CERTIFICATION**

**A. Reporting requirements**

**(1)** Employment, termination, resignation, or upon receipt of notice of conviction of any felony charge or violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances or other crime involving moral turpitude of all public safety telecommunicators in the state of New Mexico must be reported to the academy within 30 days of such action.

**(2)** Required reporting forms shall be established by the director.

**(3)** All public safety agencies that do not comply with the requirement of submitting to the academy status reports on their employees will not be eligible for training funds or attendance at basic or in-service/advanced training classes until the registry is made current. Repeated failures to maintain the registry shall result in a period of suspension of training eligibility to be set by the director.

**B. Application requirements**

**(1)** An applicant for training or for certification, or that applicant's department, must submit the Agency Employment Action Form (LEA 82) to the academy within 30 days of the initial hire date for said applicant.

**(2)** Non-compliance with the 30-day employment action requirement will result in assignment to class after completion of all other requirements herein on a space-available basis only - no special consideration will be given to the applicant, and the applicant must have his/her commission suspended if he/she exceeds one year from the initial hire date.

**(3)** No applicant shall be admitted to the academy or regional satellite academy after one year of the initial hire date unless the applicant and the applicant's chief, sheriff, or agency head certify:

**(a)** that the applicant was removed from duty as a telecommunicator; and

**(b)** that the agency will reinstate the telecommunicator based upon the applicant's successful completion of the basic public safety telecommunicator training course and certification by the Board.

**(4)** The academy shall be notified of any change in the medical or psychological condition of an applicant prior to the applicant's admission. If the application is for a regional satellite academy, that regional satellite academy shall be notified as well.

**(5)** Applicants who falsify any information on their application for admission will not be considered for admission.
[10.28.9.15 NMAC - N, xx/xx/2026]

**10.28.9.16 FINGERPRINT CLEARANCE FOR ADMISSION:** Fingerprint clearance requirements for telecommunicators shall be governed in the same manner as law enforcement admission to the academy or a regional satellite academy as described in Section 10.28.5.9 NMAC, FINGERPRINT CLEARANCE FOR ADMISSION.
[10.28.9.16 NMAC - N, xx/xx/2026]

**10.28.9.17 RENEWAL OF CERTIFICATION AFTER ABSENCE:**

**A.** In the event a retired telecommunicator who has appropriately separated from law enforcement service makes application to obtain or regain New Mexico certification by waiver of basic training, such applicants shall satisfy the following requirements:

**(1)** Applicants must have graduated from a certified telecommunicator training academy that was comparable to or exceeded the standards of the programs of the academy.

**(2)** Separation must be under honorable conditions.

**(3)** The telecommunicator's certification must not be revoked or currently suspended by the Board.

**(4)** Complete all other conditions required under the current certification by waiver of basic training.

**(5)** If sponsored by an agency, complete any other requirements imposed on applicants by that sponsoring agency.



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**B.** In the event a certified telecommunicator in the state of New Mexico leaves their position for any reason and is not employed full-time for a period of more than two years, the telecommunicator will be required to successfully complete the certification by waiver program to renew the telecommunicator's certification.

**C.** A New Mexico certified telecommunicator who has retired or separated from a New Mexico agency may maintain their certification without being required to attend a certification by waiver program, as long as they fulfill the biannual in-service requirements, and any annual in-service requirements for at least one of the years in the two-year in-service cycle, as established by the Council, as long as their certification has not been revoked or is not currently suspended by the Board.

[10.28.9.17 NMAC - N, xx/xx/2026]

**10.28.9.18 IN-SERVICE TRAINING FOLLOWING SEPARATION FROM SERVICE:**

**A.** If a New Mexico certified telecommunicator leaves their position for any reason, including retiring as a telecommunicator, and is not employed full-time for a period of more than two years, and makes application to return to service, the telecommunicator shall satisfy the following requirements:

**(1)** Must have graduated from a certified telecommunicator training academy that was comparable to or exceeded the standards of the programs of the academy.

**(2)** Separation must have been under honorable conditions. Retirement in lieu of an investigation into misconduct will not be considered an honorable separation.

**(3)** The telecommunicator's certification must not be revoked or currently suspended by the Board.

**(4)** Must successfully complete the equivalent of a certification by waiver of basic training program.

**(5)** If sponsored by an agency, complete any other requirements imposed on applicants by that sponsoring agency.

**B.** A New Mexico certified telecommunicator who has retired or separated from a New Mexico agency may maintain their certification without being required to attend the equivalent of a certification by waiver program, as long as they fulfill the biannual in-service requirements, and any annual in-service requirements for at least one of the years in the two-year in-service cycle, as established by the Council, as long as their certification has not been revoked or is not currently suspended by the Board.

[10.28.9.18 NMAC - N, xx/xx/2026]

**History of 10.28.9 NMAC: [RESERVED]**



EXHIBIT 13

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.2 NMAC, Financial, filed 10/01/1997, effective 10/01/1997.

EXHIBIT 14

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.3 NMAC, Course Accreditation Procedures/Guidelines, filed 10/01/1997, effective 10/01/1997.

EXHIBIT 15

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.4 NMAC, Instructor Certification and Advanced Certifications, filed 06/27/2017, effective 06/27/2017.

EXHIBIT 16

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.5 NMAC, Regional/Satellite Police Officer Basic Academies, filed 10/01/1997, effective 10/01/1997.

EXHIBIT 17

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.7 NMAC, In Service Training Requirements, filed 07/10/2018, effective 07/10/2018.

EXHIBIT 18

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.8 NMAC, Officer Transition Training Program, filed 11/30/2009, effective 11/30/2009.

EXHIBIT 19

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.9 NMAC, Police Officer, filed 11/15/2016, effective 11/15/2016.

EXHIBIT 20

The New Mexico Law Enforcement Standards and Training Council proposes to repeal its rule 10.29.10 NMAC, Public Safety Telecommunicator, filed 06/27/2017, effective 06/27/2017.

EXHIBIT 21

**Arballo, Jessica, DPS**

**From:** technicontraining@myctl.net
**Sent:** Saturday, August 15, 2026 9:48 AM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] NMLEA Proposed Rule Changes Public Hearing Comments_Joel Ryan TTCS
**Attachments:** NMLEA Proposed Rule Changes Public Hearing Comments_Joel Ryan TTCS.pdf

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Dear Deputy Director Arballo,

I have attached my comments regarding the Proposed Rule Changes.

The original was mailed certified return receipt today to your attention as well.

If you have any questions, don't hesitate to email or contact me at 505.238.9224

Respectfully Submitted,
Joel Ryan

*Joel Ryan*
Executive Director, TTCS
***Certified Instructor/Master Instructor*-NMLEA**
***Nationally Certified Instructor*-IADLEST**
***Member*- IADLEST/ILEETA/NAFTO/APCO/NENA**

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August 14, 2026

New Mexico Law Enforcement Standards and Training Council
4491 Cerrillos Rd.
Santa Fe, NM 87504-1628

Re: Comments on Public Hearing for Proposed Permanent Rule

Dear Hearing Officer, Committee, and/or New Mexico Law Enforcement Standards and Training Council:

I am forwarding these formal comments on the Proposed Permanent Rule changes for Title 10, Chapter 28, Parts 6 and 7.

## BACKGROUND- JOEL F. RYAN:

I have been in law enforcement and public safety in New Mexico for over forty years and was a certified peace officer for twenty-six continuous years until 2004. I have been a certified NMLEA Instructor and Master Instructor for over thirty-five years teaching in various disciplines throughout my career. I had also served as an Instructor/Senior Instructor for the NMLEA in Santa Fe for seven years.

As Executive Director of TTCS , I have developed various accredited training and have provided those courses to law enforcement and public safety agencies in New Mexico and surrounding states for over twenty years. On average, TTCS provides training to over five hundred (500) law enforcement officers, telecommunicators, and administrative staff every year.

## COMMENTS ON PROPOSED PERMANENT RULE CHANGES:

General Comments on Proposed Rule Changes

I understand that all the requirements or processes cannot be included in Rule Changes, but will "written rules" be provided where current and future Administrations must include these requirements, processes, and additional information that are related to specific rules in writing and post them on the NMLEA Website for access by agencies and instructors.

The biggest problem with the NMLEA Administrations, past and present, has always been communication and the "unwritten" rules for requirements, processes, and additional information that were interpreted differently depending on when and who you spoke with.

Suggested Rule to Include:

- The Director and/or NMLEA, will provide in writing any specific requirements, processes, and information related to any specific rule and post it on the NMLEA Website for access by agencies and instructors.

- If there are changes to any of these specific requirements, processes, and information, the new changes or version shall be posted on the NMLEA Website prior to thirty (30) days of being changed and/or taking effect.

Suggested Rule and/or Process for New or Changed Information:

- The NMLEA should send out notification to all certified instructors on file, not just to departments, that there are changes and to review the website. Otherwise, how will instructors and others going to know when changes are being made, especially later in the document when it references changes to rules based on state or federal law and court rulings, etc.

Specific Comments on Proposed Permanent Rule Changes:

***Title 10, Chapter 28, Part 6 Course Accreditation Procedures***

10.28.6.9 Course Accreditation Procedures

*Proposed Rule Change*- Section A.

The academy shall establish procedures for the submission and accreditation of in-service, advanced law enforcement training classes, and advanced telecommunicator training classes.

*Comment*-

- Will these procedures be in writing and posted on the NMLEA Website for access by agencies and instructors?

*Proposed Rule Change*- Section B.

- Any class that creates a standardized statewide curriculum shall be approved by the Council.

*Comment*-

- What does "standardized statewide curriculum" mean?
- Does this include *any curriculum* or just basic academy training curriculum?
- This needs to be better defined where a course can be "used" statewide but not necessarily a "standard".
- If it includes any curriculum, does that mean if I create a new training course it needs to be approved by the Council first and now sets a statewide standard?

  Example:

  *Background Investigations, Leadership Supervision Management, Field or Communications Training, and other subject matter classes can all vary based on agency practices, therefore, are these courses really a "standardized statewide curriculum" or more "current best practices" as taught by the instructor, agency, and/or company providing the class?*

*Proposed Rule Change*- Section C.

When accrediting classes, the academy has the authority to review the material for appropriate curriculum design, to ensure that the lesson plan includes citations and references to its source material, and to ensure alignment with any statewide standard curriculum established by the Council.

*Comment*-

- What is *review material for appropriate curriculum design etc.?*
- Will these appropriate requirements and/or instructions be in writing and posted on the NMLEA Website for access by agencies and instructors?

*Proposed Rule Change*- Section D.

Lesson plans in approved academy format, any testing material, instructor information, and citations of all reference material must be submitted to the academy no less than 30 days before the anticipated start of a class. This packet may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

*Comment*-

- Will the "approved academy format", "testing material", "instructor information", "citation formatting" and any other requirements for curriculum be in writing and posted on the NMLEA Website for access by agencies and instructors.
- Is the NMLEA going to provide a basic format, and if so, will they also provide any requirements that must be included and directions for a format?
- If there are no basic formatting rules or requirements, it's open to be created by agencies and/or instructors that leaves it open to interpretation and possibly being denied by the NMNLEA.

*Proposed Rule Change*- Section J.

The academy shall make changes to any Council-approved statewide curricula when the academy is notified of changes to state or federal law that affect a particular class. The academy shall provide this updated curriculum to instructors upon request. The academy shall notify the Council of any and all changes made.

*Comment*-

- How will instructors know when there is updated curriculum when it's "upon request"?
- Any updates should be posted on the NMLEA Website for access by agencies and instructors.

***Title 10, Chapter 28, Part 7 Instructor Credentialing***

10.28.7.2 SCOPE

*Proposed Rule Change-*

All law enforcement agencies in the state of New Mexico, any law enforcement instructor, professional lecturer, or specialized law enforcement or telecommunicator instructor conducting training programs in New Mexico.

*Comment-*

- Why doesn't the SCOPE include the NMLEA and all Regional and Satellite academies?

10.28.7.8 General Instructor

*Proposed Rule Change-* Section D. (2)

Completion of an accredited 40-hour instructor development course, or equivalent training approved in writing by the director.

*Comment-*

- What may or will be accepted as "equivalent" training.
- This can leave too much discretion to different directors and will not be consistent as personnel and administration changes occur.

*Proposed Rule Change-* Section G

All instructor credentials will require successful completion of an accredited instructor development refresher class of eight hours or more prior to the instructor applying to renew their instructor credential. An instructor with an expired instructor credential may take an accredited instructor development refresher course to renew an instructor credential.

*Comment-*

- What will the time limit be? Does this mean an instructor credential can be renewed after several years of not teaching any course of training?
- There should be a time limit either stated in the rule or a statement that the Director will provide the requirement in writing and made available on the NMLEA Website for agencies and instructors.
- Can instructors whose certification(s) have expired continue to teach before they attend a refresher or during a grace period?
- A consideration for a time limit or grace period may be one or two years. How much "instructor methodologies" will change during that time period.
- After the time limit or grace period has expired, will the instructor be required to complete an accredited 40-hour instructor development course again?

*Proposed Rule Change-* Section G. (3)

The master instructor must be able to produce a roster and course evaluation(s) that show either teaching Instructor Development or Instructor Development Refresher, during the four-year credential period to avoid the requirement of attending the instructor development refresher class.

*Comment-*

- Does *produce a roster and course evaluation(s)* mean that the Master Instructor must submit just one roster and course evaluations or, course rosters and evaluations from every class that was taught during the four-year period.

  *On average, I teach four to six Instructor Development Courses and Instructor Update Refresher courses in a single year.*

  *If the requirement is going to be for all courses, that can be a minimum of 500 pages of documents to submit to the NMLEA for recertification. If they are included as pdf documents in an email, it will be well over 200 megabytes of data. Typical email systems usually will not allow anything over 10 megabytes of attached data in a single email.*

- What about Master Instructors for firearms, MARC, use of force, etc.?
- Then there's the question of who will review all these documents, and what will the criteria be for reviewing student course evaluations that is fair and objective for certification renewal or will it be subjective in nature depending on who is reviewing the evaluations and "one bad evaluation" out of a class is grounds to deny a certification renewal.

  *In a given class, every student receives training differently based on their learning style, subject matter being taught, and experience that can lead to varied perceptions of "what or how they feel" about the training.*

  *Instructors, as hard as they may try, are not going to please everyone and receive the highest ratings or comments for every class taught.*

10.28.7.9 Professional Lecturer

*Proposed Rule Change-* Section B. (1)

A professional lecturer does not need to attend an academy-accredited instructor development class or instructor development refresher class to receive or renew a Professional Lecturer credential.

*Comment-*

- In my, and other instructor's experience, just because someone possesses a degree, even at a level of Jurist Doctor, Psychology, Medicine, or is a Professor at a University or College does not make them a good instructor, trainer, or teacher.

  *For over ten years, I have had discussions with students in a classroom setting regarding their learning experiences when attending the Basic Academy Legal block, Biennium Legal Update classes, or other subject matter classes where these "professionals" have taught. The higher majority of students have had less than good experiences for learning from these individuals.*

- Anyone that wants or is going to teach in the law enforcement and public safety environment should be required to complete a law enforcement instructor development training course or have completed equivalent training, then submit the required documentation for certification as a Professional Lecturer.
- If the NMLEA is going to accept training that is equivalent, what will those requirements be?

*Proposed Rule Change*- Section C.

A retired law enforcement officer or a retired telecommunicator may choose to apply to be a professional lecturer instead of a credentialed instructor, provided that the officer or telecommunicator meets the requirements to be a professional lecturer, and their certification is not currently suspended or revoked by the Board.

*Comment*-

- Does this mean that an officer or telecommunicator in good standing who has retired or not currently working for an agency can still apply for a General Instructor Certification?

10.28.7.10 Recognized College/University Educators

*Proposed Rule Change*- Section D.

This classification of educator shall be recognized by the academy as holding a teaching credential equivalent to that of a credentialed instructor or professional lecturer, without the requirement to apply for a teaching credential.

*Comment*-

- What will be the specific requirements for "teaching credential equivalent to" a credentialed instructor in order to teach in a law enforcement and public safety environment?
- Will the basic requirements be in writing and available on the NMLEA Website.
- As previously noted, just because someone possesses a degree or is a Professor at a University or College, does not make them a good instructor, trainer, or teacher in the law enforcement and public safety environment.

10.28.7.11 Specialized Law Enforcement Instructor

*Proposed Rule Change*- Section I.

Renewal of a firearms instructor, MARC instructor, or use of force instructor credential shall require successful completion of an accredited specialized instructor update class in that high risk specialty every four years. The content of the update shall include, at a minimum, any new rules, laws, tactics, techniques, and procedures taught in the academy, ensuring continuity between academy and post-academy training.

*Comment*-

- There's a specific minimum requirement for General Instructor Update, there should be a minimum number of hours for a renewal of a firearms instructor, MARC instructor, or use of force instructor credential as well.

- If there is going to be a requirement and minimum number of hours included in the rule, will it be in writing and posted on the NMLEA website for specialized instructors and agencies.
- Will the NMLEA be providing update classes for firearms, MARC, or use of force instructors?

  *I know from my experience, firearms instructor update classes are very difficult to find and attend. MARC, and use of force instructor update classes have not been provided in several years*

  *The last "unwritten rule" 16-hour Use of Force Instructor Update requirement for renewal was in 2016.*

*Proposed Rule Change*- Section I. (2)

The master instructor must be able to produce a roster and course evaluation(s) that show either teaching the high-risk topic or the high-risk topic update during the four-year credential period to avoid the requirement of attending an update in that particular high-risk topic.

*Comment*-

- As previously noted in 10.28.7.8.G. (3), General Instructor, does this mean that the Master Instructor must produce just one roster and course evaluations or, course rosters and evaluations from every class that was taught during the four-year period.

10.28.7.14 Revocation of Instructor Credential

*Proposed Rule Change*- Section A. (1, 2, 3)

The director may revoke or suspend any instructor's credential on the grounds that the instructor:
**(1)** failed to meet minimum standards;
**(2)** lacked the ability to effectively communicate or instruct in the academy setting; or
**(3)** had their police officer or telecommunicator certification suspended or revoked.

*Comment*-

- "Any instructor's credential" should be expanded to include any active, retired, or civilian and that any satellite or regional academies must also report conduct to the NMLEA.
- Why did the current rule, 10.29.4.12 A. (2), *displayed a lack of good moral character or behavior that adversely affects his credibility as an instructor;* get omitted?

  *I believe this is a critical element for being an instructor when teaching.*
- The original rule should be left in place with consideration for re-wording in this manner; (displayed a lack of good moral character or behavior that adversely affects the students, instructor, agency, NMLEA, and the profession.)

- The proposed rule for number (2) should be left in place with consideration for re-wording it in this manner; (lacked the ability to effectively communicate or instruct in an academy or other instructional setting;)

Respectfully Submitted,

Joel F. Ryan
Executive Director, TTCS
*Certified Instructor/Master Instructor*-NMLEA
*Nationally Certified Instructor*-IADLEST
*Member*- IADLEST/ILEETA/NAFTO/APCO/NENA

**Arballo, Jessica, DPS**

**From:** rlfeldman1949@gmail.com
**Sent:** Wednesday, August 19, 2026 3:38 PM
**To:** Arballo, Jessica, DPS
**Cc:** Maestas, Antonio; 'Noriega, Joe'
**Subject:** [EXTERNAL] Comments submitted in response to Proposed Rules for NM Law Enforcement Standards & Training Council--Rachel Feldman
**Attachments:** Rachel Feldman Comments on Proposed Rule for New Mexico Standards Law Enforcement Standards & Training Council August 2026--line level comments.docx; Law Enforcement Standards & Training Council Proposed Rule Comment by Rachel Feldman August 19-2026 submitted to Jessical Arballo--Letter-Summary.docx

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Please accept the two attached documents as formal comments on the proposed rules therein referenced.



**Comments on Proposed Rule for New Mexico Standards & Training Council: Chapter 28**

By: Rachel Feldman

On behalf of: Indivisible SOS Santa Fe, an advocacy group of more than 150 women in Santa Fe County. Indivisible SOS Santa Fe worked to pass SB 19 in 2023 which established the Law Enforcement Standards & Training Council, requiring these rules. Indivisible SOS Santa Fe originated the statute, and Rachel Feldman authored most of the statute, working with sponsor Senator Antonio Maestas. She was appointed by the Governor to serve as the citizen member of the Council for a one-year term, which has expired.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 1 GENERAL PROVISIONS

10.28.1.2 SCOPE: All certified police officers, applicants to academies to become certified police officers, public safety telecommunicators and applicants to academies to become public safety telecommunicators, and state and local law enforcement agencies in the state of New Mexico

10.28.1.7 DEFINITIONS: [Reserved]

10.28.1.8 REGULATIONS, POLICIES AND PROCEDURES FOR CONDUCTING THE BUSINESS OF THE LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL:

B. Director: The director shall be under the supervision and direction of the Secretary of the Department of public safety.

(1) The director provides administrative services to the Council. The director represents the Council in administrative matters and is subject to the direction of the Council through its official proceedings. The director is responsible for the review and certification of the minutes of the Council. The director implements the training standards and requirements developed and adopted by the Council.

(2) Because the director is subject to the direction of the council, the director may not hold the position of Council chair or vice-chair.

**Commented [RF1]:** Note that these rules do not apply to Tribal or Pueblo police officers, or to Tribal, Pueblo, or federal law enforcement agencies. Note that public safety telecommunicators is a distinct certification that is not inclusive of EMT or fire safety or 988 telecommunicators.

**Commented [RF2]:** This definition of "Director" collapses the LEA Director position currently funded under DPS with the Council Director which here are treated as the same position. This was not the intent of the law, and limits the ability of the Council to have its own Director that carries out its work. The Council was given its own budget with the intent that its staff would not be the same as the LEA staff, and that it would have the capacity to develop curricula and programs detailed within its scope of work which is distinctly different from that of the LEA.

**Commented [RF3]:** While the Secretary of Public Safety has interpreted the statute to control the Council staff, the intent of the legislature as well as the law that defines an attached agency: an agency attached to a department for administrative purposes only ("administratively attached agency") is defined under the Executive Reorganization Act (NMSA 1978, § 9-1-7). Recognizes that the staff to the attached entity, in this case, the Council, is independent of control from the agency to which it is attached. This is an incorrect interpretation of the law and legislative intent, and will be addressed by litigation if it is included in the rules. Work is underway to clarify the statute. But this language should not be incorporated into the new rules.

(3) The Council may direct the director to implement, carry out, or finalize a particular policy or agreement. When the Council has so directed, the director is authorized to sign on behalf of the Council those contracts and other documents that are customarily signed by the chair of the Council. 10.28.9 NMAC 2

(4) The director supervises the operation of the academy as its chief executive officer. The director shall perform all duties delegated to the director by law and those customarily exercised by the chief executive officer of a state agency.

(5) The director ensures that regional satellite academies adhere to the training standards established by the Council.

(6) The director evaluates basic law enforcement training programs, basic telecommunicator training programs, certification by waiver programs, and in-service programs on a regular basis to ensure that they comply with standards set by the Council, in addition to state and federal law.

(7) The director shall accredit advanced training classes and ensure compliance whenever a specific curriculum for a class is established as a statewide standard by the Council.

(8) The director is responsible for maintaining training records for all officers and telecommunicators who complete basic law enforcement or telecommunicator training, as well as certification-by-waiver programs.

(9) The director is responsible for maintaining training records for officers and telecommunicators who successfully complete accredited advanced training and in-service classes.

**Commented [RF4]:** This language reflects the assumption that the LEA Director shall also act as the Director for the Council. This was never the intent of the legislation, and represents a conflict of interest that compromises the legislated independence of the Council. It represents the DPS Secretary's job description for the LEA Director and is no way reflective of the intent of the legislation, but rather, the convenience and interest of the LEA in using the funding for the Council to support the LEA staff. This entire section should be struck and the staff to the Council should report only to the Council, with duties assigned only by the Council. External legal review is necessary to evaluate the DPS Secretary's job description that collapses the LEA Director and the Council Director into the same position.

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TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 2 DEFINITIONS

10.28.2.2 SCOPE: All police officers, telecommunicators, and law enforcement agencies in the state of New Mexico

C. "Accredited" refers to training that is recognized by the director as meeting required standards set by the Law Enforcement Standards and Training Council. ~~Accredited advanced training courses may be counted toward a law enforcement officer's or telecommunicator's in-service training requirements.~~

**Commented [RF5]:** "telecommunicator" needs to be defined as "public safety telecommunicator, to make the distinction between telecommunicators that are only certified for emergency medical, fire, or 988 telecommunications. It may be useful to incorporate the authorized to dispatch under 911.

**Commented [RF6]:** Same clarifications as in 10.23.2.1 comments above. Need to clarify that nothing in these rules applies to Tribal, Pueblo personnel or agencies in NM.

**Commented [RF7]:** We question all references to the "director's" authority as this refers to the LEA director and does not distinguish between the role of LEA and Council. Unclear what the word "recognize" means. The reference to advance training courses does not belong in this definition and should be deleted.

E. "Advanced telecommunicator "training" or "advanced training" is telecommunicator training beyond the basic telecommunicator training program level and does not include mandated in-service training courses.

F. "Agency" means a law enforcement or public safety agency recognized by the New Mexico Law Enforcement Academy

H. "Credentialed Instructor" means meeting the training standards established by statute and rules as determined by the New Mexico Law Enforcement Standards and Training Council to teach law enforcement officers and telecommunicators in New Mexico. A credential is distinct from a certification or commission and may be issued to qualifying individuals regardless of current employment status or in-service training compliance. A credentialed instructor may be a state-certified law enforcement officer or public safety telecommunicator, including officers employed by a law enforcement agency, reserve police officers, or a duly elected sheriff. A credentialed instructor may also be a police administrator or other employee who works for a public agency within the criminal justice system. A currently employed, former, or retired law enforcement officer or telecommunicator may be a credentialed instructor as long as that individual's state certification is not currently suspended or revoked by the Law Enforcement Certification Board. A credentialed instructor may also be an individual who is not employed within the criminal justice system, but has recognized expertise, academic qualifications, or other documented qualifications approved by the

J. "Director" ~~means the director of the New Mexico Law Enforcement Academy.~~

K. "General instructor" means a credentialed ~~general~~ instructor who is authorized to teach ~~generalized~~ topics of instruction which would not otherwise require a specialized, technical, high-risk or master instructor credential.

N. "Instructor course" is any accredited advanced police or telecommunicator training intended to further the individual's knowledge, skills, and abilities, beyond a basic level, for an instructor credential in the respective field.

R. "Public safety agency" means a unit of state or local government, a special purpose district or a private business that provides police, firefighting or emergency medical services.

S. "Professional Lecturer" means someone ~~who is credentialed to teach law enforcement or telecommunicators, but~~ who is not an instructor as defined in

**Commented [RF8]:** This is not an acceptable definition. The LEA doesn't determine what an agency is. The agencies that employ the personnel covered by this section of regulations are created under the authority of the State of NM or its subsidiary governmental bodies, including counties, cities, villages, universities, and state agencies. The LEA doesn't have any authority to recognize such entities.

**Commented [RF9]:** This is a leap not authorized by the statute, and comment elsewhere clarifies that this is not an acceptable requirement. The statute attaches the Council to the LEA it does not give staff control of the Council's operations to the LEA.

**Commented [RF10]:** You cannot define a term by use of the same term.

**Commented [RF11]:** Problems with the definition of "accredited" mentioned in the definition above. The normal use of the term "accredited" typically refers to an approval process by an institution or body qualified to oversee the content of a program. The "director" in question—the LEA director-- is not required to have any qualifications for oversight comparable to the typical meaning of the term regarding educational programs.

**Commented [RF12]:** It is unclear what kind of private business this would apply to, unless it is contracted to a public agency, in which case the contracting relationship must be included in the definition.

**Commented [RF13]:** This is not an adequate definition of the term. The rules should reference definitions in statute. The public safety agency is intended to refer to the dispatching services of emergency management agencies or those attached to police, fire departments, or hospitals. 911 dispatch services are not, by definition included in this definitions. I believe there is a definition in statute that should be the reference.

**Commented [RF14]:** There is not a recognized credential to teach law enforcement or telecommunicators outside this system. The point of this definition should be to include experts and instruction from people outside the credentialing of the LEA

Section 10.28.2.7 and who has subject matter expertise, academic credentials, licensing, or professional experience.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 3 FACILITIES

No comments

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 4 REGIONAL SATELLITE ACADEMIES

10.28.4.2 SCOPE: All law enforcement agencies and any other entities who operate a police academy or criminal justice certificate program in New Mexico.

10.28.4.9 B. Initial accreditation will involve a detailed review to ensure that the satellite academy is equipped with the requisite facilities, staffing, infrastructure, and resources to operate a program that is comparable to the academy.

C. An accredited satellite academy will renew its accreditation every three years. A renewal will automatically be processed by the New Mexico Law Enforcement Standards and Training Council, provided the academy has delivered at least three basic training programs during the previous three calendar years. If an academy has not done so, the director will review the academy's status and performance and make a recommendation to the Council for re-accreditation. The director will publish a compliance manual for satellite academy accreditation.

D. For basic law enforcement training and certification by waiver academies, comparable training facilities for the below-listed proficiency areas must be available or contracted for by the requesting agency or instructor and approved by the director. (1) Comparable driving track facility; (2) Comparable firearms range facility; and (3) Comparable obstacle/agility course facility

F. Once accreditation is granted, the agency or institution can conduct the program with the assurance that the program is comparable to or exceeds the minimum standards of training as established by the New Mexico Law Enforcement Standards and Training Council.

**Commented [RF15]:** This wording is not appropriate. The Council and LEA have no authority over training conducted by law enforcement agencies other than the regional academies. Many police agencies contract with various resources to provide training for their personnel outside the official training system overseen by either the LEA or the Council. Neither have any authority over criminal justice certificate programs that are operated through the community college or other higher education institutions, so these should not be referenced. Only if another agency other than a satellite academy wants the training it provides counted toward any of the credentials overseen by the LEA or the Council, would they be subject to any intervention by LEA or the Council. This should be re-written, and needs to include the satellites that train public safety telecommunicators.

**Commented [RF16]:** This is not the standard. The standard is the criteria set by the Council. It isn't clear what "comparable" means.

**Commented [RF17]:** Insert "satellite" in front of academy. You have defined academy as the LEA, so need to be consistent in language to distinguish satellites from the LEA.

**Commented [RF18]:** All references to "director should be the LEA director" and not the Council Director...Compliance with the law requires them to be separate.

**Commented [RF19]:** Satellites should also have simulation software or equivalent capacity for the type of training that will be required by the new curriculum.

**Commented [RF20]:** Delete this language—comparable has no meaning or criteria . Insert "meets" in front of "or"

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY

B. Screening process:

C. Rejection of applicant and subsequent psychological evaluation within 12 months: (1) In the event an applicant receives a psychological rejection a subsequent or additional psychological evaluation may only be obtained.

10.28.5.11 MEDICAL SELECTION GUIDELINES: A. Authority: An applicant to the academy or a regional satellite academy must be examined by a licensed physician and be found to be free of any physical condition that might adversely affect his/her performance as a police officer or prohibit him/her from successfully completing a prescribed basic law enforcement training course. The director or satellite academy director reserves the right to determine if a candidate may pose a direct threat to his/her safety or that of others in attending and participating in all aspects of the training program at the academy

10.28.5.10 BASIC TRAINING; PSYCHOLOGICAL EXAMINATION:

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 6 COURSE ACCREDITATION PROCEDURES

10.28.6.2 SCOPE: All entities and organizations, either for-profit or public, that offer law enforcement training or educational courses. [10.28.6.2 NMAC - N, xx/xx/2026]

10.28.6.6 OBJECTIVE: The purpose of Part 6 is to establish guidelines for the submission and accreditation of law enforcement and telecommunicator classes through the Law Enforcement Academy.

10.28.6.9 COURSE ACCREDITATION PROCEDURES A. The academy shall establish procedures for the submission and accreditation of in-service, advanced law enforcement training classes, and advanced telecommunicator training classes

C. When accrediting classes, the academy has the authority to review the material for appropriate curriculum design, to ensure that the lesson plan includes citations

**Commented [RF21]:** There is no screening for implicit or explicit bias related to civil rights protections. Given the importance of compliance with the New Mexico Civil Rights Act and the consequences to state and local government for violations of that Act, it seems important that some objective form of screening be included in this process.

**Commented [RF22]:** This language does not make sense.

**Commented [RF23]:** This is a strange statement—it isn't clear that there needs to be a basis for this determination that a person is a danger to self or others, which could lead to a subjective decision to exclude someone based on implicit bias. Exclusion on this basis should require justification that can be appealed. It also isn't clear why this language is included under "medical selection guidelines". Suggest deleting or fleshing it out and considering whether it belongs in the psychological assessment section.

**Commented [RF24]:** Nowhere in this section is any reference to psychiatric diagnoses or past behavioral health interventions, current medication, or compliance with treatment for a psychiatric illness. Certain psychiatric diagnoses may present as normal in an assessment context. If this is due to compliance with medication/treatment, it should be viewed as non-dis-qualifying. The issue of compliance with treatment for certain conditions, however should be subject to further evaluation. Bi-polar conditions, for example, may result in sudden change in mental status that would interfere with job performance. PTSD and some other conditions may be triggered by on-the-job events, such that the person is unable to perform at the expected levels or may interfere with the performance of others ... [1]

**Commented [RF25]:** This is too broadly stated. The Council has no authority over law enforcement training or educational courses offered by colleges or private institutions that are outside the Certified programs overseen by the Council. For example, leadership training and ... [2]

**Commented [RF26]:** This is too limited. Should be through the LEA, its satellites, by its certified instructors and faculty, when those courses are required for certification as a law enforcement officer, public safety telecommunic ... [3]

**Commented [RF27]:** This regulation is assuming by the way it is written that whatever is meant by "accreditation" is a delegated authority to the academy. This assumption is not anticipated by or consistent with the statute or its legislative intent. The statute anticipates that the Aca ... [4]

**Commented [RF28]:** This is not an academy responsibility but a responsibility of the Council. The Council may delegate portions of the procedures to the Academy but should approve them and oversee compliance with them or explicitly delegate authority. Overisght of all curriculu ... [5]

**Commented [RF29]:** The specific meaning of "accrediting" isn't clearly stated and must be a delegated authority from the Council. Note that there are "accreditation" programs and standards by other organizations...e.g., CALEA for academies, and for colle ... [6]

and references to its source material, and to ensure alignment with any statewide standard curriculum established by the Council.

D. Lesson plans in approved academy format, any testing material, instructor information, and citations of all reference material must be submitted to the academy no less than 30 days before the anticipated start of a class. This packet may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

E. If the academy denies the accreditation of a class, the academy shall communicate the reason in writing to the individual who submitted the class for accreditation. F. The academy has 30 days to accredit or deny accreditation.

E. If the academy denies the accreditation of a class, the academy shall communicate the reason in writing to the individual who submitted the class for accreditation. F. The academy has 30 days to accredit or deny accreditation.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 7 INSTRUCTOR CREDENTIALING

10.28.7.2 SCOPE: All law enforcement agencies in the state of New Mexico, any law enforcement instructor, professional lecturer, or specialized law enforcement or telecommunicator instructor conducting training programs in New Mexico.

10.28.7.8 GENERAL INSTRUCTOR: A. A general instructor may teach all topics in a basic law enforcement training program, certification by waiver program, or standard in-service curriculum, except for emergency vehicle operations, use of force, mechanics of arrest and control, DWI/SFST, and firearms.

D. To qualify for a general instructor credential, an applicant shall complete the instructor credential application and satisfactorily demonstrate to the director a combination of education and experience in criminal justice, as well as proficiency in the instructional process, and meet the following requirements:

(2) Completion of an accredited 40-hour instructor development course, or equivalent training approved in writing by the director.

**Commented [RF30]:** This is problemmatic as it isn't clear which subject matters need to go to the academy or why, given the ambiguity of use of term accreditation. If a satellite or a law enforcement agency offers educational programs that are outside the specific requirements for certification, credentialling or in-service, then accreditation is outside the authority of the Academy and the Council. For example, one of the satellites offers leadership training for law enforcement ...to-date this has not been a requirement, but is providing extra education that is desired for career advancement or sought by students and agency leaders. At some point the Council may decide to offer leadership or executive training programs and continuing education that fits into the overall continuum of progr ... [7]

**Commented [RF31]:** All such references to accreditation will require a clearer definition of "accreditation" as well as clearly delegated authority from the Council under conditions specified by the Council. This entire regulation gives more authority to the Academy than is intended by legislation that assigns those responsibilities to the Co ... [8]

**Commented [RF32]:** This is not acceptable. Curriculum approved by the Council for certification, credentialling or other required status may incorporate modality into the requirements. Some courses must be taught on a firing range or a track, some may require simulations and live hypotheticals. Modality is NOT separate from whatever the accreditation means...it is integral to many curricula, a ... [9]

**Commented [RF33]:** Once again, this is too broadly stated. The Council scope does not apply to college or university training programs, those of private entities or those offered by law enforcement agencies that exceed the requirements of Council approved programs. For example, a number of law enforcement agencies have sent their staff for national training in programs such as ABLE (Active ... [10]

**Commented [RF34]:** Replace "all" with "most". Don't list exceptions. The curriculum is being revised and there will be a replacement for "standard in-service" curriculum, so there may be many other topics involved....delete everything after in-service curriculum. Add, some topics will require master instructors or other types of specialists. You don't want to revise rules everytime new subjects are ... [11]

**Commented [RF35]:** You don't want to put all the responsibility on the "director". There may well be other ways to credential instructors that are more effective, for example, given a fully staffed LEA and an arrangement with the satellites, it may be possible to convene committees of 3 directors for example, or experts/master instructors to review the qualifications of applicants for the genera ... [12]

**Commented [RF36]:** Here is a more flexible way of writing this. "completion of the Council-approved instructor development course in effect at the time, or equivalent training approved in writing by the director or delegated group of directors and master instructors. It may be that the duration of the instructor course that comes out of the new basic curriculum under development is more tha ... [13]

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 8 LAW ENFORCEMENT TRAINING

10.28.8.2 SCOPE: Applies to all law enforcement-certified police officers in the state of New Mexico, all law enforcement agencies in the state of New Mexico, and all applicants for police officer certification by waiver of basic training and all law enforcement agencies in the state of New Mexico.

10.28.8.6 OBJECTIVE: The purpose of Part 8 is to establish minimum standards of training for police officer certification, establish training requirements and eligibility standards for police officers who seek certification by waiver of basic training under Section 29-7-10 NMSA 1978, and establish in-service training requirements for certified police officers and certified public safety telecommunicators.

10.28.8.8 POLICE OFFICER MINIMUM STANDARDS OF TRAINING: A. The Standards and Training Council shall approve the minimum standards of training for the academy's basic law enforcement training program and certification-by-waiver program. This curriculum shall be the standard curriculum for all regional satellite academies and certification-by-waiver programs. The LEOCE shall be based on this standard curriculum. The academy and regional satellite academies may add additional content to the standard curriculum, as long as that content is accredited. The additional content may not replace the standard curriculum unless that part of the curriculum conflicts with state or federal law and has not yet been formally updated by the academy.

10.28.8.10 POLICE OFFICER REGISTRY REPORTING:

A. Reporting Requirements: (1) Employment, termination, or conviction of any felony charge or violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances, or other crime involving moral turpitude of all peace officers in the state of New Mexico must be reported to the academy within 30 days of such action.

(2) Required reporting forms shall be established by the director

(3) All law enforcement agencies that do not comply with the requirement of submitting to the academy status reports on their employees will not be eligible for

**Commented [RF37]:** All the detail of curriculum has been omitted from the rule which I think is the correct approach since the curriculum should be able to be changed in real time without rule making. However. I believe it is important to require that the Academy and the satellite academies, publish their curriculum at least in an outline form on-line, and that the version being taught be updated to be accurate within 30 days of the beginning of any training program.

**Commented [RF38]:** Need to exempt tribal police agencies in New Mexico

**Commented [RF39]:** Need to include basic training for telecommunicator certification

**Commented [RF40]:** Again need clarification as to what accredited means –it is not up to the Academy but the responsibility of the council...language throughout the rules needs to be consistent. There is also no criteria for approving curriculum from the satellites or police agencies that is outside the curriculum. For example, if an academy wanted to offer curriculum in Dine language, there would be no capacity in either the Council or the Academy to oversee that...the satellite or agency would find an expert in the language to teach the course. Similarly a lot of specialized training in behavioral health or cultural relations or tribal relations may be provided that enhances the ability of the workforce in a region of the state, but doesn't really fall under the purview of the Council. The Council and Academy should not obstruct this type of training. It should stick to what is required for initial and continuing certification and credentialling of advanced, specialized, and technical skills.

**Commented [RF41]:** Replace "the academy" with " direction of the Council"

**Commented [RF42]:** A statement needs to be added here that the Academy will administer and maintain the Police Officer Registry in an electronic data base. Something needs to be added as to who has access to data within the registry.

**Commented [RF43]:** Replace "to the academy" with "to the administrator of the registry".....this will mean that if the registry moves or is administered by another unit of government, the provision holds. Making everything go to the academy or the director is untenable, too ambiguous, and inflexible. Here we are talking about a data base which has an administrative staff. It doesn't matter where the administrative staff are housed. For example, this function may be moved to a data department somewhere else in the justice system, to the Certification Board, or to a data unit in DPS—all outside the Academy.

**Commented [RF44]:** imprecise—replace with "registry administrator"

**Commented [RF45]:** Replace with "to the registry".....what are "training funds"? This is no current law. The agencies are penalized by not receiving Law Enforcement Protection Funds...this is the legal penalty. The law does not authorize other penalties, so this section is inconsistent with law. The Registry would need to re... [14]

training funds or attendance at basic or inservice/advanced training classes until the registry is made current. Repeated failures to maintain the registry shall result in a period of suspension of training eligibility to be set by the director.

(4) In order to protect the lives and safety of the officer involved, any law enforcement agencies employing undercover officers may indicate, in writing, a desire to protect the officer's identity. If such an indication is made, the officer's name shall not appear in the general office registry. Their name and other information requested shall, however, be furnished to the academy.

10.28.8.11 BASIC TRAINING; ENTRY LEVEL AND REQUALIFICATION FIREARMS TRAINING:

10.28.8.12 BASIC TRAINING; CONTINUATION OF CERTIFICATION AFTER SEPARATION: A. In the event a New Mexico-certified officer, who has retired from law enforcement service for more than six years, makes application to return to service, the officer shall satisfy the following requirements: (1) Must have graduated from a certified law enforcement academy that was comparable to or exceeds the standards of the programs of the academy.

10.28.8.13 IN-SERVICE TRAINING FOR LAW ENFORCEMENT OFFICERS: A. Curriculum Development

(3) The academy shall use the first nine months of the second year of the cycle to develop the curriculum for the upcoming in-service cycle. The academy may incorporate the approved topics into existing required in-service courses or create a new required course to cover them.

C. The 40 hours of training shall include, but not be limited to, current practices and updates in the following topics: (1)

D. Training content and accreditation for in-service classes

(2) The academy is responsible for creating a standard in-service curriculum for all required in-service classes to ensure that the curriculum is in line with the standard basic law enforcement training curriculum. This content shall be made available to all agencies six months before the start of the in-service training cycle.

**Commented [RF46]:** This should be revised to require that the Registry provide a secure section for information on officers whose identify must be protected, specifying limited access. Sending this information to the Academy does not protect it and is too vague.

**Commented [RF47]:** Suggest that all required "report to academy" language be replaced with "report to the Registry" . Reporting to the "academy" is too general and accountability cannot be determined. The data needs to land in the Registry where it can be audited and responsibility for getting it there needs to be clear and consistent.

**Commented [RF48]:** This is no longer about the "academy", but about the standards set by the Council.

**Commented [RF49]:** This is not up to the Academy, but the Council, which has the right and should have the capacity to commission curriculum development by outside vendor, or have it developed internally by its own staff which are not the same as the "Academy". Throughout this rule, language suggests that the capacity of the Council is exhausted and limited by the staff of the Academy. This is not consistent with the law and legislative intent. Furthermore, it represents a conflict of interest, as the staff of the Academy are not responsible to the Council but to DPS. The Council has no mechanism in this rule to hold the Academy staff and director accountable to its policies if there is a difference of opinion or goals with the DPS administration. The Council is supposed to be independent of DPS and only receive administrative support. This rule ignores the language and intent of the law that establishes the Council.

**Commented [RF50]:** The reference to 40 hours should be omitted as the requirement is "at least 40 hours" and will likely increase with time and the modernization of the curriculum currently underway. There is no need to include the remainder of this section in detail, since the Council is charged with establishing the curriculum for each 2 year cycle. Replace the detail with something like: " the curriculum established by the Council will be consistent with any requirements of law, but will be updated with each cycle to national standards and the needs of the workforce"....this way the detail of the curriculum requirements in statute in the rule will follow whatever changes are made in law as well as by the Council. Otherwise there will need to be repeated changes to the rules.

**Commented [RF51]:** Again, the Academy is not the Council. Replace "creating' with "implementing the Council approved in-service curriculum. This language is redundant and can be simplified.

(3) An individual agency may create its own in-service courses that add content to the standard in-service curriculum. These courses must be accredited by the academy.

(4) The instructor can use any instructional modality, including but not limited to in-person training, online training, or a hybrid of in-person and online training to teach a class, as long as the teaching modality for a particular class is not specifically required by statute.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 9 PUBLIC SAFETY TELECOMMUNICATOR TRAINING

10.28.9.10 BASIC TRAINING: The public safety telecommunicator (PST) certification course is a minimum of 130 hours of training. in eight blocks of instruction. There will be 12 prerequisite distance-learning training hours that an applicant must complete prior to attending the public safety telecommunicator academy, for a minimum of 118 contact training hours during the course.

10.28.9.11 IN-SERVICE TRAINING:

(2) Remaining training hours shall be in maintenance or advanced training areas to meet the agency's specific needs and abilities of the telecommunicator.

(3) The academy is responsible for creating a standard in-service curriculum for all required in-service classes to ensure that the curriculum is in line with the standard basic telecommunicator training curriculum. This content shall be made available to all agencies six months before the start of the in-service training cycle.

(4) An individual agency may create its own in-service courses that add content to the standard in-service curriculum. These courses must be accredited by the academy.

C. Required training may be received through the following means.

(4) The instructor can use any instructional modality, including but not limited to in-person training, online training, or a hybrid of in-person and online training, to teach a class, as long as the modality for teaching a particular class is not specifically required in statute

A. Advanced certification criteria and guidelines:

**Commented [RF52]:** Same problem with use of term accredited by the Academy—the Council is the approving authority—not the Academy

**Commented [RF53]:** This is wrong—modalities are not in statute but embedded in modernized curriculum. It should not be permissible for an instructor to use "any modality". The modality is part of an approved curriculum. Separating modality from curriculum will degrade the training, as instructors will be able to substitute older methods like powerpoint slides and "canned" videos for the requirement in the modernized curriculum established to meet national standards that integrates knowledge with application. This section should be deleted.

**Commented [RF54]:** As suggested for law enforcement training, I suggest that the Academy and Satellite Academy be required to publish an up-to-date outline of the curriculum on-line withing 30 days before any training session.

**Formatted:** Highlight

**Commented [RF55]:** Suggest deleting this after the minimum 130 of trailing, as the Council may change the details once the program has been assessed for modernization.

**Commented [RF56]:** Replace this language with the "specific job requirements and career goals of the telecommunicator.

**Commented [RF57]:** Replace "Academy" with "Council"....same issue as with section 8....the Council may commission outside resources to develop curriculum as the Academy has historically not had the resources to perform this work as needed and may not in the future. It is the Council's discretion how to direct the Academy, not vice versa.

**Commented [RF58]:** Same issue as in section 8 related to meaning and authority for "accreditation", and scope of courses an agency may develop need not be subject to approval when they are not directly related to certification.

**Commented [RF59]:** Same issue as in section 8—modality is not in statute, and modality is integral to curriculum in national standards and modernized curriculum. Instructors can degrade the quality of the training by using older modalities. This should be deleted.

**Commented [RF60]:** This is copied from section 8 and isn't closely related to the structure of telecommunicator jobs in a public safety agency. I suggest deleting and reserving this section until the Council and any advisers it engages develop specific recommendations. For example, the "Command" level in law enforcement doesn't have equivalence in the Public Safety Telecommunicator system which is not tied to paramilitary ranks. At the same time there are different types of certification that should perhaps be incorporated into advancement in these jobs such as emergency medical, fire, and 988 qualification, dispa ... [15]

10.28.9.15 PUBLIC SAFETY TELECOMMUNICATOR REGISTRY REPORTING AND APPLICATIONS FOR ADMISSION/CERTIFICATION

10.28.9.17 RENEWAL OF CERTIFICATION AFTER ABSENCE:

B. In the event a certified telecommunicator in the state of New Mexico leaves their position for any reason and is not employed full-time for a period of more than two years, the telecommunicator will be required to successfully complete the certification by waiver program to renew the telecommunicator's certification.

**Commented [RF61]:** The same comments in Section 8 apply here. The Registry could be moved and reporting "to the Academy" is vague and impossible to audit or address accountability. All references to reporting data should be to "the Registry" or "the administrator of the Registry".

**Commented [RF62]:** This section should be re-visited. Full-time employment should not be required to maintain certification. Allowing for telecommunicators to be on-call or to work part-time would not compromise the quality of service and would help alleviate labor shortages and address emergency situations in which vacancies can compromise response capacity.

**Page 5: [1] Commented [RF24]** **Rachel Feldman** **8/18/2026 1:09:00 PM**

Nowhere in this section is any reference to psychiatric diagnoses or past behavioral health interventions, current medication, or compliance with treatment for a psychiatric illness. Certain psychiatric diagnoses may present as normal in an assessment context. If this is due to compliance with medication/treatment, it should be viewed as non-dis-qualifying. The issue of compliance with treatment for certain conditions, however should be subject to further evaluation. Bi-polar conditions, for example, may result in sudden change in mental status that would interfere with job performance. PTSD and some other conditions may be triggered by on-the-job events, such that the person is unable to perform at the expected levels or may interfere with the performance of others. It isn't evident from this rule whether or not diagnostic history/treatment is solicited in materials that are submitted, but it is important that such psychiatric history be evaluated. This isn't addressed in the medical selection criteria either. It could be addressed in either place.

Medication is also not addressed, and some medications have side-effects or with non-compliance can interfere with job performance. These should be evaluated as well.

**Page 5: [2] Commented [RF25]** **Rachel Feldman** **8/18/2026 1:14:00 PM**

This is too broadly stated. The Council has no authority over law enforcement training or educational courses offered by colleges or private institutions that are outside the Certified programs overseen by the Council. For example, leadership training and executive/administrative courses offered by diverse organizations to law enforcement professionals are not subject to the Council or state oversight. Law enforcement professionals may enroll in any courses they choose as private citizens that have criminal justice content.

**Page 5: [3] Commented [RF26]** **Rachel Feldman** **8/18/2026 1:18:00 PM**

This is too limited. Should be through the LEA, its satellites, by its certified instructors and faculty, when those courses are required for certification as a law enforcement officer, public safety telecommunicator, instructor credentialing, or for specialized or advanced certification or credentialing.

**Page 5: [4] Commented [RF27]** **Rachel Feldman** **8/18/2026 1:44:00 PM**

This regulation is assuming by the way it is written that whatever is meant by "accreditation" is a delegated authority to the academy. This assumption is not anticipated by or consistent with the statute or its legislative intent. The statute anticipates that the Academy implements the programs established by the Council, and that the authority of the Council will "accredit" or provide authority/legitimacy/credit/ status to a particular educational program/course/class. The framing of this entire section needs to be re-worked to make clear the boundary between the Academy and the Council.

**Page 5: [5] Commented [RF28]** **Rachel Feldman** **8/18/2026 1:21:00 PM**

This is not an academy responsibility but a responsibility of the Council. The Council may delegate portions of the procedures to the Academy but should approve them and oversee compliance with them or explicitly delegate authority. Overisght of all curriculum an programs by the Council cannot be delegated to the Academy....doing so conflicts with law.

**Page 5: [6] Commented [RF29]** **Rachel Feldman** **8/18/2026 1:25:00 PM**

The specific meaning of "accrediting" isn't clearly stated and must be a delegated authority from the Council. Note that there are "accreditation" programs and standards by other organizations...e.g., CALEA for academies, and for

college level courses that receive college credits. The term "accreditation" is used too loosely in these rules and needs to be tied down to who/what does the accreditation, and such authority can only be delegated by the Council, and that authority is not inclusive of college level credit or other external body status.

**Page 6: [7] Commented [RF30]** **Rachel Feldman** **8/18/2026 1:33:00 PM**

This is problemmatic as it isn't clear which subject matters need to go to the academy or why, given the ambiguity of use of term accreditation. If a satellite or a law enforcement agency offers educational programs that are outside the specific requirements for certification, credentialling or in-service, then accreditation is outside the authority of the Academy and the Council. For example, one of the satellites offers leadership training for law enforcement ...to-date this has not been a requirement, but is providing extra education that is desired for career advancement or sought by students and agency leaders. At some point the Council may decide to offer leadership or executive training programs and continuing education that fits into the overall continuum of programs. But agencies should not be limited in providing educational programs that are outside requirements, nor should students be limited to training inside the "system" if they choose to take college level courses or those offered by the NM Counties or Municipal Leagues, for example.

**Page 6: [8] Commented [RF31]** **Rachel Feldman** **8/18/2026 1:36:00 PM**

All such references to accreditation will require a clearer definition of "accreditation" as well as clearly delegated authority from the Council under conditions specified by the Council. This entire regulation gives more authority to the Academy than is intended by legislation that assigns those responsibilities to the Council, and so it is inconsistent with legislative intent and the authorizing statute.

**Page 6: [9] Commented [RF32]** **Rachel Feldman** **8/18/2026 1:40:00 PM**

This is not acceptable. Curriculum approved by the Council for certification, credentialling or other required status may incorporate modality into the requirements. Some courses must be taught on a firing range or a track, some may require simulations and live hypotheticals. Modality is NOT separate from whatever the accreditation means...it is integral to many curricula, and the ability to alter modality should be included in the approval of a curriculum itself where relevant.

**Page 6: [10] Commented [RF33]** **Rachel Feldman** **8/18/2026 1:52:00 PM**

Once again, this is too broadly stated. The Council scope does not apply to college or university training programs, those of private entities or those offered by law enforcement agencies that exceed the requirements of Council approved programs. For example, a number of law enforcement agencies have sent their staff for national training in programs such as ABLE (Active Bystander for Law Enforcement). Those completing that instructor program then return and train the agency staff. This is outside any authority the Council has. Other programs in forensics, through the FBI, US DOJ on Community Policing, or other national or professional organizations are also outside scope.

**Page 6: [11] Commented [RF34]** **Rachel Feldman** **8/18/2026 4:26:00 PM**

Replace "all" with "most". Don't list exceptions. The curriculum is being revised and there will be a replacement for "standard in-service" curriculum, so there may be many other topics involved....delete everything after in-service curriculum. Add, some topics will require master instructors or other types of specialists. You don't want to revise rules everytime new subjects are incorporated into the curriculum...we already know from the draft curriculum in process that this list does not fit the new stuff.

**Page 6: [12] Commented [RF35]** **Rachel Feldman** **8/18/2026 4:29:00 PM**

You don't want to put all the responsibility on the "director". There may well be other ways to credential instructors that are more effective, for example, given a fully staffed LEA and an arrangement with the satellites, it may be possible to convene committees of 3 directors for example, or experts/master instructors to review the qualifications of applicants for the general instructor credential. This is likely to be a better quality experience and screen on the people assuming instructor responsibilities because groups of directors and master instructors will see what may be needed programmatically to prepare better instructors and to support new instructors.

**Page 6: [13] Commented [RF36]** **Rachel Feldman** **8/18/2026 4:33:00 PM**

Here is a more flexible way of writing this. "completion of the Council-approved instructor development course in effect at the time, or equivalent training approved in writing by the director or delegated group of directors and master instructors. It may be that the duration of the instructor course that comes out of the new basic curriculum under development is more than 40 hours. I recommend not putting any specific hours into rules, as these will likely change with modifications to curricula and programs necessary to respond in real time to the needs of the workforce. Alternatively the phrase "at least" 40 hours could be used to establish a floor but allow for the duration appropriate to the subject matter.

**Page 7: [14] Commented [RF45]** **Rachel Feldman** **8/18/2026 6:07:00 PM**

Replace with "to the registry".....what are "training funds"? This is no current law. The agencies are penalized by not receiving Law Enforcement Protection Funds...this is the legal penalty. The law does not authorize other penalties, so this section is inconsistent with law. The Registry would need to report failure to report to DPS and it becomes DPS responsibility to deny funding. There is no legal authorization to deny any training classes to an agency until the registry is made current. There is no authority here to bind DPS from the Academy which is a subsidiary within DPS to withhold funding. This entire section needs to be aligned with the statute.

**Page 9: [15] Commented [RF60]** **Rachel Feldman** **8/19/2026 10:29:00 AM**

This is copied from section 8 and isn't closely related to the structure of telecommunicator jobs in a public safety agency. I suggest deleting and reserving this section until the Council and any advisers it engages develop specific recommendations. For example, the "Command" level in law enforcement doesn't have equivalence in the Public Safety Telecommunicator system which is not tied to paramilitary ranks. At the same time there are different types of certification that should perhaps be incorporated into advancement in these jobs such as emergency medical, fire, and 988 qualification, dispatch qualifications for Alternative Response and Mobile Crisis etc....the range of work has been expanded and is not well represented in the current out-dated curriculum and training system which needs to be evaluated and re-built.

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August 19, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. Accompanying this letter is a line-by-line comment on the entire proposed rule. In this letter, I provide a summary of the most important issues identified in the accompanying comments.

**Summary of Comments**

- The most important problem with the new proposed rule draft is that it does not comply with applicable law.
    - The governing statute establishes the Law Enforcement Standards & Training Council (Council) as an independent body attached to the Law Enforcement Academy (Academy). The meaning of Attachment is set forth in the Executive Reorganization Act (NMSA 1978, § 9-1-7). The designation of the Academy Director as the Director of the Council is in direct conflict with the statutory meaning of "attachment". The Academy is intended by law to support the Council in its work by providing administrative assistance. The Council does not in this regulation delegate its authority to the Academy, though by its language, the Academy is functioning only nominally under the direction of the Council. This was not the legislative intent of the statute, and is not consistent with the Executive Reorganization Act language. Preservation of this position, that the LEA controls all staff and budget for the Council, and has some implicit delegation of authority to develop curriculum and act as extensively as stated in

this proposed rule will likely lead to litigation that challenges this interpretation of law going forward.

- The role set forth in this proposed rule for the Academy also establishes a conflict of interest with regard to the use of funds appropriated for the Council's work. It appears that appropriated funds for the Council can be used by the Department of Public Safety (DPS) to fund the LEA's staff, which were historically funded as a division of DPS. Nothing in law changed this. Appropriation of funds for the Council's work was not legislatively intended to replace funding the LEA under DPS. Under the statute, the Academy would implement the programs established by the Council as delegated. Having the Academy Director be the Director for the Council sets up a conflict of interest regarding the use of funds, that appears to subsidize the work of the LEA which is legislatively required to provide a different set of services from those within the Council's authority.
- The proposed rule states that the Academy will do all the work to develop curriculum to meet standards set by the Council. But the Council as an independent body should have the authority to procure expertise outside the LEA for curriculum development which is the current situation in which the LEA is contracted with an outside vendor for a new basic police curriculum, which will need to be approved by the Council. The LEA staff have an ambiguous relationship with the vendor in the current situation because the LEA is acting as though it is the agent for the Council, though the Council Chair is overseeing part of the curriculum development process working with the vendor.
- The Director of the LEA has a conflict of interest being accountable to the Secretary of Public Safety as well as the Council. The way the proposed rule is written, the Director is accountable to the DPS Secretary and not to the Council.

- The LEA does not now and never has had the capacity to carry out the work it is assigned under this proposed rule.
  - The LEA has not been fully staffed to do its own work, let alone the work of the Council for a number of years. It has been unable to recruit and hire staff for basic LEA jobs and has consistently had a high vacancy rate. Its staff do not have qualifications set by the Council and are not approved by the Council. The fact that the law enforcement workforce universally "hates" the current in-service training provided by the LEA indicates that the LEA could have responded to concerns and could have updated and brought in-service curriculum into alignment with national standards but has never invested its resources in doing this.
  - The LEA took decades to contract for a Job Task Analysis to determine the need for complete replacement of the basic law enforcement training curriculum. Under the direction of DPS, the LEA has not been allocated budget to contract for curriculum development, until the recent procurement was put in place, and that funding is inadequate to complete the project or to build an aligned curriculum for certification by waiver, field training officer training, or new in-service training. It has refused to fund job task analysis or equivalent assessment for public safety telecommunicator training which is similarly decades out of date. The Scope of

the LEA's work to implement the Council's work should be limited to what it can realistically accomplish. Meantime the Council needs its own budget and staff, including its own director hired to meet its criteria and accountable only to the Council. Its staff should be accountable to the Council's Director, not the LEA. The proposed rule should define the relationship between the LEA and the Council as an agent to which the Council delegates certain responsibilities within its scope and for implementation of programs that are within the LEA's scope of authority. The Council itself is not within the statutory scope of authority for the LEA.

- There is a lot of unclearly defined and problematic language through the rule. The definitions section needs to be more carefully reviewed.
    - The term "accredited" as defined " refers to training that is recognized by the director as meeting required standards set by the Law Enforcement Standards and Training Council." This is not the normal use of the term accreditation and places complete authority over all training in the hands of one person, the LEA director. That director "recognizes" that something meets the standards set by the Council. Accreditation normally refers to an institutional process of comparing educational material to standards, not one person's opinion, but a structured and systematic review which is not required by this rule. This is an inappropriate use of the term and through the impact of rule making would make one person, the LEA director the arbiter of all law enforcement training adequacy unless someone formally complains to the Council. This is just inappropriate, and unaccountable. The Council does not have veto over the Director, nor is there an appeals process of Director decisions in many cases.
    - There is a lot of confused language related to the scope of different sections. Sometimes public safety telecommunicators are included, sometimes,not. References to "all" technically include tribal officers and agencies that are not within the scope of these rules.
    - All language referencing the "director shall" must be changed to "the Council delegates the Director to...." If it something that is within the legal scope and capacity of the LEA to do, and if the Council actually agrees it should be delegated to the Director. And what happens if the Director doesn't follow through and do all things delegated in this rule ? Many of these tasks have been historically under the auspices of the Director prior to the inception of the Council and they have not been done on time or at all with no consequences or remediation, resulting in a neglected training system.
    - Definitions in the rule should be consistent with definitions in law.
    - References to reporting data to the Academy or to the Director are imprecise. Required reporting to the registry, for example should go to the registry administrator or through a specific procedure. Reporting to the Academy cannot be audited.
- Accountability is a huge problem in this rule. The Director is accountable to the Secretary of Public Safety. What if the DPS Secretary doesn't agree with the Council, particularly regarding decisions about deployment of scarce budget and staff resources? What recourse does the Council have? The Council does not report to the DPS Secretary under the law. How can staff and budget belong to two separate entities with one entity

controlling everything, while the other lacks authority over its own resources to do its work.

- This rule assumes that all implementation of Council directives is carried out by the LEA by the Director. In fact, given capacity constraints as well as lack of qualifications of LEA staff, the Council realistically should have the ability to procure the resources it needs to do its work without relying on the approval of the Director. DPS as the agency to which the Council is attached should assist with procurement administratively but not with decisions about who has the qualifications to do the work it needs done.
- The rule wisely does not publish most curriculum, since the basic curriculum is in the process of being replaced. However, curriculum should be published by the Academies, at least in summary or outline form.
- It isn't clear why application process and criteria for the Academy are published in rules that apply to the Council. They belong with the rules that apply to the Academy, which should be broken out separately, same issue applies to use of facility rules which are not subject to Council authority. This is a structural problem.
- Note that references to modality giving instructors discretion to use whatever modality they want is inaccurate and inconsistent with professional adult education practice and national standards. Modality integrates the subject matter content of educational programs with best methods of instruction for adults, generally integrating information with its application in practice. This language betrays a lack of understanding of modern adult education curriculum design and best practices. Separating modality from subject matter will degrade the quality of training.

**Conclusions**

These rules substantively replicate the old system for the Law Enforcement Academy Board in which one director reporting to the Secretary is responsible for everything. This is the system that was replaced by the new legislation that created the Council. Under the former organization, no work on standards and training was ever done, and work was limited to the functions associated with adjudicating mis-conduct and certification. The new law created two separate organizations to do certification separately from setting standards and overseeing training. Both new organizations were designed in the statute to function independently of DPS with their own budget, staff, and authority. They are also separate from the LEA which has its own statutory authority which is not separately set forth in these rules. This design was necessary to preserve a link to DPS but avoid conflicts of interest. This proposed rule preserves all of the conflicts of interest and prevents the independent operation of the Council. It is entirely inconsistent with the intent of the legislature, and the history of problems associated with inability of DPS to support the capacity to do the work of either set of functions.

Without major re-working, this proposed rule will take the state backwards and impede modernization of standard setting and training, depriving our law enforcement and emergency dispatch workforce of the quality and real time upgrading of education that it needs to provide public safety to our communities.

**Arballo, Jessica, DPS**

**From:** Maestas, Antonio <antonio.maestas@nmlegis.gov>
**Sent:** Thursday, August 20, 2026 5:06 PM
**To:** Arballo, Jessica, DPS
**Cc:** Noriega, Joe; Maestas, Antonio
**Subject:** Rule Making Comment
**Attachments:** STC Letter - Maestas.pdf; Rule 1 - General Provisions.pdf

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Ms. Arballo: Please see attachments. Thank you.

NM Standards & Training Council
c/o Jessica Arballo
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Santa Fe, NM 87504-1628

**RE: Rule Making Comment**

**Sen. Antonio "Moe" Maestas**
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EXHIBIT
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# *New Mexico State Senate*

*State Capitol*
*Santa Fe*

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• Land Grant
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**ADVISORY:**
• Water & Natural Resources
**DESIGNEE:**
• Revenue Stabilization & Tax Policy

August 20, 2026

**VIA EMAIL:** jessica.arballo@dps.nm.gov

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**RE: Rule Making**

Dear Standards & Training Council:

Congratulations on the rulemaking process, and thank you for your work in moving police training in this state forward. I look forward to these rules taking effect. I do, however, believe it is important to address a fundamental problem with the proposed rules as they relate to the legal structure of the New Mexico Law Enforcement Standards and Training Council.

The New Mexico Law Enforcement Standards and Training Council is not merely a volunteer board within the Law Enforcement Academy. It is an independent state agency that the Legislature has administratively attached to the Law Enforcement Academy.

In 2023, under Section 29-7-3(A) NMSA 1978, the New Mexico state legislature created the New Mexico Law Enforcement Standards and Training Council ("Council") and administratively attached it to the Law Enforcement Academy division ("Academy") of the New Mexico Department of Public Safety. The legislature created the Council to develop and promulgate training requirements, methods, development programs, and performance standards for law enforcement officers among other duties.[1]

The purpose of the New Mexico Executive Reorganization Act is to "allow for more efficient management of the executive branch."[2] One way the legislature supports this goal of efficiency is to administratively attach an agency to a department. This attachment to a department is for "administrative purposes only" and the agency still exercises its functions "*independently* of the department and without approval or control of the department." [3]

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1. *See NMSA 1978 § 29-7-3(B).*
2. *NMSA 1978 § 9-1-2.*
3. *(emphasis added) NMSA 1978 § 9-1-7(A) and 9-1-7(A)(1).*

This means the agency maintains broad autonomy and the agency's only required involvement with the department is to (1) submit its budgetary requests through the department and (2) submit reports required by law or by the governor through the department.[4] The department in turn is required to (1) include the agency's budget requests without changes in its departmental budget, and (2) to provide, if mutually agreed upon with the administratively attached agency, budgeting, record-keeping, and related administrative and clerical assistance to the agency.[5]

The relationship between an administratively attached agency and a department is fundamentally different from a "division" of a department. A division is "a principal unit" of the internal structure of a department and subordinate to the department and its secretary.[6] Another key difference between the administratively attached agency and a principal unit of a department is that division directors are appointed by the secretary (with the governor's approval) while the heads of administratively attached agencies are not.[7]

By administratively attaching the Council to the Academy, the Legislature made clear that their relationship is for administrative purposes *only*. The Council was not created as a principal unit of the Academy or as a division of the Department of Public Safety. The Legislature instead intended the Council to independently exercise its statutory authority to promulgate rules and establish standards and training requirements for New Mexico law enforcement officers.

The Council's administrative attachment to the Academy does not transfer control of the Council to the Academy. Nor does the statutory requirement that the Academy provide staff support to the Council compromise or relinquish the Council's independence. Likewise, the Academy and Department of Public Safety are required to include the Council's budget requests as submitted, without changes, in the departmental budget.

The Legislature has also funded the Council for what I understand to be eleven full-time employees. It is those employees who should be performing the work that the proposed rules appear, in several instances, to assign to the Director of the Law Enforcement Academy.

For that reason, I would ask that you pay particular attention to the use of the word "Director" throughout the proposed rules. Unless a particular provision is specifically intended to refer to the Director of the Law Enforcement Academy in the Director's statutory capacity, the rule should not simply assign responsibility to "the Director." The Director of the Law Enforcement Academy is not the head of the Council and does not have statutory authority to control the Council.

The proposed rules should reflect the legal structure created by the Legislature: the Council exercises its statutory responsibilities independently, while the Academy provides the administrative and staff support required by law.

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*4. NMSA 1978 § 9-1-7(A)(2) and 9-1-7(A)(3).*
*5. NMSA 1978 § 9-1-7(B)(1) and 9-1-7(B)(2).*
*6. NMSA 1978 § 9-1-4(A) and 9-1-4(A)(2).*
*7. Id.*

If the leadership of the Department of Public Safety wishes to challenge this statutory structure, then that disagreement should be made openly and on the record. They should explain why the Council—an independent state agency administratively attached to another agency—should be treated differently from other administratively attached agencies throughout New Mexico state government.

I do not believe such a distinction can be justified under the plain language of the statutes.

I raise this issue not to diminish the important work being done by the Academy or the Department of Public Safety, but to ensure that the rules accurately reflect the structure of government created by the Legislature. The independence of the Council is not a matter of interpretation or administrative preference. It is the structure established by statute, and the proposed rules should respect that structure.

Sincerely,

Antonio "Moe" Maestas
New Mexico State Senator, District 26

Attachment:

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**
**CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING**
**PART 1 GENERAL PROVISIONS**

**10.28.1.1 ISSUING AGENCY**: New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507.
[10.28.1.1 NMAC - N, xx/xx/2026

**10.28.1.2 SCOPE:** All police officers, telecommunicators, and law enforcement agencies in the state of New Mexico.
[10.28.1.2 NMAC - N, xx/xx/2026]

**10.28.1.3 STATUTORY AUTHORITY:** Subsection E of Section 29-7-4 NMSA 1978, Section 29-7-2 NMSA 1978, Section 29-7-3 NMSA 1978, Section 29-7-4 NMSA 1978, Section 29-7-4.1 NMSA 1978, Section 29-7-4.2 NMSA 1978, Section 29-7-4.3 NMSA 1978, Section 29-7-4.4 NMSA 1978, Section 29-7-5 NMSA 1978, Section 29-7-5.1 NMSA 1978, Section 29-7-6 NMSA 1978, Section 29-7-6.1 NMSA 1978, Section 29-7-7 NMSA 1978, Section 29-7-7.1 NMSA 1978, Section 29-7-7.2 NMSA 1978, Section 29-7-7.3 NMSA 1978, Section 29-7-7.4 NMSA 1978, Section 29-7-7.5 NMSA 1978, Section 29-7-7.6 NMSA 1978, Section 29-7-7.7 NMSA 1978, Section 29-7-12 NMSA 1978, Section 29-7-14 NMSA 1978, Section 29-7C-4 NMSA 1978, Section 29-7C-5 NMSA 1978; Section 29-7C-7 NMSA 1978.
[10.28.1.3 NMAC - N, xx/xx/2026]

**10.28.1.4 DURATION:** Permanent
[10.28.1.4 NMAC - N, xx/xx/2026]

**10.28.1.5 EFFECTIVE DATE:** xxxxxxxx xx, 2026, unless a later date is cited at the end of a section.
[10.28.1.5 NMAC - N, xx/xx/2026]

**10.28.1.6 OBJECTIVE:** The objective of Part 1 is to establish procedures and policies for conducting meetings of the New Mexico Law Enforcement Standards and Training Council.
[10.28.1.6 NMAC - N, xx/xx/2026]

**10.28.1.7 DEFINITIONS: [Reserved]**
[10.28.1.7 NMAC - N, xx/xx/2026]

**10.28.1.8 REGULATIONS, POLICIES AND PROCEDURES FOR CONDUCTING THE BUSINESS OF THE LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL:**

**A. Duties of Council Members:**

**(1)** The Council shall annually elect the Council chair at the first Council meeting of each calendar year. The chair shall preside at all meetings and shall be charged with the responsibility of preserving order and decorum and enforcing these regulations. The chair shall execute all of those duties commonly performed by a presiding officer.

**(2)** The Council shall elect a vice-chair at the first Council meeting of each calendar year. The vice-chair shall act in the capacity of the chair in the absence or unavailability of the chair.

**B. Director:** The director shall be under the supervision and direction of the Secretary of the Department of public safety.

**(1)** The director provides administrative services to the Council. The director represents the Council in administrative matters and is subject to the direction of the Council through its official proceedings. The director is responsible for the review and certification of the minutes of the Council. The director implements the training standards and requirements developed and adopted by the Council.

**(2)** Because the director is subject to the direction of the council, the director may not hold the position of Council chair or vice-chair.

**(3)** The Council may direct the director to implement, carry out, or finalize a particular policy or agreement. When the Council has so directed, the director is authorized to sign on behalf of the Council those contracts and other documents that are customarily signed by the chair of the Council.

**(4)** The director supervises the operation of the academy as its chief executive officer. The director shall perform all duties delegated to the director by law and those customarily exercised by the chief executive officer of a state agency.

**(5)** The director ensures that regional satellite academies adhere to the training standards established by the Council.

**(6)** The director evaluates basic law enforcement training programs, basic telecommunicator training programs, certification by waiver programs, and in-service programs on a regular basis to ensure that they comply with standards set by the Council, in addition to state and federal law.

**(7)** The director shall accredit advanced training classes and ensure compliance whenever a specific curriculum for a class is established as a statewide standard by the Council.

**(8)** The director is responsible for maintaining training records for all officers and telecommunicators who complete basic law enforcement or telecommunicator training, as well as certification-by-waiver programs. The director is responsible for maintaining training records for officers and telecommunicators who successfully complete accredited advanced training and in-service classes.

**C. Meetings:** Regular meetings of the Council will be held at least four times a year at a time and place to be designated by the chair:

**(1)** A majority of the Council members currently serving shall constitute a quorum for the transaction of business at any regular or emergency meeting. The transaction of the Council's business shall be by the vote of the majority of its members present at the meeting. All members of the council, including the chair and those serving ex officio, have the same duties and responsibilities as any other member.

**(2)** If a number of Council members less than a quorum shall assemble for any meeting, they may postpone or adjourn the meeting until such time as a quorum can be obtained and notice again given in accordance with the rules herein set forth.

**(3)** If, prior to the commencement of a regular or emergency meeting, the director has received notice that the majority of the members of the Council will not be able to attend the meeting, the director may cancel the meeting and is instructed to attempt to give notice of cancellation of the meeting to all Council members.

**(4)** All meetings of the Council shall be open to the public, except that the Council may exclude the public for the portion of the meeting as authorized by the New Mexico Open Meetings Act.

**(5)** The Council may request that persons having business before the Council, in addition to providing written information for the Council to review, appear personally before the Council to discuss their item of business.

**(6)** All meetings of the Council that are open to the public shall allow for a portion of the meeting time to be designated for public comment. The Council shall receive comments from those attending in person or virtually. Members may ask questions for clarification but may not engage in substantive discussion or take formal action unless noticed in the meeting agenda. Comments will be taken under advisement and may be placed on the agenda of a future public meeting for discussion or action at the discretion of the Council.

**(7)** The order of business of the Council at regular meetings shall be as follows:

- **(a)** Roll call;
- **(b)** Approval of agenda;
- **(c)** Approval of minutes;
- **(d)** Old business;
- **(e)** New business;
- **(f)** Designation of place of next meeting; and
- **(g)** Adjournment.

**(8)** The chair shall prepare an agenda for each meeting.

**(9)** The agenda for an emergency meeting shall specify the items of business to be considered by the Council at that meeting. No business other than that specifically stated on the agenda for that emergency meeting shall be considered. The subject matter to be considered at any emergency meeting shall be included in that notice given by the director to the members of the Council as required in these regulations and the New Mexico Open Meetings Act.

**(10)** All meetings shall be called to order and the business of the meeting conducted by the chair of the Council, or in his absence, the vice-chair. Should both officers of the Council be absent from the meeting, if a quorum is present, the Council shall designate one of its members to assume the responsibilities of the chair for that meeting.

**(11)** In the event a question as to the proper method of procedure arises in any meeting, the chair is vested with authority to resolve such questions, and the decisions shall be final.

**(12)** The chair shall send to all Council members prior to the regular meeting date a copy of the agenda for the regularly scheduled meeting and any documents or other items of information that may assist the Council members in preparing for the upcoming meeting.

**(13)** The minutes of each Council meeting shall comply with the requirements of the Open Meetings Act. The director or the staff is directed to compile the minutes of the meeting from stenographic notes of the meeting, a tape recording, a video recording, or any combination thereof. The approved minutes of a meeting shall constitute the official record of business transacted at the meeting. The approved minutes of the Council meeting shall be preserved physically or electronically and shall be available for public inspection during normal working hours.

**D. Request for Consideration as a Meeting Agenda Item:**

**(1)** All persons, other than members of the Council, desiring to place before the Council any item for discussion or time of business for the Council's consideration may do so by submitting a request in writing to the chair as early as possible, and no later than 10 days in advance of the regular meeting, a written request containing:

**(a)** A request that the item of business be placed on the agenda of the next regularly scheduled meeting;

**(b)** A description of the subject matter of the item of business, any supporting documentation, and any presentation material;

**(c)** The action that the requester desires the Council to take on the item of business; and

**(d)** The reason why the petitioner feels the action proposed by the petitioner is appropriate.

**(2)** The chair has the discretion to place any requested item on the agenda. The decision as to whether or not to place a requested item on the agenda, the method of presentation allowed, and the amount of time allowed to present on the item may be decided by the chair, and that decision is final.

**E. Regulations:** The Council may alter and amend these regulations from time to time as it deems necessary. Changes to the regulations shall comply with requirements under the State Rules Act, Chapter 14, Article 4, NMSA 1978.

**F. Rule Clarification**

**(1)** The Council is empowered to develop and promulgate statewide training requirements, curricula, methods, and professional development programs for law enforcement officers and public safety telecommunicators; and to adopt, publish, and file all rules necessary for the implementation and enforcement of such training, pursuant to Subsection B of Section 29-7-3 NMSA 1978and Subsection E of Section 29-7-4 NMSA 1978.

**(2)** The Standards and Training Council shall be responsible for reviewing and clarifying the New Mexico Administrative Code (NMAC) and state statutes related to law enforcement and telecommunicator training in Chapter 29 NMSA.

**(3)** When the director, the academy, or any other stakeholder requires clarification regarding NMAC or state statute related to law enforcement and telecommunicator training, the inquiry shall be referred to the chair of the Standards and Training Council.

**(4)** The chair may render a preliminary clarification, convene the NMAC Working Group to handle the preliminary clarification, or consult with the New Mexico Department of Justice attorney assigned to support the Standards and Training Council, as needed, to assist with the preliminary clarification.

**(5)** The preliminary clarification issued by the chair or NMAC Working Group shall serve as the controlling standard until such time as the Council convenes to discuss the issue.

**(6)** All preliminary clarifications of NMAC shall be reported to the Council at the next regularly scheduled Council meeting for a final decision. The Council may ratify, overrule, revise the clarification, or direct the NMAC Working Group to make recommendations for revisions to NMAC.

**G. Miscellaneous:**

**(1)** In computing any period of time prescribed or allowed by these regulations, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday or Sunday or legal holiday, in which even the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. For purposes of this rule, a legal

holiday shall include any day in which state offices are closed for any consecutive period of three hours or more between 8:00 a.m. and 5:00 p.m.

**(2)** The academy will maintain a database of all certified law enforcement officers and public safety telecommunicators that will reflect a valid mailing address for each individual. It will be incumbent on each certified individual to provide the academy a current and valid mailing address for the purpose of Council communications, notices of hearing, notices of action, and other official means of notification listed within the scope of this rule. Each certified law enforcement officer and public safety telecommunicator will provide notice of change of address in writing by use of the LEA 82A form within 30 days of any change of address. If an address change is due to termination, resignation, or retirement of a certified individual from a New Mexico public safety agency, the agency may provide a valid mailing address for the individual on the LEA-82 form. Reporting and notification to the academy of valid mailing address information is a requirement of certification maintenance and is the sole responsibility of the certified individual.

**H. Open Meetings Act Requirements:**

**(1)** Pursuant to subsection D of Section 10-15-1 of the Open Meeting Act, the Council will determine annually what constitutes reasonable notice of its public meetings, which shall be done in the form of a resolution adopted annually pursuant to the Open Meetings Act and these rules.

**(2)** Notice:

**(a)** Regular meetings of the Council shall ordinarily be held at least quarterly at a time and place designated in the notice. The agenda will be available from the director whose office is located at 4491 Cerrillos Road, Santa Fe, New Mexico. Notice of regular meetings will be given 10 days in advance of the meeting date.

**(b)** Special meetings of the Council may be called by the chair with notice of at least 72 hours.

**(c)** Emergency meetings of the Council are meetings called under circumstances that demand immediate action by the Council. Although the Council would avoid emergency meetings whenever possible, such circumstances may occasionally arise. Emergency meetings of the Council may be called by the chair upon notice of at least 24 hours, unless shorter notice is necessary as authorized by the Open Meetings Act.

**(3)** Closed Meetings: The Council may close a meeting to the public if the subject matter of such discussion or action is subject to a listed exemption of the Open Meeting Act. If any Council meeting is closed, such closure shall comply with the specific requirements described in the Open Meetings Act.

[10.28.1.8 NMAC - N, xx/xx/2026]

**History of 10.28.1 NMAC: [RESERVED]**

**Arballo, Jessica, DPS**

**From:** Arballo, Jessica, DPS
**Sent:** Monday, August 24, 2026 1:07 PM
**To:** rlfeldman1949@gmail.com
**Cc:** Dean, Marshall, DPS; MATHEWS, RICHARD
**Subject:** RE: [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules repealing and replacing TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC--Feldman Comments August 24-2026
**Attachments:** Law Enforcement Standards Training Council Proposed Rule Comment by Rachel Feldman August 24-2026 submitted to Jessical Arballo--Letter-Summary.docx

2nd comment to response

Greetings,

Received,

Thank you


**Jessica Arballo**
Deputy Director of Operations
Department of Public Safety
Law Enforcement Academy
Cell:(505)394-4464
Jessica.Arballo@dps.nm.gov
www.lea.nm.gov
www.dps.nm.gov



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**From:** rlfeldman1949@gmail.com <rlfeldman1949@gmail.com>
**Sent:** Monday, August 24, 2026 11:10 AM
**To:** Arballo, Jessica, DPS <Jessica.Arballo@dps.nm.gov>
**Subject:** [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules repealing and replacing TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC--Feldman Comments August 24-2026



EXHIBIT 25

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Please accept this 2nd comment letter in response to the proposed rules reference above and therein.

Rachel Feldman
703-798-1018

**Arballo, Jessica, DPS**

| | |
|---|---|
| **From:** | rlfeldman1949@gmail.com |
| **Sent:** | Monday, August 24, 2026 11:10 AM |
| **To:** | Arballo, Jessica, DPS |
| **Subject:** | [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules repealing and replacing TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC--Feldman Comments August 24-2026 |
| **Attachments:** | Law Enforcement Standards Training Council Proposed Rule Comment by Rachel Feldman August 24-2026 submitted to Jessical Arballo--Letter-Summary.docx |

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Please accept this 2nd comment letter in response to the proposed rules reference above and therein.

Rachel Feldman
703-798-1018

Rachel Feldman
1 Via Bella
Santa Fe, NM 87507
RIfeldman1949@gmail.com
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August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Members of the NM Law Enforcement Standards & Training Council:

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. I am providing this second comment letter to Clarify what I believe should be included in rule making to implement the intent of the legislature that the Council function as an independent body separate and distinct from the Department of Public Safety (DPS). I believe that the interpretation of the Secretary of DPS that the Council is effectively a policy and advisory function to the Law Enforcement Academy (LEA) and that DPS maintains control over all budget and staff, is incorrect, inconsistent with law, and could be challenged successfully based on the plain language of the statute and Executive Reorganization Act. The issues of who is responsible for what can be confusing and I understand that the Council has relied upon direction from DPS in constructing the proposed rules. The Council is not bound by direction from DPS, and I urge the Council to develop rules that support its statutory functions as an independent body.

Given the alternative plain language of the statute setting the Council up as an independent body, with DPS and LEA providing administrative support consistent with the Executive Reorganization Act, the proposed rules should address the following:

- The Council should draft a position description for its own Director. This is not subject to approval of DPS except in-so-far as it conforms to state Personnel procedures and requirements. The Council Director is hired by and reports to the Council. DPS should assist in posting the position consistent with state hiring protocols.

- The Council should develop its own budget with technical assistance from DPS, and should do so on a calendar provided by DPS so that its budget can be included with the DPS budget and introduced through the legislative and governor's budget processes.
- The Council should develop a plan to staff its work, including administrative staff. Staff report to the Council Director, and do not overlap with or include the LEA staff who report the Academy Director and the Secretary of DPS.
- The Council should define which administrative functions it needs to internalize through its own staff and budget, and which services it wishes to continue to receive from the department to which it is attached. Where those services exceed those in the Executive Reorganization Act, they need to be negotiated with DPS/LEA explicitly.
- Given historic difficulty in DPS/LEA hiring, the Council should establish a budget to retain/procure consultants and vendors that can assist with its work under contract, to ensure that the needed curriculum and programs can be developed in a timely manner.
- The Council should include in its budget the cost of office space, computers, technology, and other amenities necessary to maintain its operational functions. It need not be located within the LEA or DPS facilities, but DPS should in its administrative capacity assist in locating and setting up the Council's offices.
- The Council should become the "accrediting" body for all programs, training/continuing education that it requires to obtain and maintain certification for law enforcement officers and public safety telecommunicators. These accreditation procedures should be established by the Council office, and not be determined by any one individual.
- The Council may delegate certain responsibilities to the Academy to implement its policies and programs, but those responsibilities should be directly related to the Academy's conduct of its programs. (Note, the Academy has not had a full complement of staff to conduct its basic work for quite a few years).
- The Council has the responsibility to monitor the implementation of its policies and programs, and should work closely with the LEA as well as the satellite academies, all of whom are represented in its membership.
- The Council should negotiate with the Department of Highet Education to determine which of its programs may qualify for college level credit.
- All responsibilities of the LEA should be in a distinct section of the Rules, and not combined or confused with the responsibilities of the Council and its staff. For example, admission criteria may be established by both the Council with additional criteria established by the LEA and/or the satellite academies. Rules should explicitly explain the steps in the application and decision process and which authorities make decisions. The Council's role here is essentially policy, while the Academy's role is implementation and handling of the applications. However, decision making, should be through a procedure, not entirely vested in one individual (e.g., the Academy Director).
- The Council should develop its own committee/work group structure. That structure need not be specified by topic/scope into the rules, but the Rules should indicate that the Council's work will be carried out through its committees/work groups that report to the full Council.
- Committees and work groups should be authorized by the Council where relevant, to appoint experts and advisers that are not Council members to contribute to their work. They may be assigned by the Council to oversee or work with consultants or vendors retained by the Council for various projects.

- Committees and work groups should be staffed by Council staff, and minutes and other records kept documenting their deliberations.
- The Council should have its own website, separate from DPS/LEA, providing public access to its documents.
- The Council should determine what level of detail about curricula and programs should be published on its websites, and/or the websites of the LEA and Satellite Academies.
- The Council should not be responsible for policy related to Academy facilities. Those are within the scope of DPS.
- The Council may, however, establish policy regarding conduct and constraints on cadets/students, to establish consistent treatment of and respect for adults assuming the responsibility of law enforcement officers and public safety telecommunicators. Academy rules, the violation of which results in dismissal from the Academy or its Satellites, should be reviewed and approved by the Council.
- The Council will be establishing and overseeing a higher educational capacity to support the professions of law enforcement officers and public safety telecommunicators, and will follow national standards and best practices in establishing credentialling and career paths for New Mexico Law Enforcement and public safety emergency dispatch. It may establish programs that provide career counseling, mentoring, and coaching. It may refine its career paths through rank, specialization, management, and liaison functions of law enforcement and first response.
- Through its membership and as needed, the Council may request input and advice from any state or local law enforcement and emergency management agency, leader, or specialist. However, the Council has the exclusive authority to establish required programs to establish minimum credentials for the law enforcement officer and public safety telecommunicator workforce, including Academy instructors and faculty (lecturers).
- The Council will conduct its work to be consistent with decisions made by the NM Law Enforcement Certification Board regarding changes to minimum standards, standards of conduct, and related protocols as set forth in the rules for that body.

## Arballo, Jessica, DPS

**From:** rlfeldman1949@gmail.com
**Sent:** Monday, August 24, 2026 11:23 AM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules Comment Letters in pdf form from Rachel Feldman Repeal & Replacement of Title 10---NMAC
**Attachments:** Law Enforcement Standards Training Council Proposed Rule Comment by Rachel Feldman August 19-2026 submitted to Jessical Arballo--Letter-Summary (002).pdf; Law Enforcement Standards Training Council Proposed Rule Comment by Rachel Feldman August 24-2026 submitted to Jessical Arballo--Letter-Summary.pdf; Rachel Feldman Comments on Proposed Rule for New Mexico Standards Law Enforcement Standards & Training Council August 2026.pdf

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Rachel Feldman
1 Via Bella
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August 19, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. Accompanying this letter is a line-by-line comment on the entire proposed rule. In this letter, I provide a summary of the most important issues identified in the accompanying comments.

**Summary of Comments**

- The most important problem with the new proposed rule draft is that it does not comply with applicable law.
    - The governing statute establishes the Law Enforcement Standards & Training Council (Council) as an independent body attached to the Law Enforcement Academy (Academy). The meaning of Attachment is set forth in the Executive Reorganization Act (NMSA 1978, § 9-1-7). The designation of the Academy Director as the Director of the Council is in direct conflict with the statutory meaning of "attachment". The Academy is intended by law to support the Council in its work by providing administrative assistance. The Council does not in this regulation delegate its authority to the Academy, though by its language, the Academy is functioning only nominally under the direction of the Council. This was not the legislative intent of the statute, and is not consistent with the Executive Reorganization Act language. Preservation of this position, that the LEA controls all staff and budget for the Council, and has some implicit delegation of authority to develop curriculum and act as extensively as stated in

this proposed rule will likely lead to litigation that challenges this interpretation of law going forward.

- The role set forth in this proposed rule for the Academy also establishes a conflict of interest with regard to the use of funds appropriated for the Council's work. It appears that appropriated funds for the Council can be used by the Department of Public Safety (DPS) to fund the LEA's staff, which were historically funded as a division of DPS. Nothing in law changed this. Appropriation of funds for the Council's work was not legislatively intended to replace funding the LEA under DPS. Under the statute, the Academy would implement the programs established by the Council as delegated. Having the Academy Director be the Director for the Council sets up a conflict of interest regarding the use of funds, that appears to subsidize the work of the LEA which is legislatively required to provide a different set of services from those within the Council's authority.
- The proposed rule states that the Academy will do all the work to develop curriculum to meet standards set by the Council. But the Council as an independent body should have the authority to procure expertise outside the LEA for curriculum development which is the current situation in which the LEA is contracted with an outside vendor for a new basic police curriculum, which will need to be approved by the Council. The LEA staff have an ambiguous relationship with the vendor in the current situation because the LEA is acting as though it is the agent for the Council, though the Council Chair is overseeing part of the curriculum development process working with the vendor.
- The Director of the LEA has a conflict of interest being accountable to the Secretary of Public Safety as well as the Council. The way the proposed rule is written, the Director is accountable to the DPS Secretary and not to the Council.

- The LEA does not now and never has had the capacity to carry out the work it is assigned under this proposed rule.
  - The LEA has not been fully staffed to do its own work, let alone the work of the Council for a number of years. It has been unable to recruit and hire staff for basic LEA jobs and has consistently had a high vacancy rate. Its staff do not have qualifications set by the Council and are not approved by the Council. The fact that the law enforcement workforce universally "hates" the current in-service training provided by the LEA indicates that the LEA could have responded to concerns and could have updated and brought in-service curriculum into alignment with national standards but has never invested its resources in doing this.
  - The LEA took decades to contract for a Job Task Analysis to determine the need for complete replacement of the basic law enforcement training curriculum. Under the direction of DPS, the LEA has not been allocated budget to contract for curriculum development, until the recent procurement was put in place, and that funding is inadequate to complete the project or to build an aligned curriculum for certification by waiver, field training officer training, or new in-service training. It has refused to fund job task analysis or equivalent assessment for public safety telecommunicator training which is similarly decades out of date. The Scope of

the LEA's work to implement the Council's work should be limited to what it can realistically accomplish. Meantime the Council needs its own budget and staff, including its own director hired to meet its criteria and accountable only to the Council. Its staff should be accountable to the Council's Director, not the LEA. The proposed rule should define the relationship between the LEA and the Council as an agent to which the Council delegates certain responsibilities within its scope and for implementation of programs that are within the LEA's scope of authority. The Council itself is not within the statutory scope of authority for the LEA.

- There is a lot of unclearly defined and problematic language through the rule. The definitions section needs to be more carefully reviewed.
    - The term "accredited" as defined " refers to training that is recognized by the director as meeting required standards set by the Law Enforcement Standards and Training Council." This is not the normal use of the term accreditation and places complete authority over all training in the hands of one person, the LEA director. That director "recognizes" that something meets the standards set by the Council. Accreditation normally refers to an institutional process of comparing educational material to standards, not one person's opinion, but a structured and systematic review which is not required by this rule. This is an inappropriate use of the term and through the impact of rule making would make one person, the LEA director the arbiter of all law enforcement training adequacy unless someone formally complains to the Council. This is just inappropriate, and unaccountable. The Council does not have veto over the Director, nor is there an appeals process of Director decisions in many cases.
    - There is a lot of confused language related to the scope of different sections. Sometimes public safety telecommunicators are included, sometimes,not. References to "all" technically include tribal officers and agencies that are not within the scope of these rules.
    - All language referencing the "director shall" must be changed to "the Council delegates the Director to...." If it something that is within the legal scope and capacity of the LEA to do, and if the Council actually agrees it should be delegated to the Director. And what happens if the Director doesn't follow through and do all things delegated in this rule ? Many of these tasks have been historically under the auspices of the Director prior to the inception of the Council and they have not been done on time or at all with no consequences or remediation, resulting in a neglected training system.
    - Definitions in the rule should be consistent with definitions in law.
    - References to reporting data to the Academy or to the Director are imprecise. Required reporting to the registry, for example should go to the registry administrator or through a specific procedure. Reporting to the Academy cannot be audited.
- Accountability is a huge problem in this rule. The Director is accountable to the Secretary of Public Safety. What if the DPS Secretary doesn't agree with the Council, particularly regarding decisions about deployment of scarce budget and staff resources? What recourse does the Council have? The Council does not report to the DPS Secretary under the law. How can staff and budget belong to two separate entities with one entity

controlling everything, while the other lacks authority over its own resources to do its work.

- This rule assumes that all implementation of Council directives is carried out by the LEA by the Director. In fact, given capacity constraints as well as lack of qualifications of LEA staff, the Council realistically should have the ability to procure the resources it needs to do its work without relying on the approval of the Director. DPS as the agency to which the Council is attached should assist with procurement administratively but not with decisions about who has the qualifications to do the work it needs done.
- The rule wisely does not publish most curriculum, since the basic curriculum is in the process of being replaced. However, curriculum should be published by the Academies, at least in summary or outline form.
- It isn't clear why application process and criteria for the Academy are published in rules that apply to the Council. They belong with the rules that apply to the Academy, which should be broken out separately, same issue applies to use of facility rules which are not subject to Council authority. This is a structural problem.
- Note that references to modality giving instructors discretion to use whatever modality they want is inaccurate and inconsistent with professional adult education practice and national standards. Modality integrates the subject matter content of educational programs with best methods of instruction for adults, generally integrating information with its application in practice. This language betrays a lack of understanding of modern adult education curriculum design and best practices. Separating modality from subject matter will degrade the quality of training.

**Conclusions**

These rules substantively replicate the old system for the Law Enforcement Academy Board in which one director reporting to the Secretary is responsible for everything. This is the system that was replaced by the new legislation that created the Council. Under the former organization, no work on standards and training was ever done, and work was limited to the functions associated with adjudicating mis-conduct and certification. The new law created two separate organizations to do certification separately from setting standards and overseeing training. Both new organizations were designed in the statute to function independently of DPS with their own budget, staff, and authority. They are also separate from the LEA which has its own statutory authority which is not separately set forth in these rules. This design was necessary to preserve a link to DPS but avoid conflicts of interest. This proposed rule preserves all of the conflicts of interest and prevents the independent operation of the Council. It is entirely inconsistent with the intent of the legislature, and the history of problems associated with inability of DPS to support the capacity to do the work of either set of functions.

Without major re-working, this proposed rule will take the state backwards and impede modernization of standard setting and training, depriving our law enforcement and emergency dispatch workforce of the quality and real time upgrading of education that it needs to provide public safety to our communities.

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August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
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RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Members of the NM Law Enforcement Standards & Training Council:

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. I am providing this second comment letter to Clarify what I believe should be included in rule making to implement the intent of the legislature that the Council function as an independent body separate and distinct from the Department of Public Safety (DPS). I believe that the interpretation of the Secretary of DPS that the Council is effectively a policy and advisory function to the Law Enforcement Academy (LEA) and that DPS maintains control over all budget and staff, is incorrect, inconsistent with law, and could be challenged successfully based on the plain language of the statute and Executive Reorganization Act. The issues of who is responsible for what can be confusing and I understand that the Council has relied upon direction from DPS in constructing the proposed rules. The Council is not bound by direction from DPS, and I urge the Council to develop rules that support its statutory functions as an independent body.

Given the alternative plain language of the statute setting the Council up as an independent body, with DPS and LEA providing administrative support consistent with the Executive Reorganization Act, the proposed rules should address the following:

- The Council should draft a position description for its own Director. This is not subject to approval of DPS except in-so-far as it conforms to state Personnel procedures and requirements. The Council Director is hired by and reports to the Council. DPS should assist in posting the position consistent with state hiring protocols.

- The Council should develop its own budget with technical assistance from DPS, and should do so on a calendar provided by DPS so that its budget can be included with the DPS budget and introduced through the legislative and governor's budget processes.
- The Council should develop a plan to staff its work, including administrative staff. Staff report to the Council Director, and do not overlap with or include the LEA staff who report the Academy Director and the Secretary of DPS.
- The Council should define which administrative functions it needs to internalize through its own staff and budget, and which services it wishes to continue to receive from the department to which it is attached. Where those services exceed those in the Executive Reorganization Act, they need to be negotiated with DPS/LEA explicitly.
- Given historic difficulty in DPS/LEA hiring, the Council should establish a budget to retain/procure consultants and vendors that can assist with its work under contract, to ensure that the needed curriculum and programs can be developed in a timely manner.
- The Council should include in its budget the cost of office space, computers, technology, and other amenities necessary to maintain its operational functions. It need not be located within the LEA or DPS facilities, but DPS should in its administrative capacity assist in locating and setting up the Council's offices.
- The Council should become the "accrediting" body for all programs, training/continuing education that it requires to obtain and maintain certification for law enforcement officers and public safety telecommunicators. These accreditation procedures should be established by the Council office, and not be determined by any one individual.
- The Council may delegate certain responsibilities to the Academy to implement its policies and programs, but those responsibilities should be directly related to the Academy's conduct of its programs. (Note, the Academy has not had a full complement of staff to conduct its basic work for quite a few years).
- The Council has the responsibility to monitor the implementation of its policies and programs, and should work closely with the LEA as well as the satellite academies, all of whom are represented in its membership.
- The Council should negotiate with the Department of Highet Education to determine which of its programs may qualify for college level credit.
- All responsibilities of the LEA should be in a distinct section of the Rules, and not combined or confused with the responsibilities of the Council and its staff. For example, admission criteria may be established by both the Council with additional criteria established by the LEA and/or the satellite academies. Rules should explicitly explain the steps in the application and decision process and which authorities make decisions. The Council's role here is essentially policy, while the Academy's role is implementation and handling of the applications. However, decision making, should be through a procedure, not entirely vested in one individual (e.g., the Academy Director).
- The Council should develop its own committee/work group structure. That structure need not be specified by topic/scope into the rules, but the Rules should indicate that the Council's work will be carried out through its committees/work groups that report to the full Council.
- Committees and work groups should be authorized by the Council where relevant, to appoint experts and advisers that are not Council members to contribute to their work. They may be assigned by the Council to oversee or work with consultants or vendors retained by the Council for various projects.

- Committees and work groups should be staffed by Council staff, and minutes and other records kept documenting their deliberations.
- The Council should have its own website, separate from DPS/LEA, providing public access to its documents.
- The Council should determine what level of detail about curricula and programs should be published on its websites, and/or the websites of the LEA and Satellite Academies.
- The Council should not be responsible for policy related to Academy facilities. Those are within the scope of DPS.
- The Council may, however, establish policy regarding conduct and constraints on cadets/students, to establish consistent treatment of and respect for adults assuming the responsibility of law enforcement officers and public safety telecommunicators. Academy rules, the violation of which results in dismissal from the Academy or its Satellites, should be reviewed and approved by the Council.
- The Council will be establishing and overseeing a higher educational capacity to support the professions of law enforcement officers and public safety telecommunicators, and will follow national standards and best practices in establishing credentialling and career paths for New Mexico Law Enforcement and public safety emergency dispatch. It may establish programs that provide career counseling, mentoring, and coaching. It may refine its career paths through rank, specialization, management, and liaison functions of law enforcement and first response.
- Through its membership and as needed, the Council may request input and advice from any state or local law enforcement and emergency management agency, leader, or specialist. However, the Council has the exclusive authority to establish required programs to establish minimum credentials for the law enforcement officer and public safety telecommunicator workforce, including Academy instructors and faculty (lecturers).
- The Council will conduct its work to be consistent with decisions made by the NM Law Enforcement Certification Board regarding changes to minimum standards, standards of conduct, and related protocols as set forth in the rules for that body.

## Comments on Proposed Rule for New Mexico Standards & Training Council: Chapter 28

By: Rachel Feldman

On behalf of: Indivisible SOS Santa Fe, an advocacy group of more than 150 women in Santa Fe County. Indivisible SOS Santa Fe worked to pass SB 19 in 2023 which established the Law Enforcement Standards & Training Council, requiring these rules. Indivisible SOS Santa Fe originated the statute, and Rachel Feldman authored most of the statute, working with sponsor Senator Antonio Maestas. She was appointed by the Governor to serve as the citizen member of the Council for a one-year term.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 1 GENERAL PROVISIONS

10.28.1.2 SCOPE: All certified police officers, applicants to academies to become certified police officers, public safety telecommunicators and applicants to academies to become public safety telecommunicators, and state and local law enforcement agencies in the state of New Mexico

10.28.1.7 DEFINITIONS: [Reserved]

10.28.1.8 REGULATIONS, POLICIES AND PROCEDURES FOR CONDUCTING THE BUSINESS OF THE LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL:

B. Director: The director shall be under the supervision and direction of the Secretary of the Department of public safety.

(1) The director provides administrative services to the Council. The director represents the Council in administrative matters and is subject to the direction of the Council through its official proceedings. The director is responsible for the review and certification of the minutes of the Council. The director implements the training standards and requirements developed and adopted by the Council.

(2) Because the director is subject to the direction of the council, the director may not hold the position of Council chair or vice-chair.

**Commented [RF1]:** Note that these rules do not apply to Tribal or Pueblo police officers, or to Tribal, Pueblo, or federal law enforcement agencies. Note that public safety telecommunicators is a distinct certification that is not inclusive of EMT or fire safety or 988 telecommunicators.

**Commented [RF2]:** This definition of "Director" collapses the LEA Director position currently funded under DPS with the Council Director which here are treated as the same position. This was not the intent of the law, and limits the ability of the Council to have its own Director that carries out its work. The Council was given its own budget with the intent that its staff would not be the same as the LEA staff, and that it would have the capacity to develop curricula and programs detailed within its scope of work which is distinctly different from that of the LEA.

**Commented [RF3]:** While the Secretary of Public Safety has interpreted the statute to control the Council staff, the intent of the legislature as well as the law that defines an attached agency: an agency attached to a department for administrative purposes only ("administratively attached agency") is defined under the Executive Reorganization Act (NMSA 1978, § 9-1-7). Recognizes that the staff to the attached entity, in this case, the Council, is independent of control from the agency to which it is attached. This is an incorrect interpretation of the law and legislative intent, and will be addressed by litigation if it is included in the rules. Work is underway to clarify the statute. But this language should not be incorporated into the new rules.

(3) The Council may direct the director to implement, carry out, or finalize a particular policy or agreement. When the Council has so directed, the director is authorized to sign on behalf of the Council those contracts and other documents that are customarily signed by the chair of the Council. 10.28.9 NMAC 2

(4) The director supervises the operation of the academy as its chief executive officer. The director shall perform all duties delegated to the director by law and those customarily exercised by the chief executive officer of a state agency.

(5) The director ensures that regional satellite academies adhere to the training standards established by the Council.

(6) -The director evaluates basic law enforcement training programs, basic telecommunicator training programs, certification by waiver programs, and in-service programs on a regular basis to ensure that they comply with standards set by the Council, in addition to state and federal law.

(7) The director shall accredit advanced training classes and ensure compliance whenever a specific curriculum for a class is established as a statewide standard by the Council.

(8) The director is responsible for maintaining training records for all officers and telecommunicators who complete basic law enforcement or telecommunicator training, as well as certification-by-waiver programs.

(9) The director is responsible for maintaining training records for officers and telecommunicators who successfully complete accredited advanced training and in-service classes.

**Commented [RF4]:** This language reflects the assumption that the LEA Director shall also act as the Director for the Council. This was never the intent of the legislation, and represents a conflict of interest that compromises the legislated independence of the Council. It represents the DPS Secretary's job description for the LEA Director and is no way reflective of the intent of the legislation, but rather, the convenience and interest of the LEA in using the funding for the Council to support the LEA staff. This entire section should be struck and the staff to the Council should report only to the Council, with duties assigned only by the Council. External legal review is necessary to evaluate the DPS Secretary's job description that collapses the LEA Director and the Council Director into the same position.

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TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 2 DEFINITIONS

10.28.2.2 SCOPE: All police officers, telecommunicators, and law enforcement agencies in the state of New Mexico

C. "Accredited" refers to training that is recognized by the director as meeting required standards set by the Law Enforcement Standards and Training Council. ~~Accredited advanced training courses may be counted toward a law enforcement officer's or telecommunicator's in-service training requirements.~~

**Commented [RF5]:** "telecommunicator" needs to be defined as "public safety telecommunicator, to make the distinction between telecommunicators that are only certified for emergency medical, fire, or 988 telecommunications. It may be useful to incorporate the authorized to dispatch under 911.

**Commented [RF6]:** Same clarifications as in 10.23.2.1 comments above. Need to clarify that nothing in these rules applies to Tribal, Pueblo personnel or agencies in NM.

**Commented [RF7]:** We question all references to the "director's" authority as this refers to the LEA director and does not distinguish between the role of LEA and Council. Unclear what the word "recognize" means. The reference to advance training courses does not belong in this definition and should be deleted.

E. "Advanced telecommunicator "training" or "advanced training" is telecommunicator training beyond the basic telecommunicator training program level and does not include mandated in-service training courses.

F. "Agency" means a law enforcement or public safety agency recognized by the New Mexico Law Enforcement Academy

H. "Credentialed Instructor" means meeting the training standards established by statute and rules as determined by the New Mexico Law Enforcement Standards and Training Council to teach law enforcement officers and telecommunicators in New Mexico. A credential is distinct from a certification or commission and may be issued to qualifying individuals regardless of current employment status or in-service training compliance. A credentialed instructor may be a state-certified law enforcement officer or public safety telecommunicator, including officers employed by a law enforcement agency, reserve police officers, or a duly elected sheriff. A credentialed instructor may also be a police administrator or other employee who works for a public agency within the criminal justice system. A currently employed, former, or retired law enforcement officer or telecommunicator may be a credentialed instructor as long as that individual's state certification is not currently suspended or revoked by the Law Enforcement Certification Board. A credentialed instructor may also be an individual who is not employed within the criminal justice system, but has recognized expertise, academic qualifications, or other documented qualifications approved by the

J. "Director" ~~means the director of the New Mexico Law Enforcement Academy.~~

K. "General instructor" means a credentialed ~~general~~ instructor who is authorized to teach ~~generalized~~ topics of instruction which would not otherwise require a specialized, technical, high-risk or master instructor credential.

N. "Instructor course" is any accredited advanced police or telecommunicator training intended to further the individual's knowledge, skills, and abilities, beyond a basic level, for an instructor credential in the respective field.

R. "Public safety agency" means a unit of state or local government, a special purpose district or a private business that provides police, firefighting or emergency medical services.

S. "Professional Lecturer" means someone ~~who is credentialed to teach law enforcement or telecommunicators, but~~ who is not a~~n~~ instructor as defined in

**Commented [RF8]:** This is not an acceptable definition. The LEA doesn't determine what an agency is. The agencies that employ the personnel covered by this section of regulations are created under the authority of the State of NM or its subsidiary governmental bodies, including counties, cities, villages, universities, and state agencies. The LEA doesn't have any authority to recognize such entities.

**Commented [RF9]:** This is a leap not authorized by the statute, and comment elsewhere clarifies that this is not an acceptable requirement. The statute attaches the Council to the LEA it does not give staff control of the Council's operations to the LEA.

**Commented [RF10]:** You cannot define a term by use of the same term.

**Commented [RF11]:** Problems with the definition of "accredited" mentioned in the definition above. The normal use of the term "accredited" typically refers to an approval process by an institution or body qualified to oversee the content of a program. The "director" in question—the LEA director-- is not required to have any qualifications for oversight comparable to the typical meaning of the term regarding educational programs.

**Commented [RF12]:** It is unclear what kind of private business this would apply to, unless it is contracted to a public agency, in which case the contracting relationship must be included in the definition.

**Commented [RF13]:** This is not an adequate definition of the term. The rules should reference definitions in statute. The public safety agency is intended to refer to the dispatching services of emergency management agencies or those attached to police, fire departments, or hospitals. 911 dispatch services are not, by definition included in this definitions. I believe there is a definition in statute that should be the reference.

**Commented [RF14]:** There is not a recognized credential to teach law enforcement or telecommunicators outside this system. The point of this definition should be to include experts and instruction from people outside the credentialing of the LEA

Section 10.28.2.7 and who has subject matter expertise, academic credentials, licensing, or professional experience.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 3 FACILITIES

No comments

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 4 REGIONAL SATELLITE ACADEMIES

10.28.4.2 SCOPE: All law enforcement agencies and any other entities who operate a police academy or criminal justice certificate program in New Mexico.

10.28.4.9 B. Initial accreditation will involve a detailed review to ensure that the satellite academy is equipped with the requisite facilities, staffing, infrastructure, and resources to operate a program that is comparable to the academy.

C. An accredited satellite academy will renew its accreditation every three years. A renewal will automatically be processed by the New Mexico Law Enforcement Standards and Training Council, provided the academy has delivered at least three basic training programs during the previous three calendar years. If an academy has not done so, the director will review the academy's status and performance and make a recommendation to the Council for re-accreditation. The director will publish a compliance manual for satellite academy accreditation.

D. For basic law enforcement training and certification by waiver academies, comparable training facilities for the below-listed proficiency areas must be available or contracted for by the requesting agency or instructor and approved by the director. (1) Comparable driving track facility; (2) Comparable firearms range facility; and (3) Comparable obstacle/agility course facility

F. Once accreditation is granted, the agency or institution can conduct the program with the assurance that the program is comparable to or exceeds the minimum standards of training as established by the New Mexico Law Enforcement Standards and Training Council.

**Commented [RF15]:** This wording is not appropriate. The Council and LEA have no authority over training conducted by law enforcement agencies other than the regional academies. Many police agencies contract with various resources to provide training for their personnel outside the official training system overseen by either the LEA or the Council. Neither have any authority over criminal justice certificate programs that are operated through the community college or other higher education institutions, so these should not be referenced. Only if another agency other than a satellite academy wants the training it provides counted toward any of the credentials overseen by the LEA or the Council, would they be subject to any intervention by LEA or the Council. This should be re-written, and needs to include the satellites that train public safety telecommunicators.

**Commented [RF16]:** This is not the standard. The standard is the criteria set by the Council. It isn't clear what "comparable" means.

**Commented [RF17]:** Insert "satellite" in front of academy. You have defined academy as the LEA, so need to be consistent in language to distinguish satellites from the LEA.

**Commented [RF18]:** All references to "director should be the LEA director" and not the Council Director...Compliance with the law requires them to be separate.

**Commented [RF19]:** Satellites should also have simulation software or equivalent capacity for the type of training that will be required by the new curriculum.

**Commented [RF20]:** Delete this language—comparable has no meaning or criteria . Insert "meets" in front of "or"

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY

B. Screening process:

C. Rejection of applicant and subsequent psychological evaluation within 12 months: (1) In the event an applicant receives a psychological rejection a subsequent or additional psychological evaluation may only be obtained.

10.28.5.11 MEDICAL SELECTION GUIDELINES: A. Authority: An applicant to the academy or a regional satellite academy must be examined by a licensed physician and be found to be free of any physical condition that might adversely affect his/her performance as a police officer or prohibit him/her from successfully completing a prescribed basic law enforcement training course. The director or satellite academy director reserves the right to determine if a candidate may pose a direct threat to his/her safety or that of others in attending and participating in all aspects of the training program at the academy

10.28.5.10 BASIC TRAINING; PSYCHOLOGICAL EXAMINATION:

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 6 COURSE ACCREDITATION PROCEDURES

10.28.6.2 SCOPE: All entities and organizations, either for-profit or public, that offer law enforcement training or educational courses. [10.28.6.2 NMAC - N, xx/xx/2026]

10.28.6.6 OBJECTIVE: The purpose of Part 6 is to establish guidelines for the submission and accreditation of law enforcement and telecommunicator classes through the Law Enforcement Academy.

10.28.6.9 COURSE ACCREDITATION PROCEDURES A. The academy shall establish procedures for the submission and accreditation of in-service, advanced law enforcement training classes, and advanced telecommunicator training classes

C. When accrediting classes, the academy has the authority to review the material for appropriate curriculum design, to ensure that the lesson plan includes citations

**Commented [RF21]:** There is no screening for implicit or explicit bias related to civil rights protections. Given the importance of compliance with the New Mexico Civil Rights Act and the consequences to state and local government for violations of that Act, it seems important that some objective form of screening be included in this process.

**Commented [RF22]:** This language does not make sense.

**Commented [RF23]:** This is a strange statement—it isn't clear that there needs to be a basis for this determination that a person is a danger to self or others, which could lead to a subjective decision to exclude someone based on implicit bias. Exclusion on this basis should require justification that can be appealed. It also isn't clear why this language is included under "medical selection guidelines". Suggest deleting or fleshing it out and considering whether it belongs in the psychological assessment section.

**Commented [RF24]:** Nowhere in this section is any reference to psychiatric diagnoses or past behavioral health interventions, current medication, or compliance with treatment for a psychiatric illness. Certain psychiatric diagnoses may present as normal in an assessment context. If this is due to compliance with medication/treatment, it should be viewed as non-dis-qualifying. The issue of compliance with treatment for certain conditions, however should be subject to further evaluation. Bi-polar conditions, for example, may result in sudden change in mental status that would interfere with job performance. PTSD and some other conditions may be triggered by on-the-job events, such that the person is unable to perform at the expected levels or may interfere with the performance of others. It ...

**Commented [RF25]:** This is too broadly stated. The Council has no authority over law enforcement training or educational courses offered by colleges or private institutions that are outside the Certified programs overseen by the Council. For example, leadership training and ...

**Commented [RF26]:** This is too limited. Should be through the LEA, its satellites, by its certified instructors and faculty, when those courses are required for certification as a law enforcement officer, public safety telecommunicator ...

**Commented [RF27]:** This regulation is assuming by the way it is written that whatever is meant by "accreditation" is a delegated authority to the academy. This assumption is not anticipated by or consistent with the statute or its legislative intent. The statute anticipates that the Academ ...

**Commented [RF28]:** This is not an academy responsibility but a responsibility of the Council. The Council may delegate portions of the procedures to the Academy but should approve them and oversee compliance with them or explicitly delegate authority. Overisght of all curriculum a ...

**Commented [RF29]:** The specific meaning of "accrediting" isn't clearly stated and must be a delegated authority from the Council. Note that there are "accreditation" programs and standards by other organizations...e.g., CALEA for academies, and for college ...

and references to its source material, and to ensure alignment with any statewide standard curriculum established by the Council.

D. Lesson plans in approved academy format, any testing material, instructor information, and citations of all reference material must be submitted to the academy no less than 30 days before the anticipated start of a class. This packet may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

E. If the academy denies the accreditation of a class, the academy shall communicate the reason in writing to the individual who submitted the class for accreditation. F. The academy has 30 days to accredit or deny accreditation.

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TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 7 INSTRUCTOR CREDENTIALING

10.28.7.2 SCOPE: All law enforcement agencies in the state of New Mexico, any law enforcement instructor, professional lecturer, or specialized law enforcement or telecommunicator instructor conducting training programs in New Mexico.

10.28.7.8 GENERAL INSTRUCTOR: A. A general instructor may teach all topics in a basic law enforcement training program, certification by waiver program, or standard in-service curriculum, except for emergency vehicle operations, use of force, mechanics of arrest and control, DWI/SFST, and firearms.

D. To qualify for a general instructor credential, an applicant shall complete the instructor credential application and satisfactorily demonstrate to the director a combination of education and experience in criminal justice, as well as proficiency in the instructional process, and meet the following requirements:

(2) Completion of an accredited 40-hour instructor development course, or equivalent training approved in writing by the director.

**Commented [RF30]:** This is problemmatic as it isn't clear which subject matters need to go to the academy or why, given the ambiguity of use of term accreditation. If a satellite or a law enforcement agency offers educational programs that are outside the specific requirements for certification, credentialling or in-service, then accreditation is outside the authority of the Academy and the Council. For example, one of the satellites offers leadership training for law enforcement ...to-date this has not been a requirement, but is providing extra education that is desired for career advancement or sought by students and agency leaders. At some point the Council may decide to offer leadership or executive training programs and continuing education that fits into the overall continuum of programs ...

**Commented [RF31]:** All such references to accreditation will require a clearer definition of "accreditation" as well as clearly delegated authority from the Council under conditions specified by the Council. This entire regulation gives more authority to the Academy than is intended by legislation that assigns those responsibilities to the Counc ...

**Commented [RF32]:** This is not acceptable. Curriculum approved by the Council for certification, credentialling or other required status may incorporate modality into the requirements. Some courses must be taught on a firing range or a track, some may require simulations and live hypotheticals. Modality is NOT separate from whatever the accreditation means...it is integral to many curricula, and ...

**Commented [RF33]:** Once again, this is too broadly stated. The Council scope does not apply to college or university training programs, those of private entities or those offered by law enforcement agencies that exceed the requirements of Council approved programs. For example, a number of law enforcement agencies have sent their staff for national training in programs such as ABLE (Active ...

**Commented [RF34]:** Replace "all" with "most". Don't list exceptions. The curriculum is being revised and there will be a replacement for "standard in-service" curriculum, so there may be many other topics involved....delete everything after in-service curriculum. Add, some topics will require master instructors or other types of specialists. You don't want to revise rules everytime new subjects are ...

**Commented [RF35]:** You don't want to put all the responsibility on the "director". There may well be other ways to credential instructors that are more effective, for example, given a fully staffed LEA and an arrangement with the satellites, it may be possible to convene committees of 3 directors for example, or experts/master instructors to review the qualifications of applicants for the general ...

**Commented [RF36]:** Here is a more flexible way of writing this. "completion of the Council-approved instructor development course in effect at the time, or equivalent training approved in writing by the director or delegated group of directors and master instructors. It may be that the duration of the instructor course that comes out of the new basic curriculum under development is more than 40 ...

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 8 LAW ENFORCEMENT TRAINING

10.28.8.2 SCOPE: Applies to all law enforcement-certified police officers in the state of New Mexico, all law enforcement agencies in the state of New Mexico, and all applicants for police officer certification by waiver of basic training and all law enforcement agencies in the state of New Mexico.

10.28.8.6 OBJECTIVE: The purpose of Part 8 is to establish minimum standards of training for police officer certification, establish training requirements and eligibility standards for police officers who seek certification by waiver of basic training under Section 29-7-10 NMSA 1978, and establish in-service training requirements for certified police officers and certified public safety telecommunicators.

10.28.8.8 POLICE OFFICER MINIMUM STANDARDS OF TRAINING: A. The Standards and Training Council shall approve the minimum standards of training for the academy's basic law enforcement training program and certification-by-waiver program. This curriculum shall be the standard curriculum for all regional satellite academies and certification-by-waiver programs. The LEOCE shall be based on this standard curriculum. The academy and regional satellite academies may add additional content to the standard curriculum, as long as that content is accredited. The additional content may not replace the standard curriculum unless that part of the curriculum conflicts with state or federal law and has not yet been formally updated by the academy.

10.28.8.10 POLICE OFFICER REGISTRY REPORTING:

A. Reporting Requirements: (1) Employment, termination, or conviction of any felony charge or violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances, or other crime involving moral turpitude of all peace officers in the state of New Mexico must be reported to the academy within 30 days of such action.

(2) Required reporting forms shall be established by the director

(3) All law enforcement agencies that do not comply with the requirement of submitting to the academy status reports on their employees will not be eligible for

**Commented [RF37]:** Need to exempt tribal police agencies in New Mexico

**Commented [RF38]:** Need to include basic training for telecommunicator certification

**Commented [RF39]:** Again need clarification as to what accredited means --it is not up to the Academy but the responsibility of the council...language throughout the rules needs to be consistent. There is also no criteria for approving curriculum from the satellites or police agencies that is outside the curriculum. For example, if an academy wanted to offer curriculum in Dine language, there would be no capacity in either the Council or the Academy to oversee that...the satellite or agency would find an expert in the language to teach the course. Similarly a lot of specialized training in behavioral health or cultural relations or tribal relations may be provided that enhances the ability of the workforce in a region of the state, but doesn't really fall under the purview of the Council. The Council and Academy should not obstruct this type of training. It should stick to what is required for initial and continuing certification and credentialling of advanced, specialized, and technical skills.

**Commented [RF40]:** Replace "the academy" with " direction of the Council"

**Commented [RF41]:** A statement needs to be added here that the Academy will administer and maintain the Police Officer Registry in an electronic data base. Something needs to be added as to who has access to data within the registry.

**Commented [RF42]:** Replace "to the academy" with "to the administrator of the registry".....this will mean that if the registry moves or is administered by another unit of government, the provision holds. Making everything go to the academy or the director is untenable, too ambiguous, and inflexible. Here we are talking about a data base which has an administrative staff. It doesn't matter where the administrative staff are housed. For example, this function may be moved to a data department somewhere else in the justice system, to the Certification Board, or to a data unit in DPS—all outside the Academy.

**Commented [RF43]:** Imprecise—replace with "registry administrator"

**Commented [RF44]:** Replace with "to the registry".....what are "training funds"? This is no current law. The agencies are penalized by not receiving Law Enforcement Protection Funds...this is the legal penalty. The law does not authorize other penalties, so this section is inconsistent with law. The Registry would need to report failure to report to DPS and it becomes DPS responsibility to deny funding. There is no legal authorization to deny any training classes to an agency until the registry is made current. There is no authority here to bind DPS from the Academy which is a subsidiary within DPS to withhold funding. This entire section needs to be aligned with the statute.

training funds or attendance at basic or inservice/advanced training classes until the registry is made current. Repeated failures to maintain the registry shall result in a period of suspension of training eligibility to be set by the director.

(4) In order to protect the lives and safety of the officer involved, any law enforcement agencies employing undercover officers may indicate, in writing, a desire to protect the officer's identity. If such an indication is made, the officer's name shall not appear in the general office registry. Their name and other information requested shall, however, be furnished to the academy.

10.28.8.11 BASIC TRAINING; ENTRY LEVEL AND REQUALIFICATION FIREARMS TRAINING:

10.28.8.12 BASIC TRAINING; CONTINUATION OF CERTIFICATION AFTER SEPARATION: A. In the event a New Mexico-certified officer, who has retired from law enforcement service for more than six years, makes application to return to service, the officer shall satisfy the following requirements: (1) Must have graduated from a certified law enforcement academy that was comparable to or exceeds the standards of the programs of the academy.

10.28.8.13 IN-SERVICE TRAINING FOR LAW ENFORCEMENT OFFICERS:
A. Curriculum Development

(3) The academy shall use the first nine months of the second year of the cycle to develop the curriculum for the upcoming in-service cycle. The academy may incorporate the approved topics into existing required in-service courses or create a new required course to cover them.

C. The 40 hours of training shall include, but not be limited to, current practices and updates in the following topics: (1)

D. Training content and accreditation for in-service classes

(2) The academy is responsible for creating a standard in-service curriculum for all required in-service classes to ensure that the curriculum is in line with the standard basic law enforcement training curriculum. This content shall be made available to all agencies six months before the start of the in-service training cycle.

**Commented [RF45]:** This should be revised to require that the Registry provide a secure section for information on officers whose identify must be protected, specifying limited access. Sending this information to the Academy does not protect it and is too vague.

**Commented [RF46]:** Suggest that all required "report to academy" language be replaced with "report to the Registry" . Reporting to the "academy" is too general and accountability cannot be determined. The data needs to land in the Registry where it can be audited and responsibility for getting it there needs to be clear and consistent.

**Commented [RF47]:** This is no longer about the "academy", but about the standards set by the Council.

**Commented [RF48]:** This is not up to the Academy, but the Council, which has the right and should have the capacity to commission curriculum development by outside vendor, or have it developed internally by its own staff which are not the same as the "Academy". Throughout this rule, language suggests that the capacity of the Council is exhausted and limited by the staff of the Academy. This is not consistent with the law and legislative intent. Furthermore, it represents a conflict of interest, as the staff of the Academy are not responsible to the Council but to DPS. The Council has no mechanism in this rule to hold the Academy staff and director accountable to its policies if there is a difference of opinion or goals with the DPS administration. The Council is supposed to be independent of DPS and only receive administrative support. This rule ignores the language and intent of the law that establishes the Council.

**Commented [RF49]:** The reference to 40 hours should be omitted as the requirement is "at least 40 hours" and will likely increase with time and the modernization of the curriculum currently underway. There is no need to include the remainder of this section in detail, since the Council is charged with establishing the curriculum for each 2 year cycle. Replace the detail with something like: " the curriculum established by the Council will be consistent with any requirements of law, but will be updated with each cycle to national standards and the needs of the workforce"....this way the detail of the curriculum requirements in statute in the rule will follow whatever changes are made in law as well as by the Council. Otherwise there will need to be repeated changes to the rules.

**Commented [RF50]:** Again, the Academy is not the Council. Replace "creating' with "implementing the Council approved in-service curriculum. This language is redundant and can be simplified.

(3) An individual agency may create its own in-service courses that add content to the standard in-service curriculum. These courses must be accredited by the academy.

(4) The instructor can use any instructional modality, including but not limited to in-person training, online training, or a hybrid of in-person and online training to teach a class, as long as the teaching modality for a particular class is not specifically required by statute.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 9 PUBLIC SAFETY TELECOMMUNICATOR TRAINING

**Commented [RF51]:** Same problem with use of term accredited by the Academy—the Council is the approving authority—not the Academy

**Commented [RF52]:** This is wrong—modalities are not in statute but embedded in modernized curriculum. It should not be permissible for an instructor to use "any modality". The modality is part of an approved curriculum. Separating modality from curriculum will degrade the training, as instructors will be able to substitute older methods like powerpoint slides and "canned" videos for the requirement in the modernized curriculum established to meet national standards that integrates knowledge with application. This section should be deleted.

**Arballo, Jessica, DPS**

| | |
|---|---|
| **From:** | Arballo, Jessica, DPS |
| **Sent:** | Monday, August 24, 2026 1:07 PM |
| **To:** | rlfeldman1949@gmail.com |
| **Cc:** | Dean, Marshall, DPS; MATHEWS, RICHARD |
| **Subject:** | RE: [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules repealing and replacing TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC--Feldman Comments August 24-2026 |
| **Attachments:** | Law Enforcement Standards Training Council Proposed Rule Comment by Rachel Feldman August 24-2026 submitted to Jessical Arballo--Letter-Summary.docx |

Greetings,

Received,

Thank you


**Jessica Arballo**
Deputy Director of Operations
Department of Public Safety
Law Enforcement Academy
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**From:** rlfeldman1949@gmail.com <rlfeldman1949@gmail.com>
**Sent:** Monday, August 24, 2026 11:10 AM
**To:** Arballo, Jessica, DPS <Jessica.Arballo@dps.nm.gov>
**Subject:** [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules repealing and replacing TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC--Feldman Comments August 24-2026

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Please accept this 2nd comment letter in response to the proposed rules reference above and therein.

Rachel Feldman
703-798-1018

Rachel Feldman
1 Via Bella
Santa Fe, NM 87507
Rlfeldman1949@gmail.com
703-798-1018 (cell/text)

August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Members of the NM Law Enforcement Standards & Training Council:

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. I am providing this second comment letter to Clarify what I believe should be included in rule making to implement the intent of the legislature that the Council function as an independent body separate and distinct from the Department of Public Safety (DPS). I believe that the interpretation of the Secretary of DPS that the Council is effectively a policy and advisory function to the Law Enforcement Academy (LEA) and that DPS maintains control over all budget and staff, is incorrect, inconsistent with law, and could be challenged successfully based on the plain language of the statute and Executive Reorganization Act. The issues of who is responsible for what can be confusing and I understand that the Council has relied upon direction from DPS in constructing the proposed rules. The Council is not bound by direction from DPS, and I urge the Council to develop rules that support its statutory functions as an independent body.

Given the alternative plain language of the statute setting the Council up as an independent body, with DPS and LEA providing administrative support consistent with the Executive Reorganization Act, the proposed rules should address the following:

- The Council should draft a position description for its own Director. This is not subject to approval of DPS except in-so-far as it conforms to state Personnel procedures and requirements. The Council Director is hired by and reports to the Council. DPS should assist in posting the position consistent with state hiring protocols.

- The Council should develop its own budget with technical assistance from DPS, and should do so on a calendar provided by DPS so that its budget can be included with the DPS budget and introduced through the legislative and governor's budget processes.
- The Council should develop a plan to staff its work, including administrative staff. Staff report to the Council Director, and do not overlap with or include the LEA staff who report the Academy Director and the Secretary of DPS.
- The Council should define which administrative functions it needs to internalize through its own staff and budget, and which services it wishes to continue to receive from the department to which it is attached. Where those services exceed those in the Executive Reorganization Act, they need to be negotiated with DPS/LEA explicitly.
- Given historic difficulty in DPS/LEA hiring, the Council should establish a budget to retain/procure consultants and vendors that can assist with its work under contract, to ensure that the needed curriculum and programs can be developed in a timely manner.
- The Council should include in its budget the cost of office space, computers, technology, and other amenities necessary to maintain its operational functions. It need not be located within the LEA or DPS facilities, but DPS should in its administrative capacity assist in locating and setting up the Council's offices.
- The Council should become the "accrediting" body for all programs, training/continuing education that it requires to obtain and maintain certification for law enforcement officers and public safety telecommunicators. These accreditation procedures should be established by the Council office, and not be determined by any one individual.
- The Council may delegate certain responsibilities to the Academy to implement its policies and programs, but those responsibilities should be directly related to the Academy's conduct of its programs. (Note, the Academy has not had a full complement of staff to conduct its basic work for quite a few years).
- The Council has the responsibility to monitor the implementation of its policies and programs, and should work closely with the LEA as well as the satellite academies, all of whom are represented in its membership.
- The Council should negotiate with the Department of Highet Education to determine which of its programs may qualify for college level credit.
- All responsibilities of the LEA should be in a distinct section of the Rules, and not combined or confused with the responsibilities of the Council and its staff. For example, admission criteria may be established by both the Council with additional criteria established by the LEA and/or the satellite academies. Rules should explicitly explain the steps in the application and decision process and which authorities make decisions. The Council's role here is essentially policy, while the Academy's role is implementation and handling of the applications. However, decision making, should be through a procedure, not entirely vested in one individual (e.g., the Academy Director).
- The Council should develop its own committee/work group structure. That structure need not be specified by topic/scope into the rules, but the Rules should indicate that the Council's work will be carried out through its committees/work groups that report to the full Council.
- Committees and work groups should be authorized by the Council where relevant, to appoint experts and advisers that are not Council members to contribute to their work. They may be assigned by the Council to oversee or work with consultants or vendors retained by the Council for various projects.

- Committees and work groups should be staffed by Council staff, and minutes and other records kept documenting their deliberations.
- The Council should have its own website, separate from DPS/LEA, providing public access to its documents.
- The Council should determine what level of detail about curricula and programs should be published on its websites, and/or the websites of the LEA and Satellite Academies.
- The Council should not be responsible for policy related to Academy facilities. Those are within the scope of DPS.
- The Council may, however, establish policy regarding conduct and constraints on cadets/students, to establish consistent treatment of and respect for adults assuming the responsibility of law enforcement officers and public safety telecommunicators. Academy rules, the violation of which results in dismissal from the Academy or its Satellites, should be reviewed and approved by the Council.
- The Council will be establishing and overseeing a higher educational capacity to support the professions of law enforcement officers and public safety telecommunicators, and will follow national standards and best practices in establishing credentialling and career paths for New Mexico Law Enforcement and public safety emergency dispatch. It may establish programs that provide career counseling, mentoring, and coaching. It may refine its career paths through rank, specialization, management, and liaison functions of law enforcement and first response.
- Through its membership and as needed, the Council may request input and advice from any state or local law enforcement and emergency management agency, leader, or specialist. However, the Council has the exclusive authority to establish required programs to establish minimum credentials for the law enforcement officer and public safety telecommunicator workforce, including Academy instructors and faculty (lecturers).
- The Council will conduct its work to be consistent with decisions made by the NM Law Enforcement Certification Board regarding changes to minimum standards, standards of conduct, and related protocols as set forth in the rules for that body.

**Arballo, Jessica, DPS**

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|---|---|
| **From:** | Arballo, Jessica, DPS |
| **Sent:** | Monday, August 24, 2026 1:09 PM |
| **To:** | Rachel Feldman |
| **Cc:** | MATHEWS, RICHARD; Dean, Marshall, DPS |
| **Subject:** | FW: [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules Comment Letters in pdf form from Rachel Feldman Repeal & Replacement of Title 10---NMAC |
| **Attachments:** | Law Enforcement Standards Training Council Proposed Rule Comment by Rachel Feldman August 19-2026 submitted to Jessical Arballo--Letter-Summary (002).pdf; Law Enforcement Standards Training Council Proposed Rule Comment by Rachel Feldman August 24-2026 submitted to Jessical Arballo--Letter-Summary.pdf; Rachel Feldman Comments on Proposed Rule for New Mexico Standards Law Enforcement Standards & Training Council August 2026.pdf |

Received,

Thank you,

**From:** rlfeldman1949@gmail.com <rlfeldman1949@gmail.com>
**Sent:** Monday, August 24, 2026 11:23 AM
**To:** Arballo, Jessica, DPS <Jessica.Arballo@dps.nm.gov>
**Subject:** [EXTERNAL] Law Enforcement Standards & Training Council Proposed Rules Comment Letters in pdf form from Rachel Feldman Repeal & Replacement of Title 10---NMAC

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Rachel Feldman
1 Via Bella
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August 19, 2026

Jessica Arballo
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RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. Accompanying this letter is a line-by-line comment on the entire proposed rule. In this letter, I provide a summary of the most important issues identified in the accompanying comments.

**Summary of Comments**

- The most important problem with the new proposed rule draft is that it does not comply with applicable law.
    - The governing statute establishes the Law Enforcement Standards & Training Council (Council) as an independent body attached to the Law Enforcement Academy (Academy). The meaning of Attachment is set forth in the Executive Reorganization Act (NMSA 1978, § 9-1-7). The designation of the Academy Director as the Director of the Council is in direct conflict with the statutory meaning of "attachment". The Academy is intended by law to support the Council in its work by providing administrative assistance. The Council does not in this regulation delegate its authority to the Academy, though by its language, the Academy is functioning only nominally under the direction of the Council. This was not the legislative intent of the statute, and is not consistent with the Executive Reorganization Act language. Preservation of this position, that the LEA controls all staff and budget for the Council, and has some implicit delegation of authority to develop curriculum and act as extensively as stated in

this proposed rule will likely lead to litigation that challenges this interpretation of law going forward.

- The role set forth in this proposed rule for the Academy also establishes a conflict of interest with regard to the use of funds appropriated for the Council's work. It appears that appropriated funds for the Council can be used by the Department of Public Safety (DPS) to fund the LEA's staff, which were historically funded as a division of DPS. Nothing in law changed this. Appropriation of funds for the Council's work was not legislatively intended to replace funding the LEA under DPS. Under the statute, the Academy would implement the programs established by the Council as delegated. Having the Academy Director be the Director for the Council sets up a conflict of interest regarding the use of funds, that appears to subsidize the work of the LEA which is legislatively required to provide a different set of services from those within the Council's authority.
- The proposed rule states that the Academy will do all the work to develop curriculum to meet standards set by the Council. But the Council as an independent body should have the authority to procure expertise outside the LEA for curriculum development which is the current situation in which the LEA is contracted with an outside vendor for a new basic police curriculum, which will need to be approved by the Council. The LEA staff have an ambiguous relationship with the vendor in the current situation because the LEA is acting as though it is the agent for the Council, though the Council Chair is overseeing part of the curriculum development process working with the vendor.
- The Director of the LEA has a conflict of interest being accountable to the Secretary of Public Safety as well as the Council. The way the proposed rule is written, the Director is accountable to the DPS Secretary and not to the Council.

- The LEA does not now and never has had the capacity to carry out the work it is assigned under this proposed rule.
  - The LEA has not been fully staffed to do its own work, let alone the work of the Council for a number of years. It has been unable to recruit and hire staff for basic LEA jobs and has consistently had a high vacancy rate. Its staff do not have qualifications set by the Council and are not approved by the Council. The fact that the law enforcement workforce universally "hates" the current in-service training provided by the LEA indicates that the LEA could have responded to concerns and could have updated and brought in-service curriculum into alignment with national standards but has never invested its resources in doing this.
  - The LEA took decades to contract for a Job Task Analysis to determine the need for complete replacement of the basic law enforcement training curriculum. Under the direction of DPS, the LEA has not been allocated budget to contract for curriculum development, until the recent procurement was put in place, and that funding is inadequate to complete the project or to build an aligned curriculum for certification by waiver, field training officer training, or new in-service training. It has refused to fund job task analysis or equivalent assessment for public safety telecommunicator training which is similarly decades out of date. The Scope of

the LEA's work to implement the Council's work should be limited to what it can realistically accomplish. Meantime the Council needs its own budget and staff, including its own director hired to meet its criteria and accountable only to the Council. Its staff should be accountable to the Council's Director, not the LEA. The proposed rule should define the relationship between the LEA and the Council as an agent to which the Council delegates certain responsibilities within its scope and for implementation of programs that are within the LEA's scope of authority. The Council itself is not within the statutory scope of authority for the LEA.

- There is a lot of unclearly defined and problematic language through the rule. The definitions section needs to be more carefully reviewed.
    - The term "accredited" as defined " refers to training that is recognized by the director as meeting required standards set by the Law Enforcement Standards and Training Council." This is not the normal use of the term accreditation and places complete authority over all training in the hands of one person, the LEA director. That director "recognizes" that something meets the standards set by the Council. Accreditation normally refers to an institutional process of comparing educational material to standards, not one person's opinion, but a structured and systematic review which is not required by this rule. This is an inappropriate use of the term and through the impact of rule making would make one person, the LEA director the arbiter of all law enforcement training adequacy unless someone formally complains to the Council. This is just inappropriate, and unaccountable. The Council does not have veto over the Director, nor is there an appeals process of Director decisions in many cases.
    - There is a lot of confused language related to the scope of different sections. Sometimes public safety telecommunicators are included, sometimes,not. References to "all" technically include tribal officers and agencies that are not within the scope of these rules.
    - All language referencing the "director shall" must be changed to "the Council delegates the Director to...." If it something that is within the legal scope and capacity of the LEA to do, and if the Council actually agrees it should be delegated to the Director. And what happens if the Director doesn't follow through and do all things delegated in this rule ? Many of these tasks have been historically under the auspices of the Director prior to the inception of the Council and they have not been done on time or at all with no consequences or remediation, resulting in a neglected training system.
    - Definitions in the rule should be consistent with definitions in law.
    - References to reporting data to the Academy or to the Director are imprecise. Required reporting to the registry, for example should go to the registry administrator or through a specific procedure. Reporting to the Academy cannot be audited.
- Accountability is a huge problem in this rule. The Director is accountable to the Secretary of Public Safety. What if the DPS Secretary doesn't agree with the Council, particularly regarding decisions about deployment of scarce budget and staff resources? What recourse does the Council have? The Council does not report to the DPS Secretary under the law. How can staff and budget belong to two separate entities with one entity

controlling everything, while the other lacks authority over its own resources to do its work.

- This rule assumes that all implementation of Council directives is carried out by the LEA by the Director. In fact, given capacity constraints as well as lack of qualifications of LEA staff, the Council realistically should have the ability to procure the resources it needs to do its work without relying on the approval of the Director. DPS as the agency to which the Council is attached should assist with procurement administratively but not with decisions about who has the qualifications to do the work it needs done.
- The rule wisely does not publish most curriculum, since the basic curriculum is in the process of being replaced. However, curriculum should be published by the Academies, at least in summary or outline form.
- It isn't clear why application process and criteria for the Academy are published in rules that apply to the Council. They belong with the rules that apply to the Academy, which should be broken out separately, same issue applies to use of facility rules which are not subject to Council authority. This is a structural problem.
- Note that references to modality giving instructors discretion to use whatever modality they want is inaccurate and inconsistent with professional adult education practice and national standards. Modality integrates the subject matter content of educational programs with best methods of instruction for adults, generally integrating information with its application in practice. This language betrays a lack of understanding of modern adult education curriculum design and best practices. Separating modality from subject matter will degrade the quality of training.

**Conclusions**

These rules substantively replicate the old system for the Law Enforcement Academy Board in which one director reporting to the Secretary is responsible for everything. This is the system that was replaced by the new legislation that created the Council. Under the former organization, no work on standards and training was ever done, and work was limited to the functions associated with adjudicating mis-conduct and certification. The new law created two separate organizations to do certification separately from setting standards and overseeing training. Both new organizations were designed in the statute to function independently of DPS with their own budget, staff, and authority. They are also separate from the LEA which has its own statutory authority which is not separately set forth in these rules. This design was necessary to preserve a link to DPS but avoid conflicts of interest. This proposed rule preserves all of the conflicts of interest and prevents the independent operation of the Council. It is entirely inconsistent with the intent of the legislature, and the history of problems associated with inability of DPS to support the capacity to do the work of either set of functions.

Without major re-working, this proposed rule will take the state backwards and impede modernization of standard setting and training, depriving our law enforcement and emergency dispatch workforce of the quality and real time upgrading of education that it needs to provide public safety to our communities.

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August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
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RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Members of the NM Law Enforcement Standards & Training Council:

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. I am providing this second comment letter to Clarify what I believe should be included in rule making to implement the intent of the legislature that the Council function as an independent body separate and distinct from the Department of Public Safety (DPS). I believe that the interpretation of the Secretary of DPS that the Council is effectively a policy and advisory function to the Law Enforcement Academy (LEA) and that DPS maintains control over all budget and staff, is incorrect, inconsistent with law, and could be challenged successfully based on the plain language of the statute and Executive Reorganization Act. The issues of who is responsible for what can be confusing and I understand that the Council has relied upon direction from DPS in constructing the proposed rules. The Council is not bound by direction from DPS, and I urge the Council to develop rules that support its statutory functions as an independent body.

Given the alternative plain language of the statute setting the Council up as an independent body, with DPS and LEA providing administrative support consistent with the Executive Reorganization Act, the proposed rules should address the following:

- The Council should draft a position description for its own Director. This is not subject to approval of DPS except in-so-far as it conforms to state Personnel procedures and requirements. The Council Director is hired by and reports to the Council. DPS should assist in posting the position consistent with state hiring protocols.

- The Council should develop its own budget with technical assistance from DPS, and should do so on a calendar provided by DPS so that its budget can be included with the DPS budget and introduced through the legislative and governor's budget processes.
- The Council should develop a plan to staff its work, including administrative staff. Staff report to the Council Director, and do not overlap with or include the LEA staff who report the Academy Director and the Secretary of DPS.
- The Council should define which administrative functions it needs to internalize through its own staff and budget, and which services it wishes to continue to receive from the department to which it is attached. Where those services exceed those in the Executive Reorganization Act, they need to be negotiated with DPS/LEA explicitly.
- Given historic difficulty in DPS/LEA hiring, the Council should establish a budget to retain/procure consultants and vendors that can assist with its work under contract, to ensure that the needed curriculum and programs can be developed in a timely manner.
- The Council should include in its budget the cost of office space, computers, technology, and other amenities necessary to maintain its operational functions. It need not be located within the LEA or DPS facilities, but DPS should in its administrative capacity assist in locating and setting up the Council's offices.
- The Council should become the "accrediting" body for all programs, training/continuing education that it requires to obtain and maintain certification for law enforcement officers and public safety telecommunicators. These accreditation procedures should be established by the Council office, and not be determined by any one individual.
- The Council may delegate certain responsibilities to the Academy to implement its policies and programs, but those responsibilities should be directly related to the Academy's conduct of its programs. (Note, the Academy has not had a full complement of staff to conduct its basic work for quite a few years).
- The Council has the responsibility to monitor the implementation of its policies and programs, and should work closely with the LEA as well as the satellite academies, all of whom are represented in its membership.
- The Council should negotiate with the Department of Highet Education to determine which of its programs may qualify for college level credit.
- All responsibilities of the LEA should be in a distinct section of the Rules, and not combined or confused with the responsibilities of the Council and its staff. For example, admission criteria may be established by both the Council with additional criteria established by the LEA and/or the satellite academies. Rules should explicitly explain the steps in the application and decision process and which authorities make decisions. The Council's role here is essentially policy, while the Academy's role is implementation and handling of the applications. However, decision making, should be through a procedure, not entirely vested in one individual (e.g., the Academy Director).
- The Council should develop its own committee/work group structure. That structure need not be specified by topic/scope into the rules, but the Rules should indicate that the Council's work will be carried out through its committees/work groups that report to the full Council.
- Committees and work groups should be authorized by the Council where relevant, to appoint experts and advisers that are not Council members to contribute to their work. They may be assigned by the Council to oversee or work with consultants or vendors retained by the Council for various projects.

- Committees and work groups should be staffed by Council staff, and minutes and other records kept documenting their deliberations.
- The Council should have its own website, separate from DPS/LEA, providing public access to its documents.
- The Council should determine what level of detail about curricula and programs should be published on its websites, and/or the websites of the LEA and Satellite Academies.
- The Council should not be responsible for policy related to Academy facilities. Those are within the scope of DPS.
- The Council may, however, establish policy regarding conduct and constraints on cadets/students, to establish consistent treatment of and respect for adults assuming the responsibility of law enforcement officers and public safety telecommunicators. Academy rules, the violation of which results in dismissal from the Academy or its Satellites, should be reviewed and approved by the Council.
- The Council will be establishing and overseeing a higher educational capacity to support the professions of law enforcement officers and public safety telecommunicators, and will follow national standards and best practices in establishing credentialling and career paths for New Mexico Law Enforcement and public safety emergency dispatch. It may establish programs that provide career counseling, mentoring, and coaching. It may refine its career paths through rank, specialization, management, and liaison functions of law enforcement and first response.
- Through its membership and as needed, the Council may request input and advice from any state or local law enforcement and emergency management agency, leader, or specialist. However, the Council has the exclusive authority to establish required programs to establish minimum credentials for the law enforcement officer and public safety telecommunicator workforce, including Academy instructors and faculty (lecturers).
- The Council will conduct its work to be consistent with decisions made by the NM Law Enforcement Certification Board regarding changes to minimum standards, standards of conduct, and related protocols as set forth in the rules for that body.

**Comments on Proposed Rule for New Mexico Standards & Training Council: Chapter 28**

By: Rachel Feldman

On behalf of: Indivisible SOS Santa Fe, an advocacy group of more than 150 women in Santa Fe County. Indivisible SOS Santa Fe worked to pass SB 19 in 2023 which established the Law Enforcement Standards & Training Council, requiring these rules. Indivisible SOS Santa Fe originated the statute, and Rachel Feldman authored most of the statute, working with sponsor Senator Antonio Maestas. She was appointed by the Governor to serve as the citizen member of the Council for a one-year term.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 1 GENERAL PROVISIONS

10.28.1.2 SCOPE: All certified police officers, applicants to academies to become certified police officers, public safety telecommunicators and applicants to academies to become public safety telecommunicators, and state and local law enforcement agencies in the state of New Mexico

10.28.1.7 DEFINITIONS: [Reserved]

10.28.1.8 REGULATIONS, POLICIES AND PROCEDURES FOR CONDUCTING THE BUSINESS OF THE LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL:

B. Director: The director shall be under the supervision and direction of the Secretary of the Department of public safety.

(1) The director provides administrative services to the Council. The director represents the Council in administrative matters and is subject to the direction of the Council through its official proceedings. The director is responsible for the review and certification of the minutes of the Council. The director implements the training standards and requirements developed and adopted by the Council.

(2) Because the director is subject to the direction of the council, the director may not hold the position of Council chair or vice-chair.

**Commented [RF1]:** Note that these rules do not apply to Tribal or Pueblo police officers, or to Tribal, Pueblo, or federal law enforcement agencies. Note that public safety telecommunicators is a distinct certification that is not inclusive of EMT or fire safety or 988 telecommunicators.

**Commented [RF2]:** This definition of "Director" collapses the LEA Director position currently funded under DPS with the Council Director which here are treated as the same position. This was not the intent of the law, and limits the ability of the Council to have its own Director that carries out its work. The Council was given its own budget with the intent that its staff would not be the same as the LEA staff, and that it would have the capacity to develop curricula and programs detailed within its scope of work which is distinctly different from that of the LEA.

**Commented [RF3]:** While the Secretary of Public Safety has interpreted the statute to control the Council staff, the intent of the legislature as well as the law that defines an attached agency: an agency attached to a department for administrative purposes only ("administratively attached agency") is defined under the Executive Reorganization Act (NMSA 1978, § 9-1-7). Recognizes that the staff to the attached entity, in this case, the Council, is independent of control from the agency to which it is attached. This is an incorrect interpretation of the law and legislative intent, and will be addressed by litigation if it is included in the rules. Work is underway to clarify the statute. But this language should not be incorporated into the new rules.

(3) The Council may direct the director to implement, carry out, or finalize a particular policy or agreement. When the Council has so directed, the director is authorized to sign on behalf of the Council those contracts and other documents that are customarily signed by the chair of the Council. 10.28.9 NMAC 2

(4) The director supervises the operation of the academy as its chief executive officer. The director shall perform all duties delegated to the director by law and those customarily exercised by the chief executive officer of a state agency.

(5) The director ensures that regional satellite academies adhere to the training standards established by the Council.

(6) -The director evaluates basic law enforcement training programs, basic telecommunicator training programs, certification by waiver programs, and in-service programs on a regular basis to ensure that they comply with standards set by the Council, in addition to state and federal law.

(7) The director shall accredit advanced training classes and ensure compliance whenever a specific curriculum for a class is established as a statewide standard by the Council.

(8) The director is responsible for maintaining training records for all officers and telecommunicators who complete basic law enforcement or telecommunicator training, as well as certification-by-waiver programs.

(9) The director is responsible for maintaining training records for officers and telecommunicators who successfully complete accredited advanced training and in-service classes.

**Commented [RF4]:** This language reflects the assumption that the LEA Director shall also act as the Director for the Council. This was never the intent of the legislation, and represents a conflict of interest that compromises the legislated independence of the Council. It represents the DPS Secretary's job description for the LEA Director and is no way reflective of the intent of the legislation, but rather, the convenience and interest of the LEA in using the funding for the Council to support the LEA staff. This entire section should be struck and the staff to the Council should report only to the Council, with duties assigned only by the Council. External legal review is necessary to evaluate the DPS Secretary's job description that collapses the LEA Director and the Council Director into the same position.

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TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 2 DEFINITIONS

10.28.2.2 SCOPE: All police officers, telecommunicators, and law enforcement agencies in the state of New Mexico

C. "Accredited" refers to training that is recognized by the director as meeting required standards set by the Law Enforcement Standards and Training Council. ~~Accredited advanced training courses may be counted toward a law enforcement officer's or telecommunicator's in-service training requirements.~~

**Commented [RF5]:** "telecommunicator" needs to be defined as "public safety telecommunicator, to make the distinction between telecommunicators that are only certified for emergency medical, fire, or 988 telecommunications. It may be useful to incorporate the authorized to dispatch under 911.

**Commented [RF6]:** Same clarifications as in 10.23.2.1 comments above. Need to clarify that nothing in these rules applies to Tribal, Pueblo personnel or agencies in NM.

**Commented [RF7]:** We question all references to the "director's" authority as this refers to the LEA director and does not distinguish between the role of LEA and Council. Unclear what the word "recognize" means. The reference to advance training courses does not belong in this definition and should be deleted.

E. "Advanced telecommunicator "training" or "advanced training" is telecommunicator training beyond the basic telecommunicator training program level and does not include mandated in-service training courses.

F. "Agency" means a law enforcement or public safety agency recognized by the New Mexico Law Enforcement Academy

H. "Credentialed Instructor" means meeting the training standards established by statute and rules as determined by the New Mexico Law Enforcement Standards and Training Council to teach law enforcement officers and telecommunicators in New Mexico. A credential is distinct from a certification or commission and may be issued to qualifying individuals regardless of current employment status or in-service training compliance. A credentialed instructor may be a state-certified law enforcement officer or public safety telecommunicator, including officers employed by a law enforcement agency, reserve police officers, or a duly elected sheriff. A credentialed instructor may also be a police administrator or other employee who works for a public agency within the criminal justice system. A currently employed, former, or retired law enforcement officer or telecommunicator may be a credentialed instructor as long as that individual's state certification is not currently suspended or revoked by the Law Enforcement Certification Board. A credentialed instructor may also be an individual who is not employed within the criminal justice system, but has recognized expertise, academic qualifications, or other documented qualifications approved by the

J. "Director" ~~means the director of the New Mexico Law Enforcement Academy.~~

K. "General instructor" means a credentialed ~~general~~ instructor who is authorized to teach ~~generalized~~ topics of instruction which would not otherwise require a specialized, technical, high-risk or master instructor credential.

N. "Instructor course" is any accredited advanced police or telecommunicator training intended to further the individual's knowledge, skills, and abilities, beyond a basic level, for an instructor credential in the respective field.

R. "Public safety agency" means a unit of state or local government, a special purpose district or a private business that provides police, firefighting or emergency medical services.

S. "Professional Lecturer" means someone ~~who is credentialed to teach law enforcement or telecommunicators, but~~ who is not ~~an~~ instructor as defined in

**Commented [RF8]:** This is not an acceptable definition. The LEA doesn't determine what an agency is. The agencies that employ the personnel covered by this section of regulations are created under the authority of the State of NM or its subsidiary governmental bodies, including counties, cities, villages, universities, and state agencies. The LEA doesn't have any authority to recognize such entities.

**Commented [RF9]:** This is a leap not authorized by the statute, and comment elsewhere clarifies that this is not an acceptable requirement. The statute attaches the Council to the LEA it does not give staff control of the Council's operations to the LEA.

**Commented [RF10]:** You cannot define a term by use of the same term.

**Commented [RF11]:** Problems with the definition of "accredited" mentioned in the definition above. The normal use of the term "accredited" typically refers to an approval process by an institution or body qualified to oversee the content of a program. The "director" in question—the LEA director– is not required to have any qualifications for oversight comparable to the typical meaning of the term regarding educational programs.

**Commented [RF12]:** It is unclear what kind of private business this would apply to, unless it is contracted to a public agency, in which case the contracting relationship must be included in the definition.

**Commented [RF13]:** This is not an adequate definition of the term. The rules should reference definitions in statute. The public safety agency is intended to refer to the dispatching services of emergency management agencies or those attached to police, fire departments, or hospitals. 911 dispatch services are not, by definition included in this definitions. I believe there is a definition in statute that should be the reference.

**Commented [RF14]:** There is not a recognized credential to teach law enforcement or telecommunicators outside this system. The point of this definition should be to include experts and instruction from people outside the credentialing of the LEA

Section 10.28.2.7 and who has subject matter expertise, academic credentials, licensing, or professional experience.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 3 FACILITIES

No comments

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 4 REGIONAL SATELLITE ACADEMIES

10.28.4.2 SCOPE: All law enforcement agencies and any other entities who operate a police academy or criminal justice certificate program in New Mexico.

10.28.4.9 B. Initial accreditation will involve a detailed review to ensure that the satellite academy is equipped with the requisite facilities, staffing, infrastructure, and resources to operate a program that is comparable to the academy.

C. An accredited satellite academy will renew its accreditation every three years. A renewal will automatically be processed by the New Mexico Law Enforcement Standards and Training Council, provided the academy has delivered at least three basic training programs during the previous three calendar years. If an academy has not done so, the director will review the academy's status and performance and make a recommendation to the Council for re-accreditation. The director will publish a compliance manual for satellite academy accreditation.

D. For basic law enforcement training and certification by waiver academies, comparable training facilities for the below-listed proficiency areas must be available or contracted for by the requesting agency or instructor and approved by the director. (1) Comparable driving track facility; (2) Comparable firearms range facility; and (3) Comparable obstacle/agility course facility

F. Once accreditation is granted, the agency or institution can conduct the program with the assurance that the program is comparable to or exceeds the minimum standards of training as established by the New Mexico Law Enforcement Standards and Training Council.

**Commented [RF15]:** This wording is not appropriate. The Council and LEA have no authority over training conducted by law enforcement agencies other than the regional academies. Many police agencies contract with various resources to provide training for their personnel outside the official training system overseen by either the LEA or the Council. Neither have any authority over criminal justice certificate programs that are operated through the community college or other higher education institutions, so these should not be referenced. Only if another agency other than a satellite academy wants the training it provides counted toward any of the credentials overseen by the LEA or the Council, would they be subject to any intervention by LEA or the Council. This should be re-written, and needs to include the satellites that train public safety telecommunicators.

**Commented [RF16]:** This is not the standard. The standard is the criteria set by the Council. It isn't clear what "comparable" means.

**Commented [RF17]:** Insert "satellite" in front of academy. You have defined academy as the LEA, so need to be consistent in language to distinguish satellites from the LEA.

**Commented [RF18]:** All references to "director should be the LEA director" and not the Council Director...Compliance with the law requires them to be separate.

**Commented [RF19]:** Satellites should also have simulation software or equivalent capacity for the type of training that will be required by the new curriculum.

**Commented [RF20]:** Delete this language—comparable has no meaning or criteria . Insert "meets" in front of "or"

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY

B. Screening process:

C. Rejection of applicant and subsequent psychological evaluation within 12 months: (1) In the event an applicant receives a psychological rejection a subsequent or additional psychological evaluation may only be obtained.

10.28.5.11 MEDICAL SELECTION GUIDELINES: A. Authority: An applicant to the academy or a regional satellite academy must be examined by a licensed physician and be found to be free of any physical condition that might adversely affect his/her performance as a police officer or prohibit him/her from successfully completing a prescribed basic law enforcement training course. The director or satellite academy director reserves the right to determine if a candidate may pose a direct threat to his/her safety or that of others in attending and participating in all aspects of the training program at the academy

10.28.5.10 BASIC TRAINING; PSYCHOLOGICAL EXAMINATION:

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 6 COURSE ACCREDITATION PROCEDURES

10.28.6.2 SCOPE: All entities and organizations, either for-profit or public, that offer law enforcement training or educational courses. [10.28.6.2 NMAC - N, xx/xx/2026]

10.28.6.6 OBJECTIVE: The purpose of Part 6 is to establish guidelines for the submission and accreditation of law enforcement and telecommunicator classes through the Law Enforcement Academy.

10.28.6.9 COURSE ACCREDITATION PROCEDURES A. The academy shall establish procedures for the submission and accreditation of in-service, advanced law enforcement training classes, and advanced telecommunicator training classes

C. When accrediting classes, the academy has the authority to review the material for appropriate curriculum design, to ensure that the lesson plan includes citations

**Commented [RF21]:** There is no screening for implicit or explicit bias related to civil rights protections. Given the importance of compliance with the New Mexico Civil Rights Act and the consequences to state and local government for violations of that Act, it seems important that some objective form of screening be included in this process.

**Commented [RF22]:** This language does not make sense.

**Commented [RF23]:** This is a strange statement—it isn't clear that there needs to be a basis for this determination that a person is a danger to self or others, which could lead to a subjective decision to exclude someone based on implicit bias. Exclusion on this basis should require justification that can be appealed. It also isn't clear why this language is included under "medical selection guidelines". Suggest deleting or fleshing it out and considering whether it belongs in the psychological assessment section.

**Commented [RF24]:** Nowhere in this section is any reference to psychiatric diagnoses or past behavioral health interventions, current medication, or compliance with treatment for a psychiatric illness. Certain psychiatric diagnoses may present as normal in an assessment context. If this is due to compliance with medication/treatment, it should be viewed as non-dis-qualifying. The issue of compliance with treatment for certain conditions, however should be subject to further evaluation. Bi-polar conditions, for example, may result in sudden change in mental status that would interfere with job performance. PTSD and some other conditions may be triggered by on-the-job events, such that the person is unable to perform at the expected levels or may interfere with the performance of others. It ...

**Commented [RF25]:** This is too broadly stated. The Council has no authority over law enforcement training or educational courses offered by colleges or private institutions that are outside the Certified programs overseen by the Council. For example, leadership training and ...

**Commented [RF26]:** This is too limited. Should be through the LEA, its satellites, by its certified instructors and faculty, when those courses are required for certification as a law enforcement officer, public safety telecommunicator ...

**Commented [RF27]:** This regulation is assuming by the way it is written that whatever is meant by "accreditation" is a delegated authority to the academy. This assumption is not anticipated by or consistent with the statute or its legislative intent. The statute anticipates that the Academ ...

**Commented [RF28]:** This is not an academy responsibility but a responsibility of the Council. The Council may delegate portions of the procedures to the Academy but should approve them and oversee compliance with them or explicitly delegate authority. Overisght of all curriculum a ...

**Commented [RF29]:** The specific meaning of "accrediting" isn't clearly stated and must be a delegated authority from the Council. Note that there are "accreditation" programs and standards by other organizations...e.g., CALEA for academies, and for college ...

and references to its source material, and to ensure alignment with any statewide standard curriculum established by the Council.

D. Lesson plans in approved academy format, any testing material, instructor information, and citations of all reference material must be submitted to the academy no less than 30 days before the anticipated start of a class. This packet may be submitted by email, by registered mail with a return receipt, or by some other means that documents when the packet was sent to the academy.

E. If the academy denies the accreditation of a class, the academy shall communicate the reason in writing to the individual who submitted the class for accreditation. F. The academy has 30 days to accredit or deny accreditation.

E. If the academy denies the accreditation of a class, the academy shall communicate the reason in writing to the individual who submitted the class for accreditation. F. The academy has 30 days to accredit or deny accreditation.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 7 INSTRUCTOR CREDENTIALING

10.28.7.2 SCOPE: All law enforcement agencies in the state of New Mexico, any law enforcement instructor, professional lecturer, or specialized law enforcement or telecommunicator instructor conducting training programs in New Mexico.

10.28.7.8 GENERAL INSTRUCTOR: A. A general instructor may teach all topics in a basic law enforcement training program, certification by waiver program, or standard in-service curriculum, except for emergency vehicle operations, use of force, mechanics of arrest and control, DWI/SFST, and firearms.

D. To qualify for a general instructor credential, an applicant shall complete the instructor credential application and satisfactorily demonstrate to the director a combination of education and experience in criminal justice, as well as proficiency in the instructional process, and meet the following requirements:

(2) Completion of an accredited 40-hour instructor development course, or equivalent training approved in writing by the director.

**Commented [RF30]:** This is problemmatic as it isn't clear which subject matters need to go to the academy or why, given the ambiguity of use of term accreditation. If a satellite or a law enforcement agency offers educational programs that are outside the specific requirements for certification, credentialling or in-service, then accreditation is outside the authority of the Academy and the Council. For example, one of the satellites offers leadership training for law enforcement ...to-date this has not been a requirement, but is providing extra education that is desired for career advancement or sought by students and agency leaders. At some point the Council may decide to offer leadership or executive training programs and continuing education that fits into the overall continuum of programs ...

**Commented [RF31]:** All such references to accreditation will require a clearer definition of "accreditation" as well as clearly delegated authority from the Council under conditions specified by the Council. This entire regulation gives more authority to the Academy than is intended by legislation that assigns those responsibilities to the Counc ...

**Commented [RF32]:** This is not acceptable. Curriculum approved by the Council for certification, credentialling or other required status may incorporate modality into the requirements. Some courses must be taught on a firing range or a track, some may require simulations and live hypotheticals. Modality is NOT separate from whatever the accreditation means...it is integral to many curricula, and t ...

**Commented [RF33]:** Once again, this is too broadly stated. The Council scope does not apply to college or university training programs, those of private entities or those offered by law enforcement agencies that exceed the requirements of Council approved programs. For example, a number of law enforcement agencies have sent their staff for national training in programs such as ABLE (Active ...

**Commented [RF34]:** Replace "all" with "most". Don't list exceptions. The curriculum is being revised and there will be a replacement for "standard in-service" curriculum, so there may be many other topics involved....delete everything after in-service curriculum. Add, some topics will require master instructors or other types of specialists. You don't want to revise rules everytime new subjects are ...

**Commented [RF35]:** You don't want to put all the responsibility on the "director". There may well be other ways to credential instructors that are more effective, for example, given a fully staffed LEA and an arrangement with the satellites, it may be possible to convene committees of 3 directors for example, or experts/master instructors to review the qualifications of applicants for the general ...

**Commented [RF36]:** Here is a more flexible way of writing this. "completion of the Council-approved instructor development course in effect at the time, or equivalent training approved in writing by the director or delegated group of directors and master instructors. It may be that the duration of the instructor course that comes out of the new basic curriculum under development is more than 40 ...

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 8 LAW ENFORCEMENT TRAINING

10.28.8.2 SCOPE: Applies to all law enforcement-certified police officers in the state of New Mexico, all law enforcement agencies in the state of New Mexico, and all applicants for police officer certification by waiver of basic training and all law enforcement agencies in the state of New Mexico.

10.28.8.6 OBJECTIVE: The purpose of Part 8 is to establish minimum standards of training for police officer certification, establish training requirements and eligibility standards for police officers who seek certification by waiver of basic training under Section 29-7-10 NMSA 1978, and establish in-service training requirements for certified police officers and certified public safety telecommunicators.

10.28.8.8 POLICE OFFICER MINIMUM STANDARDS OF TRAINING: A. The Standards and Training Council shall approve the minimum standards of training for the academy's basic law enforcement training program and certification-by-waiver program. This curriculum shall be the standard curriculum for all regional satellite academies and certification-by-waiver programs. The LEOCE shall be based on this standard curriculum. The academy and regional satellite academies may add additional content to the standard curriculum, as long as that content is accredited. The additional content may not replace the standard curriculum unless that part of the curriculum conflicts with state or federal law and has not yet been formally updated by the academy.

10.28.8.10 POLICE OFFICER REGISTRY REPORTING:

A. Reporting Requirements: (1) Employment, termination, or conviction of any felony charge or violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances, or other crime involving moral turpitude of all peace officers in the state of New Mexico must be reported to the academy within 30 days of such action.

(2) Required reporting forms shall be established by the director

(3) All law enforcement agencies that do not comply with the requirement of submitting to the academy status reports on their employees will not be eligible for

**Commented [RF37]:** Need to exempt tribal police agencies in New Mexico

**Commented [RF38]:** Need to include basic training for telecommunicator certification

**Commented [RF39]:** Again need clarification as to what accredited means --it is not up to the Academy but the responsibility of the council...language throughout the rules needs to be consistent. There is also no criteria for approving curriculum from the satellites or police agencies that is outside the curriculum. For example, if an academy wanted to offer curriculum in Dine language, there would be no capacity in either the Council or the Academy to oversee that...the satellite or agency would find an expert in the language to teach the course. Similarly a lot of specialized training in behavioral health or cultural relations or tribal relations may be provided that enhances the ability of the workforce in a region of the state, but doesn't really fall under the purview of the Council. The Council and Academy should not obstruct this type of training. It should stick to what is required for initial and continuing certification and credentialling of advanced, specialized, and technical skills.

**Commented [RF40]:** Replace "the academy" with " direction of the Council"

**Commented [RF41]:** A statement needs to be added here that the Academy will administer and maintain the Police Officer Registry in an electronic data base. Something needs to be added as to who has access to data within the registry.

**Commented [RF42]:** Replace "to the academy" with "to the administrator of the registry".....this will mean that if the registry moves or is administered by another unit of government, the provision holds. Making everything go to the academy or the director is untenable, too ambiguous, and inflexible. Here we are talking about a data base which has an administrative staff. It doesn't matter where the administrative staff are housed. For example, this function may be moved to a data department somewhere else in the justice system, to the Certification Board, or to a data unit in DPS—all outside the Academy.

**Commented [RF43]:** Imprecise—replace with "registry administrator"

**Commented [RF44]:** Replace with "to the registry".....what are "training funds"? This is no current law. The agencies are penalized by not receiving Law Enforcement Protection Funds...this is the legal penalty. The law does not authorize other penalties, so this section is inconsistent with law. The Registry would need to report failure to report to DPS and it becomes DPS responsibility to deny funding. There is no legal authorization to deny any training classes to an agency until the registry is made current. There is no authority here to bind DPS from the Academy which is a subsidiary within DPS to withhold funding. This entire section needs to be aligned with the statute.

training funds or attendance at basic or inservice/advanced training classes until the registry is made current. Repeated failures to maintain the registry shall result in a period of suspension of training eligibility to be set by the director.

(4) In order to protect the lives and safety of the officer involved, any law enforcement agencies employing undercover officers may indicate, in writing, a desire to protect the officer's identity. If such an indication is made, the officer's name shall not appear in the general office registry. Their name and other information requested shall, however, be furnished to the academy.

10.28.8.11 BASIC TRAINING; ENTRY LEVEL AND REQUALIFICATION FIREARMS TRAINING:

10.28.8.12 BASIC TRAINING; CONTINUATION OF CERTIFICATION AFTER SEPARATION: A. In the event a New Mexico-certified officer, who has retired from law enforcement service for more than six years, makes application to return to service, the officer shall satisfy the following requirements: (1) Must have graduated from a certified law enforcement academy that was comparable to or exceeds the standards of the programs of the academy.

10.28.8.13 IN-SERVICE TRAINING FOR LAW ENFORCEMENT OFFICERS: A. Curriculum Development

(3) The academy shall use the first nine months of the second year of the cycle to develop the curriculum for the upcoming in-service cycle. The academy may incorporate the approved topics into existing required in-service courses or create a new required course to cover them.

C. The 40 hours of training shall include, but not be limited to, current practices and updates in the following topics: (1)

D. Training content and accreditation for in-service classes

(2) The academy is responsible for creating a standard in-service curriculum for all required in-service classes to ensure that the curriculum is in line with the standard basic law enforcement training curriculum. This content shall be made available to all agencies six months before the start of the in-service training cycle.

**Commented [RF45]:** This should be revised to require that the Registry provide a secure section for information on officers whose identify must be protected, specifying limited access. Sending this information to the Academy does not protect it and is too vague.

**Commented [RF46]:** Suggest that all required "report to academy" language be replaced with "report to the Registry" . Reporting to the "academy" is too general and accountability cannot be determined. The data needs to land in the Registry where it can be audited and responsibility for getting it there needs to be clear and consistent.

**Commented [RF47]:** This is no longer about the "academy", but about the standards set by the Council.

**Commented [RF48]:** This is not up to the Academy, but the Council, which has the right and should have the capacity to commission curriculum development by outside vendor, or have it developed internally by its own staff which are not the same as the "Academy". Throughout this rule, language suggests that the capacity of the Council is exhausted and limited by the staff of the Academy. This is not consistent with the law and legislative intent. Furthermore, it represents a conflict of interest, as the staff of the Academy are not responsible to the Council but to DPS. The Council has no mechanism in this rule to hold the Academy staff and director accountable to its policies if there is a difference of opinion or goals with the DPS administration. The Council is supposed to be independent of DPS and only receive administrative support. This rule ignores the language and intent of the law that establishes the Council.

**Commented [RF49]:** The reference to 40 hours should be omitted as the requirement is "at least 40 hours" and will likely increase with time and the modernization of the curriculum currently underway. There is no need to include the remainder of this section in detail, since the Council is charged with establishing the curriculum for each 2 year cycle. Replace the detail with something like: " the curriculum established by the Council will be consistent with any requirements of law, but will be updated with each cycle to national standards and the needs of the workforce"....this way the detail of the curriculum requirements in statute in the rule will follow whatever changes are made in law as well as by the Council. Otherwise there will need to be repeated changes to the rules.

**Commented [RF50]:** Again, the Academy is not the Council. Replace "creating' with "implementing the Council approved in-service curriculum. This language is redundant and can be simplified.

(3) An individual agency may create its own in-service courses that add content to the standard in-service curriculum. These courses must be accredited by the academy.

(4) The instructor can use any instructional modality, including but not limited to in-person training, online training, or a hybrid of in-person and online training to teach a class, as long as the teaching modality for a particular class is not specifically required by statute.

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING PART 9 PUBLIC SAFETY TELECOMMUNICATOR TRAINING

**Commented [RF51]:** Same problem with use of term accredited by the Academy—the Council is the approving authority—not the Academy

**Commented [RF52]:** This is wrong—modalities are not in statute but embedded in modernized curriculum. It should not be permissible for an instructor to use "any modality". The modality is part of an approved curriculum. Separating modality from curriculum will degrade the training, as instructors will be able to substitute older methods like powerpoint slides and "canned" videos for the requirement in the modernized curriculum established to meet national standards that integrates knowledge with application. This section should be deleted.

**Arballo, Jessica, DPS**

**From:** Barbara Schroder <Barbs1@bway.net>
**Sent:** Monday, August 24, 2026 2:13 PM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Comment on Proposed rule changes
**Attachments:** Schroder Comment Letter.docx

You don't often get email from barbs1@bway.net. Learn why this is important

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Dear Ms. Arballo,

Please accept the attached letter as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

Sincerely yours,
Barbara Schroder



EXHIBIT
tabbies
26

Barbara Schroder
10 Camino Peralta
Barbs1@bway.net
August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this letter as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

This rule creates confusion and a lack of accountability due to having one "director" for both the Academy and the Council. This is not workable, and conflicts with the statutory mandate that the Council be independent. It is only "attached" to the Academy for administrative support, not substantive direction.

The rule does not leave the Council the option to by-pass the Academy to retain expert consultants and vendors independently to do work that can expedite the production and updating of curricula. This will slow down efforts to upgrade training for our law enforcement workforce, given training programs that are already sub-standard and decades out of date.

Without major re-working, this proposed rule will take the state backwards and impede modernization of standard setting and training, depriving our law enforcement and emergency dispatch workforce of the quality and real time upgrading of education that it needs to provide public safety to our communities.

Sincerely,

Barbara Schroder

**Arballo, Jessica, DPS**

**From:** Jennifer Gorham <jgorham@mvrda.org>
**Sent:** Monday, August 24, 2026 9:53 AM
**To:** Arballo, Jessica, DPS
**Cc:** C-JENNIFER.GORHAM
**Subject:** [EXTERNAL] Public Comment on Proposed Permanent Rule

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good morning, Jessica,
Below are my comments on the Proposed Permanent Rule changes to Title 10, Chapter 29, Parts 2-5 and 7-10 NMAC. I intended to attend in person and verbalize these comments should I be afforded the opportunity. However, I did want to provide you written comments per the advisement of the Public Notice. Thank you for your consideration,.

Good morning, and thank you for the opportunity to provide comments regarding the proposed rule changes to Title 10, Chapter 29, Parts 2–5 and 7–10 NMAC, and the new Title 10, Chapter 28, Parts 1–9 NMAC.

My name is Jennifer Gorham, and I serve as the Executive Director of the Mesilla Valley Regional Dispatch Authority (MVRDA), the Public Safety Answering Point (PSAP) serving Doña Ana County and located in Las Cruces. MVRDA also hosts a New Mexico Public Safety Telecommunicator Academy, providing training and education to the next generation of Public Safety Telecommunicators.

Public Safety Telecommunicators (PSTs) appreciate the work of the Council and its continued efforts to strengthen training, standards, and professionalism within public safety. We also appreciate the Council's recognition that PSTs represent a significant and strong component of the public safety community and play a critical role in the emergency response system.

I am in support of the proposed changes and appreciate the Council's efforts to establish clear direction and updated standards for law enforcement and telecommunicator training, instructor credentialing, and related processes.

I encourage the Council, however, to continue developing clear standards and protocols for the Certification by Waiver process for Public Safety Telecommunicators (PSTs). As New Mexico continues to attract experienced PSTs from other states, a clearly defined waiver process would support the recruitment of qualified professionals. It would also provide an opportunity to re-certify individuals who were previously certified as PSTs, left the profession, and wish to return.

I also encourage the Council to replace the term "Telecommunicator" with "Public Safety Telecommunicator" throughout the rules. This terminology aligns with national efforts to establish consistent language and recognition of the critical role PSTs play within the public safety system.

Finally, I recommend reviewing Part 8, Law Enforcement Training, where PSTs are referenced in the Objective. Since PST training is addressed separately in the proposed Part 9, references to PSTs in Part 8 should be

removed to maintain clarity and ensure a clear distinction between law enforcement and PST training requirements.

Thank you for your consideration of these comments and for your continued work to strengthen public safety training and professional standards throughout New Mexico.

**Jennifer Gorham, CPO, CMCP, ENP, CPE**
Executive Director
Mesilla Valley Regional Dispatch Authority
**O:** 575-647-6803 | **C:** 575-496-1835 |
**E:** jgorham@mvrda911.gov
**W:** www.mvrda911.gov

**Notice:** Our official website domain has changed to **mvrda911.gov**. Please update your records and bookmarks accordingly.

**Arballo, Jessica, DPS**

**From:** Jayne Nordstrom <jaynenord@aol.com>
**Sent:** Monday, August 24, 2026 4:15 PM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Public Comment - Proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY
**Attachments:** 20260824_PublicCommentPublicSafetyAndLawEnforcementAcademy_Jayne Nordstrom.pdf

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Please accept this email and attached letter as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

Jayne Nordstrom



EXHIBIT 27

Jayne Nordstrom
1 Calle Vecinos
Santa Fe, NM 87507
jaynenord@aol.com

August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: Proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

I write to raise a significant concern with the proposed rule as drafted.

Having the Academy and its Director report to the DPS Secretary — with direction from the Council treated as secondary — does not comply with the plain language of the statute, and is inconsistent with the meaning of "attachment" under the Executive Reorganization Act.

Thank you for the opportunity to comment.

Sincerely,

Jayne Nordstrom

**Arballo, Jessica, DPS**

**From:** Bev Hedin <bevhedin@gmail.com>
**Sent:** Monday, August 24, 2026 3:59 PM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Civil Rights & Criminal Justice Reform

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Bev Hedin

639A Camino Lejo

Santa Fe, NM 87505

bevhedin@gail.com

August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

- This rule creates confusion and a lack of accountability due to having one "director" for both the Academy and the Council. This is not workable, and conflicts with the statutory mandate that the Council be independent. It is only "attached" to the Academy for administrative support, not substantive direction.

Sincerely,

Bev Hedin



EXHIBIT 28

**Arballo, Jessica, DPS**

**From:** Gilbert Najar <Gilbert.Najar@wnmu.edu>
**Sent:** Monday, August 24, 2026 5:03 PM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] PUBLIC HEARING ON PROPOSED PERMANENT RULE
**Attachments:** LESTC Public Hearing Comments Aug 25-27 2026.pdf

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Pease find attached my comments for the Public Hearing, August 25-27, 2026.



EXHIBIT
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29

Attn: Jessica Arballo, DPS Law Enforcement Academy at 4491 Cerillos Rd., P.O. Box 1628, 87504-1628, or by email at jessica.arballo@dps.nm.gov

Subject: **Rule Changes to 10.28.2.7 NMAC; 10.28.3.8; 10.28.4.2 NMAC; 10.28.4.12 NMAC; 10.28.5.2 NMAC; 10.28.5.9 NMAC; 10.28.5.10 NMAC and 10.28.8.8 NMAC**

Submitted by: Gilbert Najar
gilbert.najar@wnmu.edu
575-538—6288

**Comments:**

**10.28.2.7** Definitions

B. "Academy" means the New Mexico Law Enforcement Academy.

Comments: "Academy" means the New Mexico Law Enforcement Academy and includes the state-wide basic police and telecommunicator academy for accreditation purposes.
Reasoning: This will clarify that the state-wide LEA basic and telecommunicator academies are also regional academies subject to accreditation and re-accreditation.

U. "Separation" means a break in employment with a public safety agency as a full-time certified public safety telecommunicator after being employed for a minimum period of five years and having left the public safety agency in good standing.

Comments: "Separation" means a break in employment with a public safety agency as a full-time certified law enforcement officer or full-time certified public safety telecommunicator after being employed for a minimum period of five years and having left the public safety agency in good standing.
Reasoning: Definition should include law enforcement officers.

Comments: add new defintion

Y. "NMAC Working Group" means a subcommittee of the Council that may include non-council members who have a specific expertise, or knowledge.
Reasoning: In Part 1 the term "NMAC Working Group" is used three times.
10.28.1.8 F Rule Clarification. Subsections (4), (5), and (6) use the term "NMAC Working Group." This enables defining and assigning individuals to the group.

**10.28.3.8** Use of Facilities

E. Any organization requesting services that are not utilized will be obligated to pay for all services requested unless written notification of cancellation is made at least five days prior to the date of services.

Comments: Any organization requesting services that are not utilized will be obligated to pay for all services requested unless written notification of cancellation is made at least five days prior to the date of services, "unless otherwise contracted."
Reasoning: I do a legal contract for EVOC and the use of facilities which has its own cancellation provisions in the contract.

G. The director or designee may cancel the use of training center facilities 15 days prior to the scheduled date if circumstances warrant such cancellation.

Comments: The director or designee may cancel the use of training center facilities 15 days prior to the scheduled date if circumstances warrant such cancellation, "unless otherwise contracted."
Reasoning: I do a legal contract for EVOC and the use of facilities which has its own cancellation provisions in the contract.

**10.28.4.2** SCOPE: All law enforcement agencies and any other entities who operate a police academy or criminal justice certificate program in New Mexico.

Comments: The Academy, all law enforcement agencies and any other entities who operate a police academy or criminal justice certificate program in New Mexico.
Reasoning: This clarifies that the state-wide academy is included.

**10.28.4.12** Law Enforcement Officer Certification Examination (LEOCE)

B. If a student does not secure a law enforcement position within one year from the date of passing the LEOCE, they will be required to attend an accredited certification-by-waiver program to maintain their certification.

Comments: If a student does not secure a law enforcement position within one year from the date of passing the LEOCE, they will be required to attend an accredited certification-by-waiver program to obtain ~~maintain~~ their certification.
Reasoning: This clarifies that employment is required to obtain the law enforcement certification.

**10.28.5.2 SCOPE:**

Comments: SCOPE: All law enforcement agencies and any other entities who operate a police academy or criminal justice certificate program in New Mexico.
Reasoning: Add existing language.

**10.28.5.9** FINGERPRINT CLEARANCE FOR ADMISSION:

~~A. All New Mexico police officer applicants for admission to the academy or a regional satellite academy must receive a fingerprint clearance from the Department of Public Safety Technical and Emergency Support Division and the Federal Bureau of Investigation. No person can apply for admission to the academy or a regional satellite academy, if that person has been convicted of, pled guilty to, or entered a plea of nolo contendere to any felony charge or, within the three-year period immediately preceding the application, to any violation of federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances, or other crimes involving moral turpitude, or if the officer has been discharged from any branch of the United States armed forces under dishonorable conditions.~~

~~B. One set (two cards) of applicant fingerprint cards shall be completed and forwarded to the Department of Public Safety Technical and Emergency Support Division. The division shall conduct the state records check and forward the second card to the Federal Bureau of~~

~~Investigation Identification Section for a national records check. Incomplete or improperly completed fingerprint cards shall be returned to the requestor.~~

~~C. If information received from the Department of Public Safety Technical and Emergency Support Division or the Federal Bureau of Investigation indicates that the applicant has a criminal conviction for a felony or other disqualifying offense, it must be submitted as part of the application packet. If disposition information is not available on a criminal history record, the final disposition must be obtained and submitted as part of the application packet prior to admission to an academy.~~

Comments: Replace the entire section.
Reasoning: This is the DPS approved process.

**A.** All New Mexico police officer applicants for certification must receive a fingerprint clearance from the department of public safety technical and emergency support division and the federal bureau of investigation. No officer applying for police officer certification is allowed to receive an original appointment on a permanent basis in New Mexico if the officer has been convicted of or pled guilty to or entered a plea of nolo contendere to any felony charge or, within the three-year period immediately preceding their application, to any violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances or other crime involving moral turpitude and have not been released or discharged under dishonorable conditions from any of the armed forces of the United States.

**B.** IDEMIA: Effective Monday, May 1, 2023, IDEMIA is the new fingerprint supported background check provider. The New Mexico Department of Public Safety is pleased to partner with IDEMIA to transform and streamline the background check process to better serve you.

**C.** Applicant Registration/Appointment Scheduling: All applicants who will require fingerprinting service must first register via the IDEMIA scheduling website by simply using the agency or applicant type-specific ORI and fingerprint reason. The new website will collect all necessary personal data for the applicant and allow appointment scheduling at one of the many IdentoGO® centers throughout the State of New Mexico utilizing an easy-to-use search tool. The link to the website is: https://www.nm.state.identogo.com

**D.** Once the registration is completed, the applicant will receive a Service Summary detailing their appointment time along with items they will need to bring to their appointment. For applicants that provide an e-mail address as their method of contact, this information is also e-mailed to the applicant at the personal e-mail address provided during registration.

**E.** LEA-5: Once fingerprinting is completed LEA-5 will be completed for submission with the applicant's packet for admission.

**10.28.5.10** BASIC TRAINING; PSYCHOLOGICAL EXAMINATION:

C. Rejection of applicant and subsequent psychological evaluation within 12 months:

(1) In the event an applicant receives a psychological rejection a subsequent or additional psychological evaluation may only be obtained. This evaluation must be requested within 30 days of the rejection.

(2) Any rejected applicant who does seek a second opinion may reapply to a New Mexico law enforcement agency 12 months from the signature date of the rejection.

Comments: Add to the section.

(3) It is the responsibility of the licensed psychologist conducting the examination to inform the applicant of the basis for the rejection.

Reasoning: This ensures that the applicant is aware of their status and ensures that unlicensed academy staff are not required to respond to or try to explain the basis for the rejection.

**10.28.8.8** POLICE OFFICER MINIMUM STANDARDS OF TRAINING:

B. The physical fitness entrance examination shall be administered no earlier than forty-five (45) days prior to the start date of the academy.

C. Fitness standards for basic police officer training academy entrance and exit standards. All entrance times were set by the NMLEA Board on September 3, 2014, with the altitude adjustment adopted by the NMLEA Board on June 8, 2016. Physical fitness testing standards:

Comments: Add new section and renumber.

C. The physical fitness exit examination shall be administered no earlier than thirty (30) days prior to graduation of the academy.

D~~C~~. Fitness standards for basic police officer training academy entrance and exit standards. All entrance times were set by the NMLEA Board on September 3, 2014, with the altitude adjustment adopted by the NMLEA Board on June 8, 2016. Physical fitness testing standards:

Reasoning: Provide clarification.

**Arballo, Jessica, DPS**

**From:** Marlene Merritt <marlenemerritt@gmail.com>
**Sent:** Monday, August 24, 2026 3:47 AM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Public comment
**Attachments:** Merritt_Comment.pdf



EXHIBIT 30

Marlene Merritt
205 Rendon Rd.
marlenemerritt@gmail.com
August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. It simply does not work to have DPS assert control over the funding and staff intended to be used for the Council's work.

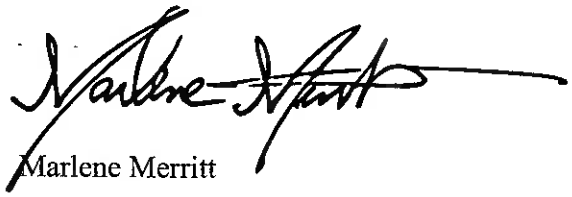
- This rule creates confusion and a lack of accountability due to having one "director" for both the Academy and the Council. This is not workable, and conflicts with the statutory mandate that the Council be independent. It is only "attached" to the Academy for administrative support, not substantive direction.
- Funding controlled by the Academy deprives and prevents the Council from doing its work when the Academy either disagrees, fails to follow-through, or does not have capacity to do the work.
- The role of the Academy and its Director reporting to the DPS Secretary rather and only secondarily taking direction from the Council doesn't comply with the plain language of the statute, and is inconsistent with the meaning of "attachment" in the Executive Re-organization Act.
- The Academy rules should not be included within the rules for the Council. The Academy is a division of DPS and should have its own rules.

The law was clearly written and this new draft does not comply with the applicable law. This proposed rule will take the state backwards and impede modernization of standard setting and

training, depriving our law enforcement and emergency dispatch workforce of the quality and real time upgrading of education that it needs to provide public safety to our communities.

Thank you.

Sincerely,



Marlene Merritt

## Arballo, Jessica, DPS

**From:** Arballo, Jessica, DPS
**Sent:** Friday, August 21, 2026 11:22 AM
**To:** MATHEWS, RICHARD
**Cc:** Boling, Sheyenne, DPS; Dean, Marshall, DPS
**Subject:** FW: DPS Written Comments on Proposed LESTC Rulemaking
**Attachments:** DPS comments on proposed rulemaking 082126.pdf

**From:** Gallardo, Julie, DPS <julie.gallardo@dps.nm.gov>
**Sent:** Friday, August 21, 2026 10:39 AM
**To:** Arballo, Jessica, DPS <Jessica.Arballo@dps.nm.gov>
**Cc:** Bowie, Jason, DPS <Jason.Bowie@dps.nm.gov>
**Subject:** DPS Written Comments on Proposed LESTC Rulemaking

Good morning Deputy Director Arballo,

Attached please find correspondence from Secretary Bowie regarding DPS' written comments on rulemaking set for public hearing next week. Please let me know if you need anything else from me.

Thanks,

**Julie M. Gallardo**
**Acting Chief Legal Counsel**
Office of Legal Affairs
Department of Public Safety
P.O. Box 1628
Santa Fe, NM 87504
Work Cell: 505-538-6374

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EXHIBIT 31

New Mexico
Department of Public Safety

MICHELLE LUJAN GRISHAM
GOVERNOR

JASON R. BOWIE
CABINET SECRETARY

MATT BROOM
INTERIM CHIEF

SYLVIA M. SERNA
DEPUTY SECRETARY

August 21, 2026

*Via email: jessica.arballo@dps.nm.gov*
Jessica Arballo
DPS Law Enforcement Academy
4491 Cerrillos Road, P.O. Box 1628
Santa Fe, New Mexico 87504-1628

**RE:** **Written comment of the New Mexico Department of Public Safety on the proposed repeal of New Mexico Administrative Code Title 10, Chapter 29, Parts 2 through Part 5 and Part 7 through Part 10 and proposed new additions of New Mexico Administrative Code Title 10, Chapter 28, Parts 1 through Parts 9 (Notice of Public Hearing posted July 10, 2026; hearing August 25–27, 2026)**

Dear Members of the Law Enforcement Standards and Training Council:

The Department of Public Safety (hereinafter "the Department") submits this written comment on the proposed new Title 10, Chapter 28 rules and the companion repeal of most of Title 10, Chapter 29 of the New Mexico Administrative Code. The Department supports the Council's goal of modernizing and reorganizing the training rules to reflect the 2022 and 2023 legislation that divided responsibilities between the Law Enforcement Standards and Training Council (hereinafter "the Council") and the Law Enforcement Certification Board ("hereinafter "the Board"). However, the rules as proposed create significant legal problems that should be corrected before these rules take effect. The most important are set forth below.

**The in-service training rules omit annual statutorily required subjects.**

NMSA 1978, Section 29-7-4.4 requires that in-service training "each year" for every certified officer include eight (8) specific subjects: crisis management and intervention; dealing with individuals experiencing mental health issues; de-escalation; peer-to-peer intervention; stress management; racial sensitivity; reality-based situational training; and use-of-force training that includes the elimination of vascular neck restraints. Proposed Rule 10.28.8.13 NMAC lists none of these statutorily required subjects. NMSA 1978, Section 29-7C-4.1 requires the same annual subjects for telecommunicators and includes high-quality telecommunicator CPR, a requirement the Legislature added in 2025. Proposed Rule 10.28.9.11 NMAC carries forward only a mental-impairments topic and omits the rest, and it reduces the one-hour crisis-management minimum in NMSA 1978, Section 29-7C-7 to an unspecified "topic of interactions with persons with mental impairments . . . ."

The Department understands that these provisions may have been drafted in anticipation of Senate Bill 50 (2026), which would have moved these subjects from statute to Council rulemaking; however, that bill did not pass. Under the statutes in force, an agency that follows the proposed rule as written would still leave its officers and telecommunicators short of statutory requirements, exposing them to certification suspension and exposing agencies and the state to avoidable litigation risk, particularly in instances in which annual use-of-force training lapses.

**Certification by waiver is required in multiple sections but is not defined.**

The proposed rules repeatedly require officers, telecommunicators, and returning retirees to complete "an accredited certification-by-waiver program." Yet, the sections that would establish that program (10.28.8.14, 10.28.8.15, 10.28.9.12 and 10.28.9.13) are all marked "Reserved." The proposed repeal of Title 10, Chapter 29, Parts 8 through 10 eliminates the existing program rules, including the police officer transition program, which has no replacement. The surviving portion of the current certification by waiver rule, Rule 10.29.6 NMAC, sets forth only eligibility requirements and cross-references for the very rules being repealed.

Additionally, certification by waiver is also a shared function: under NMSA 1978, Section 29-7-10, the Board waives training and certifies, "with the approval of the council." The waiver and transition provisions should be completed, in coordination with the Board, and in place before any repeal takes effect. Otherwise, New Mexico will have no working pathway for experienced out-of-state officers, returning retirees, or transition candidates during a statewide recruitment shortage.

**Several provisions exercise authority that the Legislature gave to the Certification Board.**

NMSA 1978, Section 29-7-4.3 assigns certification, including denial, suspension, and revocation, to the Board and divides rulemaking. As such, the Council adopts rules only for the sections enumerated in NMSA 1978, Section 29-7-4(E). However, the proposed rules infringe on those defined roles as follows: they make address reporting "a requirement of certification maintenance" (10.28.1.8(G)); allow the New Mexico Law Enforcement Academy (hereinafter "the Academy") to refuse to "certify" personnel from agencies with unpaid bills (10.28.3.10(C)); direct that an applicant's "commission" be suspended, although commissions belong to employing agencies (10.28.8.10(B)); and screen telecommunicator applicants for "acts which would be grounds for denial, revocation, or suspension of certification," a determination that the statute reserves to the Board (10.28.9.8(A)(5)). These provisions should be removed or rewritten in coordination with the Board.

**Binding standards would be created outside the public rulemaking process.**

Proposed Rule 10.28.1.8(F) makes a "preliminary clarification" issued by the chair or a working group "the controlling standard" until the Council later meets; proposed Rule 10.28.3.9(A) lets the director raise fees "at any time," effective "immediately," "without notice;" and proposed Rule 10.28.6.9(J) lets the New Mexico Law Enforcement Academy change Council-approved statewide curricula and notify the Council afterward. NMSA 1978, Section 29-7-4(E) requires the Council's rules to be adopted "in accordance with the provisions of the State Rules Act," and standards of general applicability are "rules" under NMSA 1978, Section 14-4-2(F) that cannot be created by a chair's memorandum or an unnoticed fee change.

Relatedly, the proposed rules remove the codified training curricula (672 hours in 16 blocks for officers; 130 hours in 8 blocks for telecommunicators) in favor of standard curricula, manuals, and handbooks that exist outside the Administrative Code, which will make it difficult for agencies, officers, and the public to know what the binding requirements are. Interim guidance should be expressly nonbinding, and the operative curricula should be codified or formally incorporated by reference with public access.

**The rules contain internal contradictions and process gaps that will generate disputes.**

A few notable examples:

- For instance, the Academy is given until September 30 of the second cycle year to develop in-service curriculum; another subsection requires be distributed by July 1 (10.28.8.13(A), (D));
- The return-to-service proposed rules in 10.28.8.12(A) and (B) overlap and contradict one another, as do 10.28.9.17 and 10.28.9.18 for telecommunicators;
- Graduates who are not hired within a year are told to attend waiver training "to maintain their certification" before they hold any certification (10.28.4.12(B); 10.28.9.9(B));
- Mandatory admission qualifications pursuant to NMSA 1978, Section 29-7-6 become discretionary ("may be rejected," 10.28.5.8(A)), and the scope section of Part 5 is blank;
- An instructor's credential can be suspended or revoked within 30 days with no notice of the allegations, no opportunity to respond, and no appeal other than asking the chair to place the matter on an agenda (10.28.7.14);
- Classes may lawfully proceed when the Academy misses its 30-day deadline and then be denied accreditation retroactively, at the students' expense (10.28.6.9(F)); and
- Regional academies must transmit Social Security numbers and complete psychological and medical reports with no confidentiality, retention, or security requirements (10.28.4.10(B)).

**Technical corrections are needed throughout.**

For instance:

- Parts 2 through 8 cite "Paragraph (1) of Subsection E of Section 29-7-4" as their statutory authority; Subsection E has no paragraphs.
- Page footers misidentify the part number on most of the proposed rules
- Section cross-references are broken in several places, and
- No transition, savings, or grandfathering provisions address existing accreditations, credentials, pending applications, or students in the pipeline.

**The Notice of Public Hearing on Proposed Rulemaking itself has not been made available as the State Rules Act requires.**

Although the Notice of Public Hearing on Proposed Rulemaking (hereinafter "the Notice") appears on the Academy's website and refers readers to the Rulemaking Sunshine Portal. However, the Notice has not actually been posted on the Sunshine Portal. NMSA 1978, Section 14-4-5.2(A) requires the agency to "provide to the public" the notice of proposed rulemaking not later than thirty days before the hearing, and NMSA 1978, Section 14-4-2(E) defines "provide to the public" to mean distributing the rulemaking information by each of the listed methods, including "posting it on the sunshine portal." A search of the Sunshine Portal's rule-hearing list for the Department, current as of August 17, 2026, confirms that this rulemaking is not listed; a copy of those search results is enclosed. Moreover, while the Notice describes the parts being repealed and adopted, it fails to include a summary of the content of the proposed rules required by NMSA 1978, Section 14-4-5.2(B)(1). These defects affect the validity of any rule adopted on this notice.

**The Notice does not appear to have been published in a newspaper as required.**

NMSA 1978, Section 9-19-6(E) provides that, "[u]nless otherwise provided by statute, no regulation affecting any person or agency outside the department [of public safety] shall be adopted, amended or repealed without a public hearing on the proposed action . . . ," and that notice of the proposed action "shall be published once at least thirty days prior to the hearing date in a newspaper of general circulation in the state and mailed at least thirty days prior to the hearing date to all persons who have made a written request for advance notice of hearing."

The Council is administratively attached to this Department, and these rules affect officers, telecommunicators, and agencies throughout the state, so this publication requirement applies to the Council's rulemaking. The Department is not aware that the July 10, 2026 notice was published in any newspaper of general circulation or mailed to persons who have requested advance notice of hearing. If publication and mailing did not occur, the rulemaking must be re-advertised with proper notice; if they did occur, the Department requests that proof of publication be placed in the rulemaking record.

The Department respectfully requests that the Council not adopt these rules as noticed. The corrections required—restoring the statutory annual subjects, completing the certification-by-waiver and transition parts, realigning the provisions that reach into the Board's authority, and conforming the clarification, fee, and curriculum provisions to the State Rules Act—are substantial enough that the revised rules should be re-noticed for public comment under NMSA 1978, Section 14-4-5.2.

The notice and publication defects described above independently warrant re-advertising the rulemaking and rescheduling the hearing on a properly posted and published notice. R e-noticing will also give the public notice summarizing the content of the rules and allow the Council to adopt rules that can be implemented without immediate amendment.

The Department appreciates the substantial work the Council has invested in this reorganization and shares its objective: clear, lawful, statewide training standards for New Mexico's officers and telecommunicators. These comments are offered so that the final rules achieve that objective without conflicting with the governing statutes.

Respectfully submitted,



Jason R. Bowie
Cabinet Secretary
New Mexico Department of Public Safety

cc: Julie M. Gallardo, Acting Chief Legal Counsel, DPS Office of Legal Affairs

Encl: Sunshine Portal rule-hearing search results for the Department of Public Safety (August 17, 2026)

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## Rule Hearing Search

Hearing Date: All
Comments Deadline Date: All
Agency: Department of Public Safety
Search

Total Results: 11 - Page #1

| View | Agency | Public Hearing | Purpose | Hearing Date | Comments Due Date |
|---|---|---|---|---|---|
| View Details | Department of Public Safety | CLASSIFYING CONFIDENTIALITY OF RECORDS IN MISSING PERSONS INVESTIGATIONS | To establish guidelines for confidentiality in missing persons investigations and put forth an appeals process. | 6/5/2026 | 6/4/2026 12:00 PM |
| View Details | Department of Public Safety | PROPOSED RULE AMENDMENT REGARDING CONCEALED CARRY HANDGUN | A public hearing to receive comments and input on a proposal to make permanent the emergency rule amendments and additional changes | 10/14/2025 | 10/14/2025 12:00 PM |
| View Details | Department of Public Safety | CORRECTED NOTICE OF PUBLIC HEARING ON PROPOSED PERMANENT RULE AMENDMENT | Correction of prior notice to make permanent the emergency rule amendments and additional changes. | 10/14/2025 | 10/28/2025 12:00 PM |
| View Details | Department of Public Safety | 10.2.4 NMAC LAW ENFORCEMENT RETENTION FUND REPORTING, MONITORING &ADMINISTRATION | The proposed rule amendments will be permanent | 10/24/2024 | 10/24/2024 9:00 AM |
| View Details | Department of Public Safety | Notice of Adoption of NMAC 10.2.4 | To develop rules for Law Enforcement agencies to report law enforcement officer retention information, for DPS to follow in calculating and dispersing monies and for law enforcement agencies to follow in returning unused monies. | 11/29/2022 | 11/29/2022 5:00 PM |
| View Details | Department of Public Safety | Notice of Public Hearing to Amend NMAC 18.19.8 Motor Vehicle Permitting | Motor Vehicle Permitting procedure and permit revisions | 4/11/2022 | 4/11/2022 5:00 PM |
| View Details | Department of Public Safety | Department of Public Safety:Procedure to Contest SORNA Equivalency Determination | New rule establishing a procedure to determine whether registration as a sex offender is necessary and provide an appellate procedure. | 2/23/2021 | 2/23/2021 5:00 PM |
| View Details | Department of Public Safety | Expungement of Arrest Records and Related Public Records 10.2.200 nmac | Expungement of Arrest Records and Related Public Records that implements the Criminal Records Expungement Act | 12/4/2019 | 11/30/2019 2:31 PM |
| View Details | Department of Public Safety | Proposed Amendment of 10.29.7 NMAC In-Service Training Requirements | These revisions also will add consistency in both their language as well as compliance with applicable | 5/15/2018 | 5/11/2018 4:00 PM |

**Arballo, Jessica, DPS**

**From:** Jennifer Gorham <jgorham@mvrda.org>
**Sent:** Monday, August 24, 2026 9:53 AM
**To:** Arballo, Jessica, DPS
**Cc:** C-JENNIFER.GORHAM
**Subject:** [EXTERNAL] Public Comment on Proposed Permanent Rule




CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good morning, Jessica,
Below are my comments on the Proposed Permanent Rule changes to Title 10, Chapter 29, Parts 2-5 and 7-10 NMAC. I intended to attend in person and verbalize these comments should I be afforded the opportunity. However, I did want to provide you written comments per the advisement of the Public Notice. Thank you for your consideration,.

Good morning, and thank you for the opportunity to provide comments regarding the proposed rule changes to Title 10, Chapter 29, Parts 2–5 and 7–10 NMAC, and the new Title 10, Chapter 28, Parts 1–9 NMAC.

My name is Jennifer Gorham, and I serve as the Executive Director of the Mesilla Valley Regional Dispatch Authority (MVRDA), the Public Safety Answering Point (PSAP) serving Doña Ana County and located in Las Cruces. MVRDA also hosts a New Mexico Public Safety Telecommunicator Academy, providing training and education to the next generation of Public Safety Telecommunicators.

Public Safety Telecommunicators (PSTs) appreciate the work of the Council and its continued efforts to strengthen training, standards, and professionalism within public safety. We also appreciate the Council's recognition that PSTs represent a significant and strong component of the public safety community and play a critical role in the emergency response system.

I am in support of the proposed changes and appreciate the Council's efforts to establish clear direction and updated standards for law enforcement and telecommunicator training, instructor credentialing, and related processes.

I encourage the Council, however, to continue developing clear standards and protocols for the Certification by Waiver process for Public Safety Telecommunicators (PSTs). As New Mexico continues to attract experienced PSTs from other states, a clearly defined waiver process would support the recruitment of qualified professionals. It would also provide an opportunity to re-certify individuals who were previously certified as PSTs, left the profession, and wish to return.

I also encourage the Council to replace the term "Telecommunicator" with "Public Safety Telecommunicator" throughout the rules. This terminology aligns with national efforts to establish consistent language and recognition of the critical role PSTs play within the public safety system.

Finally, I recommend reviewing Part 8, Law Enforcement Training, where PSTs are referenced in the Objective. Since PST training is addressed separately in the proposed Part 9, references to PSTs in Part 8 should be

removed to maintain clarity and ensure a clear distinction between law enforcement and PST training requirements.

Thank you for your consideration of these comments and for your continued work to strengthen public safety training and professional standards throughout New Mexico.

**Jennifer Gorham, CPO, CMCP, ENP, CPE**
Executive Director
Mesilla Valley Regional Dispatch Authority
**O:** 575-647-6803 | **C:** 575-496-1835 |
**E:** jgorham@mvrda911.gov
**W:** www.mvrda911.gov

**Notice:** Our official website domain has changed to **mvrda911.gov**. Please update your records and bookmarks accordingly.

**Arballo, Jessica, DPS**

**From:** Marti Burt <mrbconsulting.nm@gmail.com>
**Sent:** Monday, August 24, 2026 12:48 PM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Speaking to the proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY

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August 24, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo:

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9 (also attached). I am very concerned about this attempt to undermine the clear intent of the law, as I believe it will leave New Mexico even more impaired than it currently is in its work of keeping us all safe.

The proposed rule should be withdrawn. It is egregiously at odds with the statutory authority and intent for the Standards and Training Council. It abrogates to the LEA authority that the statute places with the Council. It removes from the Council the authority to spend the money the Legislature appropriated for its sole use and gives it to the LEA in direct contradiction to statutory language and intent. In giving authority to the LEA that belongs to the Council, it creates a direct conflict of interest for the LEA director, whose statutory obedience is to the Secretary of the Department of Public Safety, not to the terms of the statute governing the Standards and Training Council.

The proposed rule looks and smells just like what it is – a deliberate attempt to eviscerate the authority and mission of the Standards and Training Council, in defiance of the law and its intent. Withdraw it and start over in good faith.

Martha R. Burt, Ph.D.



**Arballo, Jessica, DPS**

**From:** valarie sandscapepublications.com <valarie@sandscapepublications.com>
**Sent:** Sunday, August 23, 2026 9:49 AM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Comment on Proposed Permanent Rule
**Attachments:** Comment Letter on Proposed Permanent Rule.pdf

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Dear Ms. Arballo,

Please see my attached Comment Letter on the Proposed Permanent Rule.

Thank you for protecting our Santa Fe communities by making sure law enforcement receives up-to-date training!

Best regards,
Valarie Morris



EXHIBIT
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Valarie Morris
144 Alamo Drive
Santa Fe, NM 87501
valarie@sandscapepublications.com
August 23, 2026

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

As a former Neighborhood Watch Coordinator for over 700 homes who worked with liaisons at the SFPD and Santa Fe County Sheriff's Office and appreciated all their valuable support, I'm seriously concerned about the long delays and many obstacles in modernizing the training for law enforcement personnel in Santa Fe, critical to providing safety for our communities.

Thank you for your sincere efforts in doing the right thing to protect our community by repealing Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

**Arballo, Jessica, DPS**

**From:** Katrin Smithback <ksmithback@gmail.com>
**Sent:** Saturday, August 22, 2026 6:56 PM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Public Hearing

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Katrin Smithback
2610 Caminito Carlitos
Santa Fe, NM 87505
ksmithback@gmail.com
8/22/26

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9. It is imperative that we modernize training for our law enforcement workforce. The rule does not leave the Council the option to by-pass the Academy to retain expert consultants and vendors independently to do work that can expedite the production and updating of curricula. This will slow down efforts to upgrade training for our law enforcement workforce, given training programs that are already sub-standard and decades out of date.

Sincerely,

Katrin Smithback



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**Arballo, Jessica, DPS**

**From:** Cindy Pabst <cindypabst@gmail.com>
**Sent:** Saturday, August 22, 2026 4:04 PM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] Comment: proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 NMAC Public Safety and LEA

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Cindy Pabst
4 Calle Calle
cindypabst@gmail.com
Date 8/22/26

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as a formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-9.

- Having one director for both the Academy and the Council is counterintuitive. They should be separate to ensure independence.
- It seems to me that the Academy should not control funding. Separate funding sources ensures independence. It's the same issue as above. Independence.
- Having the Academy and its Director report to the DPS Secretary, rather than only secondarily taking direction from the Council, doesn't comply with the plain language of the statute and is inconsistent with the meaning of "attachment" in the Executive Re-organization Act. Again, it appears as if there is a movement to take control with little oversight.
- The Academy rules should not be included in the Council rules. The Academy is a division of DPS and should have its own rules.

Respectfully,



EXHIBIT
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Cindy Pabst

**Arballo, Jessica, DPS**

**From:** Natasha Deighton <box9832.a@gmail.com>
**Sent:** Saturday, August 22, 2026 10:26 AM
**To:** Arballo, Jessica, DPS
**Subject:** [EXTERNAL] proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART ...

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

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Natasha Deighton
47 Cerrado Loop
Santa Fe, NM 87508

August 22nd 2026

Box9832.a@gmail.com

Jessica Arballo
DPS Law Enforcement Academy
4491 Cerillos Rd.,
P.O. Box 1628, 87504-1628
jessica.arballo@dps.nm.gov

RE: proposed repeal of TITLE 10, CHAPTER 29, PARTS 2-5, 7-10 NMAC PUBLIC SAFETY AND LAW ENFORCEMENT ACADEMY, and new TITLE 10 CHAPTER 28 PART 1 GENERAL PROVISIONS; PART 2 DEFINITIONS; PART 3 FACILITIES; PART 4 REGIONAL SATELLITE ACADEMIES; PART 5 QUALIFICATIONS FOR ADMISSION TO THE ACADEMY; PART 6 COURSE ACCREDITATION PROCEDURES; PART 7 INSTRUCTOR CREDENTIALING; PART 8 LAW ENFORCEMENT TRAINING; PART 9 TELECOMMUNICATOR TRAINING.

Ms. Arballo;

Please accept this email as formal comment on the proposed repeal of Title 10, Chapter 29, Parts 2-5, 7-10 and new Title 10 Chapter 28 Parts 1-

EXHIBIT
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The Academy rules should not be included within the rules for the Council. The Academy is a division of DPS and should have its own rules.

I ask you to follow the law.

Sincerely,

Natasha Deighton

**Hearing**

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**Deposition of : HEARING**

**taken on: August 26, 2026**

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531 Harkle Road, Suite A
Santa Fe, NM 87505

505-984-2244
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STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF:
LAW ENFORCEMENT ACADEMY STANDARDS AND TRAINING COUNCIL RULEMAKING RE 10.28.1 et seq;
REPEAL OF 10.29.2; 10.29.3; 10.29.4; 10.29.5; 10.29.7; 10.29.8; 10.29.9; 10.29.10.

BEFORE THE HONORABLE BRIAN CARR

WEDNESDAY, AUGUST 26, 2026

9:01 A.M.

CERTIFIED TRANSCRIPT

REPORTED BY:

DAVID M. LEE, RMR, CCR,
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New Mexico CCR Number 537
Cumbre Court Reporting Services, L.L.C.
531 Harkle Road
Suite A
Santa Fe, New Mexico 87505
(505) 984-2244
cumbrecourt@comcast.net

HEARING OFFICER BRIAN CARR:
NEW MEXICO DEPARTMENT OF PUBLIC SAFETY
BY: BRIAN CARR
HEARING OFFICER
JESSICA ARBALLO
DEPUTY DIRECTOR OF OPERATIONS

MARSHALL DEAN
COUNCIL ADMINISTRATOR
Post Office Box 1628
Santa Fe, New Mexico 87504-1628
(505) 538-6374

FOR THE LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL:
NEW MEXICO DEPARTMENT OF JUSTICE
BY: MARIANNE LEE BOWERS, ESQ.
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(505) 248-5623 (Facsimile)



Santa Fe, New Mexico
August 26, 2026
9:01 a.m.

HEARING OFFICER CARR: All right. We're going on the record. Welcome.

Today is Wednesday, August 26, 2026. This hearing will please come to order. Let the record reflect that we have begun.

I am Brian Carr, and I will be acting as the Presiding Officer for this Rule Hearing.

The purpose of this hearing is for the Council to receive Public Comments on proposed Law Enforcement Standards and Training Council Rules. The Council welcomes everyone.

This hearing is being conducted pursuant to and in accordance with:

The State Rules Act 14-4-1 through -11, NMSA 1978;

The Open Meetings Act Sections 10-15-1 to -4, NMSA 1978;

The Law Enforcement Training Act



Sections 29-7-1 to -16; and,

The Public Safety Telecommunicator Training Act Sections 29-7C-1 to -9, NMSA 1978.

The New Mexico Lobbyists Regulation Act regulates activities before Boards and Commissions in Rulemaking proceedings. Contact the Secretary of State's Office for information and registration.

Public Notice of this hearing was advertised in the New Mexico Register and the Sunshine Portal.

Copies of the proposed rules were also posted on the Council's internet website, www.lea.nm.gov, and were available by request to anyone who requested them.

Copies of the proposed rules have been available from the LEA Office since the Notices were published and are available to the public attending this hearing.

I would like to remind everyone to sign the attendance sheet that will be entered as an exhibit into the record of this hearing.

Would the Council Administrator



call the roll of the Law Enforcement Standards and Training Council.

OFFICER DEAN: Marshall Dean, Council Administrator.

Richard Matthews, Chair;

Lieutenant Tate McBride, Vice Chair;

Director Fabian Valdez;

Lieutenant John Barricklow;

Director Gilbert Najar;

Guadalupe Tarango;

Joana Wells;

Chief Greg Concho;

Lieutenant Dominic Thornock for Lieutenant Veronica Saenz;

Director Anthony Maez;

Sergeant Carlos Martinez;

District Attorney Sam Bregman;

Nicole Brown;

Sheriff --

MS. BROWN: I'm here.

OFFICER DEAN: Sheriff Dennis Garcia;

Sara Millspaugh;

Captain Richard Drake;

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Director Dennis Kelly;
Teresa Beaty.
Lieutenant Juan Cabrera.
HEARING OFFICER CARR: Thank you.
Let the record show that Assistant Attorney General Marianne Bowers and Council Administrator Marshall Dean are present.
For the record would the members of the audience please introduce themselves and state their affiliation.
Apparently we have nobody in the audience.
Chair Matthews has arrived, and the time was 9:04 a.m.
This is a formal proceeding which will be recorded and transcribed. The transcript will become a part of the Rule Hearing record. Therefore, when someone is recognized to address the hearing Officer, that person is asked to state their first and last name for the record each time you address the Hearing Officer, and to speak loudly and clearly so we get a clear record.
This hearing will be conducted in the following manner:

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Admitted exhibits are available for review by members of the public. Exhibits may not be removed from the room.
After the Council Administrator offers the exhibits and their admission has been ruled upon, I will open the hearing for comments from members of the public who are present. We shall also check with attendees on Zoom.
We will then proceed through each Proposed Rule. We will address only 1 Rule at a time. However, you may refer to other Rules that reasonably relate to the Rule being discussed or which relate to your comments.
The Rules of Evidence do not apply to Public Rule Hearings. In the interests of efficiency I reserve the right to limit all Public Comments deemed irrelevant, redundant, or unduly repetitious pursuant to 1.24.25.13, NMAC.
May I have a show of hands as to who intends to comment on the Proposed Rules?
The auditorium is still empty; no

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comments received on Zoom.
Each member of the public will be given 10 minutes to address each Rule. After a person has offered Public Comment, I will permit Council Members to question that person. Any member of the audience wishing to question that person may do so after being recognized by me, the Hearing Officer, after they identify themselves for the record.
After the Rule Hearing at a later date the Council will convene a meeting where Council Members will conduct discussion of the Proposed Rules. Discussion of the Proposed Rules by Council Members will not take place during this hearing.
Let the record reflect that the written Public Comments received pursuant to the Notice have been posted on the New Mexico Law Enforcement Academy website, along with the Proposed Rules. They may be accessed by the public there. These Written Comments have also been admitted into evidence as Exhibit Numbers 22 through 37.

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Any persons wishing to comment or submit documentation to be entered into the record shall do so when recognized to comment. We will be taking Public Comment on the Proposed Rules identified in the Notice of Public Hearing. I will open the floor to members of the public to comment on the Proposed Rules.
Any discussion of proposed amendments by the Council will be held during a Council meeting at the conclusion of this hearing at a later date.
Would anyone wish to comment object 10.28.1, NMAC, "General Provisions"?
Nobody in the audience.
Any comment?
OFFICER DEAN: No comments here.
HEARING OFFICER CARR: No comments on Zoom.
Would anyone wish to comment on 10.28.2, NMAC, "Definitions"?
Nobody in the room.
OFFICER DEAN: Nobody on Zoom.
HEARING OFFICER CARR: No comments on Zoom.

Would anyone wish to comment on 10.28.3, NMAC, "Facilities"?
Nobody in the room.
OFFICER DEAN: Nobody on Zoom.
HEARING OFFICER CARR: Nobody on Zoom.
Would anyone wish to comment on 10.28.4, NMAC, "Regional Satellite Academies"?
Nobody in the room.
OFFICER DEAN: No comment on Zoom.
HEARING OFFICER CARR: No Zoom comments.
Would anyone wish to comment on 10.28.5, NMAC, "Qualifications For Admission to the Academy"?
Nobody in the room.
OFFICER DEAN: And no commenters on Zoom.
HEARING OFFICER CARR: No Zoom comments.
Would anyone wish to comment on 10.28.6, NMAC, "Course Accreditation Procedures"?
Nobody in the room.



OFFICER DEAN: And there is nobody in the comments.
HEARING OFFICER CARR: No Zoom comments.
Would anyone wish to comment on 10.28.7, NMAC, "Instructor Credentialing"?
Nobody in the room.
OFFICER DEAN: Nobody in the chat and nobody on Zoom.
HEARING OFFICER CARR: No Zoom comments.
Would anyone wish to comment on 10.28.8, NMAC, "Law Enforcement Training"?
Nobody in the room.
OFFICER DEAN: And nobody on Zoom.
HEARING OFFICER CARR: Nobody on Zoom.
Would anyone wish to comment on 10.28.9, NMAC, "Public Safety Telecommunicator Training"?
Nobody in the room.
OFFICER DEAN: Nobody on Zoom.
HEARING OFFICER CARR: No comments on Zoom.
Would anyone wish to comment on



Repeal of 10.29.2, NMAC, "Financial"?
Nobody in the room.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No Zoom comments.
Would anyone wish to comment on Repeal of 10.29.3, NMAC, "Course Accreditation Procedures Guidelines"?
Nobody in the room.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No Zoom comments.
Would anyone wish to comment on Repeal of 10.29.4, NMAC, "Instructor Certification and Advanced Certifications"?
Nobody in the room.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No comments on Zoom.
Would anyone wish to comment on Repeal of 10.29.5, NMAC, "Regional/Satellite Police Officer Basic Academies"?
Nobody in the room.
OFFICER DEAN: Nobody in Zoom.
HEARING OFFICER CARR: No comments



on Zoom.
Would anyone wish to comment on Repeal of 10.29.7, NMAC, "In- Service Training Requirements"?
Nobody in the room.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No comments on Zoom.
Would anyone wish to comment on Repeal of 10.29.8, NMAC, "Officer Transition Training Program"?
Nobody in the room.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No comments on Zoom.
Would anyone wish to comment on Repeal of 10.29.9, NMAC, "Police Officer"?
Nobody in the room.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No comments on Zoom.
Would anyone wish to comment on Repeal of 10.29.10, NMAC, "Public Safety Telecommunicator"?
Nobody in the room.

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OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No comments on Zoom.
Okay. We have nobody attending at this moment. What we're going to do throughout the day is both address anybody entering the auditorium in person, and then we will monitor Zoom for attendees who may wish to comment.
If those that get in on Zoom can leave a comment for us, we'll be able to get to them faster that way.
Throughout the day, at noon, we'll be taking a half hour lunch from 12:00 to 12:30, and we will be ending this meeting at 2:00 o'clock p.m., today, which is Wednesday.
Okay. At this point, without any attendees, the time is 9:16 a.m., Wednesday, August 26th. We're going off the record for the time being. Thank you.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 9:16 a.m. to 9:38 a.m.)
HEARING OFFICER CARR: All right.

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We're back on the record; the time is 9:38 a.m., Wednesday August 26th.
There is still nobody in the auditorium, but we're going to check on Zoom to see if any member of the public has a comment regarding this Public Hearing.
OFFICER DEAN: There is no comment on Zoom.
HEARING OFFICER CARR: Okay. Last call for Public Comments on Zoom; we'll be checking back shortly.
No comments received; we'll be going off the record. The time is 09:39.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 9:39 a.m. to 10:28 a.m.)
HEARING OFFICER CARR: We're back on the record; the time is 10:28 a.m., Wednesday, August 26th.
We have nobody in the auditorium, and we're checking Zoom for any comments from any attendees.
Any Public Comments from Zoom attendees?
SENATOR MAESTAS: If I may.

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HEARING OFFICER CARR: Yes, Senator. If you could please identify yourself, your first and last name again, your affiliation, and you have 10 minutes.
SENATOR MAESTAS: Thank you so much Mr. Chairman.
Senator Antonio Maestas; A-N-T-O-N-I-O, Maestas, M-A-E-S-T-A-S.
I know this is Public Comment, but are you at liberty to answer a question?
Like what is the process?
What is the reason for going into Executive Session?
For the public, what's happening now in terms of the Rulemaking and decision-making?
HEARING OFFICER CARR: Well Senator, currently the issue is that this was designed to accept Public Comment, and I'm here as a contract individual, so I wouldn't have any say on it to begin with. This is strictly for Public Comment regarding changes to the NMAC that were listed.
SENATOR MAESTAS: Understood.

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Thank you so much.
Then I wish everyone well and wish everyone the best during there Rulemaking process. Thank you so much.
HEARING OFFICER CARR: One minute, sir.
Senator if you're still there, I have some information for you.
SENATOR MAESTAS: Yes, sir, thank you.
HEARING OFFICER CARR: I'm going to turn it over to Chair Matthews to give you some information that might allow you to obtain more information.
CHAIRMAN MATTHEWS: Good morning, Senator.
SENATOR MAESTAS: Good morning.
CHAIRMAN MATTHEWS: These 3 days are just for the public to make comments. All of this is being recorded and it will be sent out to the Council Members.
All of the discussion for all of these Public Comments or anything that the Council Members would like to discuss would be handled September 29th and 30th.

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SENATOR MAESTAS: Thank you so much I appreciate that.
CHAIRMAN MATTHEWS: It will be an Open Meeting September 29th and 30th.
SENATOR MAESTAS: Thank you.
I thought this week was the Open Meeting. Thank you so much, Mr. Chair.
CHAIRMAN MATTHEWS: Thank you.
HEARING OFFICER CARR: All right. Checking Zoom for any further Public Comments.
OFFICER DEAN: No comment on Zoom.
HEARING OFFICER CARR: All right. No attendees in the auditorium currently, and no comments on Zoom. We'll be checking in again in the next half hour or so.
We're going off the record; the time is 10:32 a.m.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 10:32 a.m. 10:32 a.m. to 11:13 a.m.)
HEARING OFFICER CARR: All right. Good morning. We are on the record; the time is 11:13 a.m.

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We're just checking to verify that at this point there are no audience members attending, and we're checking Zoom for any comments or attendees.
Any comments from any attendees on Zoom?
OFFICER DEAN: No new attendees and no comments on Zoom.
HEARING OFFICER CARR: All right. No comments received on Zoom.
We'll be breaking at noon for lunch for half an hour. We'll be on before noon to check again for Zoom attendees.
We're going off the record; the time is 11:14 a.m.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 11:14 a.m. to 11:58 a.m.)
HEARING OFFICER CARR: All right. We're back on the record; the time is 11:58 a.m.
We have nobody in the auditorium currently, and we're checking online on Zoom for attendees for comment.
OFFICER DEAN: I have no new

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attendees and no comments on Zoom.
HEARING OFFICER CARR: All right. We have no comments on Zoom.
We're going to be breaking for lunch at noon; we'll be back at 12:30.
The time now is 11:59 a.m.; we're going off the record.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 11:59 a.m. to 12:44 p.m.)
HEARING OFFICER CARR: Good afternoon. We're back on the record; the time is 12:44 p.m. on Wednesday, August 26th.
There is currently nobody in the auditorium. We're checking Zoom for any comments.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: Okay. We're not receiving any comments from Zoom; we'll check back shortly.
We're off the record; the time is 12:45.
(The LEA Standards and Training Council Rulemaking Hearing recessed

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from 12:45 p.m. to 1:28 p.m.)
HEARING OFFICER CARR: All right. We're back on the record; the time is 1:28 p.m. on August 26th.
Our auditorium is empty now and we are checking Zoom for any Public Comments.
OFFICER DEAN: No comments on Zoom.
HEARING OFFICER CARR: No comments on Zoom. We'll be returning just prior to 2:00 p.m. to close out Day 2 and check for any attendees.
We are going off the record; the time is still 1:28 p.m.
(The LEA Standards and Training Council Rulemaking Hearing recessed from 1:28 p.m. to 1:59 p.m.)
HEARING OFFICER CARR: Good afternoon. We're back on the record; it is 1:59 p.m. We will reconvene tomorrow morning at 9:00 a.m. This will conclude the hearing for today.
We'll be reconvening tomorrow, same location, the auditorium at the LEA as stated on the Public Notice.
No comments on Zoom; the auditorium

is still empty.

OFFICER DEAN: No comments on Zoom.

HEARING OFFICER CARR: Zoom is clear.

We're going off the record; the time is 1:59 p.m.

(The proceedings adjourned at 1:59 p.m.)



STATE OF NEW MEXICO
DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF:
LAW ENFORCEMENT ACADEMY STANDARDS AND TRAINING COUNCIL RULEMAKING RE 10.28.1 et seq;
REPEAL OF 10.29.2; 10.29.3; 10.29.4; 10.29.5; 10.29.7; 10.29.8; 10.29.9; 10.29.10.

BEFORE THE HONORABLE BRIAN CARR

WEDNESDAY, AUGUST 26, 2026

9:01 A.M.

REPORTER'S CERTIFICATE

I, DAVID M. LEE, RMR, CRR, CERTIFICATE NUMBER 50391, NEW MEXICO CCR NUMBER 537, DO HEREBY CERTIFY that on WEDNESDAY, AUGUST 26, 2026, the Proceedings in the above-captioned matter was transcribed by me, and that I did report in stenographic shorthand the Proceedings set forth herein. The foregoing pages are a true and correct transcription, all done to the best of my ability.

I FURTHER CERTIFY that I am neither employed by, nor related to, nor contracted with (unless excepted by the rules) any of the parties or attorneys in this case, and that I have no interest whatsoever in the final disposition of this case in any court.

DATED at Santa Fe, New Mexico, this 16TH day of SEPTEMBER, 2026.

DAVID M. LEE, RMR, CCR
New Mexico CCR Number 537
License Expires: 12/31/2026

-

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Re August 25, 2026 (1 B/W Document

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**Deposition of : HEARING**

**taken on: August 27, 2026**

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CUMBRE

531 Harkle Road, Suite A
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505-984-2244
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STATE OF NEW MEXICO

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF:
LAW ENFORCEMENT ACADEMY STANDARDS AND TRAINING COUNCIL RULEMAKING RE 10.28.1 et seq;
REPEAL OF 10.29.2; 10.29.3; 10.29.4; 10.29.5; 10.29.7; 10.29.8; 10.29.9; 10.29.10.

BEFORE THE HONORABLE BRIAN CARR

THURSDAY, AUGUST 27, 2026

9:00 A.M.

CERTIFIED TRANSCRIPT

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I N D E X

E X H I B I T S


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| Exhibit 38 | Document Bearing Title, "NMAC Public Rule Hearing Public Attendance Sign-In Sheet" Re August 25, 2026 (1 B/W Document) | 20 |
| Exhibit 39 | Document Bearing Title, "NMAC Public Rule Hearing Public Attendance Sign-In Sheet" Re August 26, 2026 (1 B/W Document) | 20 |
| Exhibit 40 | Document Bearing Title, "NMAC Public Rule Hearing Public Attendance Sign-In Sheet" Re August 27, 2026 (1 B/W Document) | 20 |




Santa Fe, New Mexico
August 27, 2026
9:00 a.m.

HEARING OFFICER CARR: Good morning. We're on record. This Hearing will please come to order:

Let the record reflect that we have convened at 9:00 a.m. on August 27, 2026.

I am Brian Carr. I will be acting as the Presiding Officer for this Rule Hearing.

The purpose of this Hearing is for the Council to receive Public Comments on proposed Law Enforcement Standards and Training Council Rules. The Council welcomes everyone present at this Hearing.

This Hearing is being conducted pursuant to and in accordance with the State Rules Act 14-4-1 through -11, NMSA 1978;

The Open Meetings Act Sections 10-15-1 to -4, NMSA 1978;

The Law Enforcement Training Act, sections 29-7-1 to -16; and,

The Public Safety Telecommunicator



Training Act Sections 29-7C-1 to -9, NMSA 1978.

The New Mexico Lobbyist Regulation Act regulates activities before Boards and Commissions in Rulemaking proceedings. Contact the Secretary of State's Office for information and registration.

Public Notice of this Hearing was advertised in the New Mexico Register and Sunshine Portal.

Copies of the Proposed Rules were also posted on the Council's internet website, www.lea.nm.gov, and were available by request to anybody who requests them.

Copies of the Proposed Rules have been available from the LEA Office since the notices were published and are available to the public attending this Hearing.

Today is Day 3 of our Hearings, and final day. We are taking a break at noon, from noon to 12:30. We will be concluding our Hearing at 2:00 p.m. today, Thursday.

I would like to remind everyone to sign the attendance sheet that will be entered as an exhibit into the record of

this Hearing.
Will the Council Administrator call the roll of the Law Enforcement Standards and Training Council.
MR. DEAN: Marshall Dean, Council Administrator.
Richard Matthews, Chair.
CHAIRMAN MATTHEWS: Present.
MR. DEAN: Lieutenant Tate McBride, Vice Chair;
Director Fabian Valdez;
Lieutenant John Barricklow;
Director Gilbert Najar;
Guadalupe Tarango;
Joana Wells;
Chief Greg Concho;
Lieutenant Dominic Thornock for Lieutenant Veronica Saenz;
Director Anthony Maez;
Sergeant Carlos Martinez;
District Attorney Sam Bregman;
Nicole Brown;
Sheriff Dennis Garcia;
Sara Millspaugh;
Captain Richard Drake;



Director Dennis Kelly;
Teresa Beaty; and,
Lieutenant Juan Cabrera.
HEARING OFFICER CARR: Let the record show that Assistant Attorney General Marriane Bowers and Council administrator Marshall Dean are present.
For the record would the members of the audience please introduce themselves and state their affiliation.
Currently the auditorium is empty.
This is a formal proceeding which will be recorded and transcribed.
The transcript will become a part of the Rule Hearing record. Therefore, when someone is recognized to address the Hearing Officer, that person is asked to state their first and last name for the record each time you address the Hearing Officer, and to speak loudly and clearly so we get a clear record.
Is there currently anybody on Zoom?
MR. DEAN: Nobody currently on Zoom and nobody on Chat.
HEARING OFFICER GERSHON: Okay.



Currently there is nobody on Zoom also.
This Hearing will be conducted in the following manner:
Admitted exhibits are available for review by members of the public. Exhibits may not be removed from the room.
After the Council Administrator offers the exhibits and their admission has been ruled upon, I will open the Hearing for comments from members of the public who are present. We will then proceed in numerical sequence through each Proposed Rule:
We will address only 1 Rule at a time. However, you may refer to other Rules that reasonably relate to the Rule being discussed or which relate to your comments.
The Rules of Evidence do not apply to Public Rule Hearings. In the interests of efficiency I reserve the right to limit all Public Comments deemed irrelevant, redundant, or unduly repetitious pursuant to 1.24.25.13 NMAC.
May I have a show of hands as to who intends to comment on the Proposed Rules?



The auditorium is still empty.
Each member of the public will be given 10 minutes to address each Rule. After a person has offered Public Comment, I will permit Council Members to question that person. Any member of the audience wishing to question that person may do so after being recognized by me, the Hearing Officer, after they identify themselves for the record.
After the Rule Hearing, at a later date, the Council will convene a meeting where Council Members will conduct discussions of the Proposed Rules. Discussion of the Proposed Rules by Council Members will not take place during this Hearing.
Let the record reflect that the written Public Comments received pursuant to the Notice have been posted on the New Mexico Law Enforcement Academy website along with the Proposed Rules. They may be accessed by the public there.
These Written Comments have also been admitted into evidence as Exhibit

Numbers 22 through 37.

Any persons wishing to comment or submit documentation to be entered into the record shall do so when recognized to comment.

We will be taking Public Comment on the Proposed Rules identified in the Notice of Public Hearing. I will open the floor to members of the public to comment on the Proposed Rules. Any discussion of proposed amendments by the Council will be held during the Council meeting at the conclusion of this Hearing.

Would anyone wish to comment on 10.28.1, NMAC, "General Provisions"?

Nobody in the audience.

Zoom.

MR. DEAN: Nobody on Zoom and nobody in Chat.

HEARING OFFICER GERSHON: Nobody on Zoom.

Would anyone wish to comment on 10.28.2, NMAC, "Definitions"?

Nobody in the audience.

MR. DEAN: Nobody on Zoom.



HEARING OFFICER CARR: Nobody on Zoom.

Would anyone wish to comment on 10.28.3, NMAC, "Facilities"?

Nobody in the audience.

MR. DEAN: Nobody on Zoom.

HEARING OFFICER GERSHON: Nobody on Zoom.

Would anyone wish to comment on 10.28.4, NMAC, "Regional Satalite Academies"?

Nobody in the audience.

MR. DEAN: Nobody on Zoom.

HEARING OFFICER GERSHON: Nobody on Zoom.

Would anyone wish to comment on 10.28.5, NMAC, "Qualifications For Admission to the Academy"?

Nobody in the audience.

MR. DEAN: Nobody on Zoom.

HEARING OFFICER GERSHON: Nobody on Zoom.

Would anyone wish to comment on 10.28.6, NMAC, "Course Accreditation Procedures"?



Nobody in the audience.

MR. DEAN: Nobody on Zoom.

HEARING OFFICER CARR: Nobody on Zoom.

Would anyone wish to comment on 10.28.7, NMAC, "Instructor Credentialing"?

Nobody in the audience.

MR. DEAN: Nobody on Zoom.

HEARING OFFICER CARR: Nobody on Zoom.

Would anyone wish to comment on 10.28.8, NMAC, "Law Enforcement Training"?

Nobody in the audience.

MR. DEAN: Nobody on Zoom.

HEARING OFFICER GERSHON: Nobody on Zoom.

Would anyone wish to comment on 10.28.9, NMAC, "Public Safety Telecommunicator Training"?

Nobody in the audience.

MR. DEAN: We had one person show up on Zoom.

HEARING OFFICER GERSHON: The individual on Zoom showing up as J.L. Vigil, if you do wish to make a comment,



please type in the Chat so we're aware that you're wanting to make a comment at this time.

MR. DEAN: He specified: "No comment; just observing."

HEARING OFFICER CARR: Thank you.

Would anyone wish to comment on Repeal of 10.29.2, NMAC, "Financial"?

Nobody in the room.

MR. DEAN: No comments on Zoom.

HEARING OFFICER CARR: No comments on Zoom.

Would anyone wish to comment on Repeal of 10.29.3, NMAC, "Course Accreditation Procedures/Guidelines"?

Nobody in the room.

MR. DEAN: No comments on Zoom.

HEARING OFFICER GERSHON: No comments on Zoom.

Would any one wish to comment on Repeal of 10.29.4, NMAC, "Instructor Certification and Advanced Certifications"?

Nobody in the room.

MR. DEAN: No comments on Zoom.

HEARING OFFICER CARR: No comments

on Zoom.

Would anyone wish to comment on Repeal of 10.29.5, NMAC, "Regional/Satellite Police Officer Basic Academies"?

Nobody in the room.

MR. DEAN: No comments on Zoom.

HEARING OFFICER GERSHON: No comments on Zoom.

Would anyone wish to comment on Repeal of 10.29.7, NMAC, "In-Service Training Requirements"?

Nobody in the room.

MR. DEAN: No comments on Zoom.

HEARING OFFICER GERSHON: No comments on Zoom.

Would anyone wish to comment on Repeal of 10.29.8, NMAC, "Officer Transition Training Program"?

Nobody in the room.

MR. DEAN: No comments on Zoom.

HEARING OFFICER CARR: No comments on Zoom.

Would anyone wish to comment on Repeal of 10.29.9, NMAC, "Police Officer"?

Nobody in the room.



MR. DEAN: No comments on Zoom.

HEARING OFFICER GERSHON: No comments on Zoom.

Would anyone wish to comment on Repeal of 10.29.10, NMAC, "Public Safety Telecommunicator"?

Nobody in the room.

MR. DEAN: No comment on Zoom.

HEARING OFFICER CARR: No comment on Zoom.

Currently we have nobody in the room and nobody indicating or desiring to make a comment on Zoom. As such, the time is now 9:14. We'll be going off the record shortly. We'll check in approximately every half hour to every 45 minutes.

Again, we're going to take a break from 12:00 to 12:30. We will be concluding this Hearing in its entirety at 2:00 p.m. today.

Okay. No comments on Zoom; nobody in the auditorium. We'll be going off the record for the time being; the time is 9:14 a.m. Thank you.

(The LEA Standards and Training



Council Rulemaking Hearing recessed from 9:14 a.m. to 9:39 a.m.)

HEARING OFFICER CARR: All right. We're back on the record; the time is 9:39, Thursday, August 27th.

We do have a couple of people in Chat; the auditorium is empty of the public.

If there is anybody on the Zoom side and you wish to make a Public Comment regarding this topic, please type in the Chat and we'll be glad to recognize you and give you 10 minutes.

All right. No response on Zoom. We'll give it another few seconds.

All right. They are observers only it appears, so we're going to go off the record again for another half hour. We'll check back in and keep monitoring Zoom.

If you do wish to make a comment, please type in the Chat and get our attention on camera, and we'll be glad to call on you.

We are going off the record; the time is 9:41 a.m. Thank you.

(The LEA Standards and Training



Council Rulemaking Hearing recessed from 9:41 a.m. to 10:37 a.m.)

HEARING OFFICER CARR: All right. We're going back on the record; the time is 10:37 a.m., Thursday, August 27th.

We have nobody in the auditorium at this time, and we are checking on Zoom.

It appears there are no participants on Zoom at this time. We will be here for Public Comment until 2:00 p.m. Thursday.

With nobody here, we're going off the record; the time is still 10:37 a.m.

(The LEA Standards and Training Council Rulemaking Hearing recessed from 10:37 a.m. to 11:59 a.m.)

HEARING OFFICER CARR: All right. We're back on the record; the time is 11:59 on August 27th.

There still is nobody in attendance from the public in the auditorium, and we don't have any participants or observers on Zoom.

We will be breaking for lunch for 30 minutes. Sometime after 12:30 we'll be

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checking for participants in the room and online for any comments.

We're going off the record; the time is 11:59 a.m. Thank you.

(The LEA Standards and Training Council Rulemaking Hearing recessed from 11:59 a.m. to 12:47 p.m.)

HEARING OFFICER CARR: All right. We're back on the record; the time is 12:47 p.m., on August 27th.

There is still nobody in the auditorium, and it doesn't appear that we have anybody on Zoom.

MR. DEAN: Nobody on Zoom.

HEARING OFFICER CARR: We'll be coming back at approximately 1:30 to check again. If somebody appears in the meantime, we'll come straight to them.

We're going off the record; the time is 12:48 p.m.

(The LEA Standards and Training Council Rulemaking Hearing recessed from 12:48 p.m. to 1:31 p.m.)

HEARING OFFICER CARR: All right. We're back on the record; the time is 1:31

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p.m. It should be noted that Chair Matthews has just left the meeting at 1:31 p.m. There is nobody in the auditorium currently, and nobody on Zoom.

We have less than half an hour before we shut down at 2:00 p.m. today. We will be back on the record shortly before 2:00 p.m.

We're going off the record; the time is 1:32 p.m.

(The LEA Standards and Training Council Rulemaking Hearing recessed from 1:32 p.m. to 1:59 p.m.)

HEARING OFFICER CARR: All right. We are on the record; the time is 2:00 p.m., Thursday, August 27th.

We have had no public attendees today, and we have had observers on Zoom only. Nobody made a comment.

At this time the attendance sheets shall be marked as Exhibits and entered into the record.

MR. DEAN: Counsel Administrator Marshall Dean:

I ask for the admission of the

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attendance sheets as Exhibits numbered 38, 39, and 40.

HEARING OFFICER GERSHON: Exhibit Numbers 38, 39, and 40 are the attendance sheets from Tuesday, Wednesday, and Thursday of this week. They will be admitted into the record. They join Exhibits 1 through 37 that have already been entered into the record.

(LEA Standards and Training Council Exhibit 38 was marked for identification.)

(LEA Standards and Training Council Exhibit 39 was marked for identification.)

(LEA Standards and Training Council Exhibit 40 was marked for identification.)

HEARING OFFICER CARR: I would like to thank everyone for their participation and attendance.

Public Comments and discussions will be considered and may be discussed further by the Council when it holds its regularly convened meeting at a later date,

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and Notice will be provided. The Council may vote on the Proposed Rules at that time.

Any Rules adopted by the Council will be filed at State Records and Archives in accordance with the State Rules Act and New Mexico Register publication deadlines. The adopted Rules will become effective as soon as administratively possible.

Let the record show that this Hearing was adjourned at 2:01 p.m., August 27th. Thank you. We are off the record.

(The proceedings adjourned at 2:01 p.m.)

STATE OF NEW MEXICO
DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF:
LAW ENFORCEMENT ACADEMY
STANDARDS AND TRAINING
COUNCIL RULEMAKING RE
10.28.1 et seq;

Repeal OF 10.29.2; 10.29.3;
10.29.4; 10.29.5; 10.29.7;
10.29.8; 10.29.9; 10.29.10.

BEFORE THE HONORABLE BRIAN CARR

THURSDAY, AUGUST 27, 2026

9:00 A.M.

REPORTER'S CERTIFICATE

I, DAVID M. LEE, RMR, CRR, CERTIFICATE NUMBER 50391, NEW MEXICO CCR NUMBER 537, DO HEREBY CERTIFY that on THURSDAY, AUGUST 27, 2026, the Proceedings in the above-captioned matter was transcribed by me, and that I did report in stenographic shorthand the Proceedings set forth herein. The foregoing pages are a true and correct transcription, all done to the best of my ability.

I FURTHER CERTIFY that I am neither employed by, nor related to, nor contracted with (unless excepted by the rules) any of the parties or attorneys in this case, and that I have no interest whatsoever in the final disposition of this case in any court.

DATED at Santa Fe, New Mexico, this 16TH day of SEPTEMBER, 2026.

DAVID M. LEE, RMR, CCR
New Mexico CCR Number 537
License Expires: 12/31/2026

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# NMAC PUBLIC RULE HEARING

**New Mexico Law Enforcement Standards and Training Council**

**New Mexico Law Enforcement Academy**
4491 Cerrillos Rd. • Santa Fe, NM 87507
**NMLEA Auditorium**

**August 25–27, 2026 | 9:00 A.M. – 2:00 P.M.**

**PUBLIC ATTENDANCE SIGN-IN SHEET**

| # | Name – Please Print | Affiliation / Agency / Organization |
|---|---|---|
| 1 | Jennifer Gorham | Mesilla Valley Regional Dispatch Authority |
| 2 | Joel Ryan | Technical Training & Consulting |
| 3 | Richard Matthews | Council |
| 4 | Fabian Valdez | LEA Director |
| 5 | Jack Jones | Chief Espanol PD |
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**Date:** August 25, 2026

**Hearing Day:** August 25 / August 26 / August 27

EXHIBIT
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# NMAC PUBLIC RULE HEARING

**New Mexico Law Enforcement Standards and Training Council**

**New Mexico Law Enforcement Academy**
4491 Cerrillos Rd. • Santa Fe, NM 87507
**NMLEA Auditorium**

**August 25–27, 2026 | 9:00 A.M. – 2:00 P.M.**

## PUBLIC ATTENDANCE SIGN-IN SHEET

| # | Name – Please Print | Affiliation / Agency / Organization |
|---|---|---|
| 1 | M BOWERS | NMDOJ |
| 2 | B. CARR | |
| 3 | MATHEWS | |
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**Date:** August 26, 2026

**Hearing Day:** August 25 / August 26 / August 27

EXHIBIT 39

# NMAC PUBLIC RULE HEARING

**New Mexico Law Enforcement Standards and Training Council**

**New Mexico Law Enforcement Academy**
4491 Cerrillos Rd. • Santa Fe, NM 87507
**NMLEA Auditorium**

**August 25–27, 2026 | 9:00 A.M. – 2:00 P.M.**

## PUBLIC ATTENDANCE SIGN-IN SHEET

| # | Name – Please Print | Affiliation / Agency / Organization |
|---|---|---|
| 1 | MATHEWS | COUNCIL |
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**Date:** August 27, 2026

**Hearing Day:** August 25 / August 26 / August 27

