



**DEPARTMENT OF PUBLIC SAFETY
STATE-TRIBAL COLLABORATION ACT
AGENCY REPORT**

JULY 2016

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I. EXECUTIVE SUMMARY

The New Mexico Department of Public Safety's (NM DPS) primary concern and on-going areas of concern continues to be the challenge surrounding criminal jurisdiction and the coordination of law enforcement efforts by state and tribal officers within, and surrounding, New Mexico's Native American communities.

The department recognizes that more consistent and coordinated law enforcement efforts would go a long way in reducing DWI, drug-related crimes, and domestic violence, violence against children, and other violent crimes. In addition to law enforcement efforts designed to address domestic violence, DPS participates in meetings with the Tribal-State Judicial Consortium to promote the national initiative known as Project Passport, which is designed to improve recognition and enforcement of orders of protection for victims of domestic violence within and between states and tribes.

The following Tribes and Nations have accepted the use of the First Page Program: Laguna Pueblo, Nambe Pueblo, San Felipe Pueblo, Santa Clara Pueblo, Zuni Pueblo, and the Navajo Nation. Each year the department holds an annual training for all law enforcement officers and its personnel in the area of Sex Offender Awareness and related issues.

The department continues to build partnerships with the governments of New Mexico's pueblos, tribes, and nations by commissioning tribal officers as New Mexico Peace Officers under Statute 29-1-11, communicating with tribal officers and officials during incidents involving tribal jurisdiction, participating in forums that discuss state-tribal issues, and participating in cultural events, and other similar collaborative efforts.

In the latter part of 2013 and early 2014, NMDPS collaborated with SPO, and Mr. Milton Bluehouse, Jr., a consultant to create a refined and functional cultural competency training course for DPS employees, who through their assigned work as a state employee, interact regularly with members of New Mexico's 22 tribes and Pueblos. This training program, the only one in the state and country, has become the center piece accomplishment of DPS, as training, education, and cultural awareness are priorities for our employees. Also hallmarked in this reporting period, is the continued enrollment of DPS LEP Commissioned Officers to attend the BIA – OJS sponsored Criminal Justice in Indian Country Training Course. This 24-hour training course provides each attendee with extensive training and education on Federal Indian Law and Tribal Sovereignty education.

During this reporting period we will have sent approximately 115 commissioned personnel through this training and begun the application process for these employees to receive a Special Law Enforcement Commission (SLEC) with the Bureau of Indian Affairs, thus granting our officers commissions as federal officers when called upon by the Jicarilla Apache Nation, Zuni Pueblo, or Ramah Navajo to perform law enforcement duties within their sovereign jurisdiction.

The overall benefit of the SLEC commission to this agency and sovereign nations alike is that it provides conduit for state and tribal law enforcement to communicate with one another and to work together to provide services. This commission also provides civil liability protections, in the form of federal tort protection, to each respective government and to the employees performing the law enforcement function. This program is a win – win program; agencies and officers receive advanced training to perform law enforcement functions and sovereign communities receive timely and efficient law enforcement services.

While the department recognizes the need for more consistent and coordinated law enforcement efforts, the department also recognizes the importance and necessity of tribal sovereignty, traditions, and customs. As stated earlier in this executive summary, since 2012, DPS focused on assuring its law enforcement leaders and line personnel within the Law Enforcement Program attended the original 8-hour Cultural Competency Training. Since July 14, 2014, commissioned officers from State Police, Motor Transportation Division, and Special Investigations Division; to also include our civilian personnel, have attended the new DPS-Specific Cultural Competency training.

Jurisdictional issues will continue to present challenges in forging viable cooperative government-to-government agreements with respect to state/tribal collaborative law enforcement efforts. The department's primary focus, therefore, is to continue its collaborative efforts with New Mexico's pueblos, tribes, and nations to work toward long-lasting commissioning of officers, education, and coordinated efforts as our mission is to provide quality services and professional response to all citizens who request services from DPS.

In 2013 and 2014 to present we continue to participate in quarterly Tribal Chiefs of Police meetings sponsored by the BIA Office of Justice Services. These meetings provide opportunity for personal vis-à-vis communication that shows and reinforces genuine commitment from DPS to the state's tribes and pueblo police agencies.

Three primary accomplishments from these quarterly meetings so far are:

1. The opening of dialogue to find common ground / reciprocity between the training mandates from the Federal Law Enforcement Training Academy (FLETC) and NM DPS Law Enforcement Academy.
2. Amber Alert Training to all Tribal and Pueblo Chiefs of Police, and the institution of Tribal Amber Alert Programs.
3. The opening of dialogue with all Tribal Chiefs of Police on the establishment of cross-commissioning with DPS and the positive outcomes of entering into SLEC resolutions. All three discussion points stated above have proved fruitful and dialogue continues to grow between DPS and the states Tribes and Pueblo's.

II. AGENCY OVERVIEW / BACKGROUND

A. Mission Statement

The NM DPS protects human life and property through the detection and prevention of criminal activity and enforcement of state laws and regulations. Additionally, the NM DPS provides vital leadership, scientific, training, technical, and operational support to the criminal justice community and the public at large.

B. Agency Overview

The Department of Public Safety provides law enforcement services for the citizens of New Mexico through the department's divisions of State Police, Special Investigations, and Motor Transportation Police.

The NM DPS/NMSP exists to promote a safe and secure environment for the State of New Mexico through intelligently led policing practices, vital scientific and technical support, current and relevant training, and innovative leadership for our greater law enforcement community.

The NM DPS/NMSP is committed to providing the highest quality of public safety services for the State of New Mexico and its law enforcement community. We constantly evaluate and develop our efforts to become a national model in providing ethical, innovative, effective, efficient, and customer-oriented, public safety services to the citizens and visitors of New Mexico.

Additionally, the department provides law enforcement training opportunities for law officers in the state through the Law Enforcement Academy. The department further provides forensic

scientific support and law enforcement records services to all criminal justice agencies in New Mexico through the Forensic Laboratories and Law Enforcement Records Bureau (LERB).

The Department of Public Safety / New Mexico State Police provides additional law enforcement services for the citizens of New Mexico through the Special Investigations Unit (SIU). The Special Investigations Unit has the statutory obligation of enforcing the Liquor Control Act, which includes such diverse activities as premise checks of licensed vendors, assisting other divisions of DPS with decreasing DWI in the state, plus attention to the laws in regard to serving of intoxicated persons and enforcement of laws that address sales / serving to under-aged persons. As such, one of the major initiatives of SIU has to do with the education and compliance of those who serve alcohol in the licensed premises in New Mexico. While SIU agents are not cross-commissioned so as to have enforcement authority on sovereign nations / tribal lands, SIU has still sought to be a resource to those tribal entities in addressing alcohol-related issues that might arise on tribal lands.

The Special Investigations Unit will continue to team successfully with tribal communities who request education and training on DWI programs to address alcohol-related community problems. SIU has participated in “Sticker Shock” initiatives at retail outlets which sell not only to the community at large, but to area tribal members as well, reminding all of the penalties for providing alcohol to under-aged persons.

In addition, SIU agents have held training for those who serve alcohol on tribal owned and operated businesses, in an effort to assist those servers – and thereby the tribes – in operating their businesses legally and with an emphasis on public safety. Specifically, such training assists servers in recognizing the signs of intoxication, so as to prevent sales of alcoholic beverages to intoxicated persons, which could jeopardize the safety of virtually any member of the community.

Additionally, SIU trainers place emphasis on teaching the close examination of identification in order to distinguish under-aged persons and keep alcoholic beverages only in the hands of persons legally old enough to consume them.

The Special Investigations Unit of the New Mexico State Police is a proud participant of state and tribal collaboration that builds a New Mexico that is safe for all citizens.

The Commercial Motor Vehicle Enforcement Unit of DPS reaches out to the surrounding Native American communities and law enforcement partners in order to promote commercial motor vehicle (CMV) safety and reduce motor vehicle crashes of all types. CMVE is available to all tribal law-enforcement agencies and provides assistance and resources for the investigation of CMV related crashes and the enforcement of motor carrier safety regulations on tribal lands when necessary and agreed upon by the tribal government. CMVE offers commercial motor vehicle safety enforcement and inspection training to all area law enforcement agencies to include tribal jurisdictions. We will continue to work together with tribal law enforcement agencies toward our common goal of ensuring safety and improving the quality of life for our citizens and visitors.

The Law Enforcement Records Bureau (LERB) maintains the State's central repository for information on the criminal histories of persons arrested in New Mexico and acts as the single state agency liaison to the Federal Bureau of Investigation (FBI). The LERB maintains arrest record information on persons arrested in New Mexico for felony, misdemeanor and Driving While Intoxicated (DWI) infractions. LERB serves as the State Criminal Justice Information System Agency (CJIS) for New Mexico, supporting the New Mexico Law Enforcement Telecommunications System (NMLETS) and the National Crime Information Center (NCIC). LERB is also charged with the management of:

- NM State Police Repository (Offense/Incident & Accident Reports)
- Sex Offender Registration (SOR) Program
- Automated Fingerprint Identification System (AFIS)
- Interim Distributing Imaging System (IDIS)
- NM Missing Persons' Information Clearinghouse
- State Tracking Number (STN) Program
- NCIC Interstate Identification Index (III) & Quality Assurance
- Uniform Crime Reporting (UCR)/National Incident Based Reporting System (NIBRS) Program

III. AGENCY EFFORTS TO IMPLEMENT POLICY

As evidenced by the legal discussion in Appendix B of this report, the department's central state-tribal issue boils down to the challenges surrounding criminal jurisdiction in Indian Country.

The department, as do others in New Mexico's Native American communities and related national organizations¹, recognize that more consistent and coordinated law enforcement efforts would go a long way to reducing DWI, drug-related crimes, domestic violence, and other violent crimes. While the department recognizes the need for more consistent and coordinated law enforcement efforts, the department also recognizes the importance and necessity of tribal sovereignty, traditions, and customs. With respect to this issue, the department works to build partnerships with the governments of New Mexico's pueblos, tribes, and nations by commissioning officers, communicating with tribal officers and officials during incidents involving tribal jurisdiction, participating in forums that discuss state-tribal issues, and participating in cultural events, and other similar collaborative efforts.

DWI, Reckless, and Aggressive driving continue to take lives on New Mexico's public roads and in Indian Country. The department is committed to continue cooperative efforts with New Mexico's 22 tribes, pueblos, and nations to reduce DWI and Aggressive driving causing Native American deaths and injuries, and decrease drunk driving across the entire state making the roadways safer for all. Continuing to move forward from 2012, one centerpiece accomplishment that is still in operational production is the collaborative between DPS and the Navajo Nation to improve motorist safety on US Highway 550. This on-going collaborative was supported vocally by Governor Susana Martinez and Navajo Nation President Ben Shelley. Through collaborative analysis of fatal crash / crime data, a goal specific patrol plan was instituted through highly visible law enforcement presence and a zero tolerance enforcement focus.

Domestic violence also continues to be a major concern and topic of collaboration between the department and tribal entities. To this end, DPS participates in meetings with the Tribal-State Judicial Consortium to promote the national initiative known as Project Passport. Project Passport is designed to improve recognition and enforcement of orders of protection for victims of domestic violence within and between states and tribes by encouraging states and tribes to adopt a uniform order of protection, referred to as a uniform "first page." Without essential data that verifies the protection order's authenticity and the proper identification of the presenting person being readily available and easily

¹ For example, the National Congress of American Indians describes a report of the Executive Committee for Indian Country Law Enforcement Improvements of the U.S. Department of Justice as follows: "one of the major problems of law enforcement in Indian Country is the poor coordination between law enforcement bodies caused by fragmentation of the criminal justice system...." The report also recognizes that jurisdictional complexities and geographic isolation impede law enforcement efforts.

recognizable on an order of protection, the safety of an alleged victim of domestic violence is jeopardized. Congress, through the federal Violence Against Women Act of 1994 (VAWA) also established full faith and credit for orders of protection in domestic violence cases that meet certain criteria so that victims will be protected wherever they may go throughout the country on state and tribal lands. DPS / New Mexico State Police have also used a domestic violence victims' service packet – this packet contains information to provide resources and support to victims of domestic violence. In districts where our jurisdiction includes sovereign lands, the victims' service packets contain specific information to assist a tribal member from shelters to victims' advocates.

Jurisdictional issues will continue to present challenges in forging viable cooperative government-to-government agreements. The department's primary focus, therefore, is to continue its collaborative efforts with New Mexico's pueblos, tribes, and nations to work toward more long-lasting commissioning of officers, education, and coordinated effort.

IV. CURRENT AND PLANNED PROGRAMS FOR AMERICAN INDIAN / ALASKA NATIVE ("AI/AN")

A. Description of Current and Planned Programs and Services Provided to or Directly Affecting AI/AN

The department does support two specific programs that support pueblos, tribes, and nations. The department is committed to continuing collaborative efforts in state/tribal law enforcement generally and specifically, the continued commissioning and education of law enforcement officers. Two programs that DPS fully supports are:

- The commissioning of tribal police officers as New Mexico Peace Officers using Statute 29-1-11. This program enhances a tribal police department's overall police function by allowing officers to not only respond to, but to handle incidents and police services that involve Non-Indians within their sovereign jurisdiction. The tribal officer through his/her New Mexico Law Enforcement Commission is able to utilize New Mexico State Criminal and Traffic Statutes.
- Through an approved resolution by a specific pueblo, tribe, or nation, and through a formal request for a Government-to-Government agreement, the department supports the Special Law Enforcement Commissioning (SLEC) of New Mexico State Police officers as deputies of the Bureau of Indian Affairs, allowing for DPS SLEC

commissioned officers to provide law enforcement services when called upon by the sovereign jurisdiction and/or the BIA.

The SLEC also provides deputized officers with the civil protections from Tort Claims when acting under color of law and in good faith in Indian Country. Currently, DPS has SLEC commissioned personnel who are assigned to the Gallup District and Crime Scene Investigators and Investigators who are assigned to the Investigations Bureau.

B. Main agency accomplishments and challenges regarding tribes, AI / AN and / or Indian organizations, including significant state-tribal issues, recommendations and / or priorities

As evidenced by the discussion in this report, the department's central state-tribal issue boils down to the challenges surrounding criminal jurisdiction in Indian Country. The department's response to this challenge is to continue its collaborative efforts with New Mexico's pueblos, tribes, and nations to work toward more long-lasting commissioning of officers, education, and coordinated effort.

The Pueblo Sex Offender Registry Program is a collaborative project consisting of the Pueblo of Acoma, the Pueblo of Isleta, and the Pueblo of Zuni. By bringing together all partners at various levels of law enforcement, the department intends to strengthen collaborative and coordination efforts with all law enforcement agencies and communities. The department hopes that this conference will provide successful opportunities for networking with others, learn best practices, and share experiences of successful strategies that will help jurisdictions work together to address the challenges that are likely to occur in implementing SORNA registration requirements. DPS welcomes this opportunity to work with tribal leaders, tribal law enforcement officers, tribal courts, and corrections programs as we all work to keep our children and families safe in our communities.

In addition to the foregoing Program, DPS continues to work with the various tribes and pueblos as follows:

C. Goals for Fiscal Year 2016 Relating to Tribes, AI/AN and/or Indian Organizations

The department's goals for FY2016 will be to continue law enforcement support and cooperation in efforts to fight DWI, domestic violence, and crimes against children. We will continue to examine the need for training, education/public awareness, and utilization of law enforcement and judicial resources in these efforts.

IV. TRAINING AND EMPLOYEE NOTIFICATION

Training and employee notification is addressed and accomplished through our policy implementation. DPS also informs department employees of the availability of STCA training and certification opportunities. Additionally, the department provides the following relevant training to officers in the department's Basic Police Officer Law Enforcement Academy:

- 3 Hours Cultural Diversity

- 3 Hours Indian Law

- Combined 46+ Hours other multi-cultural and disability/mental health issues

V. KEY NAME AND CONTACT INFORMATION

In addition to the contact information provided above for the Commanders of each District, contacts for the Department of Public Safety are:

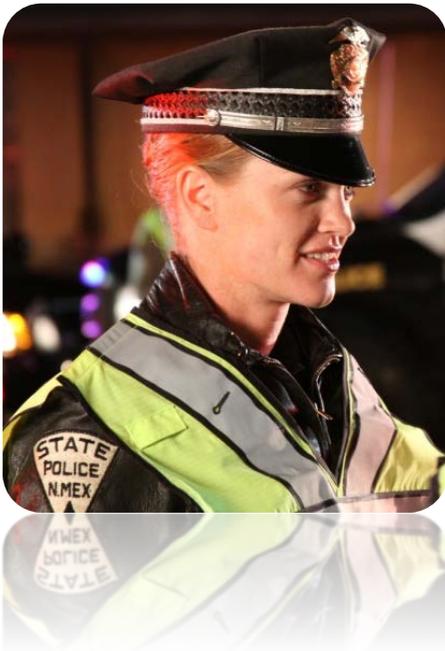
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LAW ENFORCEMENT PROGRAM



The Department of Public Safety Law Enforcement Program strives to promote professional cooperative support and networking to statewide law enforcement; to identify, assist and collaborate with all law enforcement jurisdictions to reduce crime problems with an overall goal to build a safer, stronger New Mexico by providing quality multifaceted law enforcement services, training, disaster and emergency response, and support to other governmental agencies and the public.

The new Law Enforcement Program / New Mexico State Police Division is comprised of the following functional areas:

- Uniform Patrol to include general traffic enforcement, calls for service, DWI enforcement, and Crash investigation;
- Commercial vehicle enforcement on highways and at Ports of Entry to include traffic safety enforcement, as well as inspections and regulatory enforcement by civilian personnel;
- Investigations to include criminal-related investigations, narcotics, alcohol enforcement, and special investigations, including cold cases;
- Special Operations to include all specialty teams such as tactical, explosive ordnance devices, search and recovery (dive team), search and rescue, accident reconstruction, criminal interdiction (K-9), and aircraft;
- Communications Bureau (Dispatch) to include nine dispatch centers;
- A singular program of training & recruiting for all DPS law enforcement officers;
- Fleet Management; and,
- Governor's Security.

NEW MEXICO STATE POLICE – UNIFORM SERVICES BUREAU

The New Mexico Department of Public Safety, New Mexico State Police Division, is divided up into twelve (12) uniform patrol districts; six (6) of these districts patrol boundaries encompass sovereign jurisdictions of New Mexico's tribes and pueblos. The following breakdown is a bulleted synopsis of each of these six districts' interaction with their adjoining sovereign jurisdictions, as well as conclusive information on what the department is doing at the executive level to facilitate and foster partnerships with New Mexico's Tribes and Pueblos.

NMSP District 1 - Santa Fe

Commanded by Captain Mitchell Maestas

- The district meets on a regular basis with San Felipe, Santo Domingo, San Ildefonso, Cochiti, Tesuque, and Pojoaque Pueblo Tribal Officials for updates on their community concerns and State Road traffic issues. In addition, the district continues to meet any training requests they may make along the lines of State Police expertise.
- The district provides law enforcement support to San Felipe's, Santo Domingo's, Cochiti's, Tesuque's, and Pojoaque's Annual Feast Day celebrations.
- The district provides law enforcement support to San Felipe Pueblo during special events and continues to support DWI efforts on the Pueblo.
- The district Captain also continues to work with the National Criminal Justice Association's National Native American Working Board to address Native American issues surrounding law enforcement, jurisdiction, community policing, funding etc.
- The district supports Tesuque and Pojoaque Pueblo's with DWI efforts on the Pueblo through the use of joint checkpoints.
- The district supports Tesuque, Pojoaque and San Felipe with criminal activity within the Casinos.
- We have met with Tribal leadership to explain SLEC and the benefits on how we can assist them and understanding of jurisdiction.
- The district Captain along with Tribal leadership have attended meetings with the US Attorney to improve the understanding of jurisdiction to allow for better prosecution.

- The district Captain has had the Officers and Supervisors along with the surrounding agencies attend training by the US Attorney reference jurisdiction and applying state and federal laws.

NMSP District 5 – Albuquerque

Commanded by Captain Jose Nic Aragon

- Regular Dispatch Center Meetings between State Police, Isleta Police Dispatch, Laguna Dispatch, and Sandia Dispatch. These meetings are facilitated by Interim State Police Dispatch Supervisor Karen Garcia.
- State Police met with Laguna Pueblo’s Police Department leadership to discuss the rise in calls for service at the Route 66 Casino and develop response measures regarding the Route 66 Casino.
- State Police Dispatch Drunk Buster (#DWI) Program networking with Isleta, Laguna, Santa Ana, and Sandia Pueblo on transferring of these calls to their respective jurisdictions.
- The district has worked collaboratively with the BIA and surrounding Tribal law enforcement departments to hold joint patrol saturation projects and sobriety checkpoints to deter drunken driving and reducing traffic crashes through enforcement of aggressive driving and enforcing occupant restraint laws. Below is an example of some recent joint projects that demonstrate the tribal collaboration in District 5.
 - A multi-agency compliance checkpoint was held April 1, 2016, with Jemez law enforcement.
 - A multi-agency DWI checkpoint was held on April 28, 2016, with Isleta Police Department.
 - A multi-agency patrol saturation was held BIA and Santa Ana on May 13, 2016, in Sandoval County.
 - A multi-agency DWI checkpoint is going to be held on May 26, 2016, with Isleta Police Department.
- BIA Office of Justice Services has provided jurisdiction training and assisted with cultural competency training.
- District officers have been cross-commissioned with the Navajo Nation to provide law enforcement services to To’Hajillee and Ojo Encino Navajo Communities when called upon.

District officers are currently working with BIA to attend training to obtain their SLEC commissions.

- The district meets on a regular basis with Isleta, Zuni, Sandia, Laguna, Jicarilla (PD and Game and Fish), and Santa Ana Tribal officials for updates on their community concerns and State Road traffic issues. In addition, the district continues to meet any training requests they may make along the lines of State Police expertise.
- On February 29, 2016, District 5 leadership attended a meeting with Jicarilla Police Department Chief Stanley in Cuba, NM.
- District 5 has partnered with DOJ Project Safe Neighborhood to provide safety and quality-of-life services to tribal jurisdictions. District officers participated in Camp Triumph, both in Isleta Pueblo and To'Hajiilee. We will continue to participate in Camp Triumph and plan on participating this year in June 2016.
- The district routinely supports community initiatives and events on tribal land. In April this year, district personnel participated in Isleta Pueblos Child Prevention Fair. This is just one example of how District 5 is partnering with tribal lands.

NMSP District 6 - Gallup

Commanded by Captain Eric Schum

- Under the District 6 patrol plan, we are required to work at least two projects with each tribal law enforcement agency in our area, each year. A “project” is any police action that serves a public good, and can include DWI checkpoints, community events, or working together on a criminal investigation. The requirement in our patrol plan ensures that District 6 will maintain a productive and ongoing working relationship with each tribal agency in our area.
- On February 1, 2016, District 6 officers responded to an attempted homicide scene on Laguna Pueblo land and began the investigation alongside Laguna Police. It was later determined that both the victim and suspect were non-tribal members, and so the entire investigation was turned over to NMSP.
- On February 16, 2016, at the request of Navajo Police Captain Douglas Joe, I wrote a letter of support to help the Navajo Police Department with a grant application to obtain money for improving their criminal justice infrastructure.

- On February 13, 2016, District 6 personnel assisted Navajo Criminal Investigator Larry Etsitty by relaying information on one of his cases to the McKinley County Crimestoppers and the Gallup Independent newspaper. The information was later published and Investigator Etsitty notified me that the tips he received helped him recover a stolen vehicle and identify the suspect.
- On March 4, 2016, about a dozen NMSP officers attended a jurisdictional refresher training hosted by the Navajo Nation Department of Justice. District 6 personnel assisted Navajo with the setup for this class by locating a venue (UNM-Gallup) and writing some of the mock scenarios used in the class.
- On March 23, 2016, four District 6 officers assisted the Ramah Navajo Police with a saturation patrol in Ramah.
- On May 4, 2016, two District 6 officers presented at the Zuni Career Fair and Zuni High School.
- Officers in District 6 are active participants in the McKinley County DWI Task Force, which includes the Navajo Police Department, the Ramah Navajo Police Department, and the Zuni Police Department.
- On May 16, 2016, Chief Tim Trimble of the Zuni Police Department asked for help with a missing person case. He had a person of interest who had agreed to take a polygraph test, but his agency does not have a polygraph examiner. I immediately put Chief Trimble in contact with the NMSP Investigations Bureau. The polygraph test was never done because the missing woman was found dead later that night and the FBI took over the case.
- Every District 6 officer (except for the three newest additions) has a Navajo Nation police cross-commission, which authorizes them to enforce Navajo laws against tribal members on Navajo land. This collaboration between agencies is aimed at reducing the real and perceived loopholes created by jurisdictional boundaries. For example, cross-commissioned NMSP officers may arrest a drunk driver anywhere on Navajo land, regardless of whether that person is tribal or non-tribal.
- District 6 officers respond to frequent routine calls for service on Navajo land. Our accepted method of operation is that we will never hesitate to respond to a call because of jurisdictional boundaries. If our officers are closer, they will respond and make the scene safe. The jurisdictional issues are of secondary concern and are worked out after the scene has been made safe. At community meetings I have said that “victims should never have to

worry about jurisdictional boundaries.” What that means is that victims should only have to worry about making the call, and that we will work through the jurisdictional issues with the tribal police.

NMSP District 7 - Espanola

Commanded by Captain Robert Thornton

- Surveillance Detection Class for LE Taos Pueblo Community Center 8:00 am-5:00 on May 19-20, 2015.
- Assisted Taos Pueblo Police with the Taos Pueblo Pow-Wow on second weekend in July 2015.
- Assisted with the S/A Dulce Little Beaver Conference July 3, 2015.
- Assisted Taos Pueblo with San Geronimo Day September 30 and October 1, 2015.
- Training at Taos Pueblo Police Department at 9:00 A.M., Wednesday, February 10, 2016, to attend the video-based scenario training with Officer James Gladeau for Taos Pueblo PD.
- Assisted Taos Pueblo with Christmas Celebration on December 25, 2015.
- On April 7, 2016, met with the Command Staff of the Jicarilla Police Department.
- On April 26-27, 2016, two officers completed SLEC training in Albuquerque, NM.

NMSP District 8 - Alamogordo

Commanded by Captain James Frietze:

District Eight Alamogordo/Ruidoso currently has four cross commissioned officers who are able to assist and/or handle calls of service on the reservation. The following collaboration has occurred with the Mescalero Apache Indian Reservation Police Department.

- Since being cross-commissioned, the officers have started to handle domestic violence calls.
- Officers have started to handle more calls of service at the casino involving Native Americans. These calls are minor in nature and follow along the lines of burglaries to their vehicles and lost items.
- Service of warrants has slightly increased involving Native Americans who are stopped for traffic violations on the reservations and have valid warrants.

- The cross-commissioning of State Police officers has prompted a number of calls that the BIA has refused to handle for one reason or another. This is leading to an established expectation of State Police officers to supplement their patrol division.
- To date, State Police officers have still not received their SLEC commission cards.
- July 1st week will be participating and assist where needed for the Mescalero Apache Feast Day.

NMSP District 10 Farmington

Commanded by Captain Chris Blake

- District 10 has continued their partnership with the Navajo Nation in patrolling the US 550 corridor in the Nageezi, Dzilth-Na-O-Dith-Hle (DZ), and Huerfano Chapter areas. We have seen consistent results of increased safety as a result of this effort.
- District 10 has 10 of its 15 officers compliant with the Cultural Competency Training. The remaining officers will be attending the training as soon as possible.
- District 10 collaborated with the Navajo Nation for Shiprock's 2016 Law Day as we do every year.
- District 10 collaborated with the Navajo Nation for the Annual Shiprock Fair with increased patrols in the Shiprock area.
- District 10 continues to be active with community outreach by providing alcohol and drug prevention presentation at DZ School system.
- Fourteen of the fifteen District 10 officers are cross-commissioned with the Navajo Nation and regularly assist with High Priority calls for service on the reservation.
- District 10 assisted the FBI and Navajo Police Department in the investigation of the Ashlynnne Mike abduction and murder.

NMSP District 11 Socorro

Commanded by Captain Jason Green

- District 11 has partnered with Navajo Nation members as a result of community requests in Alamo for police visibility along State Road 169, and in the community due to their remote location.
- District 11 provides emergency law enforcement services to the community of Alamo when called upon.
- District 11 collaborates with the Navajo Nation members in the community of Alamo to provide law enforcement presence at community events and school functions. Assisted with the basketball tournament in April 2016 and with the RESPECT program in May 2016 at the Alamo School.
- District 11 personnel in the Socorro area responsible for responding to the community of Alamo continue to attend the 16-hour Navajo Nation Training on Criminal and Traffic Law as needed to maintain certifications.
- District 11 personnel also attend BIA sponsored training on Criminal Jurisdiction in Indian Country.
- District 11 collaborates with Navajo Nation members during local planning meetings for Substance Abuse, Juvenile Justice, and Emergency Planning.

Office of the Chief

Chief Pete Kassetas

Chief Kassetas has been active in commissioning tribal police officers as New Mexico peace officers. We currently have 76 commissioned Tribal Officers since inception:

Tribal Agency	Number of Commissions
Acoma	5
Isleta	25
Navajo	0
Ramah	6
Sandia	22
Santa Ana	18
Jicarilla Apache	0
Zuni	0

NEW MEXICO STATE POLICE – SPECIAL INVESTIGATIONS UNIT (SIU)

SIU District 6:

- Assisted with “Consequences of DWI” presentation to offenders going through the Navajo Nation D.W.I. program (Navajo Police Department, Crownpoint, NM)
- Participant in “Bootlegging Task Force” with Ramah Navajo Tribal Police; worked with Ramah Navajo Police and McKinley County Narcotics in setting up one bootlegging operation; assisted with gathering names, addresses, and phone numbers of individuals purchasing large amounts of alcohol from the McKinley County liquor establishments; gathered information on individuals living in the Ramah and Zuni areas.
- DWI presentation/safety talk to graduating students of Thoreau High School, Class of 2016.
- Presentation to the Navajo Nation Breadsprings Day School on, “Stranger Danger” and other safety issues (Vanderwagen, NM)
- Attend “Strategic Network of Advocates for the Prevention of Suicide and Substance Abuse Coalition” held around the reservation (most recently in Crownpoint).
- Pending presentation to Laguna residents on Underage Drinking at the request of Laguna Coalition Committee.

SIU District 10:

- District 10 / SIU collaborated with the Navajo Nation for the Annual Shiprock Fair.
- SIU regularly assists uniform patrol with DWI Operations in the Hogback area, reducing the amount of alcohol brought on the Navajo Reservation. The operations have resulted in numerous DWI arrests as well as citations to licensees for Sales to Intoxicated subjects.
- SIU completes training for Western Refinery (Giant) to reduce Sales to Intoxicated subjects and Sales to Minors. Western Refinery operates the closest licensed liquor establishment bordering the Navajo Reservation.
- SIU attended meetings for the Mancos Shale Project in the four corners and made contacts for future operations.

- SIU has participated in DWI checkpoint operations to reduce alcohol-related crashes and alcohol abuse in San Juan County.

SIU District 7

- Attend Taos Alive (community based coalition) meetings; the main goal of the coalition is to reduce substance abuse among Taos County youth.

NEW MEXICO STATE POLICE – COMMERCIAL VEHICLE ENFORCEMENT UNIT

CVE District 6 Gallup:

- April 21, 2016, CVE Sergeant Maria, CVE Officers Maria and Velasquez assisted Ramah Navajo Police by attending and making a presentation at Health and Safety Day in Pine Hill.
- May 6, 2016, CVE Officer Velasquez assisted Ramah Navajo Police by attending and making a presentation at Ramah Navajo Law / Justice Day in Ramah.
- Sergeant Teresa Maria completed the process to become BIA cross-certified with tribal agencies.
- CVE Officers continue to work closely with tribal entities to assist with calls for service, and responded to eleven (11) calls to assist Tribal Officers in District 6.

CVE District 5, 10, 11:

- Districts 5, 10, and 11 CVE Officers had no formal interaction.
- CVE Officers in Districts 5, 10, and 11 continue to work closely with tribal entities to assist with calls for service, and responded to twenty-six (26) calls to assist Tribal Officers in those districts.

LAW ENFORCEMENT RECORDS BUREAU



LAW ENFORCEMENT RECORDS BUREAU

The Law Enforcement Records Bureau (LERB) is committed to maintaining complete and accurate records responding to the needs of the public and Law Enforcement and Criminal Justice Agencies in an efficient and expeditious manner.

The LERB serves as the State's central repository for information on the criminal histories of persons arrested in New Mexico, and acts as the single state agency liaison to the Federal Bureau of Investigation (FBI).

The LERB maintains arrest record information on persons arrested in New Mexico for felony, misdemeanor and Driving While Intoxicated (DWI) infractions. LERB serves as the State CJIS Systems Agency (CSA) for New Mexico supporting the New Mexico Law Enforcement Telecommunications System (NMLETS) and the National Crime Information Center (NCIC). The CSA is also responsible for biennial NCIC Agency Audits of over 150 law enforcement and criminal justice agency NCIC terminals throughout the state. LERB is also charged with the management of:

- **NM State Police Repository (Offense / Incident and Accident Reports)**
- **Sex Offender Registration (SOR) Program**
- **Automated Fingerprint Identification System (AFIS)**
- **Background Check Unit**
- **Concealed Carry Weapon Unit**
- **Accident Reporting Unit**
- **Computerized Criminal History (CCH) Unit**
- **Inspection of Public Records (IPRA) Unit**
- **NM Missing Persons' Information Clearinghouse**
- **State Tracking Number (STN) Program**
- **NCIC Interstate Identification Index (III) & Quality Assurance**
- **Expungement processing**
- **Uniform Crime Reporting (UCR)/National Incident Based Reporting System (NIBRS) Program.**

It is the mission of the Law Enforcement Records Bureau to maintain complete and accurate records and respond to the needs of the public and law enforcement and criminal justice agencies in an efficient and expeditious manner.

We provide many applications, programs and services to achieve our mission objectives. This is a brief description of what we provide.

LERB Front Office

NM Statewide Background Check

Background checks are only done with the permission of the individual whom the record belongs to. The individual provides permission by filling out an Authorization for Release of Information form. The individual provides to whom the background check will be disseminated and they are also required to get it notarized, a service we also provide. This background check only covers any criminal history that this individual may have throughout the state of New Mexico. This criminal history will include dates of arrest, charges, and dispositions if they have been provided by either the court or individual themselves. Staff in the front office keeps track of each and every request received by logging them. We track the date received, the date mailed out, or called for pick up, and any pertinent information in the comments area. State statute: NMSA 29-10-6(A)

Fingerprinting

Fingerprinting services are provided to the public utilizing three different programs. The three systems we use are: Metamorpho, which we use specifically for DPS employment or recruits; Cogent, which is used for statutorily based applicant background checks; and ink and roll.

Accident Reports / Uniform Crash Reports

Pursuant to DPS Policy OPR:45 (R-2), LERB maintains all NMSP or MTPD uniform crash reports throughout the state. Pursuant to NMAC rule 1.18.790.155, accident reports involving fatalities are retained for 20 years. Accidents that do not involve fatalities (i.e. hit and runs, property damage) are retained for 5 years.

Our department will release these reports upon a written or oral request (although we prefer written) by any civilian, law enforcement agency or officer, and any other agency. We utilize two different systems to search reports that are still available, ACCIDENTS under

our CJIS applications and Ecrash which is an online service that is available to the public.

ACCIDENTS – A CJIS application (Criminal Justice Information System) retains information prior to and including part of 2012. These reports were sent to us manually by the district offices and logged in the application.

Ecrash- The new system available online allows inquiries from 2012 to present. Individuals can log onto the website, get reports online and pay for them by credit card. Any supplemental reports or photos are forwarded to our office manually.

Both systems are utilized depending on what year the crash took place. If available, photos, dashcam, diagrams, and other pertinent information can also be requested. All accident report requests received are logged in and out.

Visitors

Pursuant to DPS Policy ADM:35, we are a secure complex. Any visitors need to sign in at our front desk and we call the recipient of the guest to come to the front and be their escort. Visitors are required to wear a visitor's badge and be escorted during their time in the building. This includes law enforcement officers from agencies other than NMSP and CMVEB.

Cash Transactions:

We process transactions on a daily basis for services provided. We accept payment in the form of cash, check, money order, credit card, and purchase order. At the end of each day, a deposit is done that goes up to the Finance Department.

Special Programs

Missing Persons' Clearinghouse

The Missing Persons' Clearinghouse assists law enforcement agencies with the process of releasing Amber Alerts, Silver Alerts and Endangered Advisories. The Clearinghouse, ensures timely entry of missing individuals into NCIC's Missing Persons' File. The coordinator also acts as a liaison between law enforcement and family members of the missing person when necessary.

State Statute: NMSA 29-15-1

Uniform Crime Reporting (UCR)

Uniform Crime Reporting gathers statistics from law enforcement agencies around the state. The

information is entered into DPS's in-house database and then submitted to the FBI. Statistics are gathered based on the FBI's crime hierarchy index, which gives higher value to some crimes over others. These statistics are used to provide federal funds to law enforcement agencies throughout the state. Some law enforcement agencies enter and submit their own statistics; however, the UCR Coordinator assists in the entry of statistics for those agencies that do not have the resources to enter their own. We are currently working towards becoming a state program pursuant to FBI standards. State Statute: NMSA 29-3-11

Sex Offender Registry

The Sex Offender Registry is responsible for ensuring compliance by the Sheriff's Office (Entry) and offenders (Registration). Sex Offender Registry manages the Offender Watch system which is used by the sheriffs' offices to enter in registrations. This system generates the public website and is also the conduit to NCIC. This unit also assists in the translation of convictions for sex offenders who move to New Mexico from another state. Translation takes into consideration the statutes and court decisions from another state, and matches it as closely as possible to New Mexico's statute in order to determine the duration and frequency an offender will need to register. Annually, the registry does a mass mailing to offenders as a reminder of their need to register. This is pursuant to state statute. State Statute: NMSA 29-11A-1

Inspection of Public Records Act [IPRA]

LERB is responsible for receiving all public record requests for all entities of the Department of Public Safety with the exception of the NM Law Enforcement Academy beginning March 10, 2014. IPRA clerks gather available documents, audio, video, photos, etc. we have available to fulfill a request. We ensure all documents are releasable by working with the bureau providing the documents, as well as with the Office of Legal Affairs as applicable. Pursuant to the NM Inspection of Public Records Act, redactions are made, including standard personal identifiers pursuant to the Sunshine Law. The IPRA clerks also create letters that explain redactions, referrals, over-burdensome requests and non-responsiveness to a request. Copies of requests and the information provided are retained for three years. State Statute: NMSA 14-2-1; NMAC: 1.18.790

Triple I:

The Triple I (Interstate Identification Index) program is responsible for maintaining continuity between the state and federal repository for New Mexico. The program manager ensures that the federal record has information equal to or greater than that of the state record. If the

amount of information in the state record exceeds the FBI's record, then the "pointer" is set so if someone anywhere nationally queries an individual, they will be given the most amount of information available. Part of this process is a quarterly report produced by the FBI that is a list of discrepancies. It is the responsibility of the Triple I program manager to complete the report within the allotted 90 days. This program also received all orders for sealing juvenile records pursuant to 32A-2-26 and requests to expunge criminal history records pursuant to NMSA 29-3-8.1

Background Checks:

The Background Check Unit provides comprehensive background checks for the Governor's Office and the NMSP Recruiting section. This process involves the use of proprietary systems, law enforcement specific databases, as well as public use websites.

National Crime Information Center (NCIC)

The New Mexico Department of Public Safety is the CSA (CJIS Systems Agency) and is responsible for establishing and administering an information technology security program throughout the GSA's user community, to include the local levels. The head of each CSA shall appoint a CJIS Systems Officer (CSO). The CSA may impose more stringent protection measures than outlined in this document. Such decisions shall be documented and kept current.

The CSO is an individual located within the CSA responsible for the administration of the CJIS network for the GSA. Pursuant to the Bylaws for the CJIS Advisory Policy Board and Working Groups, the role of CSO shall not be outsourced. The CSO may delegate responsibilities to subordinate agencies. The CSO shall set, maintain, and enforce the following:

1. Standards for the selection, supervision, and separation of personnel who have access to CJIS.
2. Policy governing the operation of computers, access devices, circuits, hubs, routers, firewalls, and other components that comprise and support a telecommunications network and related CJIS systems used to process, store, or transmit CJ, guaranteeing the priority, confidentiality, integrity, and availability of service needed by the criminal justice community.
 - a. Ensure appropriate use, enforce system discipline, and ensure CJIS Division operating procedures are followed by all users of the respective services and

information.

b. Ensure state/federal agency compliance with policies approved by the APB and adopted by the FBI.

c. Ensure the appointment of the GSA ISO and determine the extent of authority to the GSA ISO.

d. The CSO, or designee, shall ensure that a Terminal Agency Coordinator (TAG) is designated within each agency that has devices accessing CJIS systems.

e. Ensure each agency having access to CJIS has someone designated as the Local Agency Security Officer (LASO).

f. Approve access to FBI CJIS systems.

g. Assume ultimate responsibility for managing the security of CJIS systems within their state and/or agency.

h. Perform other related duties outlined by the user agreements with the FBI CJIS Division.

3. Outsourcing of Criminal Justice Functions

a. Responsibility for the management of the approved security requirements shall remain with the CJA. Security control includes the authority to enforce the standards for the selection, supervision, and separation of personnel who have access to CJIS; set and enforce policy governing the operation of computers, circuits, and telecommunications terminals used to process, store, or transmit CJIS; and to guarantee the priority service needed by the criminal justice community.

b. Responsibility for the management control of network security shall remain with the CJA. Management control of network security includes the authority to enforce the standards for the selection, supervision, and separation of personnel who have access to CJIS; set and enforce policy governing the operation of circuits and network equipment used to transmit CJIS; and to guarantee the priority service as determined by the criminal justice community.

The NCIC Program Manager follows the FBI schedule for auditing, which is a three year cycle. Audits consist of a written survey as well as on-site security and record audits.

CCW (Conceal and Carry Weapon) Unit

The CCW Unit is responsible for processing applications for individuals attempting to receive a concealed handgun carry license. The unit ensures applications have been properly filled out, a fingerprint background check has been conducted, collecting fees and making sure all applicant packets have been properly screened. The unit is also responsible for issuing the licenses and informing applicants of statutorily based denials. The CCW unit handles all paperwork for anyone requesting to be a CCW instructor. Potential instructors must provide an application, curriculum, have a background check completed and provide a description of their experience. State Statute: NMSA 29-19-1; NMAC: 10.8.2

CCH (Computerized Criminal History)

Criminal Card Scanning

The Law Enforcement Records Bureau is the state repository for criminal records in New Mexico. We house all criminal cards from around the state. The Criminal Card Scanning unit specifically focuses on the scanning and data entry of criminal cards. Once cards are received at DPS, they are scanned and all criminal information is entered. The information populates our AFIS (Automated Fingerprint Identification System) system and CJIS (Criminal Justice Information System). Hard copy cards are then filed in the file room. This unit is also responsible for entering dispositions sent from the courts around the state, and filing them in the correct criminal history jacket. State Statute: NMSA 29-3-8

AFIS is the centralized database for New Mexico in which applicant and criminal FP's are submitted for QC (Quality Control). The purpose of quality controlling prints is to make sure they are as "clean" as possible before they continue through the system and then exported to the FBI. The QC staff is also responsible for doing verifications. In some instances the system requires a little assistance. The QC staff assists the system by manually viewing fingerprints and helping make the determination that they are a match. Once QC is complete the fingerprints continue through AFIS. This is the system that assigns the appropriate SID. If the fingerprints match those already in the system then the new entry attaches to the existing SID (State Identification) number. If they are not recognized by the AFIS system, a new SID number is issued.

Applicants / Record Update

Applicant fingerprint card processing was a service that DPS offered prior to the implementation of Cogent. The applicant team scanned and processed fingerprint cards submitted by different agencies for licensure / employment purposes. These background checks are required under statutory authority. There are currently 24 statutes in place allowing multiple state agencies to receive state and federal criminal history responses. We are currently phasing out the applicant team as we make a full transition to Cogent for statutorily based fingerprint background checks. Cogent is a third party vendor that processes applicant background checks for submitting agencies. Applicants has been in the process of transitioning into a record updating team in order to ensure all criminal history files are as updated as thoroughly and correctly as possible. Having the most comprehensive, current data is important to the safety of officers and the public at large.

New Mexico Criminal History Repository

The New Mexico Criminal History Repository is the repository of all criminal record information generated by criminal justice agencies statewide. The Repository consolidates and verifies arrest, prosecution, sentencing, and correctional information provided by other agencies into a criminal history format which documents a subject's contacts with the criminal justice system in New Mexico.

The New Mexico Criminal History Repository contains information in electronic and hardcopy format documenting an individual's contact with the criminal justice system, including data regarding identification, arrest or citation, photo identification, arraignment, judicial disposition, custody, and supervision. The Repository also houses files regarding law enforcement agency NCIC, sex offenders, missing persons, as well as uniform crime reporting statistics.