



NEW MEXICO DEPARTMENT OF PUBLIC SAFETY
STATE-TRIBAL COLLABORATION AGENCY REPORT

JULY 1, 2019- JUNE 30, 2020

Captain Troy Velasquez
NMDPS Tribal Liaison

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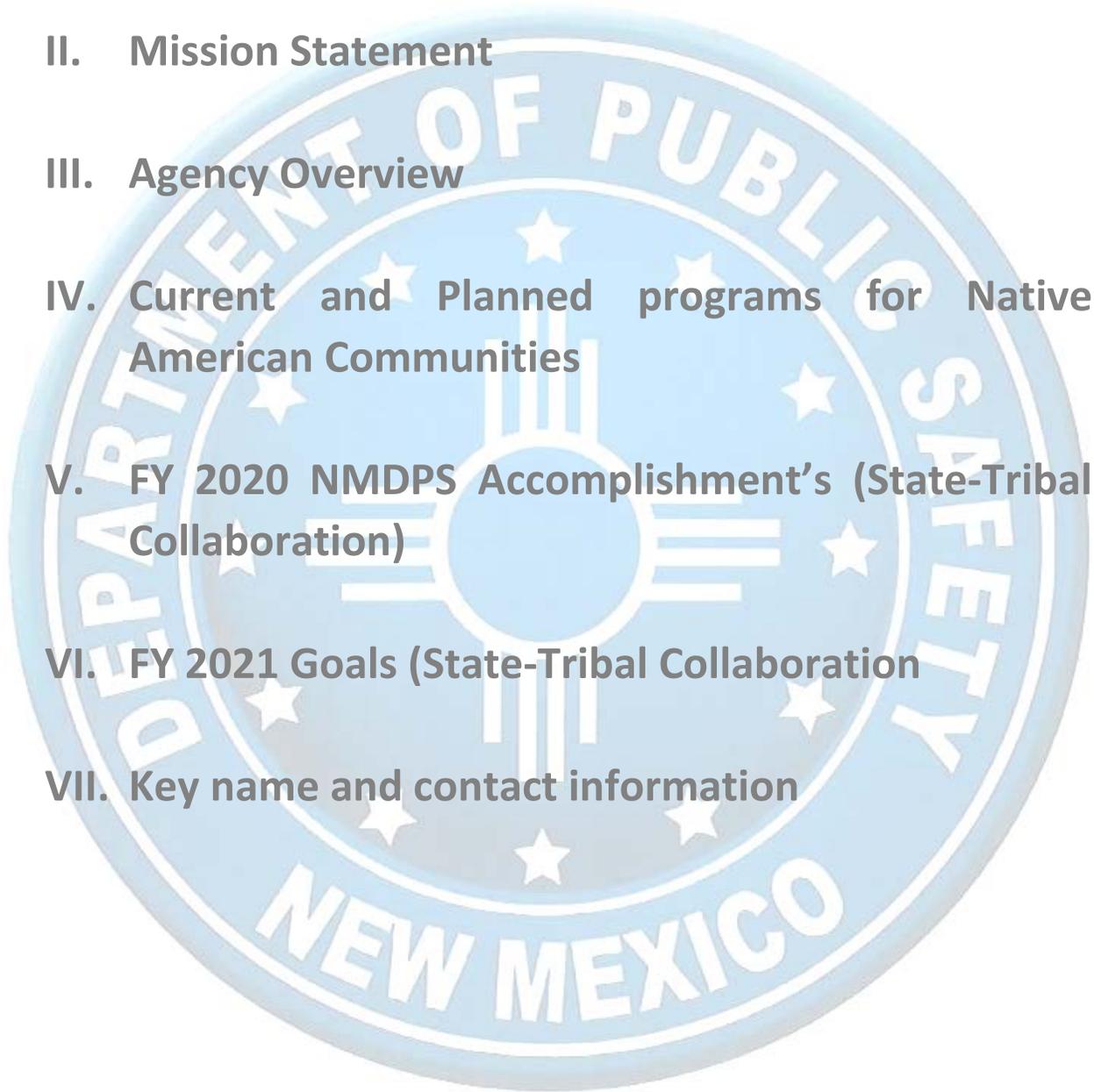
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I. EXECUTIVE SUMMARY:

The primary concern of the New Mexico Department of Public Safety (NMDPS) 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, domestic violence, violence against children and other violent crimes.

The Department 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, Nambé Pueblo, San Felipe Pueblo, Santa Clara Pueblo, Sandia Pueblo, Zuni Pueblo, and the Navajo Nation. Each year NMDPS holds an annual training for Tribal Law Enforcement agencies and its personnel in Sex Offender awareness and related issues.

The Department continues to build relationships with the Tribal Governments of New Mexico's Pueblos, Tribes and Nations by commissioning Tribal Officers as New Mexico Peace Officers under NM State Statute 29-1-11, communicating with Tribal Officers and Officials during incidents involving Tribal jurisdiction, participating in forums that discuss State-Tribal issues, participating and protecting cultural events and other similar collaborative efforts.

The Murdered, Missing Indigenous Women's Task Force (MMIW TF) was appointed in October of 2019. The MMIW TF was legislatively created in HB 278 and is required to study and report on the crisis of missing and murdered Indigenous Women in New Mexico. The Task Force has until November 1, 2020 to compile findings and recommendations in a final report to the Governor and Legislature. NMDPS has played an integral role on the MMIW TF and has participated in countless public hearings, committee and sub-committee meetings and has served as a Law Enforcement advisory role while meeting with Tribal community leaders, community members, collecting data, gathering and reporting survivor testimony.

Also, in this reporting period, NMDPS continues to enroll NMDPS 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 the Major Crimes Act. Upon completion of this training, these Officers 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 various Tribes, Pueblos and Nations to perform Law Enforcement duties within those jurisdictions if needed.

In Indian Law. Tribes can enter into cross-commission agreements with State or local police. The NMDPS has such an agreement with the Navajo Nation. A New Mexico State Police Officer with a Navajo cross-commission may enforce tribal laws against Indians on Indian land. In this capacity, the Officer is literally serving as a Navajo Police Officer. The current agreement was signed in 2012 and requires a 40-hour cross-commission class. Officers who work near the Navajo Nation are sent to this training when there is availability. The overall purpose of the cross-commission agreement is to eliminate the jurisdictional “loopholes” in Navajo Country. This agreement is a great example of Tribal Collaboration and is a tool to prevent criminals from getting away with their crimes by exploiting the jurisdictional complications of using certain areas as safe havens. In 2019, NMSP District Commanders from Gallup and Farmington met with the Navajo Nation DPS and Navajo Nation DOJ in order to strengthen this relationship and look at ideas on how to better streamline and standardize the cross-commission training for both departments.

The Department continues to maintain compliance with the 2008 Tribal Collaboration act by cultural competency training, collaborative State-Tribal Law Enforcement efforts, quarterly BIA Tribal Chiefs meetings, Dept. of Indian Affairs quarterly meetings, open dialogue with all Tribal and BIA Police Chief’s in NM, Amber Alert training to all Tribal Police and the institution of Tribal Amber Alert programs.

II. MISSION STATEMENT

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

III. AGENCY OVERVIEW

New Mexico Department of Public Safety (NMDPS) /New Mexico State Police (NMSP):

The Department of Public Safety provides law enforcement services for the citizens of New Mexico through the New Mexico State Police divisions of Uniform, Special Investigations, Special Operations, and Commercial Motor Vehicle Enforcement

NMDPS STATE - TRIBAL COLLABORATION AGENCY REPORT

The NMDPS/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 relevant training, and innovative leadership for our greater law enforcement community.

The NMDPS/NMSP is committed to providing the highest quality of public 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, and efficient community oriented public safety services to the citizens and visitors of New Mexico.

The NMDPS 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 NMDPS/NMSP provides additional law enforcement services for the citizens of New Mexico through the Special Investigations Unit (SIU). The Special Investigation's 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 NMDPS with decreasing DWI's in the State, plus attention to the laws in regard to under-aged persons. One of the major initiatives of SIU has to do with education and compliance.

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, lead off tribal lands or start on state land and end on Tribal lands. SIU has assisted numerous tribal entities in the last year with alcohol related investigations.

Special Investigations Unit will continue to team successfully with tribal communities who request assistance, training, and education on DWI programs to address alcohol-related community problems.

Special Investigation Units have held training for those who serve alcohol on tribal owned and operated businesses, to assist those servers-and thereby the tribes-in operating their businesses legally with an emphasis on public safety. Specifically, such training assists servers in recognizing the signs of intoxication, to prevent sales of alcohol to intoxicated persons which could jeopardize the safety of any member in that community, on or off the reservations.

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

The Commercial Motor Vehicle Enforcement Bureau (CVE) of NMDPS reaches out to the surrounding Native American communities and law enforcement partners to promote commercial motor vehicle (CMV) safety and reduce motor vehicle crashes of all types. CVE is available to all tribal law enforcement agencies and aids with resources for the investigation of CMV related crashes and the enforcement of motor carrier safety regulations on tribal lands when necessary and called upon by the tribal government. CVE offers commercial motor vehicle safety enforcement and inspections to all area law enforcement agencies and tribal jurisdictions.

Many New Mexico state roads and highways run through the jurisdiction of tribal entities, we will continue to work with tribal law enforcement agencies toward a common goal of ensuring safety and improving the quality of life for all motorists.

The Law Enforcement Records Bureau (LERB) maintains the state's central repository for information on the criminal histories of persons 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, 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 managements of:

- NM State Police Repository (Offense/Incident and crash reports)
- Sex Offender Registration (SOR) Program
- Automated Fingerprint Identification System (AFIS)
- NM Missing persons Information Clearinghouse
- State Tacking Number (STN) Program
- NCIC Interstate Identification Index (III) and quality assurance
- National Missing and Unidentified Persons System (NamUS) quarterly uploads of NM Missing persons entered into NCIC
- Uniform Crime Reporting (UCR)
- National Incident Based Reporting System (NIBRS) Program

IV. CURRENT AND PLANNED PROGRAMS FOR NATIVE AMERICAN COMMUNITIES

The NMDPS does support two specific programs that directly support/benefit NM Tribes and Nations. The NMDPS is committed to continuing collaborative efforts in State/Tribal law Enforcement generally and specifically, the continued commissioning and education of law enforcement officers:

- The commissioning of Tribal Police officers as New Mexico Peace Officers using NM State Statute 29-1-11. This program enhances a tribal police departments overall police function by allowing officers not only to respond to, but handle incidents and provide police services that involve Non-Indians within their established Tribal jurisdiction. The tribal officer through his/her New Mexico Law Enforcement Commission can utilize New Mexico State Criminal and Traffic Statutes.
- Through an approved resolution by a specific Pueblo, Nation or Tribe and through a formal request for a “Government to Government” agreement, the NMDPS supports the Special Law Enforcement Commissioning (SLEC) of New Mexico State Police officers as deputies of the Bureau of Indian Affairs (BIA), allowing for NMDPS commissioned Officers to provide law enforcement services when called upon by the sovereign jurisdiction of the Tribe and/or the BIA. This includes specific NMDPS to Tribal entity MOU’s/MOA’s if in place and agreed upon by both parties.

The SLEC and specific Tribal MOU’s/MOA’s provides NMDPS Officers with civil protection from Tort claims when acting under the color of law and in good faith in established Indian Country.

Currently NMDPS has SLEC commissioned personnel who are assigned to several Uniform Districts along with Agents in specialized areas of the Investigation’s Bureau such as Crime Scene Investigators and Crash Reconstruction Investigators. This Collaboration better allows NMDPS to assist Tribal Communities when called upon to do so.

- Community Engagement. In collaboration with local tribal law enforcement agencies, NMDPS participates in a wide range of annual events on all tribal jurisdictions. An example of these engagements includes but are not limited to:
 - Annual Pueblo Fiestas, Tribal Fairs, parades, and Rodeos
 - Pueblo closures for Tribal Ceremonies
 - Tribal shop with a cop function
 - Law Enforcement days
 - Attend town hall, tribal, chapter meetings
 - Tribal Liaison collaboration

V. NMDPS FY2019 ACCOMPLISHMENTS WITH NM TRIBES

- NMDPS Tribal Liaison met with all Tribal Police Chiefs or their representative during the year to discuss and address specific concerns
- NMDPS involved extensively on the Murdered Missing Indigenous Women’s Task Force (MMIW TF) during the last year
- NMDPS / Laguna Pueblo 29-1-11 commission agreement
- NMDPS and CYFD Tribal Liaisons collaborations with Tribal entities to streamline the process between local Tribal Social Services and CYFD services.
- Continued success of the Pueblo Sex Offender Registry Program which is a collaborative project consisting of Acoma, Isleta, Zuni and Laguna Pueblos.

New Mexico State Police - Uniform Services Bureau-

The NMDPS, New Mexico State Police Division is divided into twelve (12) uniform Districts. Six (6) of these districts patrol boundaries encompass sovereign Tribal Jurisdictions of New Mexico’s tribes and Pueblos.

The following breakdown is a bulleted synopsis for each of these six districts interaction with their adjoining sovereign jurisdictions, as well as conclusive information on what the NMDPS is doing at the executive level to facilitate and foster partnerships with New Mexico’s Native American Communities and Tribal Law Enforcement partners.

NMSP District 1- Santa Fe

Commanded by Captain Eric Schum:

- At Santo Domingo’s request, D1 had several officers assist with the Santo Domingo Festivals the first week of August, 2019
- On August 3, 2019, D1 command staff met with Pojoaque PD command staff to discuss issues facing both agencies
- On August 23, 2019, a D1 officer attended a football game at Santa Fe Indian School and spoke to parents and players
- On August 24, 2019, several D1 officers assisted Pojoaque PD with foot patrols during a boxing match event at Buffalo Thunder casino
- On September 28, 2019, several D1 officers assisted Pojoaque PD with foot patrols during MMA fights at Buffalo Thunder casino
- On December 15, 2019, several D1 officers participated in “Shop with a Cop” with the Pojoaque Boys and Girls Club
- On February 6, 2020, a D1 officer did a meet-and-greet with students at Pojoaque High School
- On May 22, 2020, a D1 officer took over a stolen vehicle/pursuit case from a BIA officer in Pojoaque, due to jurisdictional issues
- At the request of Pojoaque Schools, several D1 officers assisted with traffic control during Pojoaque’s modified graduated ceremony on May 23, 2020

NMSP District 5- Albuquerque

Commanded by Captain Leonardo Ornelas:

- State Police Dispatch Drunk Buster (#DWI) Program networking with Isleta, Laguna, Santa Ana, and Sandia Pueblos 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.
- BIA Office of Justice Services has provided jurisdiction training and assisted with cultural competency training.
- BIA has come in to refresh officer training in Indian Country Jurisdiction at our quarterly 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.
- 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.
- District staff participate with Sandoval DWI Task Force, Quarterly Meetings, which consists of supervisors from Zia, Jemez and Santa Anna Pueblos and other Sandoval County LE. NMSP will supply officers for patrols and assistance to Zia, Jemez & Santa Ana Feasts.
- Presentations on child safety and bullying to Jemez Pueblo School

NMSP District 6 – Gallup

Commanded by Captain Troy Velasquez:

- Under the current 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.
- 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.
- Every District 6 officer 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 work with Zuni Pueblo every year during their annual December Shalako Events. Providing officers to the Event and in return these officers are issues limited commissions from the Pueblo of Zuni during the event.
- District 6 Officers are assigned on an annual basis to assist Acoma and Laguna Pueblo with their Fiestas, Law Enforcement Days, Junior Officer training programs, Sky works event, Tour De Acoma Bike Event, annual Christmas shop with Cops events.

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- District 6 Captain and Lieutenant set up and coordinate quarterly meetings with the Tribal Police Leadership in District 6. These meetings are held to discuss jurisdictional issues, collaborate on events, and continue good working relationships.
- District 6 works with BIA Agents assigned to the Laguna Agency which covers most of Cibola and McKinley Counties Tribal land on cases involving non-natives
- Captain Velasquez is participating with NMDOT and Laguna Pueblo on the planning of an I-40 wall barrier project which would be constructed on Interstate 40 from the 114-117 MM and replace the current cable barrier. The purpose of this project is to improve traffic operations, increase driver safety and reduce maintenance issues. The project would involve full reconstruction of interstate 40 in this area.
- Captain Velasquez and Lieutenant Martin regularly attend various Tribal town hall meetings, Village meetings and Chapter meetings within District 6 to hear the concerns of Tribal Members living in those areas.
- District 6 has developed a working process with the Navajo Nation Prosecutors office to identify and extradite serious offenders who have State Felony Warrants but use the reservation as a safe haven to hide out. This process is also being implemented in Laguna Pueblo.
- District 6 with the help of NMSAR continues to assist with any Search and Rescue (SAR) requests on tribal land.
- District 6 officers respond to frequent routine calls for service on Navajo land.
- District 6 has assisted Navajo, Zuni, Ramah, Acoma and Laguna tribes with saturation patrols and/closures during the Covid-19 pandemic.

NMSP District 7- Espanola

Commanded by Captain Thomas Harzewski:

- 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.
- The district has conducted scenario-based trainings with Tribal Law Enforcement Departments within the district.
- District officers are currently working with BIA to obtain their SLEC commissions.
- The District routinely responds to the San Juan Casino for calls for service.
- The District continually supports and has a presence for the Tribal festivities to include Little Beaver in Dulce, The feast days for Santa Clara and San Juan Pueblo's.
- The District Collaborates with the Tribal Partners in solving crime that occurs on the reservations.
- The District Collaborates with Picuris Pueblo (BIA), Taos Pueblo and support their festivities.
- The District continually collaborates with Investigators of U.S. DOI, BIA-Office of Justice Services Northern Pueblos Agency

NMSP District 8

Commanded by Captain Todd Cullers:

- District 8 Command staff meet regularly with Mescalero conservation officers and BIA.
- Recently a collaboration between Mescalero and possible Covid-19 Tribal road closures.
- Officers continue to handle calls at the Mescalero casino involving Non-Natives.
- D8 works diligently to continue positive collaboration with the Mescalero Apache Indian reservation Police Department

NMSP District 10

Commanded by Captain Micah Doering:

- Under the current District 10 patrol plan, we are required to collaborate as necessary to ensure the safety of the public both on tribal and state lands. This is loosely written which gives us flexibility to work in an “as needed and asked” capacity.
- Officers in District 10 respond when requested to emergency situations to include major traffic crashes, violent crimes in progress, and other such incidents. These requests generally are routed through the dispatch centers.
- 16 of the 18 officers in District 10 have a Navajo Nation police cross-commission. This 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. These officers also possess a Special Law Enforcement Commission (SLEC) from the Bureau of Indian Affairs (BIA).
- District 10 Officers participate in the annual Shiprock Fair by supplementing traffic enforcement and routing along with foot patrols at the fairgrounds when requested. This annual event occurs at the first of October.

- District 10 Captain and Lieutenant attend meetings with the Navajo Tribal Law Enforcement leadership periodically to discuss any upcoming events or current issues that need to be addressed by both agencies. This facilitates a positive, ongoing relationship between all involved.

NMSP District 11

Commanded by Captain Robert Alguire:

- Under the current District 11 Patrol Plan, officers are required to attend community events, and engage in community policing activities in their respective patrol area to include the Alamo Reservation. This requirement of the District 11 Patrol Plan ensures officer are staying involved with the community in Alamo and maintaining working relationships with community members.
- Officers in District 11 are active participants in the Alamo Days, Alamo Career Day, and the RESPECT program that take place in Alamo. Officers and supervisors of District 11 also attend any meeting or events when requested, such as active shooter drills at the schools.
- District 11- Socorro patrol officers/supervisors (9 total) have a Navajo Nation Police Cross-Commission. District 11 officers work closely with Navajo Police Department (Alamo), and Socorro County Sheriff's Department to ensure all calls for service are adequately investigated.
- District 11 Captain and Lieutenant set up and coordinate meetings with the police leadership in District 11, along with the Alamo community members. These meetings are held to continue good working relationships.

NMSP Northern Region Investigations

Commanded by Captain Clay Goret:

Zone 3 worked a collaborative investigation with tribal, federal, state, county, and municipal agencies. The investigation lasted approximately four-weeks, beginning March 10, 2020. It pertained to a series of shootings on and near Interstate 25 between Bernalillo and the Santa Fe County line. NMSP worked closely with Bureau of Indian Affairs and Santa Ana Pueblo investigators. Their personnel assisted us with contacting persons and conducting interviews on Native lands. NMSP worked with the tribal Leadership for San Felipe and Santo Domingo Pueblos during the entirety of the investigation. NMSP communications with Santo Domingo Governor Moquino were regular as two shooting incidents occurred on State Road 22, on their pueblo, and the shooter was a Santo Domingo Pueblo member.

NMSP- Special Investigations Unit (SIU):

Commanded by Captain Suzanne Skasik:

- SIU District 6:
 - Assists with “consequences of DWI” presentation to offenders going through the Navajo Nation DWI program.
 - DWI presentation/Safety talks to local High Schools on and off Tribal land within McKinley County, NM
 - Attends “Strategic Network of Advocates for the Prevention of suicide and Substance abuse Coalition” held annually around the Navajo Reservation.
- SIU District 10:
 - Collaborated with the Navajo Nation for the annual Shiprock Fair
 - Annual training completed for Western Refinery (Giant) to reduce sales to intoxicated subjects and sales to minors. Western Refinery operates the closest licensed liquor establishments bordering the Navajo Reservation.
 - Attend meetings quarterly for the Mancos Shale Project In the Four Corners area.

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- SIU District 7
 - Attends quarterly “Taos Alive” coalition meetings. These meetings are community based and have a goal of reducing substance abuse among Taos County teens both on and off the area reservations.

NMSP – Commercial Motor Vehicle Enforcement Unit

- CVE District(s) 5,6,10 and 11:
 - CVE Officers in Gallup have assisted Acoma and Laguna Pueblos with safety inspections of Fire and EMS equipment vehicles to ensure operational preparedness.
 - CVE Officers in Gallup are working with Zuni Pueblo and Ramah Navajo during the Covid-19 pandemic to ensure safe routes for oversize/overweight Commercial motor traffic which is diverted off the Interstate due to size and must pass through these sovereign lands while maintaining the integrity of the Tribes local shutdown or road closure due to the pandemic.
 - Districts 5,6,10, and 11 CVE Officers continue to work closely with Tribal entities to assist with calls for service and post-crash inspections if needed.

Office of the Chief

Chief Tim Johnson:

- Since taking office, Chief Johnson has been active in commissioning tribal police officers as New Mexico Peace Officers under Statute 29-1-11.

ISLETA PUEBLO		
Number of Commissions	26	Confirmed
	8	Pending
JICARILLA APACHE TRIBE		
Working on new MOU/MOA		
Number of Commissions	1	Confirmed
	0	Pending
LAGUNA PUEBLO		
New agreement in place 2020		
Number of Commissions	0	Confirmed
	8	Pending
RAMAH NAVAJO		
Number of Commissions	6	Confirmed
	1	Pending
SANDIA PUEBLO		
Number of Commissions	24	Confirmed
	0	Pending
PUEBLO OF SANTA ANA		
Number of Commissions	24	Confirmed
	1	Pending
TAOS PUEBLO		
Number of Commissions	5	Confirmed
	0	Pending
PUEBLO OF ZUNI		
Number of Commissions	16	Confirmed
	0	Pending

IV. **GOALS FOR FY 2021 RELATING TO NM TRIBES**

The NMDPS is committed to moving forward with a successful State-Tribal collaboration through accountability, communication, respectful and inclusive State/Tribal partnerships.

The State -Tribal Collaboration act mandates us (NMDPS) to “collaborate with and respect tribal governments in New Mexico”. This requires more than empty statements about how much we appreciate other cultures. In the context of criminal justice, true respect means learning about Indian jurisdiction, having culture sensitivity, and applying the laws as they are supposed to be applied to make all NM communities safer for all NM residents and visitors. NMDPS is committed to this partnership.

V. **KEY NAME AND CONTACT INFORMATION:**

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

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Report completed by:
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District 6 – Uniform/CVE Commander
NMDPS Tribal Liaison- 2019-2020

