

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT
CHAPTER 29 LAW ENFORCEMENT ACADEMY
PART 8 OFFICER TRANSITION TRAINING PROGRAM

10.29.8.1 ISSUING AGENCY: New Mexico Law Enforcement Academy - Training and Recruiting Division.

[10.29.8.1 NMAC - N, 11/30/09]

[Department of Public Safety, 4491 Cerrillos Road, Santa Fe, New Mexico 87505]

10.29.8.2 SCOPE: All police officers and law enforcement agencies in the state of New Mexico.

[10.29.8.2 NMAC - N, 11/30/09]

10.29.8.3 STATUTORY AUTHORITY: NMSA 1978, Section 29-7-4 (B) (C) (F) (Repl. Pamp. 1994), NMSA 1978, Section 29-7-5 (E) (F) (Repl. Pamp. 1994), NMSA 1978, Section 29-7-6 (A) (4) (6) (Repl. Pamp. 1994), NMSA 1978, Section 29-7-7.1 (Repl. Pamp. 1994), NMSA 1978, Section 29-7-7.2 (Repl. Pamp. 1994), NMSA 1978, Section 29-7-10 (Repl. Pamp. 1994)

[10.29.8.3 NMAC - N, 11/30/09]

10.29.8.4 DURATION: Permanent.

[10.29.8.4 NMAC - N, 11/30/09]

10.29.8.5 EFFECTIVE DATE: November 30, 2009, unless a later date is cited at the end of a section.

[10.29.8.5 NMAC - N, 11/30/09]

10.29.8.6 OBJECTIVE: The purpose and intent of this rule is to provide the ability for New Mexico reserve police officers to attain New Mexico law enforcement certification. These rules do not require the certification of a reserve program, nor do they require any agency or individual currently involved as a law enforcement reserve to attain such certification. The objectives of Part 8 are to:

- A.** establish minimum standards of training for police officer certification of officers obtaining certification by the police officer transition training program;
- B.** establish criteria for applicants to attend a police officer transition training program;
- C.** identify criteria for medical and psychological evaluations required under law and fingerprint clearance; and
- D.** establish entry level and requalification firearms training requirements.

[10.29.8.6 NMAC - N, 11/30/09]

10.29.8.7 DEFINITIONS:

A. "Reserve officer" means a commissioned person who is not a certified police officer by the New Mexico law enforcement academy that assists law enforcement agencies in the state of New Mexico.

B. "Certified officer" means a commissioned person who assists law enforcement agencies in the state of New Mexico who has met all the requirements for law enforcement certification as established by the Article 7, New Mexico Law Enforcement Training Act, NMSA 1978 Section 29-7-1 to 29-7-13 and is commissioned and employed by a recognized New Mexico law enforcement agency.

C. "Transition officer student" means a person that has made application and been approved by the director for obtaining law enforcement certification through the police officer transition training program. This person may not be employed as a certified police officer by any law enforcement agency in this state until the person satisfies the qualifications for certification set forth in 29-7-6, Subsection A, and is awarded a certificate by the director attesting to that fact.

D. "Police officer transition training program" means a program approved by the New Mexico law enforcement academy equivalent to the existing standards established under 10.29.9.8 NMAC that allows for police officer certification.

E. "Certification by prior basic reserve training" means the validation and approval of a comparable basic training program for prior reserve training conducted in New Mexico as recognized and approved by the director through December 31, 2011. Effective January 1st 2012 no credit will be given for law enforcement certification purposes for any basic reserve training conducted outside of the officer transition training program.

[10.29.8.7 NMAC - N, 11/30/09]

10.29.8.8 POLICE OFFICER TRANSITION MINIMUM STANDARDS OF TRAINING:

A. The training standards as established under 10.29.9.8 NMAC are the minimum standards of training for police officer transition certification except as noted in Subsection B of this section.

B. Block 3: Physical and emotional readiness for transition programs; 76 total block hours - this unit of instruction will instruct the student in health and physical fitness concepts, flexibility, strength, body composition and cardiovascular endurance. The student will be expected to successfully complete both entrance and exit standards of fitness and exit standards of job-related agility. The subjects and standards include.

(1) Physical fitness/wellness; 1 hour.

(a) Academy entry standard: This standard is based on Cooper Clinic studies, data and recommendations. Each academy entry student will be pre-assessed on five fitness/wellness evaluations: (1) 1.5 mile run (altitude adjusted); (2) 1 minute sit-up; (3) 1 minute push-up; (4) sit and reach; and (5) 300 meter run. Entry evaluations 1 through 5 will be measured relative to age and gender norms. Each academy entry candidate must score in the 40th percentile or better, in each of the five designated fitness/wellness evaluations, to be eligible for entry into state-certified law enforcement basic transition training academies.

(b) Academy exit goal: For each academy student the goal, through participation in the physical fitness program, is to be able to score in the 60th percentile in each of the above five fitness/wellness evaluations.

(2) Physical performance requirements; 72 hours.

(a) Fitness program: Each student will participate in a fitness program approved by the director within six months of the projected completion date of all basic training program requirements.

(b) Academy fitness exit standard: Complete the 1.5 mile run and 300 meter run at the 60th percentile.

(c) Academy agility course #1 - Pursuit and control exit standard: Score passing time (3 minutes, 5 seconds) on agility course while wearing 10 pounds of extra weight.

(i) Officer is seated in a vehicle with seatbelt in use. As the timed exercise begins, the officer will undo the seatbelt and open the vehicle door.

(ii) Run 30 feet and open a building door.

(iii) Cross the threshold (4 feet) and run up two flights of stairs and pause for 60 seconds. (A rise and run of 7 inches by 11 inches is standard; 8 inches by 10 inches or 6 inches by 12 inches are acceptable variations. Standard floor landings are 10 feet high.) It is appropriate, if only one floor is available, to run up, run down, run up and pause. There is no restriction on how the officer negotiates the stairs.

(iv) Run down the stairs and out the door.

(v) Run 100 feet from the door to a 5-foot high platform; run up steps to the top of the 5-foot platform and jump down. A ladder or ramp are acceptable variations to getting on top of the platform.

(vi) Run 37.5 feet; turn and reverse; run 37.5 feet; turn and reverse; run 25 feet to a 6-foot high wall and scale it. The wall is constructed of cinder block, unpainted with a smooth top. If the applicant chooses, he or she may drag a rigid aid or object 10 feet from the side of the wall and use it as a platform to scale the wall. The rigid aid or object will have handles, a flat top, weigh 50 pounds and be 25 inches tall.

(vii) After scaling the wall, run 50 feet to a handcuff/arrest simulator; pull the arms down; touch the ends and hold for 60 seconds. The arrest simulator is 5 feet high with 60 pounds resistance in the right arm and 40 pounds in the left arm.

(d) Academy agility course #2 - Rescue exit standard: Score passing time (42 seconds) on agility course while wearing 10 pounds of extra weight.

(i) Officer is standing at starting point wearing a 10-pound weight belt around the waist to simulate a gun belt. On signal the officer will run 30 feet straight ahead and jump across a 4-foot wide barrier. The barrier is low to the ground, e.g., a ditch, highway divider, etc.

(ii) Run 12.5 feet and climb, jump or hurdle over a 3-foot high barrier. The barrier is to resemble a fence or low wall, no more than 4 inches wide and at least 8 feet long, made of metal or wood.

(iii) Run 12.5 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 New Mexico law enforcement academy.

(iv) 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.

(3) Emotional health and stress management; 2 hours.

(4) Nutrition; 1 hour.

[10.29.8.8 NMAC - N, 11/30/09]

10.29.8.9 STUDENT HANDBOOK, PROCEDURES, AND RULES: Due to the need to insure that students attending a regional law enforcement academy will comply with rules and regulations, the director of the New Mexico law enforcement regional academy is hereby instructed to prepare a handbook covering student rules and regulations, policies and procedures.

[10.29.8.9 NMAC - N, 11/30/09]

10.29.8.10 TRANSITION PROGRAM APPLICATION FOR ADMISSION:

A. Compliance with the reporting requirements listed in 10.29.9.10 NMAC is required.

B. Phase one application requirements.

(1) An applicant for training or certification, or his department, must submit the following application forms for admission or certification and all necessary paperwork 60 days prior to the basic training program start date.

(a) LEA-1A - application for admission to transition training program.

(b) LEA-5 - fingerprint affidavit.

(c) LEA-6 - applicant affidavit.

(d) LEA-9 - release of information.

(e) LEA-11 - employment history.

(f) LEA-12 - affidavit of United States citizenship.

(g) LEA-14 - entry physical fitness verification.

(h) LEA-82 - agency employment action.

(i) Notarized copy of current valid driver's license.

(j) Notarized copy of military DD214 (if applicant has had military service) must have

character of service.

(k) Notarized copy of high school diploma, G.E.D. certificate or college diploma.

(2) Non-compliance with the 60 day application requirement will result denial of admission to the selected training.

(3) Applicants who falsify any information on their application for admission or certification will not be considered for admission or certification.

C. Phase two application requirements.

(1) An applicant for basic certification, or his department, must submit the following application forms for certification and all necessary paperwork no less than six months prior to the completion of the basic training program.

(a) LEA-3 - medical examination.

(b) LEA-4 - current psychological examination.

(2) Non-compliance with the six month submission requirement will result denial of eligibility to take the law enforcement certification examination.

(3) Applicants who falsify any information on their application for admission or certification will not be considered for admission or certification.

D. Phase three, certification by waiver training program requirement. An applicant for basic certification must complete the certification by waiver training program no less than six months after the completion of the basic transition training program.

[10.29.8.10 NMAC - N, 11/30/09]

10.29.8.11 PSYCHOLOGICAL EXAMINATION: Prior to certification 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 to the individual's emotional and mental condition on a form prescribed by the director and entitled "mental examination certification". Compliance with the provisions set forth in 10.29.9.12 NMAC is required.

[10.29.8.11 NMAC - N, 11/30/09]

10.29.8.12 FINGERPRINT CLEARANCE FOR ADMISSION/CERTIFICATION: Prior to admission or certification as a law enforcement officer in the state of New Mexico, it shall be necessary for 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. Compliance with the provisions

set forth in 10.29.9.13 NMAC is required.
[10.29.8.12 NMAC - N, 11/30/09]

10.29.8.13 **REQUALIFICATION FIREARMS TRAINING:** All New Mexico police officer applicants for certification must comply with the provisions set forth in 10.29.9.14 NMAC.
[10.29.8.13 NMAC - N, 11/30/09]

10.29.8.14 **MEDICAL REVIEW PROCEDURES:** In accordance with the provisions of the Law Enforcement Training Act, Section 29-7-6, an applicant for certification or training 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. Compliance with the provisions set forth in 10.29.9.17 NMAC is required.
[10.29.8.14 NMAC - N, 11/30/09]

10.29.8.15 **LAW ENFORCEMENT OFFICER CERTIFICATION EXAMINATION; TIME LIMITATIONS:**

A. Students who successfully complete a New Mexico police officer transition training program, and certification by waiver training program, and are determined to have met all of the requirements for law enforcement certification, will be allowed to take the law enforcement officer certification exam. Only those students who have successfully completed all requirements under the minimum standards of training, as determined by the director of the department of public safety training and recruiting division, will be administered the law enforcement officer certification exam.

(1) Students will be allowed two opportunities in which to pass the law enforcement officer certification exam within 60 days from the date of completion of the training program. Students who fail the exam two times must attend and successfully complete the New Mexico law enforcement academy's basic police training program. Students will not be allowed to attend a regional/satellite program to obtain certification.

(2) Students who achieve a passing score on the law enforcement officer certification exam are eligible for certification upon submission of form LEA-15 by the employing New Mexico law enforcement agency.

B. Students who have successfully completed a New Mexico police officer transition training program, the certification by waiver program, and passed the law enforcement officer certification exam, will be provided a letter from the director of the department of public safety training and recruiting division attesting to the student's eligibility for certification as a police officer in New Mexico.

C. When all paperwork is completed to the satisfaction of the director of the department of public safety training and recruiting division for any student requesting certification by successful completion of a New Mexico police officer transition training program, the request will be submitted to the New Mexico law enforcement academy board for final approval and award of certification under NMSA 1978, Section 29-7-1 et. al., (Repl. Pamp. 1994).

[10.29.8.15 NMAC - N, 11/30/09]

10.29.8.16 **CERTIFICATION:**

A. The New Mexico law enforcement academy board determines the maximum number of satellite academies which may be certified at any given time. Only approved satellite academy programs may conduct New Mexico police officer transition training programs.

B. The following procedures must be adhered to by all New Mexico police officer transition training programs for the training program to be approved for certification in accordance with NMSA 1978, Section 29-7-1 et. al., (Repl. Pamp. 1997).

[10.29.8.16 NMAC - N, 11/30/09]

10.29.8.17 **PROGRAM IMPLEMENTATION:**

A. The accredited academy will ensure that the facilities, instructors, program management, and curriculum meet or exceed the standards and expectations established by the board and the director.

B. All regional academies requesting approval for each transition basic training program must notify the department of public safety training and recruiting division and supply the following information for review and approval prior to any such program's implementation.

(1) Curriculum which must correspond with the current minimum standards of training for the requested program as set forth in 10.29.9.8 and 10.29.8.8 NMAC. Curriculum is subject to change at the discretion of the New Mexico law enforcement academy board.

(2) List of department of public safety training and recruiting division certified instructors and their assigned course(s). Instructors must be certified through the department of public safety training and recruiting division, or instruction conducted by a non-certified instructor must be monitored by the department of public safety training and recruiting division certified instructor. Technical or high risk areas must be instructed by certified department of public safety training and recruiting division instructors; for example, firearms training - qualification must be conducted by a certified department of public safety training and recruiting division firearms instructor.

(3) Schedule of classes for the entire training period.

(4) Roster of students' full names, dates of birth, and social security numbers.

C. For New Mexico police officer transition training program, comparable training facilities for the below listed proficiency areas must be available or contracted for by the requesting agency or instructor and inspected by the department of public safety training and recruiting division prior to approval.

(1) Comparable driving track facility.

(2) Comparable firearms range facility.

(3) Comparable obstacle/agility course facility.

D. Upon receipt of this information, a thorough evaluation will be made and notification sent to the regional academy advising the decision of the department of public safety training and recruiting division. In the event that the program is not approved, notification and recommendations will be sent advising the agency or institution of the program deficiencies. Once these deficiencies have been corrected, the program will again be examined and notification will be sent as to final disposition.

E. Once approval 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 academy board. Any deviation from the previously approved program must be submitted to the department of public safety training and recruiting division for review and approval pending final certification of the program conducted.

F. 60 days prior to the regional academy start date, all fitness assessment scores, and the phase one student application packet shall be received by the department of public safety training and recruiting division.

G. Class size will be determined by each regional academy, however, an appropriate instructor to student ratio must be maintained. This is especially important in the critical skill areas of physical fitness, firearms, defensive tactics, emergency vehicle operations, and situational training exercises. The certification of students completing an academy program is important. A low certification percentage, as determined by the board, will be grounds for non-renewal of academy accreditation.

H. The board will establish minimum guidelines for instructor and student conduct.

I. The board will determine which academies are authorized to conduct transition law enforcement training. The type of student allowed to attend a satellite academy transition training program must meet the criteria listed on form LEA-1A.

[10.29.8.17 NMAC - N, 11/30/09]

10.29.8.18 PROGRAM COMPLETION: Upon completion of the satellite program, the agency/institution must provide the following information to the department of public safety training and recruiting division prior to administration of the law enforcement officer certification examination (LEOCE).

A. Phase two application forms for certification and all necessary paperwork shall be submitted no less than six months prior to the projected completion of the basic training program.

B. Final (revised) student roster: full name, date of birth, social security number, and mailing address of each student.

C. Final (revised) class schedule: dates, time, and length of instruction. Each block of the minimum standards of training will be included.

D. Final (revised) listing of instructors: instructors must be certified through the department of public safety training and recruiting division certified instructor. Technical or high risk areas must be instructed by a certified department of public safety training and recruiting division instructor for the specific areas instructed; example, firearms training - qualification must be conducted by a certified department of public safety training and recruiting division firearms instructor.

E. Block test scores must be provided for each instructional area, as well as scoring for the skill proficiency areas, i.e., firearms, defensive tactics, patrol fitness (1.5 mile run and obstacle course), and driving

program. A roster of student names and test scores attested to by the satellite program director is sufficient to meet the department of public safety training and recruiting division testing requirements. Department of public safety training and recruiting division testing requirements and minimum scores for the various block and skill proficiency areas are the only acceptable testing criteria.

F. Final attendance roster for students of the training program.

[10.29.8.18 NMAC - N, 11/30/09]

10.29.8.19 PROGRAM MONITORING AND EVALUATION:

A. Department of public safety training and recruiting division director, or his designee, has the authority to visit the satellite 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 department of public safety training and recruiting division director, or his designee, will investigate any reported information concerning the operation of the satellite academy and delivery of training programs. At any time that information on program deficiency is verified, the director can request decertification of the satellite program.

(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 department of public safety training and recruiting division director's satisfaction, decertification will be recommended to the New Mexico law enforcement academy board.

(3) All efforts will be made by the director of the department of public safety training and recruiting division 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 academy board to appeal, or defend against, program certification recommendations.

[10.29.8.19 NMAC - N, 11/30/09]

10.29.8.20 CERTIFICATION OF PRIOR NON-ACCREDITED BASIC TRAINING: Students who have successfully completed a non-accredited police officer basic training academy not previously recognized by the New Mexico law enforcement academy, will be allowed to request recognition and approval of this training in partial fulfillment of the training requirements as established under the New Mexico police officer transition training program until 1/01/12. Each applicant must meet the following conditions and the listed documentation must be submitted.

A. Reserve academy daily class student attendance rosters.

B. Class schedule: dates, time, length of instruction, and a copy of each lesson plan.

C. On a form approved by the director, a listing will be submitted to the director of each completed block and sub-topic of training and the corresponding state approved standard of training that has been fulfilled, noting any deficiencies.

D. Listing of instructors: instructors must be certified through the department of public safety training and recruiting division certified instructor. Technical or high risk areas must be instructed by a certified department of public safety training and recruiting division instructor for the specific areas instructed; example, firearms training - qualification must be conducted by a certified department of public safety training and recruiting division firearms instructor.

E. Block test scores must be provided for each instructional area, as well as scoring for the skill proficiency areas, i.e., firearms, defensive tactics, patrol fitness (1.5 mile run and obstacle course), and driving program. A roster of student names and test scores attested to by the satellite program director is sufficient to meet the department of public safety training and recruiting division testing requirements. Department of public safety training and recruiting division testing requirements and minimum scores for the various block and skill proficiency areas are the only acceptable testing criteria.

F. Certificate of completion and total hours of training successfully completed.

G. Final roster for students of the training program.

H. Proof of advance training courses completed may be submitted for fulfillment of related deficient basic training hours. It will be the sole discretion of the director to approve any such training hours submitted.

I. Department of public safety training and recruiting division director, or his designee, will evaluate the basic and advance training completed and determine the training hours that will be recognized for basic law enforcement certification and the deficient hours that must be completed to meet the established minimum standards

of training. Upon completion of the established minimum standards of training, a formal basic training transcript will be created and the individual will be eligible for attendance of the certification by waiver program.

J. An applicant for certification by waiver, or his department, must submit the application forms identified in phase one and phase two of 10.29.8.10 and LEA-15 for admission to the certification by waiver course.
[10.29.8.20 NMAC - N, 11/30/09]

HISTORY OF 10.29.8 NMAC: [RESERVED]