

PROPOSAL: **IMPROVING POLICE IN-SERVICE TRAINING IN NEW MEXICO**

INTRODUCTION:

One of the main objectives of the New Mexico Law Enforcement Academy (LEA) Board is to provide high quality in-service training for law enforcement. Unfortunately, as we shall see, the ability of the LEA Board to do so has been adversely affected by well intentioned legislative decisions that require specific classes for in-service training.

The great majority of law enforcement professionals feel change is needed: the Law Enforcement Academy Board, responsible for training, should direct all in-service training. This change can be accomplished by repealing statutes that mandate in-service classes.

In-service training is done on a biennium basis, once every two years.

The status quo ignores the Law Enforcement Board

New concerns and priorities in law enforcement arise almost every year. However, instead of going to the Law Enforcement Academy Board or contacting the Director of LEA, a citizen will go to the state legislature. The result is another statute requiring a topic be taught and directing how many hours it will be taught.

It's a very inefficient way to conduct law enforcement training:

- The "one size fits all" approach ignores regional differences and local issues.
- It fails to take into account training needs based upon rank and assignment.
- What may be a priority one year may not be the next year, yet the topic will be part of in-service training into perpetuity.

The status quo prevents a flexible approach to law enforcement training.

- In law enforcement, a new court case or state statute or issue of public concern may quickly demand changes for in-service training.
- Professionals responsible for training must be flexible enough to meet new concerns as they arise from year to year.
- Teaching of new topics is difficult, however, when valuable training hours are anchored down by legislative requirements from previous years.

The status quo is not an effective use of training hours

- The most frequent complaint of law enforcement officers is the same topic is taught every two years, for their entire career.

Examples:

- The Safe Pursuit Act is a four hour class and changes little from year to year. One officer who took the class in March remarked he had taken the identical class (same instructor, same slides) the previous December!
- Hate crimes is a two hour class. New Mexico, on average, has one high profile hate crime per year and virtually no new case law. As officers have noted, it certainly doesn't need to be taught every two years for an officer's entire career!

A summary of legislative requirements for In-service training

The following legislative mandated classes are required to be taught every two years:

- A minimum of four (4) hours for safe pursuit driving, NMSA 1978, Section 29-20-3.
- A minimum of one (1) hour for domestic violence incident training, NMSA 1978, Section 29-7-4.1.
- A minimum of one (1) hour to ensure child safety upon arrest, NMSA 1978, Section 29-7-7.3.
- A minimum of two (2) hours for training in child abuse, NMSA 1978, Section 29-7-4.2.
- A minimum of one (1) hour in missing persons and AMBER alert training, NMSA 1978, Section 29-7-7.4.
- A minimum of two (2) hours in interaction with persons with mental impairment training, NMSA 1978, 29-7-7.5
- A minimum of two (2) hours for training in hate crimes, NMSA 1978, Section 31-18B-5.

Legislative requirements for specific classes hamper law enforcement training and need to be repealed.

In the future, legislative intent to teach specific classes should be done by resolutions rather than state statutes.

RECOMMENDATION:

The Law Enforcement Board should be responsible for all training requirements.

- The LEA Board already has responsibility for training requirements. The New Mexico Administrative Code, Title 10, Chapter 29, Part 7 refers to Public Safety and Law Enforcement Academy In-Service Training requirements:

10.29.7.6. Objective:

The purpose of Part 7 is to establish in-service law enforcement requirements for certified police officers and certified public safety telecommunication operators.

10.29.7.8 In-Service training cycle for Law Enforcement Officers:

All New Mexico certified law enforcement officers shall receive a minimum of forty (40) hours of training on a biennial basis (once every two years).

A few examples of LEA Board in-service requirements follow:

- Four (4) hours of academy approved day and night firearms training on agency approved weapons systems. No more than one (1) hour training shall be classroom lecture.
- For officers who may be involved in the arrest of DWI offenders as a normal part of their duties, four (4) hours of training in NHTSA approved standardized field sobriety testing or successful course completion of the NHTSA approved sixteen (16) hour advanced roadside impaired driving enforcement course.
- Other requirements include ethics and legal update training classes.

RECOMMENDATION:

This Proposal should be presented to the New Mexico Association of Chiefs of Police, the New Mexico Sheriffs' Association, and the Law Enforcement Academy Board. If these three groups agree, the following should occur:

- **Request the assistance of the Attorney General (who sits on the LEA Board) to draft appropriate legislation.**
- **Legislation should be presented to the state legislature requesting repeal of legislation requiring specific police training.**
- **Proposed legislation should be presented to legislators well before the next legislative session.**

This initial draft proposal has been prepared by:

Department of Public Safety
Law Enforcement Academy
Santa Fe, New Mexico (July, 2013)