

NEW MEXICO LAW ENFORCEMENT ACADEMY
BOARD MEETING

August 12, 2015
9:00 a.m.

McKinley County Board of Commissioners
207 West Hill Avenue
Gallup, New Mexico 87301

REPORTED BY: Jan A. Williams, RPR, NM CCR 14

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BOARD MEMBERS

New Mexico Attorney General Hector Balderas, Chairman
Chief Pete Kassetas, Vice Chairman
Sergeant Jaime Quezada
Chief Chris McCall
Sheriff Wesley Waller
Chief Darren Soland
Scot Key

ALSO PRESENT

Jack F. Jones, II, Director
Rick Word, Esq.
Monique Lopez
Monica Medrano

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1 ITEM NO. 1: CALL TO ORDER

2 A.G. BALDERAS: Good morning. I would like
3 to call this meeting to order. Welcome, all Members
4 and guests in attendance.

5 ITEM NO. 2: ROLL CALL

6 A.G. BALDERAS: And at this time I'd like to
7 ask that there be a roll call.

8 MS. LOPEZ: Attorney General Hector Balderas.

9 A.G. BALDERAS: Present.

10 MS. LOPEZ: Scot Key.

11 MR. KEY: Present.

12 MS. LOPEZ: Chief Pete Kassetas.

13 CHIEF KASSETAS: Here.

14 MS. LOPEZ: Sheriff Wesley Waller.

15 SHERIFF WALLER: Here.

16 MS. LOPEZ: Chief Darren Soland.

17 CHIEF SOLAND: Here.

18 MS. LOPEZ: Chief Chris McCall.

19 CHIEF McCALL: Here.

20 MS. LOPEZ: Sergeant Jaime Quezada.

21 SERGEANT QUEZADA: Here.

22 A.G. BALDERAS: And I actually would like my
23 Vice Chairman to run the remaining of the meeting.
24 I've got to step away due to the emergency up in
25 Farmington. But I have full confidence that Chief

1 Kassetas will run the meeting accordingly. And I will
2 try to make it back. So I'll direct the rest of the
3 meeting to my Vice Chairman. Thank you.

4 CHIEF KASSETAS: Thank you, Mr. Chairman. So
5 right now we need a motion to go into closed session.

6 SHERIFF WALLER: Mr. Vice Chairman, I would
7 like to make a motion to bring this Board meeting into
8 closed session to discuss --

9 CHIEF KASSETAS: Hold on. Do we need to go
10 through each name to see if anybody is here to address
11 the Board before we do that? Don't we normally do
12 that?

13 MR. WORD: That would be good I think.

14 CHIEF KASSETAS: Rookie mistake right out of
15 the barrel. Hold on, Wes.

16 SHERIFF WALLER: I withdraw the motion.

17 CHIEF KASSETAS: My bad. So the process at
18 this point in the meeting is if any of the individuals
19 that are listed on the agenda would like to address
20 the Board.

21 And I want to make it clear that the Board
22 took a vote last time. And we will only hear from
23 those people that are named on the agenda, not anybody
24 standing in for them, prior to going into closed
25 session.

1 So I'll go through the list here. Do I need
2 to start with No. 5? Is that where we start, the
3 stipulated?

4 MR. WORD: I would do that.

5 CHIEF KASSETAS: Let me do the dismissals I
6 suppose. Is Michael Dimas or Jeremy Hollier here?

7 MR. DIMAS: Michael Dimas.

8 CHIEF KASSETAS: Michael Dimas. Let's just
9 knock them out as we go per category.

10 Would you like to address the Board.

11 MR. DIMAS: Yes, sir. Good morning. My name
12 is Michael Dimas. I'm an officer with the Santa Fe
13 Police Department. My discipline or my -- what was
14 brought before the Board or the LEA Board was failure
15 to report an incident with a domestic violence.

16 I assisted an officer one night. He gave me
17 a call, asked me to come and pick him up. I went and
18 picked him up and took him home. I did report the
19 incident, it was the following day, to my commander.
20 According to policy, which I have reviewed, I went and
21 reported it to a commander.

22 So in regards to that, a year later this
23 incident came about. I went in as a witness and
24 became a target for failure to report. So I have
25 reviewed the policy in my department.

1 I received a two-day suspension and written
2 reprimand for that. Since then I've made an effort to
3 make sure I understand all policies and procedures
4 with my department.

5 This coming to the LEA Board, I didn't feel
6 like it had met the criteria as far as meeting the
7 state statute or regulation or anything like that. I
8 know that it's been recommended for dismissal.

9 Again like I said I do humbly regret that it
10 got to this point. I have like I said reevaluated
11 policies and procedures and make it a point to follow
12 those and understand those.

13 As a police officer, I know that we're held
14 to a higher standard. And I'm trying to achieve that
15 goal as a better officer with the Santa Fe Police
16 Department. I've been with them a little over nine
17 years, this is my second career. And I do appreciate
18 your time and effort and if you would consider the
19 dismissal.

20 CHIEF KASSETAS: Can I ask you, a two-day
21 suspension from your agency?

22 MR. DIMAS: Yes, sir.

23 CHIEF KASSETAS: For what?

24 MR. DIMAS: For failure to report.

25 CHIEF KASSETAS: Failure to report. Anybody

1 have any other questions?

2 CHIEF SOLAND: No.

3 CHIEF KASSETAS: Thank you, sir.

4 MR. DIMAS: Thank you.

5 CHIEF KASSETAS: All right. Moving along,
6 stipulated orders of suspension. I'll call them out
7 by the last name. If I call your name, speak up.

8 Carrasco and Madsen. Nobody.

9 Default orders of suspension, Grossetete,
10 Holgate, Michael Montoya.

11 MR. MONTOYA: Here.

12 CHIEF KASSETAS: Nieto, P-f-e-l.

13 MR. PFEL: Yes, sir.

14 CHIEF KASSETAS: I figured I better spell it.
15 Common spelling. Tapia, Turrieta. Okay. So that's
16 the default orders of suspension.

17 And let's hear from Mr. Michael Montoya,
18 No. 9 in our packet.

19 MR. MONTOYA: Good morning. My name is
20 Michael Montoya. I was with the New Mexico Law
21 Enforcement Academy. The reason for me being here was
22 for untruthfulness.

23 I stated to the Director that I had to leave
24 for a family emergency, that my father had a heart
25 attack, which was not true. The reason for me leaving

1 was my fiancée's mom was having knee surgery. And I
2 had to leave in that timely manner.

3 When it was brought up to my -- what had
4 happened, I did lie to the Director. I did, you know,
5 come clean that, yes, I did lie. And I do take full
6 responsibility for my actions.

7 I did resign from the DPS in September. I
8 have not been in law enforcement since I left. My
9 last day was October 10th. And I know my
10 certification is up, you know, for suspension for one
11 year. But like I said, since October I have not
12 worked in law enforcement at any time.

13 And so I'm just here to, you know, save my
14 certification, if possible.

15 CHIEF KASSETAS: Any questions by the Board
16 Members?

17 SERGEANT QUEZADA: Vice Chair, I have a
18 couple of questions of Mr. Montoya. Did you make it
19 out to the surgery?

20 MR. MONTOYA: Yes.

21 SERGEANT QUEZADA: My understanding through
22 the report is that your fiancée was pregnant at that
23 time.

24 MR. MONTOYA: Yes, sir.

25 SERGEANT QUEZADA: I know this is going to

1 sound awkward, but I actually know a little bit about
2 you, Mr. Montoya. Did she have the baby?

3 MR. MONTOYA: We had a miscarriage.

4 SERGEANT QUEZADA: I'm sorry to hear that.
5 And you didn't go anywhere else during that time?

6 MR. MONTOYA: No. Just down to Las Cruces.

7 SERGEANT QUEZADA: That's all I have, sir.

8 CHIEF SOLAND: Sir, why would you lie about
9 something like this?

10 MR. MONTOYA: Because it was -- I had -- the
11 surgery was supposed to have been on the 5th. It had
12 moved to the 2nd. I did make arrangements with
13 Sergeant Carolyn to move my training to October. And
14 time had come really quick. And I was afraid that I
15 was not going to be let off to go down. And I lied.

16 It was a big mistake on my part and like I
17 said I take full responsibility for it. I own up to
18 it. It's humbled me very much. And all I can say is
19 I apologize for everything.

20 CHIEF KASSETAS: I'll remind the Board that
21 this case involves myself and Director Jones. We'll
22 be recusing ourselves from the discussion during the
23 closed session. And adjutant judge, David Linthicum,
24 I believe handled this. And he will be able to fill
25 in the gaps for you all. Any other questions?

1 Thank you, Mr. Montoya.

2 Mr. Pfel, come on up.

3 MR. PFEL: Gentlemen. I'm actually here on
4 two different things.

5 CHIEF KASSETAS: You're here for two issues?

6 MR. PFEL: Yes, sir.

7 CHIEF KASSETAS: One would be I'm assuming
8 conduct that was brought against you on an LEA-90,
9 correct?

10 MR. PFEL: Yes, sir.

11 CHIEF KASSETAS: The second issue involves
12 what?

13 MR. PFEL: It was also conduct. Not making
14 an arrest but allowing a family member to come pick
15 him up. So it was also conduct.

16 CHIEF KASSETAS: Go ahead, sir.

17 MR. PFEL: Okay. The first one was there was
18 some property -- there was a flash drive of a
19 prisoner's that, while I was booking him, ended up
20 being lost.

21 I don't know where it happened, don't know
22 what happened to it. But it was lost. And I take
23 full responsibility. I know that ultimately I am in
24 charge of their property and I take responsibility for
25 that.

1 The second one, I'll give you a fast rundown
2 of the situation. I got a call about two o'clock in
3 the afternoon of an individual sitting inside his
4 vehicle, not moving, sitting there while the traffic
5 lights were cycling.

6 When I arrived, I had a sergeant already on
7 scene. He asked me to go ahead and take a look at the
8 gentleman. I walked up to the car. The individual
9 was on the phone.

10 I had him step out of the vehicle, step out
11 of the street, and up onto a curb and had him sit
12 down. The sergeant at that point pulled the car
13 around out of the street and stated that there was an
14 open container inside the vehicle.

15 I went over and started talking to the
16 individual, asked him what was going on. He explained
17 to me that he had just got done with a 12-hour night
18 shift working construction. So he was extremely
19 tired. He got up to go and grab something to eat and
20 just fell asleep.

21 I asked him if he had anything to drink that
22 day. He said, when I first got off at seven o'clock
23 in the morning, that he had had a beer with his
24 brother. Again this was two o'clock in the afternoon.
25 I asked him if he would like to do a field sobriety

1 test. He said no, he didn't feel there was any need
2 in that.

3 So at that point I went ahead and placed him
4 in my car. I went to the sergeant and advised him
5 that I had not done a DWI in about 14 years due to our
6 department having specialized units. I had been on
7 day shift a long time.

8 I wasn't very comfortable with doing one. I
9 tried to get ahold of the DWI units. Nobody
10 responded. The sergeant told me to go ahead and take
11 him down to our PTC, which is the prisoner transport
12 center downtown, and hopefully there will be an
13 officer down there to kind of walk me through it real
14 quick. So that's what I did.

15 Unfortunately it was a Saturday. I was
16 working overtime. I'm not used to Saturdays. The PTC
17 was closed. So nobody was there. So at that point I
18 made the decision to go ahead and allow the individual
19 to -- well, I called his mother first to advise her
20 where her vehicle was towed to.

21 She begged me to allow him -- to let go of
22 him and have somebody come pick him up. It was
23 already December 10th, close to the holidays. And she
24 knew that he had been working hard and trying to do
25 well.

1 I talked to her a little bit. I made the
2 decision to go ahead and allow a family member come
3 and pick him up. Once they got there, I allowed them
4 to do that. I wrote an incident report stating what I
5 had done. The report was lost in our system so I had
6 to rewrite it. The sergeant at that point wrote me
7 up.

8 So even though I feel that I tried to do the
9 right thing at the time and I thought I was doing the
10 right thing and I made sure that the safety of the
11 citizens and that individual were taken care of, I
12 know looking back now that I probably should have done
13 other things and I could have done things better.

14 And I definitely learned my lesson from that.
15 So I just wanted to say thanks for allowing me to
16 explain myself.

17 CHIEF KASSETAS: Okay. Any questions from
18 the Board Members?

19 MR. KEY: Just one question, if I could. I
20 take it from your explanation here today that you did
21 not do any investigation of a DWI or a possible DWI?

22 MR. PFEL: He refused to do any field
23 sobriety tests. I did not smell any alcohol on him.
24 His eyes were bloodshot and stuff, but he had also
25 said he had been working a night shift all night long.

1 So it was kind of hard to say.

2 I did have him walk up to where the curb was.
3 He had no problems with that. When he stood up, he
4 had no problems with that either.

5 So other than, you know, doing the field
6 sobriety tests, I didn't feel that he was that
7 impaired to where I needed to actually make that
8 arrest.

9 MR. KEY: All right. Thank you.

10 MR. PFEL: Yes, sir.

11 CHIEF KASSETAS: Any other Board Members have
12 a question? Thank you, sir.

13 MR. PFEL: Thank you.

14 CHIEF KASSETAS: Let's move to default orders
15 of revocation. Dolan, Duran, Phillips, Sandoval?

16 Hearing nobody speak up, I'll move to
17 voluntary relinquishment. Benavidez.

18 Formal hearing, Parrish and Trujillo.

19 MR. PARRISH: Here, sir, Parrish.

20 MR. WORD: Mr. Vice Chair, Members of the
21 Board, Mr. Parrish, the rules do not contemplate a
22 respondent addressing the Board. The record in this
23 case has been. And Mr. Parrish can observe and hear
24 the Board's action following deliberation, but there's
25 no further testimony or argument provided for after a

1 formal hearing.

2 CHIEF KASSETAS: So, Mr. Parrish, since you
3 went to formal hearing, we'll go into closed executive
4 session and discuss your case and the merits of it and
5 the information and come back out and report to you
6 and the rest of the public what was decided. Okay.

7 MR. PARRISH: Yes.

8 CHIEF KASSETAS: Thank you. That concludes
9 me going through the list of people that are able to
10 speak to the Board.

11 Now, I believe, Mr. Word, it's okay to go
12 into closed section, correct?

13 MR. MARTINEZ: Excuse me. May I address the
14 Board.

15 CHIEF KASSETAS: Who are you?

16 MR. MARTINEZ: My name is Ricardo Martinez.
17 They were supposed to add me to the agenda.

18 MR. WORD: You are on the agenda, sir.

19 CHIEF KASSETAS: So let me go through the
20 requests to address the Board. I thought we did that
21 after, but we apparently do it now.

22 So Gabrielle.

23 MS. PUHUYESVA: Here.

24 CHIEF KASSETAS: So Gabrielle is here. Do we
25 have Ray Hernandez? Ray Hernandez. How about

1 Jovannah Sandoval?

2 MS. SANDOVAL: Here.

3 CHIEF KASSETAS: Ronald Garcia.

4 MR. GARCIA: Here.

5 CHIEF KASSETAS: And Ricardo Martinez.

6 MR. MARTINEZ: Here, sir.

7 CHIEF KASSETAS: So let's start with
8 Gabrielle. Come on up.

9 MS. PUHUYESVA: I would like to address the
10 Board in reference to my revocation.

11 CHIEF KASSETAS: Go right ahead.

12 MS. PUHUYESVA: I had gotten a letter in the
13 mail saying that my certification had been revoked and
14 that I was given prior notices. I hadn't received any
15 prior notices.

16 And also I was told that -- I worked for the
17 City of Gallup before. And I was told that they were
18 contacted because I switched over to McKinley County
19 Sheriff's Office. And the Gallup Police Department
20 advised the Board that they didn't know where I lived,
21 which was not true because they hand-delivered most of
22 my mail.

23 They revoked it in reference to -- I was told
24 that it was in reference to a physical domestic. And
25 I have a copy of the report. And it wasn't a physical

1 domestic.

2 MR. JONES: Mr. Vice Chair, can I clarify
3 some things.

4 CHIEF KASSETAS: Yes, would you please, on
5 the mailings.

6 MR. JONES: Yes, sir. She was sent some
7 mailings that we received for the latest address we
8 had from Gallup Police Department. She never received
9 them. So when they came back, the Board at the last
10 meeting revoked her certification for failure to
11 respond.

12 When she went to work for McKinley County
13 Sheriff's Department, the lieutenant then called us
14 and said, hey, we understand that her certification
15 was revoked. We didn't have the correct address. And
16 then she wanted to come and address the Board.

17 And the lieutenant also sent us the
18 information that, when the Gallup Police Department
19 initially did their investigation on her for domestic
20 violence, it had all been dismissed. And it never
21 made it past the precourt hearing.

22 Had she received her initial letter saying
23 that she got the LEA-90 and would have come in and
24 brought this information, it would never have gone
25 before the informal hearing process.

1 But since she did receive her letters and
2 they came back and we went to the Board and revoked
3 it, then what happened was that she received a
4 notification that said it was revoked.

5 And then the McKinley County lieutenant
6 called us and gave us this information, sent us this
7 information. And it's on the agenda for the next
8 Board meeting for dismissal. It's for dismissal. And
9 so that's where this is right now.

10 CHIEF KASSETAS: Let me clarify. Which
11 meeting is it going to be on the agenda for dismissal?
12 Not today's.

13 MR. JONES: I don't know, sir. She's here to
14 talk to the Board. But it needs to go before the
15 Board.

16 CHIEF KASSETAS: Mr. Word, what is your
17 recommendation as legal counsel to rectify this
18 mailing situation?

19 MR. WORD: It's on the agenda only for the
20 Respondent to address the Board. So the Board can
21 deal with the order that's outstanding. The Board can
22 contemplate a motion to rescind its prior order of
23 revocation and send the matter back to the Director
24 for further action. Then it can be placed on the
25 agenda at a subsequent meeting.

1 CHIEF KASSETAS: We would do that in this
2 meeting or in closed session?

3 MR. WORD: We can discuss it in closed
4 session. And then you act in open session.

5 CHIEF KASSETAS: Great. Thank you. We
6 understand the process, the problem, the issue with
7 the mailings. We'll discuss it in closed session
8 then.

9 MS. PUHUYESVA: Thank you.

10 CHIEF KASSETAS: Thank you for clarifying
11 that, Mr. Jones.

12 MR. JONES: Thank you, Mr. Vice Chair,
13 Members of the Board.

14 CHIEF KASSETAS: Okay. Again, Ray Hernandez.
15 Did you walk in? All right. Let the record show
16 Mr. Hernandez requested to address the Board but is
17 not here. How about Jovannah Sandoval.

18 MS. SANDOVAL: Thank you for allowing me to
19 address the Board. This is actually my second time
20 addressing my issue. In February I was arrested for
21 seven felony charges. Bringing contraband into a
22 prison was the main one.

23 At the time I addressed the Board with my
24 issue, it was still going through the court process.
25 And I have since received a conditional discharge,

1 meaning the charges will be dropped and I am on
2 probation.

3 And as long as my probation -- you know,
4 there are no issues with that, I won't be convicted of
5 anything or I haven't been convicted of anything. But
6 my charges are technically dropped. And so what I'm
7 hoping is to ask you to consider to reinstate my
8 certification as a dispatcher.

9 CHIEF KASSETAS: Let me ask you some
10 clarifying questions. Are you done with your
11 presentation to us?

12 MS. SANDOVAL: Yes, sir.

13 CHIEF KASSETAS: So you're coming before this
14 Board and you're saying that, since there was no
15 formal result in you being convicted of what you had
16 done -- and you're not disputing that you had brought
17 illegal drugs into a penitentiary for an inmate,
18 correct?

19 MS. SANDOVAL: That's correct.

20 CHIEF KASSETAS: That this should all be good
21 to go?

22 MS. SANDOVAL: No. I mean I take full
23 responsibility for my actions.

24 CHIEF KASSETAS: Well, let me tell you
25 something. This is going to sound a little harsh,

1 because I know you've been before us twice. Okay.
2 This is just my opinion, not any of the other Board
3 Members.

4 But just because a District Attorney, no
5 offense to Mr. Key here, doesn't prosecute a case
6 doesn't mean this Board should not take action. Many
7 cases brought before officers and dispatchers for
8 whatever reason don't get prosecuted.

9 We have to look at the core conduct. And at
10 the end of the day, you had a huge lapse in judgment.
11 You committed numerous felonies. And whose life did
12 you put in danger when you brought Suboxone into the
13 prison system, can you answer that?

14 MS. SANDOVAL: I do understand that.

15 CHIEF KASSETAS: I'm asking whose lives did
16 you put in danger?

17 MS. SANDOVAL: I imagine several people.

18 CHIEF KASSETAS: I'll be very pointed. It's
19 very difficult to be a prison correctional officer.
20 And it's way more difficult when they're hopped up on
21 Suboxone and other drugs. So that's the end result.
22 You could have gotten somebody killed.

23 So my position is I appreciate you coming
24 before the Board. But it's a very difficult position
25 you're in. And just because a District Attorney

1 didn't find it in favor of the prosecution I suppose
2 or found a different avenue, it doesn't make it go
3 away. That's my two cents.

4 The rest of the Board, any questions or
5 concerns, issues?

6 MR. KEY: I have just a quick question. You
7 were prosecuted, were you not?

8 MS. SANDOVAL: Well, I pled guilty to two
9 counts of bringing contraband into a prison.

10 MR. KEY: What was your plea bargain?

11 MS. SANDOVAL: It was a conditional discharge
12 with three years probation.

13 MR. KEY: And a District Court Judge granted
14 you a conditional discharge?

15 MS. SANDOVAL: Yes, sir.

16 MR. KEY: And you're currently on probation
17 for how long?

18 MS. SANDOVAL: For three years.

19 MR. KEY: Okay. Thank you.

20 CHIEF KASSETAS: Mr. Key, for my
21 clarification a conditional discharge means after
22 three years that it completely goes off the record or
23 is it still on the record?

24 MR. KEY: It's still on the record, but it's
25 dismissed. But it can be used for habitual purposes.

1 CHIEF KASSETAS: Okay. Anything else to add,
2 ma'am?

3 MS. SANDOVAL: No.

4 CHIEF KASSETAS: Thank you. Next up on the
5 list is going to be Ronald Garcia.

6 MR. GARCIA: Good morning, gentlemen.
7 Firstly, I was reading the list that you have set in
8 the back. This is not me.

9 CHIEF KASSETAS: Yes. I know Ronald Garcia.
10 And you're not Ronald Garcia.

11 MR. GARCIA: I know at the time that at one
12 point in the nineties there was like four Ron Garcias
13 that were in law enforcement. One of them was an FBI
14 agent out of Albuquerque, three other officers and
15 myself. And so I'm apparently just one of those
16 others.

17 CHIEF KASSETAS: So, Mr. Garcia, let's do
18 this so the Board understands. Ronald Garcia in that
19 packet was a former State Police officer and LEA
20 instructor I believe. So I know you've read it.
21 Let's make sure and listen to Mr. Garcia, because
22 nothing we reference will be part of his case.

23 Mr. Garcia, what agency are you from?

24 MR. GARCIA: Right now I'm presently not with
25 an agency. But for her record my certification number

1 is 92-0220-P. Because the other one was like 91 or
2 something like that. But thank you for clarifying for
3 the Board for me.

4 In 1998 and 1999, in related events, while on
5 duty and working as a New Mexico certified police
6 officer, I behaved in an immature and unlawful manner,
7 embarrassing not only myself, but my brothers and
8 sisters in the law enforcement community.

9 The courts consolidated the '98 and '99
10 events. And on 7/5/2001 I was convicted of four
11 misdemeanors, two counts of speeding and two counts of
12 obstructing, and duly sentenced to one month at home
13 with an ankle bracelet, one-year of informal
14 probation, and a \$100 fine.

15 In May of 2004, while living in California
16 and in communication with the academy concerning the
17 possible reactivation of my certification which had
18 expired in 2002 in good standing, I was informed that
19 there was an old complaint filed against me by Los
20 Alamos County regarding the aforementioned incident
21 that had somehow been overlooked back in 1999, when it
22 had first been filed, and subsequently had been
23 forgotten and was just in my file.

24 So on May 24, 2004, I received Notice of
25 Final Decision for a 30-day suspension of my

1 certification authored by then Law Enforcement Academy
2 Director Thomas Lyon, which was shortly thereafter
3 submitted to the Board for review, approval, and
4 adoption.

5 On October 17, 2005, the Academy Board did
6 not approve and adopt the terms of Director Lyon's
7 final decision. And after additional Board review of
8 my case, which was Case No. 0638, they issued a final
9 order of revocation.

10 Pages 6 and 7 of this final order contain the
11 conditions of the order itself. Respectfully, I would
12 like to bring to your attention No. 3 of the Board's
13 order, "Respondent shall not be eligible to apply for
14 certification until after five years from the date of
15 this order. After five years, if the Respondent
16 applies for certification, he shall have the burden of
17 satisfying the Board that he is qualified and that the
18 violations above have been appropriately addressed and
19 remedied."

20 Now, I have not been employed as a public law
21 enforcement officer in any jurisdiction, neither in
22 New Mexico or California, since 2000. I actually left
23 law enforcement in August of 2000, 11 months prior to
24 the aforementioned convictions.

25 For the past ten and a half years, between

1 2003 and 2014, I was involved in the security sector
2 of the hospitality industry in the State of
3 California, during which time I earned an intercompany
4 doctorate degree from Starwood University -- this is a
5 company attached to Starwood Hotels Worldwide --
6 related to leadership, team management, and enhanced
7 employee relations training.

8 I believe the skills I learned from this
9 expansive training, which included advanced
10 communication and public relations as well as crisis
11 intervention and de-escalation skills, cultivated and
12 refined by positive reinforcement through daily
13 practice both on and off the job, have matured me both
14 personally and professionally as evidenced in my
15 successful tenure in the hotel resort business.

16 Year after year my efforts have been
17 recognized and lauded by my superior at both the site
18 property management and corporate levels. And, if I
19 may, I do have some samples of those for the Board to
20 review.

21 Please allow me to apologize to you, Director
22 Jones, and to you, the Members of the Academy Board,
23 as well as the entire New Mexico law enforcement
24 community represented by you gentlemen here.

25 I am so terribly sorry for my shameful

1 actions in 1998 and 1999 and humbly ask for your and
2 the Board's compassion, understanding, and
3 forgiveness.

4 The combination of traumatic personal and
5 professional circumstances that led to those long ago
6 moments of public humiliation for me cannot be
7 excused, undone, or erased. But I can assure deep and
8 abiding positive lifelong lessons have been learned.

9 I genuinely believe the likelihood of a
10 repeat of any such activity has been successfully
11 nullified via the past decade plus of steady, solemn
12 self-examination and personal growth, life experience,
13 and work training and experience.

14 The man I am today is thoroughly ashamed of
15 the young man I once was as it concerns the reasons I
16 stand here before you today. But I have also learned
17 quite much from that now distant younger version of
18 myself as I have hopefully been able to express.

19 As well I would be more than happy to answer
20 any questions you may have.

21 CHIEF KASSETAS: Any questions of the Board?

22 SERGEANT QUEZADA: Mr. Vice Chair, I have a
23 question. Mr. Garcia, is this the first time you've
24 come to the Board?

25 MR. GARCIA: No. I addressed the Board in

1 December of last year.

2 SERGEANT QUEZADA: If you get your
3 certification, do you already have an agency that you
4 have been in contact with?

5 MR. GARCIA: No, sir. I did not want to drag
6 this in the door with me when I went to apply for a
7 position. I wanted to be able to handle this
8 situation, this problem, on my own and lay it to rest
9 and, therefore, walking in the door be able to -- one,
10 I obviously have to discuss the matter with that
11 particular department representatives. But be able to
12 tell them that I took care of the situation,
13 everything has been put to bed.

14 SERGEANT QUEZADA: And the disciplinary
15 action I guess that you were brought to the Board for
16 originally?

17 MR. GARCIA: That's what I'm saying. The
18 complaint -- I didn't even know it existed until 2004.
19 And then I was told by Director Lyons, yeah, I guess
20 we forgot about it, because you left law enforcement
21 before the end of the court stuff. Actually an entire
22 11 months.

23 I guess everybody just forgot about it. It
24 just stood in your file. And we have to do something
25 about it now that we know that it's there. So I said

1 okay. I guess whatever you think we need to do.

2 SERGEANT QUEZADA: You stated it was four
3 misdemeanors?

4 MR. GARCIA: Yes. The two speeding and then
5 the two charges of obstruction.

6 SERGEANT QUEZADA: And you had house arrest?

7 MR. GARCIA: Yes. I was given a 30 days with
8 an ankle bracelet at home, one year of informal
9 probation, and a \$100 fine.

10 SERGEANT QUEZADA: Can you tell me a little
11 bit as far as the obstruction and the speeding.

12 MR. GARCIA: I was speeding home in my unit.
13 I was on duty, to a medical emergency at home. I live
14 in Los Alamos County.

15 SERGEANT QUEZADA: Nothing else, Vice Chair.

16 CHIEF KASSETAS: I think at this point we
17 lack the file. And as a Board we will go into closed
18 session and discuss it and figure out the next steps
19 to take. This did sound familiar. I do recall now
20 that you did address us at the last meeting.

21 MR. GARCIA: Yes, sir.

22 MR. KASSETAS: And we made the decision at
23 that time what? Not to change it obviously because
24 you're back, correct?

25 MR. GARCIA: Well, you said not at this time.

1 That's what I was told. I had to call because I had
2 to leave because I had to go back to California.

3 CHIEF KASSETAS: And now you're back before
4 us with some other documentation and noting the
5 five-year period that you have to wait. And we have
6 to reevaluate that.

7 And at some point we'll marry this incident
8 with your actual file to take a look. Not this one.
9 At this point I think you've fulfilled addressing the
10 Board. I think we're good.

11 MR. GARCIA: One more thing.

12 CHIEF KASSETAS: Sure.

13 MR. GARCIA: With the hope that I have been
14 able to provide sufficient testimony to satisfy the
15 Academy Board that my past transgressions have been
16 appropriately addressed and remedied, I would at this
17 time respectfully petition a reconsideration of my
18 case by the Board and humbly request that the
19 revocation of my certification be rescinded so that I
20 may be allowed to seek New Mexico law enforcement
21 employment. Thank you.

22 CHIEF KASSETAS: One more quick question.
23 Your case never went to a formal hearing, did it?

24 MR. GARCIA: No. Like I said the
25 complaint -- it just was in my file. There had been

1 no addressing of it in any kind of formal manner. And
2 even Director Lyons was a bit flustered by it.

3 CHIEF KASSETAS: Okay. Thank you,
4 Mr. Garcia.

5 MR. GARCIA: Thank you, sir. Is it okay
6 if -- so am I waiting for something days from now or
7 can I wait until after the meeting or what should I do
8 at this point?

9 CHIEF KASSETAS: You can wait until after the
10 meeting, if you want. We'll come out when we
11 reconvene in open session and state what the Board has
12 decided on each case. Probably worth your while
13 waiting.

14 MR. GARCIA: Should I go off and do something
15 or how long will that be, do you know, several hours?

16 CHIEF KASSETAS: Well, if it's up to me, it
17 will be about an hour. But unfortunately we have not
18 as many cases as normal. I've seen it take four
19 hours, five hours, I've seen it take two or three. I
20 would say that you're probably safe an hour leaving.
21 I don't think we'll be done within an hour.

22 MR. GARCIA: I'll stand by then. Thank you,
23 sir.

24 CHIEF KASSETAS: How about Ricardo Martinez.

25 MR. MARTINEZ: Yes, sir. Just a little bit

1 of background on me. I started my career in 1992 with
2 the Espanola Police Department. I retired in 2011.

3 The incident that brought me here is in 2004,
4 while working graveyard -- most of my career I did on
5 graveyard -- I had a DWI arrest. There was only two
6 of us on graveyard. I did not have access to an
7 office.

8 I ended up doing a DWI arrest. During the
9 DWI arrest, I did an inventory search of the vehicle.
10 I found a .22 caliber rifle and a BB gun.

11 From working dispatch, when I started my
12 career, I knew that everything was recorded. I called
13 in the serial numbers to make sure that they were not
14 stolen items.

15 We had had several complaints by people that
16 had their vehicles towed in by the different towing
17 companies, that there was always items missing from
18 their cars.

19 I took the rifles in as safekeeping. I
20 tagged them in as -- into my -- and put them in the
21 trunk of my car. I put an evidence tag on them. This
22 was in June of 2004. At the time I had a
23 five-year-old daughter.

24 So the only time -- I was taking care of my
25 daughter during the day. The only time I would go

1 into Espanola was when my unit would break down or I
2 needed maintenance. So during that time, before I
3 turned in the rifles, they were floating in the trunk
4 of my car.

5 We had mailboxes as evidence lockers. And we
6 had one rifle locker that was available. But when I
7 went to check in that night, it was locked. Back then
8 the criminal investigators would not come out unless
9 there was a major crime. So I wasn't able to secure
10 the rifle right away.

11 What else. In the first part of July, we had
12 Fiestas. I came in to get my unit cleaned out. And I
13 went to my girlfriend's house. She started helping me
14 clean my unit.

15 And I didn't want to get in trouble. So I
16 put the BB gun and the rifle in her house so the
17 sergeant there that was inspecting me at the time
18 wouldn't see that I had the evidence in the trunk.
19 And I meant to turn them in at a later time.

20 I forgot about them. We broke up. And in
21 2011 she turned in that rifle. And that's what
22 brought us here to the academy.

23 The guy that I took the rifle from said he
24 went to talk to my police chief. And the judge at the
25 time -- the police chief testified for my hearing that

1 he never had the guy come in.

2 I had a notarized letter from the judge
3 stating that the guy never asked him for the rifle.
4 And I messed up. I forgot about it. Out of sight,
5 out of mind. I didn't turn them in.

6 And I'm asking that the Board reconsider the
7 decision of the revocation. For my initial first
8 hearing, a recommendation was made for a one-year
9 suspension. I thought that was harsh. I thought a
10 letter of reprimand would have been better.

11 So I asked for an appeal. And the next --
12 during my appeal it came out that the next thing was a
13 revocation. So anybody have any questions?

14 CHIEF KASSETAS: Why do I recall this case?
15 Have you been before this Board?

16 MR. MARTINEZ: No, sir.

17 CHIEF KASSETAS: Did the New Mexico State
18 Police investigate it?

19 MR. MARTINEZ: I never got anything from
20 them. I don't think so, sir.

21 CHIEF McCALL: When were you revoked, when
22 was your certification revoked?

23 MR. MARTINEZ: It was revoked I believe in
24 2012.

25 MR. KEY: What was the penalty from the

1 agency?

2 MR. MARTINEZ: Well, I was terminated for
3 something else before that. I was on Family Medical
4 Leave Act. And he said I voluntarily terminated my home
5 position if I was on FMLA. And I ended up suing the
6 police department. And we came into a settlement that
7 I would be able to retire and all that before all this
8 came about.

9 I currently live in Phoenix. I've been in
10 Phoenix since 2012. I don't intend on coming back to
11 law enforcement, but I don't want to lose my
12 certification. You never know what doors it might
13 open up.

14 And like I said I have always -- I've been
15 truthful with the Board. I made a mistake. I
16 apologize for it. I apologize to the victim or the
17 owner of the gun. I saw him and apologized to him.
18 It was never my intent to keep his rifle, his .22
19 rifle, from him.

20 CHIEF KASSETAS: Mr. Martinez, let me ask you
21 a question. Let me back up a little bit. You said
22 you don't want to lose your certification, but when
23 were you last employed as a police officer in New
24 Mexico?

25 MR. MARTINEZ: 2011.

1 CHIEF KASSETAS: So you worked up to 2011?

2 MR. MARTINEZ: Yes, sir.

3 CHIEF KASSETAS: Okay. Go ahead.

4 MR. MARTINEZ: I don't want to lose my
5 certification. And I'm asking you guys to ask
6 yourselves why would anybody risk their career for a
7 used .22 rifle when you can pick one up at a pawn
8 store for less than 100 bucks.

9 Yes. I messed up. Back then we didn't have
10 the evidence capability of turning it in right away.
11 The building that the police department used to be in
12 was condemned in 2008. So right now it's --
13 everything is up to standard. There's new evidence
14 lockers where you can hold maybe ten rifles.

15 Back then there was one. And they have an
16 evidence custodian now full time. Back then there
17 wasn't. It was somebody from criminal investigations.
18 If they got called on a major case, they were never in
19 the office for a week, two weeks at a time.

20 CHIEF KASSETAS: Mr. Martinez, I appreciate
21 what you're saying. It does sound like a lot of
22 excuses to me, I'll tell you that right now. Did you
23 do a report?

24 MR. MARTINEZ: Yes, I did.

25 CHIEF KASSETAS: Did you note in the report

1 that you were going to leave that evidence in your
2 unit for a number of months? How did you deal with
3 that? Did you go to a supervisor and say, hey, boss,
4 I've got a rifle, should I leave it in my car and then
5 put it in my closet in my house? How did that work?

6 MR. MARTINEZ: Well, back then I didn't do
7 any of that. Right now we're on the uniform -- the
8 same -- everybody is using the same form for reports.
9 Back then we had our own different form. We didn't
10 have the back end where our evidence was.

11 And I could have put it in the narrative.
12 But I had already called in the rifle to dispatch,
13 which I knew was a recorded line. And it was in
14 evidence to the DWI arrest. It would have just been
15 in for safekeeping. So I did not note it on my police
16 report.

17 CHIEF KASSETAS: Okay. Any other questions?
18 Thank you, Mr. Martinez. I appreciate it.

19 All right. That gets us through the list,
20 correct? So now I believe is the appropriate time for
21 a motion to go into closed session. Do I have a
22 motion?

23 SHERIFF WALLER: Mr. Vice Chairman, I move
24 that the Board go into closed executive session to
25 discuss only those matters listed on the agenda under

1 executive session pursuant to NMSA 1978 Section
2 10-15-1H.

3 CHIEF KASSETAS: Do I have a second?

4 MR. WORD: Mr. Chair, the motion should note
5 that it's all items on this agenda starting with No. 3
6 I believe that can be discussed in executive session,
7 that are below the reference to executive session on
8 your agenda. Beneath line two just to clarify.

9 CHIEF KASSETAS: So we wouldn't have much of
10 a discussion to discuss the call to order and roll
11 call. So everything below three to the end will be
12 discussed in closed session. Do I have a second?

13 CHIEF McCALL: Second.

14 CHIEF KASSETAS: Okay. I think we need,
15 Mr. Word, a roll call vote.

16 MS. LOPEZ: Scot Key.

17 MR. KEY: Consent or yes.

18 MS. LOPEZ: Chief Pete Kassetas.

19 CHIEF KASSETAS: Yes.

20 MS. LOPEZ: Sheriff Wesley Waller.

21 SHERIFF WALLER: Yes.

22 MS. LOPEZ: Chief Darren Soland.

23 CHIEF SOLAND: Yes.

24 MS. LOPEZ: Chief Chris McCall.

25 CHIEF McCALL: Yes.

1 MS. LOPEZ: Sergeant Jaime Quezada.

2 SERGEANT QUEZADA: Yes.

3 CHIEF KASSETAS: For members of the public,
4 please step outside while we go into closed session.
5 Thank you.

6 (Recess from 9:45 a.m. to 12:30 p.m.)

7 CHIEF KASSETAS: Let's open the meeting back
8 up. So Members of the Board, the Board is back in
9 open session. I affirm that, while in closed session,
10 it discussed only those matters specified in the
11 motion to close the meeting and listed on the agenda
12 under executive session in accordance with NMSA 1987
13 Section 10-15-1H.

14 So we're back in open session.

15 First off, thanks for being patient with us
16 while we work through the different discipline issues.

17 ITEM NO. 3: MICHAEL DIMAS

18 CHIEF KASSETAS: So going to No. 3 on the
19 agenda, do I have a motion for the matter regarding
20 Michael Dimas?

21 CHIEF McCALL: Mr. Vice Chair, I would like
22 to make a motion to accept the recommendations of the
23 administrative judge.

24 CHIEF KASSETAS: We have a motion. Do I have
25 a second?

1 SHERIFF WALLER: Second.

2 CHIEF KASSETAS: I have a second. Those in
3 favor.

4 (Those in favor so indicate.)

5 CHIEF KASSETAS: Those opposed? Hearing none
6 opposed, the motion carries.

7 ITEM NO. 4: JEREMY HOLLIER

8 CHIEF KASSETAS: Item No. 4, Jeremy Hollier.
9 Do I have a motion for the matter regarding Jeremy
10 Hollier?

11 SHERIFF WALLER: Mr. Chairman, I move to
12 approve dismissal for this case.

13 CHIEF KASSETAS: Do I have a second?

14 SERGEANT QUEZADA: I'll second it.

15 CHIEF KASSETAS: Those in favor.

16 (Those in favor so indicate.)

17 CHIEF KASSETAS: Those opposed? Hearing none
18 opposed, the motion carries.

19 ITEM NO. 5: GREGORY CARRASCO

20 CHIEF KASSETAS: Do I have a motion regarding
21 Gregory Carrasco?

22 SERGEANT QUEZADA: Mr. Vice Chair, I would
23 like to make a motion to accept the stipulated order
24 of suspension and probation.

25 CHIEF KASSETAS: I have a motion. Do I have

1 a second?

2 CHIEF SOLAND: Second.

3 CHIEF KASSETAS: Those in favor.

4 (Those in favor so indicate.)

5 CHIEF KASSETAS: Those opposed? Hearing none
6 opposed, the motion carries.

7 ITEM NO. 7: VICTOR GROSSETETE

8 CHIEF KASSETAS: Do I have a motion regarding
9 the matter of Victor Grossetete, No. 7?

10 MR. KEY: Mr. Vice Chair, I make a motion
11 that we approve the default order of suspension.

12 CHIEF KASSETAS: Do I have a second?

13 SHERIFF WALLER: Second.

14 CHIEF KASSETAS: Those in favor.

15 (Those in favor so indicate.)

16 CHIEF KASSETAS: Those opposed? Hearing
17 none, the motion carries.

18 ITEM NO. 8: EUGENE HOLGATE

19 CHIEF KASSETAS: Next is the matter of Eugene
20 Holgate. Do I have a motion regarding Eugene Holgate?

21 CHIEF SOLAND: Mr. Vice Chair, I make a
22 motion to approve the Director's recommendation to
23 approve the default order of suspension for an
24 18-month suspension.

25 CHIEF KASSETAS: Do I have a second?

1 CHIEF McCALL: Second.

2 CHIEF KASSETAS: Those in favor.

3 (Those in favor so indicate.)

4 CHIEF KASSETAS: Those opposed? Hearing none
5 opposed, the motion carries.

6 SERGEANT QUEZADA: Mr. Vice Chair, I believe
7 we missed one, for Jeannine Madsen.

8 CHIEF KASSETAS: Oh, yes we did. I
9 apologize. Let me back up. I apologize.

10 ITEM NO. 6: JEANNINE MADSEN

11 CHIEF KASSETAS: Do we have a motion
12 regarding Jeannine Madsen?

13 SERGEANT QUEZADA: Yes. Vice Chair, I would
14 like to make a motion to approve the recommendation,
15 making sure that the Respondent signs the executed
16 order within ten days.

17 MR. WORD: Mr. Chair, may I jump in and help.
18 I believe the motion is to approve the stipulated
19 order contingent upon the Respondent executing it
20 within ten days, meaning signing the order.

21 CHIEF KASSETAS: I agree. That's worded
22 exactly the way the Board wanted it worded.

23 SERGEANT QUEZADA: That's what I meant.

24 CHIEF KASSETAS: Do I have a second?

25 CHIEF SOLAND: Second.

1 CHIEF KASSETAS: Those in favor.

2 (Those in favor so indicate.)

3 CHIEF KASSETAS: Those opposed? Hearing none
4 opposed, the motion carries.

5 ITEM NO. 9: MICHAEL MONTOYA

6 CHIEF KASSETAS: So we're back on No. 9.

7 Regarding the Michael Montoya LEA-90, I want to go on
8 record as recusing myself from any of the discussion
9 in closed session.

10 MR. JONES: And, Mr. Vice Chair, I would like
11 to go on record as also recusing myself from any
12 discussion in closed session.

13 CHIEF KASSETAS: So both Director Jones and
14 I, Chief Kassetas, were not present during those
15 discussions. So regarding No. 9, Michael Montoya, do
16 I have a motion?

17 MR. KEY: Mr. Vice Chair, I would like to
18 make a motion that we approve the default order of
19 suspension as recommended by the administrative judge.

20 CHIEF KASSETAS: Do I have a second?

21 SHERIFF WALLER: Second.

22 CHIEF KASSETAS: A second we have. Those in
23 favor.

24 (Those in favor so indicate.)

25 CHIEF KASSETAS: Any opposed? The motion

1 carries.

2 ITEM NO. 10: JESSIE NIETO

3 CHIEF KASSETAS: Do I have a motion regarding
4 Jessie Nieto, No. 10 on the agenda?

5 CHIEF McCALL: Mr. Vice Chairman, I would
6 like to make a motion to accept the recommendation of
7 a default order for a nine-month suspension with the
8 addition that the Respondent attend and pass an ethics
9 course through the New Mexico Law Enforcement Academy.

10 CHIEF KASSETAS: Do I have a second?

11 MR. KEY: I'll second.

12 CHIEF KASSETAS: Those in favor.

13 (Those in favor so indicate.)

14 CHIEF KASSETAS: Those opposed? Hearing none
15 opposed, the motion carries.

16 ITEM NO. 11: DANIEL PFEL

17 CHIEF KASSETAS: Regarding agenda item 11,
18 there are two cases regarding Daniel Pfel. The first
19 one is 15-040. Do I have a motion regarding that case
20 number for Daniel Pfel?

21 SHERIFF WALLER: Mr. Vice Chairman, I make
22 the motion that we take no action because this is a
23 policy violation.

24 CHIEF KASSETAS: Do I have a second?

25 MR. KEY: Second.

1 CHIEF KASSETAS: Those in favor.

2 (Those in favor so indicate.)

3 CHIEF KASSETAS: Those opposed?

4 The second action is on 15-041, also for
5 Daniel Pfel. Do I have a motion regarding 15-041?

6 SHERIFF WALLER: Mr. Vice Chairman, I make
7 the motion that we accept the administrative judge's
8 recommendation.

9 CHIEF KASSETAS: Do I have a second?

10 SERGEANT QUEZADA: I'll second.

11 CHIEF KASSETAS: Those in favor.

12 (Those in favor so indicate.)

13 CHIEF KASSETAS: Those opposed? The motion
14 carries.

15 ITEM NO. 12: RICCO TAPIA

16 CHIEF KASSETAS: Agenda item No. 12, do I
17 have a motion in the matter regarding Ricco Tapia?

18 CHIEF SOLAND: Mr. Vice Chair, I make a
19 motion to approve the Director's recommendation of a
20 default order of suspension for six months.

21 CHIEF KASSETAS: Prior to asking for a
22 second, I want to state for the record that I recused
23 myself from any discussion in closed executive session
24 regarding Mr. Tapia.

25 With that said, do I have a second?

1 CHIEF McCALL: Second.

2 CHIEF KASSETAS: Those in favor.

3 (Those in favor so indicate.)

4 CHIEF KASSETAS: Those opposed? Hearing
5 none, the motion carries.

6 ITEM NO. 13: RUBEN TURRIETA

7 CHIEF KASSETAS: Regarding agenda item 13, do
8 I have a motion regarding Ruben Turrieta?

9 SERGEANT QUEZADA: Yes. Mr. Vice Chair, I
10 would like to make a motion to accept the Director's
11 recommendation of a 12-month suspension. Also, if
12 rehired by an agency, to also complete an ethics class
13 through the New Mexico Law Enforcement Academy.

14 Mr. Vice Chair, if I can add a little bit
15 more to that motion.

16 CHIEF KASSETAS: Go right ahead.

17 SERGEANT QUEZADA: I'm going to restate it as
18 rescinding the default order of revocation and then
19 approving the default order of suspension of the
20 12 months to include the ethics class.

21 CHIEF KASSETAS: Do I have a second?

22 CHIEF McCALL: Second.

23 CHIEF KASSETAS: Those in favor.

24 (Those in favor so indicate.)

25 CHIEF KASSETAS: Those opposed? Hearing

1 none, the motion carries.

2 ITEM NO. 14: RENDELL DOLAN

3 CHIEF KASSETAS: Now on to default orders of
4 revocation. On agenda item 14, do I have a motion
5 regarding Rendell Dolan?

6 SHERIFF WALLER: Mr. Vice Chairman, I move
7 that we accept the Director's recommendation.

8 CHIEF KASSETAS: Do I have a second?

9 CHIEF SOLAND: Second.

10 CHIEF KASSETAS: Those in favor.

11 (Those in favor so indicate.)

12 CHIEF KASSETAS: Those opposed? Hearing none
13 opposed, the motion carries.

14 ITEM NO. 15: DONALD DURAN

15 CHIEF KASSETAS: Regarding agenda item 15, do
16 I have a motion?

17 MR. KEY: Mr. Vice Chair, I would like to
18 make a motion that we accept the default order of
19 revocation in this case.

20 CHIEF KASSETAS: This is on Donald Duran,
21 item 15. Do I have a second?

22 SERGEANT QUEZADA: I'll second it.

23 CHIEF KASSETAS: Those in favor.

24 (Those in favor so indicate.)

25 CHIEF KASSETAS: Those opposed? Hearing

1 none, the motion carries.

2 ITEM NO. 16: JEREMIAH PHILLIPS

3 CHIEF KASSETAS: Do I have a motion regarding
4 agenda item 16, Jeremiah Phillips?

5 CHIEF McCALL: Mr. Vice Chair, I would like
6 to make a motion to accept the Director's
7 recommendation.

8 CHIEF KASSETAS: Do I have a second?

9 CHIEF SOLAND: Second.

10 CHIEF KASSETAS: Those in favor.

11 (Those in favor so indicate.)

12 CHIEF KASSETAS: Those opposed? Hearing
13 none, the motion carries.

14 ITEM NO. 17: MICHAEL SANDOVAL

15 CHIEF KASSETAS: Agenda item No. 17, do I
16 have a motion regarding Michael Sandoval?

17 CHIEF SOLAND: Mr. Vice Chair, I make a
18 motion to approve the default order of revocation.

19 CHIEF KASSETAS: Do I have a second?

20 SHERIFF WALLER: Second.

21 CHIEF KASSETAS: Those in favor.

22 (Those in favor so indicate.)

23 CHIEF KASSETAS: Those opposed? Hearing none
24 opposed, the motion carries.

25 ITEM NO. 28: PABLO BENAVIDEZ

1 CHIEF KASSETAS: Now on to voluntary
2 relinquishment. Regarding agenda item 18, do I have a
3 motion regarding Pablo Benavidez?

4 SERGEANT QUEZADA: Mr. Vice Chair, I would
5 like to make the motion of accepting or approving the
6 voluntary relinquishment of certification.

7 CHIEF KASSETAS: Do I have a second?

8 CHIEF McCALL: Second.

9 CHIEF KASSETAS: Those in favor.

10 (Those in favor so indicate.)

11 CHIEF KASSETAS: Those opposed? Hearing none
12 opposed, the motion carries.

13 ITEM NO. 19: MICHAEL PARRISH

14 CHIEF KASSETAS: On to formal hearings. Do I
15 have a motion regarding Michael Parrish?

16 CHIEF McCALL: Mr. Vice Chair, I would like
17 to make a motion to adopt the findings of facts and
18 conclusions reached by the full Hearing Officer and
19 recommend revocation.

20 CHIEF KASSETAS: Do I have a second?

21 MR. KEY: Second.

22 CHIEF KASSETAS: Those in favor.

23 (Those in favor so indicate.)

24 CHIEF KASSETAS: Those opposed? Hearing none
25 opposed, the motion carries.

1 ITEM NO. 20: DEVIN TRUJILLO

2 CHIEF KASSETAS: On agenda item 20, do I have
3 a motion regarding the matter of Devin Trujillo?

4 MR. KEY: Yes. Mr. Vice Chair, I would like
5 to make a motion that we accept the findings of fact
6 and conclusions of law of the Hearing Officer and that
7 we recommend an order of revocation.

8 CHIEF KASSETAS: Do I have a second?

9 CHIEF SOLAND: Second.

10 CHIEF KASSETAS: Those in favor.

11 (Those in favor so indicate.)

12 CHIEF KASSETAS: Those opposed? Hearing none
13 opposed, the motion carries.

14 ITEM NO. 21: GABRIELLE PUHUYESVA (BILLMAN)

15 CHIEF KASSETAS: Now on to the requests to
16 address the Board. Each one of these items was
17 discussed individually after the Board was addressed.
18 And then the Board came to a conclusion on what action
19 to take.

20 Do I have a motion regarding Gabrielle
21 Billman?

22 SHERIFF WALLER: Mr. Vice Chairman, I move
23 that we rescind the Board's prior order for revocation
24 and return this to the Director.

25 CHIEF KASSETAS: Do I have a second?

1 CHIEF SOLAND: Second.

2 CHIEF KASSETAS: Those in favor.

3 (Those in favor so indicate.)

4 CHIEF KASSETAS: Those opposed. Hearing none
5 opposed, the motion carries.

6 ITEM NO. 22: RAY HERNANDEZ

7 CHIEF KASSETAS: Ray Hernandez? Actually I
8 apologize. Ray Hernandez was a no-show after
9 requesting to talk to the Board. So there's no action
10 and no vote necessary.

11 ITEM NO. 23: JOVANNAH SANDOVAL

12 CHIEF KASSETAS: Moving on to item No. 23, do
13 I have a motion regarding Jovannah Sandoval?

14 CHIEF McCALL: Mr. Vice Chair, I would like
15 to make a motion to take no action on this matter.

16 CHIEF KASSETAS: Do I have a second?

17 SERGEANT QUEZADA: Second.

18 CHIEF KASSETAS: Those in favor.

19 (Those in favor so indicate.)

20 CHIEF KASSETAS: Those opposed? Hearing none
21 opposed, the motion carries.

22 ITEM NO. 24: RONALD GARCIA

23 CHIEF KASSETAS: Agenda item 24, do I have a
24 motion regarding Ronald Garcia?

25 SHERIFF WALLER: Mr. Vice Chairman, I move

1 that we take no action on this item.

2 CHIEF KASSETAS: Do I have a second?

3 MR. KEY: Second.

4 CHIEF KASSETAS: Those in favor.

5 (Those in favor so indicate.)

6 CHIEF KASSETAS: Those opposed? Hearing none
7 opposed, the motion carries.

8 ITEM NO. 25: RICARDO MARTINEZ

9 CHIEF KASSETAS: Agenda item 25, do I have a
10 motion regarding Ricardo Martinez?

11 SERGEANT QUEZADA: Mr. Vice Chair, I would
12 like to make the motion that the Board not take any
13 action at this time.

14 CHIEF KASSETAS: Do I have a second?

15 CHIEF McCALL: Second.

16 CHIEF KASSETAS: Those in favor.

17 (Those in favor so indicate.)

18 CHIEF KASSETAS: Those opposed? Hearing none
19 opposed, the motion carries.

20 That concludes the discipline portion of the
21 LEA Board meeting.

22 ITEM NO. 26: ADJOURNMENT

23 CHIEF KASSETAS: I believe, Mr. Word, we need
24 a motion to close, correct?

25 MR. WORD: Yes.

1 CHIEF KASSETAS: So I'll entertain a motion
2 to adjourn the meeting.

3 SHERIFF WALLER: So moved.

4 CHIEF KASSETAS: Second.

5 CHIEF McCALL: Second.

6 CHIEF KASSETAS: All those in favor.

7 (Those in favor so indicate.)

8 CHIEF KASSETAS: Anyone opposed? Hearing
9 nobody opposed, this meeting is adjourned. Thank you
10 all.

11 (At 12:45 p.m. the meeting was adjourned.)

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REPORTER'S CERTIFICATE

1
2
3 I, JAN A. WILLIAMS, New Mexico CCR #14, DO
4 HEREBY CERTIFY that on August 12, 2015, the
5 proceedings in the above matter were taken before me,
6 that I did report in stenographic shorthand the
7 proceedings set forth herein, and the foregoing pages
8 are a true and correct transcription to the best of my
9 ability.

10 I FURTHER CERTIFY that I am neither employed
11 by nor related to nor contracted with (unless excepted
12 by the rules) any of the parties or attorneys in this
13 case, and that I have no interest whatsoever in the
14 final disposition of these proceedings in any court.
15
16
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19
20

21 JAN A. WILLIAMS, RPR
22 New Mexico CCR #14
23 License Expires: 12/31/15
24
25

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