

NEW MEXICO LAW ENFORCEMENT ACADEMY
REGULAR BOARD MEETING

June 9, 2016
8:30 a.m.
San Juan College
4601 College Boulevard
Farmington, New Mexico 87402

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

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BOARD MEMBERS

Chief Chris McCall, Vice Chairman

Chief Pete Kassetas

Sergeant Jaime Quezada

Sheriff Wesley Waller

Chief Darren Soland

Scot Key

Elisabeth Miller

Kelly Burnham

ALSO PRESENT

Stephan Marshall, Director

Richard B. Word, Esq.

Monica Medrano

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ITEM NO. 1: CALL TO ORDER

CHIEF McCALL: We'll call our meeting to order.

ITEM NO. 2: ROLL CALL

CHIEF McCALL: Ms. Medrano, if I can get a roll call.

MS. MEDRANO: The Honorable Hector Balderas.
Mr. Scot Key.

MR. KEY: Present.

MS. MEDRANO: Chief Pete Kassetas.

CHIEF KASSETAS: Present.

MS. MEDRANO: Sheriff Wesley Waller.

SHERIFF WALLER: Here.

MS. MEDRANO: Chief Darren Soland.

CHIEF SOLAND: Present.

MS. MEDRANO: Chief Chris McCall.

CHIEF McCALL: Here.

MS. MEDRANO: Sergeant Jaime Quezada.

SERGEANT QUEZADA: Here.

MS. MEDRANO: Ms. Kelly Burnham.

MS. BURNHAM: Here.

MS. MEDRANO: Dr. Elisabeth Miller.

DR. MILLER: Here.

ITEM NO. 3: MICHAEL PARRISH

MR. McCALL: The third item on the agenda is

1 a request to address the Board by Michael Parrish. We
2 received notification from Mr. Parrish that he was not
3 going to be able to make the meeting.

4 So we'll move directly into closed session
5 for disciplinary matters. If I could get a motion
6 from a Board Member to move the Board into closed
7 executive session to discuss only those matters listed
8 on the agenda under Executive Session pursuant to NMSA
9 1978 Section 10-15-1(H).

10 SHERIFF WALLER: Mr. Chairman, I move that
11 the Board go into closed executive session to discuss
12 only those matters listed on the agenda under
13 Executive Session pursuant to NMSA 1978
14 Section 10-15-1(H).

15 CHIEF McCALL: I have a motion on the floor.
16 Is there a second?

17 CHIEF KASSETAS: Second.

18 CHIEF McCALL: I have a second. We need a
19 roll call vote.

20 Ms. Medrano, could you give us a roll call
21 vote.

22 MS. MEDRANO: Mr. Scot Key.

23 MR. KEY: Yes.

24 MS. MEDRANO: Chief Pete Kassetas.

25 CHIEF KASSETAS: Yes.

1 MS. MEDRANO: Sheriff Wesley Waller.

2 SHERIFF WALLER: Yes.

3 MS. MEDRANO: Chief Darren Soland.

4 CHIEF SOLAND: Yes.

5 MS. MEDRANO: Chief Chris McCall.

6 CHIEF McCALL: Yes.

7 MS. MEDRANO: Sergeant Jaime Quezada.

8 SERGEANT QUEZADA: Yes.

9 MS. MEDRANO: Ms. Kelly Burnham.

10 MS. BURNHAM: Yes.

11 MS. MEDRANO: Dr. Elisabeth Miller.

12 DR. MILLER: Yes.

13 CHIEF McCALL: We're going to go into closed
14 session to discuss the disciplinary items. We will be
15 in closed session between an hour and a half and two
16 hours. We'll bring you back in once we finish our
17 discussions.

18 (Recess from 8:35 a.m. to 11:10 a.m.)

19 ITEM NO. 24: RETURN TO OPEN SESSION

20 CHIEF McCALL: All right. I'll bring us back
21 into open session, the Board is back in open session.

22 And I affirm that, while in closed session,
23 it discussed only those matters specified in the
24 motion to close the meeting and listed on the agenda
25 under Executive Session in accordance with NMSA 1978

1 Section 10-15-1(H).

2 ITEM NO. 4: LOUIS CARLOS

3 CHIEF McCALL: We'll move back into our
4 agenda to item No. 4 related to Louis Carlos. Do I
5 have a motion for the matter regarding Officer Carlos?

6 SHERIFF WALLER: Mr. Chairman, I'll move to
7 accept the recommendation of the administrative judge
8 for dismissal.

9 CHIEF McCALL: I have a motion. Do I have a
10 second?

11 SERGEANT QUEZADA: Second it.

12 CHIEF McCALL: A second. All in favor.

13 (Those in favor so indicate.)

14 CHIEF McCALL: Any opposed? The motion
15 carries.

16 ITEM NO. 5: STEVEN HINDI

17 CHIEF McCALL: Next will be item No. 5 in
18 relation to Officer Steven Hindi. Do I have a motion
19 regarding Officer Hindi?

20 SERGEANT QUEZADA: Mr. Vice Chair, I make the
21 motion to accept the recommendation on the case
22 findings for Mr. Hindi.

23 CHIEF McCALL: I have a motion. Do I have a
24 second?

25 SHERIFF WALLER: Second.

1 CHIEF McCALL: A second. All in favor.
2 (Those in favor so indicate.)

3 CHIEF McCALL: Any opposed? The motion
4 carries.

5 ITEM NO. 6: MARSHALL KATZ

6 CHIEF McCALL: Item No. Six regarding
7 Marshall Katz. Do I have a motion for the matter
8 regarding Marshall Katz?

9 MS. BURNHAM: Mr. Chair, we move to reject
10 the administrative judge's recommendation of
11 dismissal.

12 CHIEF McCALL: Do I have a second?

13 MR. KEY: Second.

14 CHIEF McCALL: I have a motion and a second.
15 All in favor.

16 (Those in favor so indicate.)

17 CHIEF McCALL: Any opposed? The motion
18 carries.

19 ITEM NO. 7: CODY MARTINEZ

20 CHIEF McCALL: Item No. 7, Cody Martinez. Do
21 I have a motion in the matter regarding Cody Martinez?

22 MR. KEY: Mr. Vice Chair, I would like to
23 make a motion that we accept and approve the
24 administrative judge's recommendation of dismissal.

25 CHIEF McCALL: Do I have a second?

1 MS. BURNHAM: Second.

2 CHIEF McCALL: I have a motion and a second.
3 All in favor.

4 (Those in favor so indicate.)

5 CHIEF McCALL: Any opposed? The motion
6 carries.

7 ITEM NO. 8: AARON QUINTANA

8 CHIEF McCALL: Related to item No. 8, Aaron
9 Quintana, do I have a motion related to the matter
10 regarding Mr. Quintana?

11 DR. MILLER: Yes. Mr. Chairman, I move to
12 accept and approve the administrative judge's
13 recommendation of dismissal.

14 CHIEF McCALL: I have a motion. Do I have a
15 second?

16 CHIEF SOLAND: Second.

17 CHIEF McCALL: A motion and a second. All in
18 favor.

19 (Those in favor so indicate.)

20 CHIEF McCALL: Any opposed? The motion
21 carries.

22 ITEM NO. 9: JESSICA TYLER

23 CHIEF McCALL: Item No. 9, Jessica Tyler. Do
24 I have a motion for the matter regarding Jessica
25 Tyler?

1 CHIEF SOLAND: Mr. Vice Chair, I make a
2 motion to reject the recommendation of the
3 administrative judge and send the matter back to the
4 Director.

5 CHIEF McCALL: I have a motion. Do I have a
6 second?

7 MS. BURNHAM: Second.

8 CHIEF McCALL: A second. All in favor.
9 (Those in favor so indicate.)

10 CHIEF McCALL: Any opposed? The motion
11 carries.

12 CHIEF KASSETAS: Mr. Vice Chair, I would like
13 the record to reflect my recusal regarding Jessica
14 Tyler, agenda item No. 9.

15 CHIEF McCALL: If the record would reflect
16 Chief Kassetas recused himself in that matter.

17 ITEM NO. 10: MATTHEW McCOY

18 CHIEF McCALL: Item No. 10, Matthew McCoy.
19 Do I have a motion regarding Matthew McCoy.

20 SHERIFF WALLER: Mr. Chairman, I move to
21 accept the administrative judge's recommendation for
22 dismissal.

23 CHIEF McCALL: I have a motion. Do I have a
24 second?

25 CHIEF SOLAND: Second.

1 CHIEF McCALL: I have a second. All in
2 favor.

3 (Those in favor so indicate.)

4 CHIEF McCALL: Any opposed? The motion
5 carries.

6 ITEM NO. 11: FREDERICK GYGI

7 CHIEF McCALL: We'll move on to proposed
8 default orders of revocation. Item No. 11, Frederick
9 Gygi, can I get a motion related to Frederick Gygi?

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

12 CHIEF McCALL: I have a motion. Do I have a
13 second?

14 DR. MILLER: Second.

15 CHIEF McCALL: A motion and a second. All in
16 favor.

17 (Those in favor so indicate.)

18 CHIEF McCALL: Any opposed? The motion
19 carries.

20 ITEM NO. 12: ALFREDO SANCHEZ

21 CHIEF McCALL: In the matter regarding
22 Alfredo Sanchez, item No. 12, do I have a motion
23 related to Alfredo Sanchez?

24 DR. MILLER: Yes. Mr. Chairman, I make a
25 motion to approve the default order of revocation.

1 CHIEF McCALL: I have a motion to approve.
2 Do I have a second?

3 SERGEANT QUEZADA: Second.

4 CHIEF McCALL: I have a second. All in
5 favor.

6 (Those in favor so indicate.)

7 CHIEF McCALL: Any opposed? The motion
8 carries.

9 ITEM NO. 13: ERIC SMITH

10 CHIEF McCALL: Item No. 13, Eric Smith, do I
11 have a motion for the matter regarding Officer Eric
12 Smith?

13 SERGEANT QUEZADA: Mr. Vice Chair, I would
14 like to make a motion to accept the order of
15 revocation.

16 CHIEF McCALL: A motion to accept. Do I have
17 a second?

18 CHIEF SOLAND: Second.

19 CHIEF McCALL: And a second. All in favor.
20 (Those in favor so indicate.)

21 CHIEF McCALL: Any opposed? The motion
22 carries.

23 ITEM NO. 14: CHRISTOPHER GARCIA

24 CHIEF McCALL: Agenda item 14, Christopher
25 Garcia. Do I have a motion regarding Christopher

1 Garcia?

2 CHIEF SOLAND: Mr. Vice Chair, I would make a
3 motion to reject the Director's recommendation and
4 institute a suspension of six months.

5 CHIEF McCALL: I have a motion. Do I have a
6 second?

7 MS. BURNHAM: Second.

8 CHIEF McCALL: And a second. All in favor.
9 (Those in favor so indicate.)

10 CHIEF McCALL: Any opposed? The motion
11 carries.

12 ITEM NO. 15: JOSEPH AQUINO

13 CHIEF McCALL: We'll move on to the proposed
14 prosecution agreements. Item No. 15, Joseph Aquino,
15 do I have a motion related to Joseph Aquino?

16 MS. BURNHAM: Yes. Mr. Chairman, we move to
17 approve the stipulated agreement as drafted with the
18 following addendum of certain words at paragraph 4 of
19 the stipulated settlement agreement.

20 It should read, in the third line, after the
21 word documents should be inserted "arising from
22 allegations of domestic violence." And that's the end
23 of the insertion. With that addendum the Board
24 approves the stipulated agreement.

25 CHIEF McCALL: Do I have a second?

1 MR. KEY: Second.

2 CHIEF McCALL: A motion and a second. All in
3 favor.

4 (Those in favor so indicate.)

5 CHIEF McCALL: Any opposed? The motion
6 carries.

7 ITEM NO. 16: JAMES PENGELLY

8 CHIEF McCALL: Item No. 16, James Pengelly.
9 Do I have a motion in relation to Officer Pengelly?

10 SERGEANT QUEZADA: Yes. Mr. Chair, I would
11 like to make a motion that we accept the stipulated
12 order of agreement.

13 CHIEF McCALL: Do I have a second?

14 SHERIFF WALLER: Second.

15 CHIEF McCALL: All in favor.

16 (Those in favor so indicate.)

17 CHIEF McCALL: Any opposed? The motion
18 carries.

19 ITEM NO. 17: JORDAN REDMOND

20 CHIEF McCALL: Item No. 17, Jordan Redmond.
21 Do I have a motion related to the matter involving
22 Jordan Redmond?

23 DR. MILLER: Yes. Mr. Chairman, I move to
24 approve the stipulated settlement agreement.

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

1 second?

2 CHIEF SOLAND: Second.

3 CHIEF McCALL: A motion and a second. All in
4 favor.

5 (Those in favor so indicate.)

6 CHIEF McCALL: Any opposed? The motion
7 carries.

8 ITEM NO. 18: MARK KMATZ

9 CHIEF McCALL: Item No. 18, Mark Kmatz. Do I
10 have a motion related to Mark Kmatz?

11 CHIEF SOLAND: Yes. Mr. Vice Chair, I make a
12 motion to approve the stipulated agreement and to add
13 language to the agreement, specifically paragraph 4,
14 line 4, which language will be inserted "arising from
15 allegations of theft of honest services."

16 CHIEF McCALL: I have a motion. Do I have a
17 second?

18 MS. BURNHAM: Second.

19 CHIEF McCALL: I have a motion and a second.
20 All in favor.

21 (Those in favor so indicate.)

22 CHIEF McCALL: Any opposed? The motion
23 carries.

24 ITEM NO. 19: ARNULFO ROJAS

25 CHIEF McCALL: Formal hearings. Item No. 19,

1 the matter of Arnulfo Rojas. I'd like the record to
2 reflect that I recused myself from this hearing.

3 Do I have a motion regarding the matter
4 involving Arnulfo Rojas?

5 MR. KEY: Yes. Mr. Vice Chair, I make a
6 motion to adopt and approve the findings of fact and
7 proposed decision in the matter of Arnulfo Rojas; and
8 further, that I make a motion that we revoke his
9 certification.

10 CHIEF McCALL: I have a motion. Do I have a
11 second?

12 SHERIFF WALLER: Second.

13 CHIEF McCALL: A second. All in favor.
14 (Those in favor so indicate.)

15 CHIEF McCALL: Any opposed? The motion
16 carries.

17 ITEM NO. 20: TROY THOMPSON

18 CHIEF McCALL: Item No. 20, Troy Thompson.
19 Do I have a motion related to the matter of Troy
20 Thompson?

21 CHIEF SOLAND: Yes. Mr. Vice Chair, I would
22 like to make a motion to accept the Hearing Officer's
23 findings of fact and recommendation of no violations.

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

1 DR. MILLER: Second.

2 CHIEF McCALL: A motion and a second. All in
3 favor.

4 (Those in favor so indicate.)

5 CHIEF McCALL: Any opposed? The motion
6 carries.

7 MR. KEY: Mr. Vice Chair, I did want to make
8 the record clear that I recused myself from the
9 discussion of that matter.

10 CHIEF McCALL: Let the record reflect Mr. Key
11 recused himself.

12 ITEM NO. 21: ADAM CASAUS

13 CHIEF McCALL: Moving on to item No. 21, the
14 matter of Adam Casaus. Do I have a motion in
15 reference to Adam Casaus?

16 CHIEF KASSETAS: Mr. Vice Chair, in the
17 matter of Adam Casaus, I make a motion to accept the
18 findings of fact and recommended decision of the
19 Hearing Officer and to revoke Mr. Casaus' law
20 enforcement certification.

21 CHIEF McCALL: I have a motion. Do I have a
22 second?

23 SERGEANT QUEZADA: Second.

24 CHIEF McCALL: I have a second. All in
25 favor.

1 (Those in favor so indicate.)

2 CHIEF McCALL: Any opposed? The motion
3 carries.

4 ITEM NO. 22: JESSICA LOPEZ

5 CHIEF McCALL: Item 22, Jessica Lopez. Can I
6 get a motion related to the matter involving Jessica
7 Lopez?

8 SERGEANT QUEZADA: Yes, Mr. Vice Chair. I
9 would like to make a motion of accepting and adopting
10 the Hearing Officer's findings of fact and the
11 recommendations decision and impose a three-year
12 suspension.

13 CHIEF McCALL: I have a motion. Do I have a
14 second?

15 SHERIFF WALLER: Second.

16 CHIEF McCALL: A motion and a second. All in
17 favor.

18 (Those in favor so indicate.)

19 CHIEF McCALL: Any opposed? The motion
20 carries.

21 ITEM NO. 23: DISCUSSION ON REINSTATEMENT OF
22 CERTIFICATION PROCESS/ROBERT ORTEGA

23 CHIEF McCALL: Item No. 23, discussion on
24 reinstatement of certification process involving
25 Robert Ortega. Do I have a motion related to this

1 item?

2 MS. BURNHAM: Mr. Vice Chairman, I move to
3 deny Mr. Ortega's request for reinstatement of
4 consideration of his law enforcement certification.

5 CHIEF McCALL: I have a motion on the floor.
6 Do I have a second?

7 DR. MILLER: Second.

8 CHIEF McCALL: I have a second. All in
9 favor.

10 (Those in favor so indicate.)

11 CHIEF McCALL: Any opposed? The motion
12 carries.

13 In relation to the discussion on
14 reinstatement of the certification process, we're
15 going to refer that to our rules committee for further
16 discussion and review.

17 And we are through our official Board agenda.

18 And I would like to take a moment to issue a
19 plaque to our good friend Attorney Rick Word from the
20 Attorney General's Office. Mr. Word has had three
21 years of dedicated service to our Board.

22 We appreciate his legal opinions and advice.
23 And we're certainly going to miss you. Thank you so
24 much.

25 MR. WORD: Thank you much. It's been my

1 pleasure.

2 (Applause.)

3 CHIEF McCALL: Any comments from the Board
4 before we adjourn?

5 CHIEF KASSETAS: Rick had to put up with me
6 for three years so I think he should get some sort of
7 medal also.

8 CHIEF McCALL: I think we all should.

9 CHIEF KASSETAS: Calm down.

10 ITEM NO. 25: ADJOURNMENT

11 CHIEF McCALL: I'll entertain a motion for
12 adjournment.

13 SHERIFF WALLER: So moved.

14 CHIEF McCALL: I have a motion. Do I have a
15 second?

16 CHIEF KASSETAS: Second.

17 CHIEF McCALL: All in favor.

18 (Those in favor so indicate.)

19 CHIEF McCALL: We're adjourned.

20 (At 11:25 a.m. the meeting was adjourned.)

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REPORTER'S CERTIFICATE

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2
3 I, JAN A. WILLIAMS, New Mexico CCR #14, DO
4 HEREBY CERTIFY that on June 9, 2016, the proceedings
5 in the above captioned 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.
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23 JAN A. WILLIAMS, RPR
24 New Mexico CCR #14
25 License Expires: 12/31/16

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