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HOUSE BILL 318

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

William "Bill" R. Rehm and Carrol H. Leavell

AN ACT

RELATING TO LAW ENFORCEMENT TRAINING; REVISING REQUIREMENTS FOR
LAW ENFORCEMENT IN-SERVICE TRAINING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 29-7-4.1 NMSA 1978 (being Laws 2002,
Chapter 34, Section 3 and Laws 2002, Chapter 35, Section 3) is
amended to read:

"29-7-4.1. DOMESTIC ABUSE INCIDENT TRAINING.--Domestic
abuse incident training shall be included in the curriculum of
each basic law enforcement training class. Domestic abuse
incident training [~~shall~~] may be included as a component of
in-service training each year for certified police officers."

SECTION 2. Section 29-7-4.2 NMSA 1978 (being Laws 2011,
Chapter 49, Section 1) is amended to read:

"29-7-4.2. CHILD ABUSE INCIDENT TRAINING.--Child abuse

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1 incident training shall be included in the curriculum of each
2 basic law enforcement training class. Child abuse incident
3 training [~~shall~~] may be included as a component of in-service
4 training each year for certified police officers."

5 SECTION 3. Section 29-7-7.3 NMSA 1978 (being Laws 2007,
6 Chapter 89, Section 1) is amended to read:

7 "29-7-7.3. ENSURING CHILD SAFETY UPON ARREST--TRAINING.--
8 Training for ensuring child safety upon the arrest of a parent
9 or guardian shall be included in the curriculum of each basic
10 law enforcement training class and may be included as a
11 component of in-service training each year for certified police
12 officers."

13 SECTION 4. Section 29-7-7.4 NMSA 1978 (being Laws 2010,
14 Chapter 33, Section 1) is amended to read:

15 "29-7-7.4. MISSING PERSON AND AMBER ALERT TRAINING.--A
16 minimum of four hours of combined missing person and AMBER
17 alert training shall be included in the curriculum of each
18 basic law enforcement training class. Missing person and AMBER
19 alert training [~~shall~~] may be included as a component of
20 in-service training each year for certified police officers."

21 SECTION 5. Section 29-7-7.5 NMSA 1978 (being Laws 2011,
22 Chapter 180, Section 1) is amended to read:

23 "29-7-7.5. INTERACTION WITH PERSONS WITH MENTAL
24 IMPAIRMENTS--TRAINING.--

25 A. A minimum of forty hours of crisis management,

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1 including crisis intervention, confrontation de-escalation
2 practicum and proper interaction with persons with mental
3 impairments training, shall be included in the curriculum of
4 each basic law enforcement training class.

5 B. [~~A minimum of~~] Two hours of crisis management,
6 including crisis intervention, confrontation de-escalation
7 practicum and proper interaction with persons with mental
8 impairments training, [~~shall~~] may be included as a component of
9 in-service law enforcement training pursuant to Section
10 29-7-7.1 NMSA 1978.

11 C. A pre-recorded course on crisis management,
12 including crisis intervention, confrontation de-escalation
13 practicum and proper interaction with persons with mental
14 impairments training, shall not satisfy the requirements of the
15 basic law enforcement training class required pursuant to
16 Subsection A of this section.

17 D. As used in this section, "mental impairment"
18 includes a mental illness, developmental disability,
19 posttraumatic stress disorder, dual diagnosis, autism, youth in
20 crisis and traumatic brain injury."

21 **SECTION 6.** Section 29-11-5 NMSA 1978 (being Laws 1978,
22 Chapter 27, Section 5, as amended) is amended to read:

23 "29-11-5. SEXUAL CRIMES PROSECUTION AND TREATMENT
24 PROGRAM.--

25 A. The administrator shall develop, with the

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1 cooperation of the [~~criminal justice~~] corrections department,
2 the New Mexico state police, the New Mexico law enforcement
3 academy, other authorized law enforcement agencies and existing
4 community-based victim treatment programs, a statewide
5 comprehensive plan to train law enforcement officers and
6 criminal justice and medical personnel in the ability to deal
7 with sexual crimes; to develop strategies for prevention of
8 such crimes; to provide assistance in the assembly of evidence
9 for the facilitation of prosecution of such crimes; and to
10 provide medical and psychological treatment to victims of such
11 crimes. This plan shall include, but not be limited to:

12 (1) education and training of law enforcement
13 officers and criminal justice and medical personnel;

14 (2) collection, processing and analysis of
15 evidence [~~which~~] that facilitates prosecution of suspects of
16 sexual crimes; and

17 (3) medical and psychological treatment of
18 victims of such crimes.

19 B. The comprehensive plan shall be implemented
20 throughout the state, and the administrator may contract with
21 appropriate persons, entities, agencies or community-based
22 programs to provide the services to be rendered pursuant to
23 Subsection A of this section and may pay a reasonable fee for
24 [~~such~~] the services.

25 C. Nothing in this section shall be construed to

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1 require criminal prosecution of a suspect of a sexual crime by
2 the victim to whom services are rendered pursuant to the
3 provisions of the Sexual Crimes Prosecution and Treatment Act.

4 D. Training for law enforcement officers in the
5 proper treatment of victims of sexual crimes and collection of
6 evidence and coordination among agencies shall be incorporated
7 in the regular training program for recruits by the New Mexico
8 state police and the basic course taught by the New Mexico law
9 enforcement academy or by other authorized law enforcement
10 agencies. Already commissioned officers and sex-crime
11 investigators [~~shall~~] may receive advanced training through in-
12 service programs."

13 SECTION 7. Section 29-20-3 NMSA 1978 (being Laws 2003,
14 Chapter 260, Section 3) is amended to read:

15 "29-20-3. POLICE TRAINING.--

16 A. No later than December 31, 2004, the New Mexico
17 law enforcement academy board shall develop and incorporate
18 into the basic law enforcement training required pursuant to
19 the Law Enforcement Training Act a course of instruction of at
20 least sixteen hours concerning the safe initiation and conduct
21 of high speed pursuits.

22 B. The course of instruction shall emphasize the
23 importance of protecting the public at all times and the need
24 to balance the known offense and risk posed by a fleeing
25 suspect against the danger to law enforcement officers and

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1 other people by initiating a high speed pursuit.

2 C. The course of instruction shall include adequate
3 consideration of each of the following subjects:

- 4 (1) when to initiate a high speed pursuit;
5 (2) when to terminate a high speed pursuit;
6 (3) evaluating risks due to conditions of the
7 vehicle, driver, roadway, weather and traffic during a high
8 speed pursuit;
9 (4) evaluating dangers to uninvolved motorists
10 and bystanders during a high speed pursuit;
11 (5) the number of law enforcement units
12 permitted to participate in the high speed pursuit;
13 (6) the responsibilities of primary, secondary
14 and supervisory law enforcement units during a high speed
15 pursuit;
16 (7) proper communication and coordination
17 procedures when a high speed pursuit enters another law
18 enforcement agency's jurisdiction, including a tribal
19 jurisdiction;
20 (8) driving tactics during a high speed
21 pursuit;
22 (9) communications during a high speed
23 pursuit;
24 (10) capture of suspects following a high
25 speed pursuit;

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1 (11) supervisory responsibilities during a
2 high speed pursuit;

3 (12) use of blocking, ramming, boxing and
4 roadblocks as high speed pursuit tactics;

5 (13) use of alternative methods and
6 technologies for apprehending suspects during a high speed
7 pursuit; and

8 (14) preparing a report and evaluation and
9 analysis of a high speed pursuit after it has concluded.

10 D. The New Mexico law enforcement academy board
11 shall develop the program of instruction, learning and
12 performance objectives and standards for training in
13 conjunction with appropriate groups and individuals that have
14 an interest in and expertise regarding high speed pursuits,
15 including law enforcement agencies, law enforcement academy
16 instructors, experts on the subject and members of the public.

17 ~~[E. In-service law enforcement training, as~~
18 ~~required pursuant to Section 29-7-7.1 NMSA 1978, shall include~~
19 ~~at least four hours of instruction that conform with the~~
20 ~~requirements set forth in Subsection C of this section.~~

21 ~~F.]~~ E. Each certified regional law enforcement
22 training facility shall incorporate into its basic law
23 enforcement training ~~[and in-service law enforcement training]~~
24 a course of training in the safe initiation and conduct of high
25 speed pursuits that is comparable to or exceeds the standards

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1 of the course of instruction developed by the New Mexico law
2 enforcement academy board."

3 SECTION 8. Section 31-18B-5 NMSA 1978 (being Laws 2003,
4 Chapter 384, Section 5) is amended to read:

5 "31-18B-5. HATE CRIMES--LAW ENFORCEMENT TRAINING.--

6 A. No later than December 31, 2003, the New Mexico
7 law enforcement academy board shall develop and incorporate
8 into the basic law enforcement training required, pursuant to
9 the Law Enforcement Training Act, a course of instruction at
10 least two hours in length concerning the detection,
11 investigation and reporting of a crime motivated by hate.

12 B. The New Mexico law enforcement academy board
13 shall develop a course of instruction, learning and performance
14 objectives and training standards, in conjunction with
15 appropriate groups and individuals that have an interest in and
16 expertise regarding crimes motivated by hate. The groups and
17 individuals shall include law enforcement agencies, law
18 enforcement academy instructors, experts on crimes motivated by
19 hate and members of the public.

20 ~~[G. In-service law enforcement training, as~~
21 ~~required pursuant to Section 29-7-7.1 NMSA 1978, shall include~~
22 ~~at least two hours of instruction that conform with the~~
23 ~~requirements set forth in Subsection B of this section.~~

24 ~~D.]~~ C. Each certified regional law enforcement
25 training facility shall incorporate into its basic law

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1 enforcement training [~~and in-service law enforcement training~~]
2 a course of training described in Subsection B of this section
3 that is comparable to or exceeds the standards of the course of
4 instruction developed by the New Mexico law enforcement academy
5 board."

6 SECTION 9. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2014.

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