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SENATE BILL 50

**57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

INTRODUCED BY

Antonio Maestas and Crystal Brantley and Pamelya Herndon  
and Nicole Chavez

AN ACT

RELATING TO LAW ENFORCEMENT; REMOVING CERTAIN IN-SERVICE LAW  
ENFORCEMENT TRAINING REQUIREMENTS; REMOVING CERTAIN IN-SERVICE  
PUBLIC SAFETY TELECOMMUNICATOR TRAINING REQUIREMENTS.

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, as  
amended) is amended to read:

"29-7-4.1. DOMESTIC ABUSE INCIDENT TRAINING.--Domestic  
abuse incident training that includes information on  
strangulation shall be included in the curriculum of each basic  
law enforcement training class. [~~Domestic abuse incident  
training shall 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,  
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Chapter 49, Section 1) is amended to read:

"29-7-4.2. CHILD ABUSE INCIDENT TRAINING.--Child abuse incident training shall be included in the curriculum of each basic law enforcement training class. [~~Child abuse incident training shall be included as a component of in-service training each year for certified police officers.~~]"

SECTION 3. Section 29-7-4.4 NMSA 1978 (being Laws 2022, Chapter 56, Section 6) is amended to read:

"29-7-4.4. LAW ENFORCEMENT OFFICER TRAINING.--The curriculum of each basic law enforcement training class [~~and in-service training each year~~] for certified police officers shall include:

- A. crisis management and intervention;
- B. dealing with individuals who are experiencing mental health issues;
- C. methods of de-escalation;
- D. peer-to-peer intervention;
- E. stress management;
- F. racial sensitivity;
- G. reality-based situational training; and
- H. use of force training that includes the elimination of vascular neck restraints."

SECTION 4. Section 29-7-7.3 NMSA 1978 (being Laws 2007, Chapter 89, Section 1) is amended to read:

"29-7-7.3. ENSURING CHILD SAFETY UPON ARREST--TRAINING.--

1 Training for ensuring child safety upon the arrest of a parent  
2 or guardian shall be included in the curriculum of each basic  
3 law enforcement training class [~~and as a component of in-~~  
4 ~~service training each year for certified police officers]."~~

5 SECTION 5. Section 29-7-7.4 NMSA 1978 (being Laws 2010,  
6 Chapter 33, Section 1) is amended to read:

7 "29-7-7.4. MISSING PERSON AND AMBER ALERT TRAINING.--A  
8 minimum of four hours of combined missing person and AMBER  
9 alert training shall be included in the curriculum of each  
10 basic law enforcement training class. [~~Missing person and~~  
11 ~~AMBER alert training shall be included as a component of in-~~  
12 ~~service training each year for certified police officers.]"~~

13 SECTION 6. Section 29-7-7.5 NMSA 1978 (being Laws 2011,  
14 Chapter 180, Section 1) is amended to read:

15 "29-7-7.5. INTERACTION WITH PERSONS WITH MENTAL  
16 IMPAIRMENTS--TRAINING.--

17 A. A minimum of forty hours of crisis management,  
18 including crisis intervention, confrontation de-escalation  
19 practicum and proper interaction with persons with mental  
20 impairments training, shall be included in the curriculum of  
21 each basic law enforcement training class.

22 [~~B. A minimum of two hours of crisis management,~~  
23 ~~including crisis intervention, confrontation de-escalation~~  
24 ~~practicum and proper interaction with persons with mental~~  
25 ~~impairments training, shall be included as a component of in-~~

1 ~~service law enforcement training pursuant to Section~~  
2 ~~29-7-7.1 NMSA 1978.~~

3 ~~G.]~~ B. A pre-recorded course on crisis management,  
4 including crisis intervention, confrontation de-escalation  
5 practicum and proper interaction with persons with mental  
6 impairments training, shall not satisfy the requirements of the  
7 basic law enforcement training class required pursuant to  
8 Subsection A of this section.

9 ~~[D.]~~ C. As used in this section, "mental  
10 impairment" includes a mental illness, developmental  
11 disability, posttraumatic stress disorder, dual diagnosis,  
12 autism, youth in crisis and traumatic brain injury."

13 **SECTION 7.** Section 29-7-7.7 NMSA 1978 (being Laws 2017,  
14 Chapter 35, Section 1) is amended to read:

15 "29-7-7.7. **TOURNIQUET AND TRAUMA KIT TRAINING AND**  
16 **DISTRIBUTION.--**

17 A. Tourniquet and trauma kit training shall be  
18 included in the curriculum of each basic law enforcement  
19 training class ~~[and as a component of in-service law~~  
20 ~~enforcement training each year for certified police officers]~~.  
21 The academy, in coordination with certified regional law  
22 enforcement training facilities, shall provide a tourniquet and  
23 trauma kit to each cadet who graduates from the academy or from  
24 a certified regional law enforcement training facility and to  
25 each previously certified police officer who attends a

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1 certification-by-waiver course.

2 B. The academy shall provide hands-on tourniquet  
3 and trauma kit training to all officers using tourniquet and  
4 trauma kit equipment designed for training purposes. The  
5 training shall be designed in a manner that will safely  
6 replicate field conditions without the risk of injury in order  
7 for officers to develop the necessary skills to use tourniquets  
8 and trauma kits. In order to supplement the hands-on training,  
9 the academy may produce a training video on the proper use of  
10 tourniquets and trauma kits for use in the academy and  
11 certified regional law enforcement training facilities.

12 C. The academy, in coordination with certified  
13 regional law enforcement training facilities, shall distribute  
14 a tourniquet and trauma kit to each police officer who has been  
15 certified pursuant to the Law Enforcement Training Act."

16 SECTION 8. Section 29-7C-4.1 NMSA 1978 (being Laws 2022,  
17 Chapter 56, Section 19, as amended) is amended to read:

18 "29-7C-4.1. PUBLIC SAFETY TELECOMMUNICATOR TRAINING.--The  
19 curriculum of each basic telecommunicator training class [~~and~~  
20 ~~in-service training each year for telecommunicators~~] shall  
21 include:

22 A. crisis management and intervention;

23 B. dealing with individuals who are experiencing  
24 mental health issues;

25 C. methods of de-escalation;

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1 D. peer-to-peer intervention;  
2 E. stress management;  
3 F. racial sensitivity;  
4 G. reality-based situational training; and  
5 H. high-quality telecommunicator cardiopulmonary  
6 resuscitation using the most current nationally recognized  
7 emergency cardiovascular care guidelines. Training on high-  
8 quality telecommunicator cardiopulmonary resuscitation shall  
9 include instruction on out-of-hospital cardiac arrest protocols  
10 and compression-only cardiopulmonary resuscitation."

11 SECTION 9. Section 29-7C-7 NMSA 1978 (being Laws 2003,  
12 Chapter 320, Section 9, as amended) is amended to read:

13 "29-7C-7. IN-SERVICE TELECOMMUNICATOR TRAINING.--

14 A. In-service telecommunicator training consists of  
15 at least twenty hours of ~~[board-approved]~~ council-approved  
16 advanced training, including ~~[one hour of]~~ crisis management,  
17 ~~[including]~~ crisis intervention, confrontation de-escalation  
18 practicum and proper interaction with persons with mental  
19 impairments training, for each certified telecommunicator  
20 during each two-year period. The first training course shall  
21 commence no later than twelve months after graduation from a  
22 ~~[board-approved]~~ council-approved basic telecommunicator  
23 training program.

24 B. A certified telecommunicator shall provide proof  
25 of completion of in-service training requirements to the

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1 director no later than March 1 of the year subsequent to the  
2 year in which the requirements are met. The director shall  
3 provide annual notice to all certified telecommunicators  
4 regarding in-service training requirements. Failure to  
5 complete in-service training requirements may be grounds for  
6 suspension of a telecommunicator's certification at the board's  
7 discretion as provided in Section 29-7-4.3 NMSA 1978. A  
8 telecommunicator may be reinstated by the board when the  
9 telecommunicator presents to the board evidence the  
10 telecommunicator has satisfied the in-service training  
11 requirements.

12 C. As used in this section, "mental impairment"  
13 includes a mental illness, developmental disability,  
14 posttraumatic stress disorder, dual diagnosis, autism, youth in  
15 crisis and traumatic brain injury."

16 SECTION 10. Section 29-11-5 NMSA 1978 (being Laws 1978,  
17 Chapter 27, Section 5, as amended) is amended to read:

18 "29-11-5. SEXUAL CRIMES PROSECUTION AND TREATMENT  
19 PROGRAM.--

20 A. The administrator shall develop, with the  
21 cooperation of the [~~criminal justice~~] corrections department,  
22 the New Mexico state police, the New Mexico law enforcement  
23 academy, other authorized law enforcement agencies and existing  
24 community-based victim treatment programs, a statewide  
25 comprehensive plan to train law enforcement officers and

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1 criminal justice and medical personnel in the ability to deal  
2 with sexual crimes; to develop strategies for prevention of  
3 such crimes; to provide assistance in the assembly of evidence  
4 for the facilitation of prosecution of such crimes; and to  
5 provide medical and psychological treatment to victims of such  
6 crimes. This plan shall include, but not be limited to:

7 (1) education and training of law enforcement  
8 officers and criminal justice and medical personnel;

9 (2) collection, processing and analysis of  
10 evidence [~~which~~] that facilitates prosecution of suspects of  
11 sexual crimes; and

12 (3) medical and psychological treatment of  
13 victims of such crimes.

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

20 C. Nothing in this section shall be construed to  
21 require criminal prosecution of a suspect of a sexual crime by  
22 the victim to whom services are rendered pursuant to the  
23 provisions of the Sexual Crimes Prosecution and Treatment Act.

24 D. Training for law enforcement officers in the  
25 proper treatment of victims of sexual crimes and collection of

1 evidence and coordination among agencies shall be incorporated  
2 in the regular training program for recruits by the New Mexico  
3 state police and the basic course taught by the New Mexico law  
4 enforcement academy or by other authorized law enforcement  
5 agencies. [~~Already commissioned officers and sex-crime~~  
6 ~~investigators shall receive advanced training through in-~~  
7 ~~service programs.~~]"

8 SECTION 11. Section 29-20-3 NMSA 1978 (being Laws 2003,  
9 Chapter 260, Section 3) is amended to read:

10 "29-20-3. POLICE TRAINING.--

11 A. No later than December 31, 2004, the New Mexico  
12 law enforcement [~~academy board~~] standards and training council  
13 shall develop and incorporate into the basic law enforcement  
14 training required pursuant to the Law Enforcement Training Act  
15 a course of instruction of at least sixteen hours concerning  
16 the safe initiation and conduct of high speed pursuits.

17 B. The course of instruction shall emphasize the  
18 importance of protecting the public at all times and the need  
19 to balance the known offense and risk posed by a fleeing  
20 suspect against the danger to law enforcement officers and  
21 other people by initiating a high speed pursuit.

22 C. The course of instruction shall include adequate  
23 consideration of each of the following subjects:

- 24 (1) when to initiate a high speed pursuit;  
25 (2) when to terminate a high speed pursuit;

1 (3) evaluating risks due to conditions of the  
2 vehicle, driver, roadway, weather and traffic during a high  
3 speed pursuit;

4 (4) evaluating dangers to uninvolved motorists  
5 and bystanders during a high speed pursuit;

6 (5) the number of law enforcement units  
7 permitted to participate in the high speed pursuit;

8 (6) the responsibilities of primary, secondary  
9 and supervisory law enforcement units during a high speed  
10 pursuit;

11 (7) proper communication and coordination  
12 procedures when a high speed pursuit enters another law  
13 enforcement agency's jurisdiction, including a tribal  
14 jurisdiction;

15 (8) driving tactics during a high speed  
16 pursuit;

17 (9) communications during a high speed  
18 pursuit;

19 (10) capture of suspects following a high  
20 speed pursuit;

21 (11) supervisory responsibilities during a  
22 high speed pursuit;

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

25 (13) use of alternative methods and

1 technologies for apprehending suspects during a high speed  
2 pursuit; and

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

5 D. The New Mexico law enforcement [~~academy board~~]  
6 standards and training council shall develop the program of  
7 instruction, learning and performance objectives and standards  
8 for training in conjunction with appropriate groups and  
9 individuals that have an interest in and expertise regarding  
10 high speed pursuits, including law enforcement agencies, law  
11 enforcement academy instructors, experts on the subject and  
12 members of the public.

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

17 F.] E. Each certified regional law enforcement  
18 training facility shall incorporate into its basic law  
19 enforcement training [~~and in-service law enforcement training~~]  
20 a course of training in the safe initiation and conduct of high  
21 speed pursuits that is comparable to or exceeds the standards  
22 of the course of instruction developed by the New Mexico law  
23 enforcement [~~academy board~~] standards and training council."

24 SECTION 12. Section 31-18B-5 NMSA 1978 (being Laws 2003,  
25 Chapter 384, Section 5) is amended to read:

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1 "31-18B-5. HATE CRIMES--LAW ENFORCEMENT TRAINING.--

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

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

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

22 ~~D.]~~ C. Each certified regional law enforcement  
23 training facility shall incorporate into its basic law  
24 enforcement training [~~and in-service law enforcement training~~]  
25 a course of training described in Subsection B of this section

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1 that is comparable to or exceeds the standards of the course of  
2 instruction developed by the New Mexico law enforcement  
3 ~~[academy board]~~ standards and training council."

4 SECTION 13. EFFECTIVE DATE.--The effective date of the  
5 provisions of this act is January 1, 2028.

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# POLICE TRAINING REFORM

June 18, 2026

**New Mexico Sentencing Commission**

*Bob Cleavall, Chair*

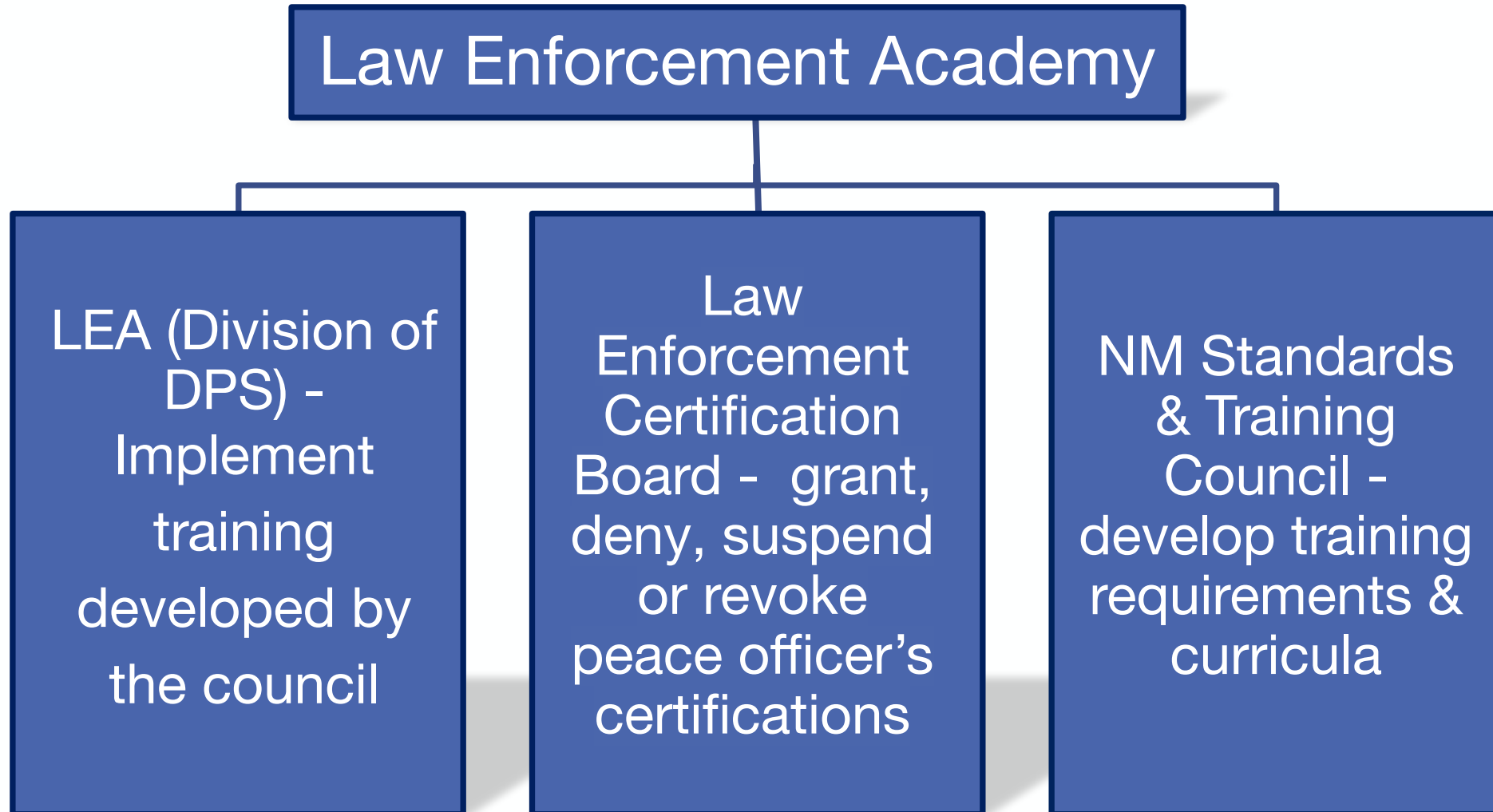
*Douglas Hughes Carver, Executive Director*

***By Sen. Antonio “Moe” Maestas***

# CHRONOLOGY OF POLICE TRAINING LAWS

- **SB 50 (2025)** - Sen. Moe Maestas & Sen. Brantley - passed Senate 35-7;
- **SB 50 (2024)** - Sen. Moe Maestas & Rep. Borrego - tabled in SJC;
- **SB 19 (2023)** - Sen. Moe Maestas - Signed into law;
  - <https://www.nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=19&year=23>
- **HB 68 (2022)** - Criminal Code Changes - Signed into law (Sections 1-22);
  - <https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=68&year=22>
- **SJC/HB 68** (via SJC Amendment);
  - <https://www.nmlegis.gov/Sessions/22%20Regular/bills/house/HB0068JU1.pdf>
- **SB 375 (2021)** - Sen. George Munoz & Sen. Stuart Ingle - Vetoed;
  - <https://www.nmlegis.gov/Legislation/Legislation?chamber=S&legType=B&legNo=375&year=21>
- **HB 286 (2021)** - Rep. Moe Maestas, & Rep. Bill Rehm - Not passed;
  - <https://www.nmlegis.gov/Legislation/Legislation?chamber=H&legType=B&legNo=286&year=21>

# SB 19 DIVIDED DUTIES OF THE NM LAW ENFORCEMENT ACADEMY



## §29-7-7.1. IN-SERVICE LAW ENFORCEMENT TRAINING; REQUIREMENTS;

A. To maintain certification as a police officer, in-service law enforcement training is required. In-service law enforcement training consists of a minimum of forty hours of academic instruction approved by the council for each certified police officer during each twenty-four month period of employment or service with a state or local law enforcement agency. The first required in-service law enforcement training period shall commence no later than twelve months after graduation from an approved basic law enforcement training program.

**History:** 1978 Comp., § 29-7-7.1, enacted by Laws 1981, ch. 114, § 7; 1993, ch. 255, § 9; 2023, ch. 86, § 5.

### **§29-7-3. LAW ENFORCEMENT STANDARDS & TRAINING COUNCIL**

A. The "New Mexico law enforcement standards and training council" is created and is administratively attached to the New Mexico law enforcement academy of the department of public safety, which shall provide staff support for the council.

B. The council shall develop and promulgate training requirements, curricula and methods; professional development programs; and performance standards for law enforcement officers and public safety telecommunicators at all levels, including basic, field training officer programs, advanced, specialized and instructor training to be consistent throughout New Mexico.

### **§29-7-4. POWERS AND DUTIES OF COUNCIL.**

The council shall:

A. develop a planned program, to be implemented by the director, of:

(1) basic law enforcement training and in-service law enforcement training, a portion of which may be conducted on a regional basis;

## §9-1-7. NMSA. ADMINISTRATIVELY ATTACHED AGENCY; RELATIONSHIPS.

A. An agency attached to a department for administrative purposes only shall:

(1) exercise its functions independently of the department and without approval or control of the department;

(2) submit its budgetary requests through the department; and

(3) submit reports required of it by law or by the governor through the department.

B. The department to which an agency is attached for administrative purposes only shall:

(1) provide, if mutually agreed, the budgeting, record-keeping and related administrative and clerical assistance to the agency; and

(2) include the agency's budgetary requests, as submitted and without changes, in the departmental budget.

C. Unless otherwise provided by law, the agency shall hire its own personnel in accordance with the Personnel Act [Chapter 10, Article 9 NMSA 1978].

## STANDARDS & TRAINING COUNCIL FY/25 AUTHORIZED FTEs

| Job Title                      |
|--------------------------------|
| NM LEA INSTRUCTOR MANAGER      |
| GEN I                          |
| LAW ENFORCE INSTRUCTOR PST MGR |
| STAFF                          |
| STAFF                          |
| TRAIN & DEV SPEC III           |
| TRAIN & DEV SPEC III           |
| TRAIN & DEV SPEC III           |
| EXEC SEC & ADM ASST III        |
| EXEC SEC & ADM ASST III        |
| EXEC SEC & ADM ASST III        |

# STANDARDS & TRAINING COUNCIL

## FY25 BUDGET

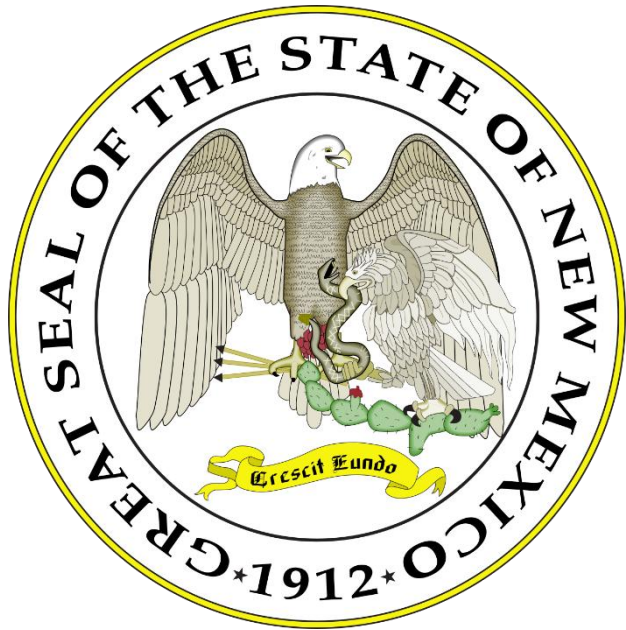
| DESCRIPTION                                 | CATEGORY | ORIGINAL BUDGET | BUDGET ADJUSTMENTS | ADJUSTED BUDGET | EXPENDED YEAR TO DATE | PROJECTED EXPENDITURES TO YEAR END | BALANCE AVAILABLE |
|---------------------------------------------|----------|-----------------|--------------------|-----------------|-----------------------|------------------------------------|-------------------|
|                                             |          |                 |                    |                 |                       |                                    |                   |
| Total Personal Services & Employee Benefits | 200      | \$1,385,200.00  | (\$354,400.00)     | \$1,030,800.00  | (\$679,354.41)        | (\$43,816.60)                      | \$307,628.99      |
|                                             |          |                 |                    |                 |                       |                                    |                   |
| Total Contractual Services                  | 300      | \$0.00          | \$60,000.00        | \$60,000.00     | (\$0.00)              | \$0.00                             | \$60,000.00       |
|                                             |          |                 |                    |                 |                       |                                    |                   |
| Total Other Operating Costs                 | 400      | \$294,200.00    | (\$60,000.00)      | \$234,200.00    | (\$103,727.80)        | \$0.00                             | \$130,472.20      |
|                                             |          |                 |                    |                 |                       |                                    |                   |
| TOTAL                                       |          | \$1,679,400.00  | (\$354,000.00)     | \$1,325,000.00  | (\$783,082.21)        | (\$43,816.60)                      | \$498,101.19      |
|                                             |          |                 |                    |                 |                       |                                    |                   |

# POLICE TRAINING LEGISLATIVE HISTORY

- HB 68 (2022); §29-7-4.4. Law enforcement officer training
- HB 68 (2022); §29-7C-4.1. Public safety telecommunicator training.
- HB 9 (2017); §29-7-7.7. Tourniquet and trauma kit training and distribution.
- HB 93 (2011); §29-7-7.5. Interaction with persons with mental impairments; training.
- SB 77 (2011); §29-7-4.2. Child abuse incident training.
- HB 55 (2010); §29-7-7.4. Missing person and AMBER alert training.
- HB 217 (2007); §29-7-7.3. Ensuring child safety upon arrest; training.(Rep. Maestas)
- SB 38 (2003); §31-18B-5. Hate crimes; law enforcement training.
- HB 30 (2003); §29-20-3. Police training.
- SB 294 (2002); §29-7-4.1. Domestic abuse incident training.

# IN-SERVICE POLICE TRAINING REQUIREMENTS

| Annual Topic                                                 | Annual Hours                             | Biennial Topic                                                                                                                                                                                                                                                                                                                                                                | Biennial Hours                                                                                                                                  |
|--------------------------------------------------------------|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 2024 Child Abuse                                             | Minimum of 2                             | 2024-2025 Hate Crimes                                                                                                                                                                                                                                                                                                                                                         | Minimum of 2                                                                                                                                    |
| 2024 Domestic Violence                                       | Minimum of 1                             | 2024-2025 Legal Updates                                                                                                                                                                                                                                                                                                                                                       | Minimum of 2                                                                                                                                    |
| 2024 Ensuring Child Safety                                   | Minimum of 1                             | 2024-2025 Interactions with Persons with Mental Impairments <i>(in-person)</i>                                                                                                                                                                                                                                                                                                | Minimum of 2 <i>(in-person)</i>                                                                                                                 |
| 2024 Missing Persons/AMBER                                   | Minimum of 1                             | 2024-2025 Day & Night Firearms Training <i>(not qualifications)</i>                                                                                                                                                                                                                                                                                                           | <b>Exactly 4</b> <i>(in-person)</i><br><i>(No more than 1 hour in lecture; 1.5 hours exercises for day &amp; 1.5 hours exercises for night)</i> |
| 2024 Tourniquet & Trauma Kit                                 | Minimum of 30 minutes <i>(in-person)</i> | 2024-2025 Safe Pursuit                                                                                                                                                                                                                                                                                                                                                        | Minimum of 4                                                                                                                                    |
| 2024 Handling a Crisis                                       | Minimum of 4 <i>(in-person)</i>          | <i>2024-2025 DWI/SFST Refresher</i><br><i>(only required for officers involved in DWI stops/arrests as part of normal/daily duties)</i>                                                                                                                                                                                                                                       | 4 <i>(in-person)</i><br><i>(Included in A.R.I.D.E.)</i>                                                                                         |
| 2024 Dealing with Persons Experiencing a Mental Health Issue | <i>Included in Handling a Crisis</i>     | <b>2024-2025 A.R.I.D.E.</b><br><i>(Can be used for DWI/SFST Refresher)</i>                                                                                                                                                                                                                                                                                                    | 16 <i>(in-person)</i>                                                                                                                           |
| 2024 Methods of De-Escalation                                | <i>Included in Handling a Crisis</i>     | <b>Total Biennial Hours if DWI applies:</b>                                                                                                                                                                                                                                                                                                                                   | <b>18</b>                                                                                                                                       |
| 2024 Reality Based Situational Training                      | <i>Included in Handling a Crisis</i>     | <b>Total Biennial Hours if Non-DWI:</b>                                                                                                                                                                                                                                                                                                                                       | <b>14</b>                                                                                                                                       |
| 2024 Peer-to-Peer Intervention                               | Minimum of 1                             | <b>Total Biennial Hours if taking A.R.I.D.E. option:</b>                                                                                                                                                                                                                                                                                                                      | <b>30</b>                                                                                                                                       |
| 2024 Stress Management                                       | Minimum of 1                             | Beginning in the 2024-2025 cycle, "Advanced training areas" as listed in <b>Subsection A, Subparagraph (12) of section 10.29.7.8 N MAC</b> , is no longer necessary to fulfill the <b>Paragraph A, section 29-7-7.1 NMSA 1978</b> requirement of "a minimum of forty hours of academic instruction approved by the council..." required for <b>Law Enforcement Officers</b> . |                                                                                                                                                 |
| 2024 Racial Sensitivity                                      | Minimum of 1                             |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                 |
| 2024 Use of Force (w/o Neck Restraints)                      | Minimum of 4                             |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                 |
| <b>Total Needed Each Year:</b>                               | <b>16.5</b>                              | <b>Total Biennium Hours Achieved if DWI</b>                                                                                                                                                                                                                                                                                                                                   | <b>51</b>                                                                                                                                       |
| <b>Total Number of Years in Cycle</b>                        | <b>2</b>                                 | <b>Total Biennium Hours Achieved if Non-DWI</b>                                                                                                                                                                                                                                                                                                                               | <b>47</b>                                                                                                                                       |
| <b>Total Annual Hours Achieved for 2-year Cycle</b>          | <b>33</b>                                | <b>Total Biennium Hours Achieved if A.R.I.D.E.</b>                                                                                                                                                                                                                                                                                                                            | <b>63</b>                                                                                                                                       |



# Missing and Murdered Indigenous Peoples and Human Trafficking

# Commission Members

- Chairman Sam Bregman: 2<sup>nd</sup> Judicial District Attorney
- Jason Bowie: Secretary of the New Mexico Department of Public Safety
- Marcus Montoya: 8<sup>th</sup> Judicial District Attorney
- Judith K. Nakamura: Retired Chief Justice of the New Mexico Supreme Court
- Matt Broom: Chief of New Mexico State Police
- Ben Baker: Public Safety Advisor to Governor Michelle Lujan Grisham
- Commander Wyatt Harwell: New Mexico State Police/Governor Security



# Brief History of OCC

- Originally established by Governor Bruce King in 1972
- Initially tasked with evaluating New Mexico in the areas of drug distribution, gambling, financial fraud, securities and land development activities, and the fencing of stolen goods
- Focus shifted based on the governor's priorities over time
  - By the late 1970s, the Commission investigated prostitution, pornography, labor racketeering, government corruption, bankruptcy schemes
- The Commission was constantly investigating links between the Mafia and the Cartels, warning of the dangers of not having centralized law enforcement intelligence networks
- After the creation of DPS in 1985, the Commission dwindled.
  - Ultimately was absorbed by the Organized Crime Bureau in the 1990s
- Resurrected by Governor Michelle Lujan Grisham in May of 2023



# Scope of OCC

- Statutorily, the Commission is required to “forestall, check and prevent the infiltration of organized crime into public and private affairs within New Mexico...” NMSA 1978, Section 29-9-4.
- The Governor has asked us to focus on the areas of Human Trafficking, Gun Smuggling, and Drug Trafficking. We’ve also been asked to look at Organized Retail Crime.
- The Commission members and New Mexico legislators have directed staff to reach out to all Tribes to collaborate with law enforcement agencies (BIA and Tribal) and prosecutors
- We have an attorney/ prosecutor and a certified law enforcement officer to assist with cases and investigations.
- We are intending to expand into more of an intelligence capacity, should we receive the necessary funding to do so.
- We also assisted with bill language and expert testimony during the legislative session



# History of Human Trafficking

- When the New Mexico Territory was established by the Treaty of Guadalupe Hidalgo in 1848, the territory chose to endorse slavery with the codification of peonage in the 1859 “Act for Protection of Slave Property” protecting slave-holder rights. Just prior to the Civil War, the Territory even passed a so-called “Black-Code” the “Act Concerning Free Negroes of 1857” to reduce free black people in the Territory to a subordinate civic position by criminalizing the free movement of those who were black.
- Early cases found that servitude was ostensibly consensual, could not be inherited by descendants, but that “all were indebted to their masters.” *Jaremillo v. Romero*, 1857-NMSC-007, ¶ 20, 1 N.M. 190, 208.
- Even though New Mexicans successfully repelled an invasion of slavery-supporting Confederates at the Battle of Glorieta Pass in 1862, the legal recognition of slavery and involuntary servitude in the territory lingered until the first post-enactment criminal statutes under the 13th Amendment. However, continued peonage was allowed, so long there was no strict physical and legal coercion.



# History of Human Trafficking (continued)

- In 1905, the U.S. Supreme court defined peonage as the “status or condition of compulsory service, based upon the indebtedness of the peon to the master.”  
Clyatt v. United States, 197 U.S. 207, 215, 25 S. Ct. 429, 429, 49 L. Ed. 726 (1905)
- After a Supreme Court case in 1988 involving mentally disabled persons being used as labor on a dairy farm, federal statute finally updated Human Trafficking legal definitions in 2000.
- New Mexico Human Trafficking laws went into effect in 2008, but are not without their shortfalls



# Human Trafficking on Cannabis Farms

- Chinese migrant workers are tricked to come work on cannabis farms to produce illicit products with promises of profit sharing after the cannabis has been harvested.
- Workers are forced to work long days, in brutal conditions, receiving limited food and only the bare minimum housing. Workers are usually confined to the farm, with limited access to phones, internet, or vehicles to leave, and have had their documents taken away.
- After the harvest, the workers do not receive any pay and are forced/threatened to go work for another farm.



# Human Trafficking as a Business

- Human Trafficking has become the most profitable endeavor for Transnational Criminal Organizations/Cartels
- Tens of thousands of immigrants wait to come across the border, seeking any means possible. \$100k a month from cartels in the Juarez area
- The cartels see this as a market, with zero investment and zero loss if they fail.
- The victims then become an ongoing source of income from extortion, labor trafficking (which has broadened), and sex trafficking
- The process is kept compartmentalized, no one person can reveal the larger strategies
- Chihuahua and Sonora do not have state human trafficking laws
- Vulnerable populations in New Mexico are also targeted, such as MMIP and teenagers



# NMSA 1978, Section 30-52-1

## The Current Law

30-52-1. Human trafficking.

A. Human trafficking consists of a person knowingly:

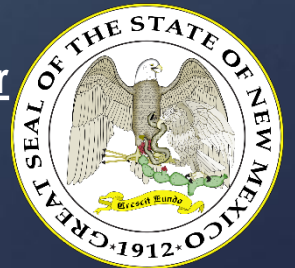
(1) recruiting, soliciting, enticing, transporting or obtaining by any means another person with **the intent or knowledge that force, fraud or coercion** will be used to subject the person to labor, services or commercial sexual activity;

(2) recruiting, soliciting, enticing, transporting or obtaining by any means a person under the age of eighteen years with the intent or knowledge that the person will be caused to engage in commercial sexual activity; or

(3) benefiting, financially or by receiving anything of value, from the labor, services or commercial sexual activity of another person with the knowledge that force, fraud or coercion was used to obtain the labor, services or commercial sexual activity.

B. The attorney general and the district attorney in the county of jurisdiction have concurrent jurisdiction to enforce the provisions of this section.

C. Whoever commits human trafficking is guilty of a **third-degree felony; except if the victim is under the age of: (1) sixteen, the person is guilty of a second-degree felony; Or (2) thirteen, the person is guilty of a first-degree felony.**



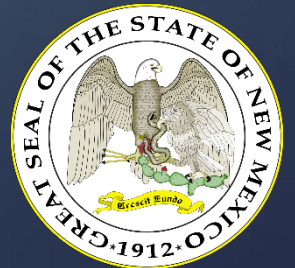
# NMSA 1978, 30-52-1

## The Current Law, continued

D. Prosecution pursuant to this section shall not prevent prosecution pursuant to any other provision of the law when the conduct also constitutes a violation of that other provision.

E. In a prosecution pursuant to this section, a human trafficking victim shall not be charged with accessory to the crime of human trafficking.

F. A person convicted of human trafficking shall, in addition to any other punishment, be ordered to make restitution to the victim for the gross income or value of the victim's labor or services and any other actual damages in accordance with Section 31-17-1 NMSA 1978.



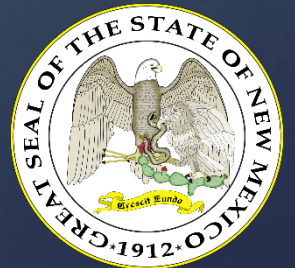
# NMSA 1978, 30-52-1

## The Current Law, continued

G. As used in this section:(1) “coercion” means:

- (a) causing or threatening to cause harm to any person;
- (b) using or threatening to use physical force against any person;
- (c) abusing or threatening to abuse the law or legal process;
- (d) threatening to report the immigration status of any person to governmental authorities; or
- (e) knowingly destroying, concealing, removing, confiscating or retaining any actual or purported government document of any person; and

(2) “commercial sexual activity” means any sexual act or sexually explicit exhibition for which anything of value is given, promised to or received by any person.



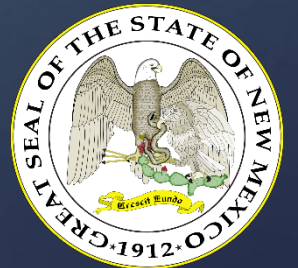
# Current Federal Law

U.S.C.S. Section 1590 Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor

(a) **Whoever knowingly recruits, harbors, transports, provides, or obtains by any means,** any person for labor or services in violation of this chapter shall be fined under this title or imprisoned not more than 20 years, or both. If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both.

(b) Whoever obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties under subsection (a).

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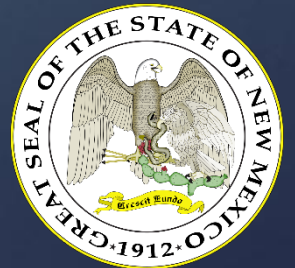
# Current Federal Law (continued)

U.S.C.S. Section 1593A **Benefitting financially** from peonage, slavery, and trafficking in persons

Whoever knowingly **benefits, financially or by receiving anything of value**, from participation in a venture which has engaged in any act in violation of this chapter [18 USCS §§ 1581 et seq.], knowing or in reckless disregard of the fact that the venture has engaged in such violation, shall be fined under this title or imprisoned in the same manner as a completed violation of such section.

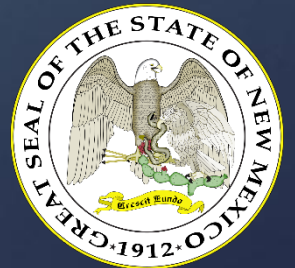
U.S.C.S. Section 1592 Unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor

(a) **Whoever knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person—**



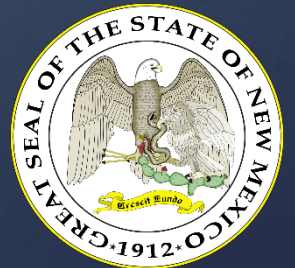
# Differences in Evidence requirements for a Federal Case

- Broader Verbs allow observations from officers as stronger evidence
- The “Benefiting Financially” section allows for broader prosecution against offenders who are trafficking
- The “Confiscation of Documents” section allows more people in the trafficking chain to be charged with crimes
- The phrase “by any means” allows more creative prosecution to fit the fact specific scenarios
- The federal statute contemplates aggravating scenarios, with more punitive options against traffickers when conduct is more egregious



# Problems with Current Human Trafficking Laws

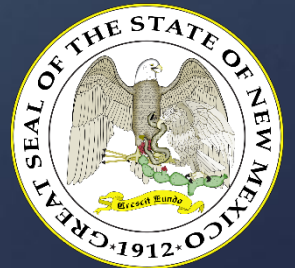
- **Good news: in 2025 Human trafficking was added to the list of crimes for Racketeering**
- Provability is difficult because of limited verbs, narrow definition of coercion, and inconsistent definitions of what a minor is for purposes of sex trafficking
  - The way the current law works, we are almost completely dependent on victim-based prosecution
- Penalties for trafficking humans are currently less than trafficking cocaine
  - Third Degree felony for 16+ (up to 3 years and a fine of \$5,000)
  - Second Degree for 13-16 (up to 9 years and fine of \$10,000)
  - First Degree for under 13 (up to 18 years and fine of \$15,000)
- Human Trafficking also does not currently fall under Racketeering
- When federal prosecutors decline cases, federal law enforcement agencies consider our state laws to prosecute through Attorney General's/ District Attorney's Offices



# Proposed Changes for Human Trafficking Law

Updated verbs for how the crime can be committed:

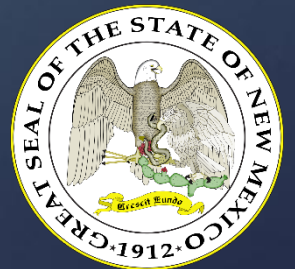
- Adding the verbs: harboring, providing, maintaining, and patronizing.
  - Broadening these terms will allow us to prosecute Human Trafficking based on observations from law enforcement instead of being as reliant on victims for evidentiary purposes.
- The verbs “harboring” “providing” and “maintaining” will ensure that a trafficker will be held accountable for their isolation of the victim from sources of help and creation of dependency (whether by furthering drugs addiction or locking them in a room).
- The verb “patronizing” is to specifically address and ensure justice for those who create the marketplace for human traffickers. This can include buyers of commercial sex for children and those who intentionally propagate the abuse of human trafficking victims by participating in the marketplace of involuntary servitude.



# Proposed Changes for Human Trafficking Law

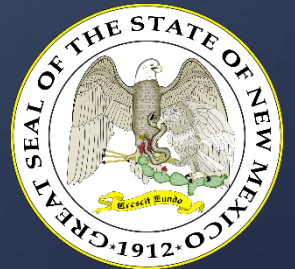
- Amending 30-6A-4 (Sexual Exploitation of Children by Prostitution) to be consistent with the Human Trafficking laws:
  - This will ensure that the statute is clear and add that law enforcement may work proactively to address criminal behavior by mirroring the exclusion of the potential defense that peace officers posing as children do not satisfy the offense.
- Increase in Sentences

| Victim Age | Current Penalties         | Proposed Penalties        |
|------------|---------------------------|---------------------------|
| Adults     | 0-3 years (Third Degree)  | 0-9 years (Second Degree) |
| Under 18   | 0-3 years (Third Degree)  | 18 years (First Degree)   |
| Under 16   | 0-9 years (Second Degree) | 18 years (First Degree)   |
| Under 13   | 18 years (First Degree)   | 18 years (First Degree)   |



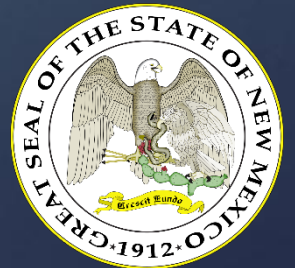
# Additional Proposed Change for Human Trafficking

- Separate Offenses for Human Trafficking
- Mandatory Restitution for Victims
- Asset Forfeiture for Human Traffickers
- Victims of Human Trafficking will not be Charged for Forced Prostitution
- Tolling of Statute of Limitations in 30-1-8
- Optional SVO Under 33-2-34
- Notification of Crime Victims Act



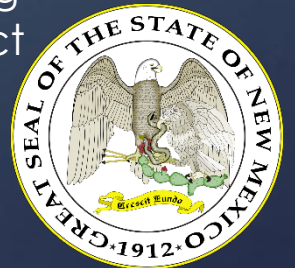
# OCC and MMIP

- Taos Pueblo Governor Edwin Concha
- Taos Pueblo Police Chief Summer Mirabal. Cross-commissioning the main obstacle to collaboration.
- Pojoaque Pueblo Governor Janelle Roybal
- Pojoaque Pueblo Chief of Police Freddie Trujillo. Cross-commissioning the main obstacle to collaboration.
- BIA Police -- Special Agent Craig Janice attended OCC meeting in Taos-- BIA Police provides law enforcement services to Northern Pueblos of Nambe, Picuris and San Ildefonso
- Santa Ana Pueblo – Ongoing meetings with police department and casino security regarding sex trafficking at Santa Ana Star Casino
- Santa Clara Pueblo – Chairman Bregman has met numerous times with Santa Clara Pueblo officials



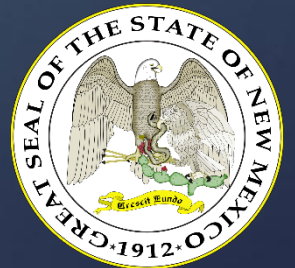
# OCC and MMIP (continued)

- Mescalero Apache - Chairman Bregman has met numerous times with Mescalero Apache officials
- Navajo Nation – Met with President Buu Nygren, Attorney General Ethel Branch, Council Delegate Amber Crotty who leads Navajo Nation MMIP task force, and with Chief of Police Ronald Silversmith. Attended APS Community Leaders meeting, San Juan Chapter
- Laguna Pueblo – met with Governor Wilfred Herrera, Jr., Laguna Pueblo Police Chief Jason Waller and Government Affairs Director Kip Bobroff. Cross-commissioning was discussed as the main barrier to working together
- Sandia Pueblo – Met with Governor Stuart Paisano and corresponded with Police Chief Adrian Armijo
- Isleta Pueblo – Met with Governor Max Zuni. Fentanyl presence on Pueblo. Cross-commissioning the main issue for collaboration
- Jicarilla Apache – Met with tribal council and Chief of Police Joseph Schake. Cross-commissioning the main barrier to collaboration. Discussed cracking down on meth ring in Chama selling product on the reservation. Group members were later arrested by the FBI.



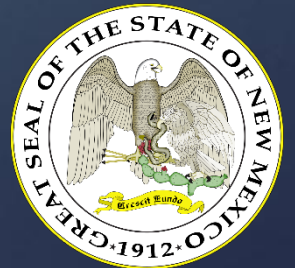
# OCC MMIP Case

- On October 20, 2025, OCC was contacted by a human trafficking advocate and informed that the family of a missing native woman was in Albuquerque searching for her.
- The family's missing granddaughter was being sponsored by the Cheyenne and Arapahoe Tribe and the Apache Tribe of Oklahoma.
- Victim went out with biological father, presumably to find drugs, father reappeared but the victim stayed missing for 7 weeks.
- Family registered victim as a missing person with Albuquerque Police.
- OCC Agents attempted to locate her over the course of three weeks; through information obtained through field interviews of the homeless community, victim was most likely trafficked by an individual who goes by "Scumbag" or "Scum" for short. This suspect is known to the homeless community to traffic vulnerable women; the victim had been positively identified as being with him by several individuals.



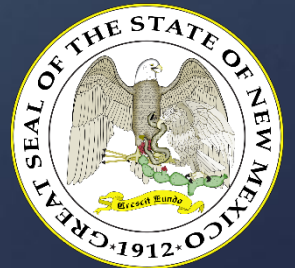
# OCC MMIP Case (continued)

- Agents spoke with the paternal grandmother at her residence who informed agents of her clothing description and where her father's encampment was.
- Agents proceeded to that area and spoke with a witness who stated she had seen her earlier and showed us where she slept during the time she was missing. Ultimately, family used the information from OCC agents and located Victim, returning her to Oklahoma to undergo treatment
- Victim's grandmother informed OCC that Victim, who was in inpatient treatment in Oklahoma, was checked out by her biological father, taken to New Mexico, and overdosed on the NM side of the state line. Haylee was legally in Tribal custody at the time of her death; it was not legal for her father to take custody of her.



# Challenges of MMIP in New Mexico

- Programmatic and Policy Change v. Enforcement and Prosecution
- Lack of Centralized, Statewide Law Enforcement efforts
- Weakness of Human Trafficking Law
- Jurisdictional Challenges
- Mistrust between law enforcement agencies at every government level



# Questions?

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*Note: All changes have been highlighted.*  
*Language in green is new. Language in red is deleted.*

9-3-10.1. Authority to review records or information; exceptions; rules.

A. The New Mexico sentencing commission is authorized to inspect, copy, receive and review all adult and juvenile records, data and information in the possession of state, county and local government agencies, including behavioral health information, treatment court and competency records, and information that is contained on the statewide criminal justice data-sharing network. ~~except records, data or information that:~~

~~(1) is privileged under the rules of evidence;~~

~~(2) compromises or tends to disclose any privileged record or information; or~~

~~(3) consists of reports, memoranda or other internal documents given to or communications made to a prosecutor or defense attorney in connection with the investigation, prosecution or defense of a criminal case;~~

B. All records, data and information received or obtained by the New Mexico sentencing commission shall have the same status with regard to access or release as when the records, data or information was in the possession of the entity from which the commission received it.

C. Records, data and information received or obtained by the New Mexico sentencing commission under this section may be used for reports on and analysis of the criminal and juvenile justice system. Public reports that rely on confidential information shall only use de-identified data so that the information in the report cannot be used to match a person with confidential information regarding that person.

D. The New Mexico sentencing commission is not authorized to inspect, copy, receive and review records, data or information that:

(1) is privileged under the rules of evidence;

*Note: All changes have been highlighted.*  
*Language in green is new. Language in red is deleted.*

(2) compromises or tends to disclose any privileged record or information; or

(3) consists of reports, memoranda or other internal documents given to or communications made to a prosecutor or defense attorney in connection with the investigation, prosecution or defense of a criminal case.

~~B.~~ **E.** The New Mexico sentencing commission shall promulgate rules setting forth procedures for inspecting, copying, receiving, reviewing and reporting records, data and information necessary to fulfill its duties. State, county and local government agencies shall assist the commission in obtaining the records, data and information necessary to fulfill the commission's duties. ~~All records, data and information received or obtained by the commission shall have the same status with regard to access or release as when the records, data or information was in the possession of the entity from which the commission received it.~~