

San Juan County

Criminal Justice Training Authority

Minutes of:
June 21, 2017

Meeting No. 136

A regular meeting of the San Juan County Criminal Justice Training Authority (SJC/CJTA or CJTA) was held on Wednesday, June 21, 2017 at the San Juan County Sheriff's Office.

- I. CALL TO ORDER** Chief Randy Foster, member of the San Juan County Criminal Justice Training Authority Board called the meeting to order on Wednesday, April 12, 2017 at 1402 hours.

PRESENT: *There were four members of the Board of Directors present:*

- Chief Randy Foster; Chairman; BPD
- Captain Micah Doering, Chairman Pro-Tem; NMSP
- Sheriff Ken Christesen; Member; SJCSO
- Chief Mike Heal; Member; APD

Also present were:

- Doug Echols; Legal Advisor; SJC
- Sergeant Pat Flores; Director; FPD/CJTA
- Deputy Devin Verhulst; Lead Instructor; SJCSO/CJTA
- Officer Jonathan Jensen; Lead Instructor; FPD/CJTA
- Stacey Bales; Recorder; CJTA
- Brent Capshaw; DA's Office
- Lt. Josh Laino; FPD
- Lt. Dave Pixton; SJCSO
- Keri Shrock; SJC Communications Center
- Lt. Mark Pfetzer; SJCSO
- Devin Etcitty; Public

Not present were:

- David Ripley; Secretary; SJC Communications Center
- Chief Steve Hebbe; Member; FPD
- Rick Tedrow; Member

- II. APPROVAL OF AGENDA** Chief Randy Foster entertains a motion to approve the agenda with the change of the venue for the next meeting on August 9, 2017 to the Bloomfield Police Department. Chief Mike Heal moves to approve the minutes; Sheriff Ken Christesen seconds the motion; all in favor and it was unanimously approved.

III. APPROVAL OF MINUTES

Chief Randy Foster entertains a motion to approve the meeting minutes of April 12, 2017. Chief Mike Heal moves to approve the minutes; Sheriff Ken Christesen seconds the motion; all in favor and it was unanimously approved.

IV. UPDATE ON BASIC ACADEMY #40

Sergeant Pat Flores states:

- Successfully graduated class #40 with the CJTA, on May 26, 2017
- First class to participate in the new LEOCE
- Had 1 initial failure, spoke with Director Steve Marshall, he listened to our concerns, reviewed the exam, he took out several questions that really had no value
- Subsequently asked us to submit our questions from our legal block, my understanding is he replaced some of those questions with our questions
- In light of that, all cadets successfully passed

BASIC ACADEMY #41

Chief Randy Foster asks:

- How did we do overall?

Sergeant Pat Flores states:

- We were a little lower than the average he gave, which was roughly the low 80's, we were in the high 70's

Lt. Dave Pixton asks:

- Was that the class or the change in the test?

Sergeant Pat Flores states:

- I think it was the change in the test, there may have been some class issues

Lt. Dave Pixton asks:

- We're changing our study program up for that

Sergeant Pat Flores states:

- We are, and we just received some study guides from Officer Chambers who just attended the CBW in Santa Fe
- The study guides should help us make sure we are covering all the topics
- A lot of it was case laws that they wanted very specific details, very obscure
- I think we are going to see

Chief Randy Foster states:

- The questions about them were obscure, they weren't about the final ruling or the initial ruling, it was "What did the appeals court rule on this?"
- It didn't have any application like "How do I apply this as an officer?"
- So those are the kinds of questions that Director Marshall was pulling out of the exam

Deputy Devin Verhulst states:

- There was a lot where every single cadet missed the same questions throughout, and those are some of the ones they looked at

Sergeant Pat Flores states:

- We are fairly confident going forward that we'll have a better understanding to make sure it's included in the instruction

Chief Randy Foster states:

- My Officer received a 64% initially, and he went down to the CBW and he got there study guide and revised test and got an 89%

Lt. Dave Pixton states:

- We make sure our instructors are covering the information

Sergeant Pat Flores states:

- We have been using new lesson plans, so I'm confident we have the information

- Where I'm unsure at, is how technical they got

Sergeant Pat Flores states:

- We graduated 13 cadets, and POST academy has been completed, so we are officially completed
- We are looking at starting BA#41 on July 10th
- We are looking at 2 from Aztec PD, 4 from Farmington PD, 6 from SJCSO, 1 from NM State Parks, 1 from NM Livestock Board
- We've already conducted the first Pre-PT Assessment, we had 2 that didn't pass, they have 2 more chances
- Graduation will be December 1, 2017
- We already had the curriculum approved through Santa Fe
- We are underway of determining instructors

V. ADVANCED TRAINING

Sergeant Pat Flores states:

- We currently have 9 registered for the DV Instructor course
- Sex Crimes Investigation is free
- Southwest Women in Law Enforcement is being put on by Farmington, this is geared to encouraging females to consider law enforcement

Lt. Josh Laino states:

- This is for law enforcement, but not just certified, it's open to civilians

Chief Mike Heal states:

- My civilians went last year, and will probably be sending them again this year

Lt. Josh Laino states:

- There's a little bit for everyone at every level

Sergeant Pat Flores states:

- Assisting Individuals in Crisis & Group Crisis Intervention
- Promoting mental health in law enforcement, equipping and training line level officers/supervisors to be able to deal with traumatic events within their own agencies

Keri Schrock asks:

- They are looking at putting together a countywide team, we have several dispatchers involved, is this the official training for that?

Sergeant Pat Flores states:

- Yes, this is the training
- We have a training coming up in September, this will be a free training on law enforcement and grief, death notifications
- Three (3) different Police Instructor Updates, please make sure all instructors are up-to-date on their certificates

Dave Pixton asks/states:

- Is there anything that we can do? There is a disconnect with individuals taking the update, they are thinking that is all they need, and not submitting paperwork to Santa Fe.

Stacey Bales states:

- Mike does let everyone know that they need to submit paperwork
- I am willing to do paperwork for each individual
- I sent out a list to each agency with current / expired instructors

Dave Pixton states:

- There is a discrepancy on the paperwork

Stacey Bales states:

- The problem is that individuals get their certificate, but I never get a copy for our records

Sergeant Pat Flores states:

- Instructor Development will be offered again in October

Lt. Josh Laino states:

- Lt. Laino provided information regarding the Sex Crimes Investigation training that they will be hosting in late July

Sergeant Pat Flores states:

- We've been getting Instructor Certifications back from Santa Fe due to them not meeting the three (3) year minimum.
- Chief/Sheriff can provide a waiver and Santa Fe will accept it

Lt. Dave Pixton asks:

- Does that just need to be in Memo/Letter form

Sergeant Pat Flores states:

- Yes

VI. 2016-2017 BIENNIUM IN-SERVICE TRAINING

Sergeant Pat Flores states:

- We have three (3) dates left in this cycle
- We are making plans to get together with the other agencies to start thinking about / address the next In-Service cycle
- Ms. Bales has sent spreadsheets to each agency

VII. FACILITY UPDATE

Deputy Devin Verhulst:

- In the last couple months we've have been doing a major clean-up
- Currently we are over 100,000 tons of scrap steel (CBH doing clean-up)
- We are currently scheduled in late July for the vault toilet to be totally overhauled
- Including a new stainless steel toilet, urinal, wash basin, 200 gallon gravity fed tank on the outside
- Scheduled for August 1st, to rework all the berms
- We did a controlled burn on June 5th for the entire facility
- We had some signs made up for the entrance and corner of the building

Officer Jonathan Jensen states:

- We had some signs made up on the SE corner (blind corner), we are looking at putting a large curved mirror, so cars can see each other
- 5 mph signs for the facility
- Will be drafting an email to let people know to slow down

Sergeant Pat Flores states:

- In the last couple days, we've been dealing with children in the parking lot also
- They've been told to remain out of the parking lot during business hours

Lt. Josh Laino states:

- In regards to the trailer, the one has been removed, and the letter will be drafted and going out soon to vacate the other one

Deputy Devin Verhulst states:

- Did maintenance on the turning targets again
- The usage is increasing with the SO transitioning to turning target for qualifications
- Meeting with Ben tomorrow regarding turning targets

- We've got some bids on new systems
- Firearms instructors are looking into some grants
- Looking at what would be best suited for all agencies
- Next week, meeting with county and the welders for new landings on the training trailers for both the front and back
- Plans for the classroom to be patched and re-painted
- Re-painted the driving track
- Electronic fence for the facility – keeping track of usage and liability
- It would be the same integrated system for everyone

Lt. Josh Laino asks:

- As far as the gates, does it include the main entrance and the range?

Officer Jonathan Jensen states:

- It would just be for the range gate, where the combination lock is right now

Sergeant Pat Flores states:

- We are also storing bomb squad stuff, so there is good reason to add that security
- We are approaching the board to see if this is where you want to go

Sheriff Ken Christesen states:

- I think the key card is a good idea as long as there's no issue with electric

Deputy Devin Verhulst states:

- The main pole as you come in (southside), it's a direct drop from there
- Marvin made sure he could run the electric to the building
- The cost would be under \$9,000

Sheriff Ken Christesen states/asks:

- It has to go to a server, and stored so it can be researched
- Is that the same server you're going to have the video cameras on?

Officer Jonathan Jensen states:

- I believe it would be the city that would be maintaining that
- He would program all the cards to work with the scanner

Sergeant Pat Flores states:

- Right now we are transitioning over to the city's server for all of our CJTA records
- Our local server is not really effective, so talking with Eli and Marty, this is the best way to go

Deputy Devin Verhulst states:

- The reliability of the gate, it is the same one as MOC
- There are overrides on the gate in case you need to manually open it
- There will also be a gate if you need to walk through
- We can also code it for being open during specific hours
- Stacey will be able to pull out hours to find out usage
- We've got a couple of Eagle Scout projects coming up
- Possibly adding turf or gravel to the pistol ranges
- Rifle range, how do we capture all that brass?
- The Eagle scouts will be coming up with some ideas
- We provide materials, they provide the labor and leg work

VIII. INTER-GOVERNMENTAL AGREEMENT

Sergeant Pat Flores states:

- This is the agreement that all the agencies made to reimburse the director's salary
- Nothing has changed since last year

Chief Mike Heal asks:

- Have you sent out the amounts yet to the agencies on what we are going to have to pay?

Stacey Bales states:

- No, I will wait until after July 1st to send those out

Captain Micah Doering makes a motion to accept the Intergovernmental Agreement; Lt. Josh Laino (for Chief Steve Hebbe) seconds the motion; all in favor and it was unanimously approved.

IX. BUDGET

Sergeant Pat Flores states:

- 6.5% is what we have remaining in our budget / 2.5% of the year remaining
- Little overages in
 - \$0.20 - Workman's Comp (estimation)
 - \$96.00 - Maint/Repair Vehicles (track cars)
 - \$200.00 – Printing/Publishing (AA25/DDC4)
 - \$600.00 – Uniforms (outfitting Officer Jensen)
 - \$18.00 – Overtime wages (Stacey Bales)
- We've already put in the 2nd budget adjustment request, the funds are there, we just have to allocate to the appropriate line items
- We will be receiving compensation for the steel we sold
- We will be projecting a surplus of about \$10,000

Chief Randy Foster entertains a motion to approve the budget. Sheriff Ken Christesen moves to approve; Captain Micah Doering seconds the motion; all in favor and it was unanimously approved.

X. APPROVAL OF NEW RULES & REGULATIONS POLICY

Sergeant Pat Flores states:

- Chief Hebbe with the Farmington Police Department presented Farmington's policy on sexual misconduct that they had originally drafted
- I was asked to draft a version similar for the CJTA Rules & Regulations
- The version you have in your packet has been slightly altered under Fraternalization (last bullet point) – during working hours all personnel are discouraged from having one-on-one interactions with the cadets regardless of the gender
- Not to be misunderstood – yes, there are times to pull someone to the side and offer coaching, the intent is to discourage any instructor from pulling a cadet into seclusion
- This was sent out a couple weeks ago, and asked for any input, if there any other revisions we can make those and put this off
- Asking the board to consider this
- We are at an integral point with a new academy starting, would like to emphasize this with all instructor/staff coming out

Sheriff Ken Christesen states:

- With the bullet point you're talking about, take out the word "same" and put regardless of gender

Chief Mike Heal states:

- Take out "discouraged", and put in "prohibited"

Sheriff Ken Christesen states:

- Make a change on the second bullet point to read "before, during or after working hours"

Chief Randy Foster states:

- As far as implementing it, we can always make changes, but let's get it implemented before the next academy starts

Chief Randy Foster entertains a motion to approve the new Rules and Regulations with the following changes – “before, during and after”, and taking out “same”. Chief Mike Heal moves to approve; Sheriff Ken Christesen seconds the motion; all in favor and it was unanimously approved.

XI. COMMENTS FROM BOARD MEMBERS

Chief Mike Heal asks:

- July 1st we have to go to Narcan, I was curious how the other agencies are/where they are?

A discussion ensued regarding the use of Narcan in San Juan County, Chief Mike Heal, Chief Randy Foster, Captain Micah Doering, Sheriff Ken Christesen and Lt. Josh Laino all gave input into this matter.

Chief Randy Foster states:

- We had a discussion regarding overtime vs. comp time, it wasn't a FLSA mandate, it's county policy on caps for comp time

Sergeant Pat Flores asks:

- So does that mean she can choose

Doug Echols states:

- You can authorize her to accrue comp time, at some point you have to consider pay-out down the line

Chief Randy Foster states:

- We need to follow the county guidelines and capping it at 80 hours

Doug Echols states:

- Effective July 1, 2017, at least with misdemeanors, we go to a catch and release system with the new pre-trial release rules
- Judge Townsend issued an order appointing the people at the jail to be the ones to have the discretion to go through the criteria and decide if they got released or stay until they get to see a judge
- Right now it's only non-violent misdemeanors (shoplifting, paraphernalia, etc.)
- The goal of Justice Daniels is to eventually get a tool going so that there will be no bondsmen anymore, or very few, and all of those decisions will be made based on written assessment at the jail

A discussion ensued regarding the Catch & Release, Chief Mike Heal, Chief Randy Foster, Captain Micah Doering, Sheriff Ken Christesen all gave input into this matter.

XII. COMMENTS FROM THE PUBLIC

Devin Etcitty asks:

- From my point of view, I view the criminal justice system as a management organization of people, so which is harder, management of people internally or externally (like the public)?

Sheriff Ken Christesen answers:

- I think the hardest thing is just what we're talking about, things outside of our control, like judges that have no grip on reality and what these people

deal with every day to keep the folks safe. We've got real criminals out here that are violating people's rights, breaking into their homes, taking their belongings, or sometimes physically harming them. They keep tying our hands and making it harder and harder for law enforcement to do what they were commissioned and sworn under oath to do, and that's to protect the public. Like this new bond rule, a judge is trying to get rid of bondsmen, so he's letting everyone out of jail, instead of changing the constitution for bonds and how that works. So it's outside this room, it's not the public or internally, it's the lawmakers that don't know how things work. They get into positions and vote on things, like Narcan, and then provide no funding or protection of liability for it either.

XIII. SCHEDULING OF NEXT MEETING

The next regularly scheduled SJCCJTA Board Meeting will be held on Wednesday, August 9, 2017 at 2:00 pm at the Bloomfield Police Department.

XIV. CLOSED SESSION

Chief Randy Foster entertains a motion to go into Closed Session to discuss the Office Assistant contract; Sheriff Ken Christesen moves to go into closed session; Captain Micah Doering seconds the motion; all in favor and it was unanimous.

Chief Mike Heal makes a motion that we go back into regular session, nothing was discussed in the closed session other the topic of the Assistants agreement. Motion made by Chief Mike Heal; Undersheriff Shane Ferrari seconds the motion; all in favor and it was unanimous.

Chief Randy Fosters states:

- Back in regular session, we are here to talk about the Office Assistant contract, do we have any discussion or motions

Chief Mike Heal moves to approve the contract; motion by Chief Heal; Captain Micah Doering seconds the motion; all in favor and it was unanimous

XV. ADJOURN

Sheriff Ken Christesen entertains a motion to adjourn; Captain Micah Doering seconds; all in favor and it was unanimously approved.

ATTEST:

Chief Randy Foster, Bloomfield Police Department, Chairman San Juan County Criminal Justice Training Authority

Captain Micah Doering, New Mexico State Police, Chairman Pro-Tem San Juan County Criminal Justice Training Authority

Sergeant Pat Flores, Director, Farmington Police Department
San Juan County Criminal Justice Training Authority