LAW ENFORCEMENT CERTIFICATION BOARD

**MEETING MINTUES**

**Regular Board Meeting**

DATE: Thursday, March 13, 2025

TIME: 9:00 a.m.

LOCATION: NM Law Enforcement Academy 4491 Cerrillos Rd., Santa Fe, NM 87507

Virtual attendance provided via Zoom

*The Law Enforcement Certification Board (“Board”) reserves the right to enter into closed during the meeting pursuant to an appropriate exception under NMSA 1978, Section 10-15-1(H). Pursuant to Section 10-15-1(I), the closure shall be approved by a majority vote of a quorum of the Board; the motion shall state with reasonable specificity the authority under which a closed discussion is permitted; and the vote shall be taken by roll call. Any closed session is limited to discussing the matter(s) identified in the motion and any final action shall be taken on the record upon returning to open session.*

Roll Call

* + - The meeting was called to order at 9:05 a.m. by Vice-Chair Cody R. Rogers. Law Enforcement Certification Board Operations Officer Laura Escarcida conducted roll call confirming the in-person attendance of members: Chief Erin Toadlena-Pablo, Chief Thomas Romero (ret.), Carly Huffman, Joseph Walsh, Vice-Chair Cody R. Rogers, Julie Ball, and Dawn Myers. Sheriff Matthew T. Hutchinson and Dr. Bobbie Green attended virtually. Chief Summer Mirabal attended virtually and entered zoom after rollcall at 9:07 a.m. A quorum was established.

Approval of agenda

* + - Member Joseph Walsh moved to approve the agenda. Member Chief Thomas Romero (ret.) seconded. The motion passed with 10 votes in favor and none against.

Approval of minutes from February 21, 2025, regular board meeting

* + - Member Joseph Walsh moved to approve the agenda. Member Chief Thomas Romero (ret.) seconded. Vice-Chair Cody R. Rogers asked members for all in favor and those against. The motion passed with 10 votes in favor and none against.

Public Comment

* + - Vice-Chair Cody R. Rogers called upon audience members or virtual participants who wished to provide public comments. The time afforded for each person wishing to speak was limited to three (3) minutes. Audience members included Rachel Feldman and Chaplain Jose Villegas. There were no virtual participants who wished to provide public comment.

Reports, Discussion and Action Items:

1. Board authority limited to the adjudication of LEA-90s submitted by law enforcement agencies
   * + Vice-Chair Cody R. Rogers made a statement regarding adjudication of LEA-90’s submitted by LEA agencies as opposed to citizen or other non-law enforcement agencies. The board has done research and have been unable to locate any NM Attorney General opinion that would indicate public LEA-90 submissions from non-law enforcement agencies should be recognized or adjudicated by this board or the predecessor. Vice-Chair Rogers has reviewed the statute and New Mexico Administrative Code and findings suggests that this board have the authority only to review and adjudicate LEA-90s that are submitted by a law enforcement agency and believes that is the law and that should be the policy of the board. Vice- Chair Rogers entertained a discussion. Member Joseph Walsh requested the board make a formal request for an NM Attorney General formal opinion. Vice-Chair Rogers raised timing concerns with the formal opinion and expected rule changes. Member Julie Ball recommended the board table the item to allow a working group to develop recommendations to present to the board at their next meeting. No objections from board members. Matter tabled. No vote.
2. Report from Josh Calder, Board CEO

* LECB CEO Joshua M. Calder provided updates regarding Box accounts, data migration, proposed logos, issuance of subpoenas, misconduct cases and citizen complaints, and contact with NM Risk Management Department.

1. Rule Making Working Groups
   1. Misconduct Rules Working Group – Member – Vice Chair Cody Rogers
      * Vice Chair Cody Rogers reported on the status of rule drafting and goal to have draft by next meeting in June.
   2. Certification Qualifications and Issuance Rules Working Group Member Julie Ball
      * Member Julie Ball reported on the status of rule drafting and goal to have draft by next meeting in June.
2. SB50 – Public Safety Telecommunications

* The board discussed the legislative status of Senate Bill 50 and noted it has been tabled in committees. No action was taken.

1. Request to address Board – Tom Grover – regarding history of misconduct submissions
   * + Tom Grover discussed his professional background and engagement with the misconduct process. Mr. Grover stated that since 2012 the LEAB had a practice of accepting citizen complaints, discussion about Director ability to file a LEA-90, and agency failure to report does not divest the board from acting, and concerns raised about potential for an influx of complaints is weak or unfounded based upon past practices. Given ongoings with the DWI scandal is pervasive to lack of leadership and provides time for the LECB to step forward and provide leadership that the profession needs throughout the state. Mr. Grover states that should the board choose to embrace the theory presented by the NM Chief’s Association and Secretary Jason Bowie it will inadvertently embrace the immunization of a leader of any and all public safety agencies across the state. No action was taken.
2. Review of immediate suspension process pursuant to statute and code
   * + Vice Chair Cody Rogers stated that there is a conflict between rules and statute, in that statute does not allow for immediate suspension or revocation of a certification unless one pleads guilty or is convicted of a felony, and that a charge does not fit within the statute. Does not appear that the conflict will be addressed during this legislative process but may be able to address some changes in rule changes. Member Joseph Walsh called upon the legislature to take action on this and if it is their intent for summary suspension of certification holders when charged, that they then enable the board to do that by creating legislation. No action was taken.
3. Ratification and Approval of Pending Certifications
   1. Law Enforcement Officers (Exhibit A)
      * Vice-Chair Chair Cody Rogers entertained a motion to approve the ratification of pending certifications as listed in Exhibit A. Member Chief Thomas Romero (ret.) moved for approval of the ratification of pending certifications as listed in Exhibit A. Member Joseph Walsh seconded. A roll call vote was held with board members Chief Erin Toadlena-Pablo, Sheriff Matthew T. Hutchinson, Chief Thomas Romero (ret.), Chief Summer Mirabal, Carly Huffman, Joseph Walsh, Vice-Chair Cody R. Rogers, Julie Ball, Dawn Myers, and Dr. Bobbie Green voting in favor, none opposed. The motion passed with 10 votes in favor and none against.
   2. Public Safety Telecommunicators (Exhibit B)
      * Vice-Chair Chair Cody Rogers entertained a motion to approve the ratification of pending certifications as listed in Exhibit B. Member Carly Huffman moved for approval of the ratification of pending certifications as listed in Exhibit B. Member Julie Ball seconded. A roll call vote was held with board members Chief Erin Toadlena-Pablo, Sheriff Matthew T. Hutchinson, Chief Thomas Romero (ret.), Chief Summer Mirabal, Carly Huffman, Joseph Walsh, Vice-Chair Cody R. Rogers, Julie Ball, Dawn Myers, and Dr. Bobbie Green voting in favor, none oppose. The motion passed with 10 votes in favor and none against.

Recognitions:

1. 2025 Law Enforcement Memorial Recognition Jonah Hernandez – Las Cruces Police Department Justin Hare – New Mexico State Police
   * Member Chief Thomas Romero (ret.) moved to approve the 2025 Law Enforcement Memorial Recognition inductees. Member Joseph Walsh seconded. Members Chief Erin Toadlena-Pablo, Sheriff Matthew T. Hutchinson, Chief Thomas Romero (ret.), Chief Summer Mirabal, Carly Huffman, Joseph Walsh, Vice-Chair Cody R. Rogers, Julie Ball, Dawn Myers, and Dr. Bobbie Green voted in favor of the motion, and none opposed. The motion passed with 10 votes in favor and none against.

Vice Chair Cody R. Rogers moved to enter into closed session to discuss agenda items: (1) Performance review of board staff pursuant to exceptions provided under NMSA 1978, Section 10-15-1(H)(1) and (7); and item (2) Disciplinary and/or Litigation matterspursuant to exceptions provided under NMSA 1978, Section 10-15-1(H)(2), New Mexico Open Meetings Act. Member Joseph Walsh seconded. A roll call vote was held with board members Chief Erin Toadlena-Pablo, Sheriff Matthew T. Hutchinson, Chief Thomas Romero (ret.), Chief Summer Mirabal, Carly Huffman, Joseph Walsh, Vice-Chair Cody R. Rogers, Julie Ball, Dawn Myers, and Dr. Bobbie Green voting in favor, none opposed. The motion passed with 10 votes in favor and none against.

The Board returned to open session at 12:12 pm. The matters discussed in closed session were limited only to NMSA 1978, Section 10-15-1(H)(2), regarding limited personnel matters and no votes or official action were taken during the closed session.

Disciplinary and/or Litigation matters:

* Vice-Chair Chair Cody Rogers moved to postpone any discussion or action with regard to the items that are listed under disciplinary and/or litigation matters on the agenda. A roll call vote was held with board members Chief Erin Toadlena-Pablo, Sheriff Matthew T. Hutchinson, Chief Thomas Romero (ret.), Chief Summer Mirabal, Carly Huffman, Joseph Walsh, Vice-Chair Cody R. Rogers, Julie Ball, Dawn Myers, and Dr. Bobbie Green voting in favor, none opposed. The motion passed with 10 votes in favor and none against.

Performance review of Board staff

* Matter discussed in closed session. No action was taken.

Next Meeting scheduled for June 12, 2025. Member Julie Ball requested the next meeting be held in Albuquerque, NM. Member Carly Huffman will check with CNM Training Facility for space to hold the meeting.

Announcement made reminding of the upcoming New Mexico Law Enforcement Memorial scheduled for May 22, 2025.

Meeting adjourned at 2:12 p.m.