

2025 LCPD LEGISLATIVE PRIORITIES

Competency Statute Reform: NMSA 31-9 needs to be completely overhauled. We have seen an increase in people dealing with competency issues nationwide. Most states are experiencing a competency crisis, but their crisis is the complete opposite of New Mexico's. Most states mandate competency restoration for all felonies and even some misdemeanors. NM mandates the dismissal of criminal cases except in the most extreme cases. There are no options in NM's competency statute. It is either hospitalization at NMBHI in Las Vegas or dismissal. Minnesota recently revamped its competency laws, and they look promising. Below are some changes that would go a long way:

Allow for community-based (outpatient) restoration for non-violent crimes.
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Allow for private inpatient restoration for certain crimes at facilities like the PEAK or Mesilla Valley Hospital.
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Require restoration for all violent offenses.

Require competency restoration for all felonies. It can be done outpatient, inpatient at a private facility, or inpatient at NMBHI.

Require restoration for anyone deemed incompetent for two or more criminal cases in a 12-month period.
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Connect competency statutes to diversion programs and civil commitment.

Allow law enforcement to be a petitioner for Assisted Outpatient Treatment (AOT).

Fund the programs/agencies that will be responsible for carrying out these changes.

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Pretrial Detention Changes (Bail Reform): NM is #1 in the country for violent, property, and overall crime. Law enforcement and victims are dealing with the same individuals who have repeatedly broken the law. The changes below are reasonable measures to keep New Mexicans safe and preserve the rights of those accused of crimes.

For certain violent crimes, the burden should be on the defense, not the prosecutor, to show the defendant is not dangerous and can be released pretrial.

Anyone rearrested while pending another criminal case should be held until they see the judges involved in their cases.

Law Enforcement Recruitment & Retention: Fewer people than ever want to be police officers in the current climate. If we do not want to remain #1 for crime, we need to be as creative as possible about incentivizing qualified people to become officers and to stay. Below are a few measures that I believe would positively impact these efforts.

Many young parents struggle with daycare expenses, and law enforcement is not exempt from these struggles. Commissioned officers should have their childcare expenses (up to two children) covered by the state regardless of income.

Allow DFA grants to be used to increase the hourly rate of officers in local departments.

Provide DFA grants directly to agencies to do out-of-state recruitment.

Allow state money that goes to agencies to be used for retention measures and not just recruitment.

Pay off student loans after three years of service as a law enforcement officer.

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Felon in Possession: Although the legislature has made several changes over the past few years, we have not seen those statutory changes have a practical impact. Felons in NM have very little fear that they will be punished for possessing a firearm, and the statistics would support their lack of fear. They have a very different response when they are facing a federal felon in possession charge, and it is taken very seriously by the defendant. The changes below would make a felon possessing a firearm something other than a joke in NM.

Institute a minimum mandatory sentence for a felon in possession conviction and not just a potential sentencing range that is almost always suspended.
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IPRA: Our public records laws were created with physical or paper documents in mind. They were not created with video as a main concern. The IPRA statutes provide very few protections for victims and juveniles.

Make changes to the IPRA statute to protect the victims of crime better.
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Make changes to the IPRA statute to protect juveniles better.

Make changes to the IPRA statute to make reviewing and redacting hundreds of hours of video less cumbersome.
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Juvenile Justice Reform: There is a breakdown at every level of the system, and the results are devastating. We are seeing unprecedented levels of violence, crime, and disorder being committed by younger and younger offenders. There are far too many repeat offenders who are under eighteen. It has been very difficult to address their

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dangerous and sometimes deadly behavior because of the flaws in the system.

Make unlawful possession of a “machine gun” a felony in NM to combat things like “Glock switches” and AR-15 auto sears.
Make changes to the Risk Assessment Instrument (RAI) to make it more flexible and better suited to deal with local issues.
More accountability is needed for pre-trial services for kids pending violent crimes.
Develop and fund programs to prevent youth from becoming violent recidivists.

Capital Outlay:

LCPD has been tasked with assisting the NMSP with tactical response throughout southern NM and, increasingly, the entire state. We are requesting additional vehicles to assist with the statewide critical incident response.	\$500,000 for five regional/statewide response vehicles.
LCPD and DASO need a driving track to continue operating satellite police academies and for conducting professional in-service training. All Southern NM law enforcement agencies would benefit from this track.	\$2,000,000 million for design and construction. (Joint DASO/LCPD project).