

## ACTION PLAN

Submitted by agency?	Yes
Timeline assigned?	No
Responsibility assigned?	No

## Department of Public Safety

Concerns over crime in Albuquerque were a focus of the 2022 legislative session, with data from the Albuquerque Police Department indicating increases in violent crime in 2021, including a record number of homicides. However, policymakers are often forced to make decisions without the benefit of timely data on statewide crime trends. Legislation passed in the 2022 session creating consequences for law enforcement agencies that fail to report these data as required by statute and the near-completion of the Department of Public Safety's (DPS) National Incident-Based Reporting System (NIBRS)—set to complete by the end of the fiscal year—should provide additional insight in future years.

### Law Enforcement Program

**Operations.** DWI arrests increased 31 percent in the third quarter of FY22 compared with the second, the highest number of DWI arrests since the second quarter of FY20. However, DWI saturation patrols remained relatively flat compared with the prior quarter, with the New Mexico State Police (NMSP) conducting about half as many operations compared with the first quarter, and the agency does not appear on track to achieve its FY22 target for this measure. DWI checkpoints fell compared with the second quarter, but DPS is on track to achieve its target due to a high number of checkpoints held in the first quarter. Overall NMSP arrests fell 11 percent this quarter compared with last.

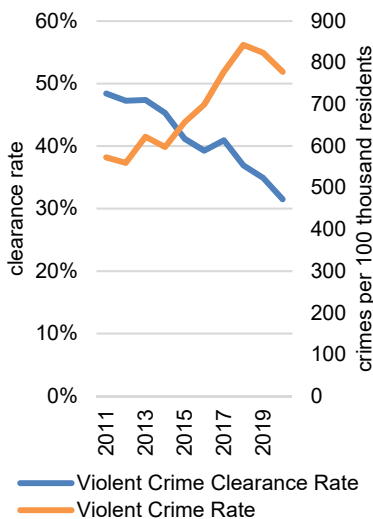
**Manpower.** DPS reports an average vacancy rate of 14.4 percent among NMSP officers at the end of the third quarter of FY22, its lowest manpower levels since prior to FY16. These low staffing rates are a result of a record 17 retirements, as well as nine other separations during the quarter. Although this low staffing level is slightly skewed due to the timing of recruit and lateral class graduations (slated for the fourth quarter), the high number of retirements significantly reduces NMSP's projected force strength going forward. The 2022 GAA provided \$2 million for NMSP to expand its recruit and lateral schools beginning in FY23, which may be necessary to maintain or grow manpower if separations continue at these high rates.

NMSP's recruit and lateral schools are both set to graduate new officers in June, on June 10 and 24, respectively. As of May 31, 14 of the 17 recruits who started the spring class were still enrolled, and all 17 of the officers in the lateral school were still enrolled. Historically, NMSP's lateral recruit schools have had 100 percent graduation rates.

During the 2022 legislative session, the Legislature made significant investments to recruit and retain high-quality law enforcement officers, including almost \$9 million to provide pay increases to NMSP officers. After receiving 3 percent pay increases in April, officers, sergeants, lieutenants, and captains will receive an additional 12 percent raise in July and majors and deputy chiefs will receive 11 percent increases. Eligible officers, sergeants, and lieutenants will also receive a one-step increase.

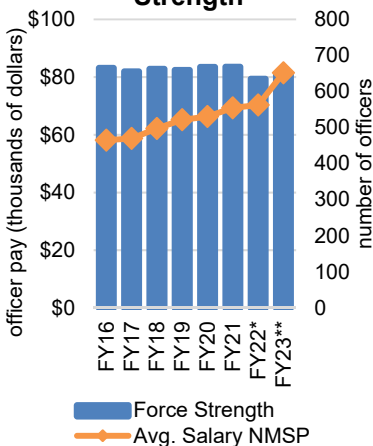
At the close of the third quarter, DPS projected a \$4.5 million surplus in the personnel category in the Law Enforcement Program at the end of FY22. The agency plans to use about \$1 million of these vacancy savings to provide \$1,700 one-time retention stipends to all officers in June.

**New Mexico Violent Crime Rate vs. Violent Crime Clearance Rate**



Source: FBI, LFC files

**State Police Officer Pay and Force Strength**



\*Pay as of FY23 budget request; force strength for Q4 projected.

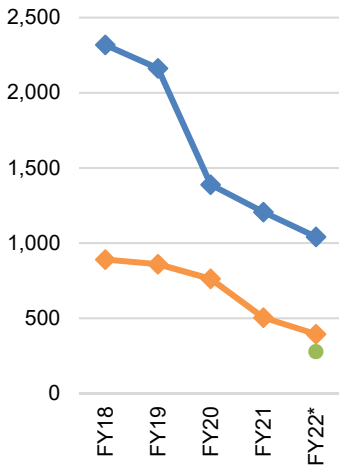
\*\*Projected.

Source: NMSP manpower projection (DPS), LFC files

## PERFORMANCE REPORT CARD

Department of Public Safety  
Third Quarter, Fiscal Year 2022

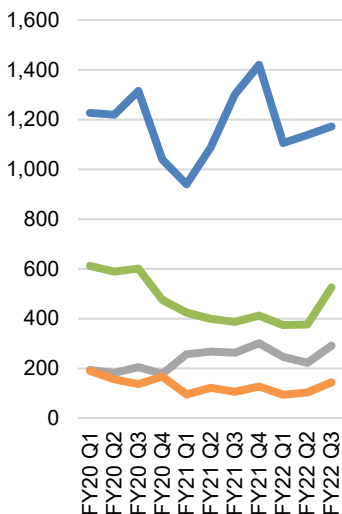
### Average Quarterly NMSP Arrests FY18 to FY22\*



\*FY22 average Q1-Q3.  
\*\*Due to a change in reporting methodology, some arrests not initially classified as felony or misdemeanor are reported as unclassified.

Source: DPS

### Case Receipts by Type



— Firearm and Toolmark  
— Latent Fingerprint  
— Chemistry  
— Biology and DNA

Source: DPS

Budget: \$130,679.2      FTE: 1,059.3	FY20 Actual	FY21 Actual	FY22 Target	FY22 Q1	FY22 Q2	FY22 Q3	Rating
DWI checkpoints conducted	123	231	150	77	39	27	G
DWI saturation patrols conducted	1,933	2,290	3,000	937	523	579	Y
Commercial motor vehicle safety inspections conducted	68,378	76,269	90,000	26,036	20,615	31,368	G
Misdemeanor and felony arrests*	New	6,844	N/A	2,083	1,619	1,436	
DWI arrests*	1,647	1,272	N/A	358	342	447	
Commissioned state police officer vacancy rate*	New	8.7%	N/A	11.2%	10.8%	14.4%	
Commissioned state police officer turnover rate*	New	6.44	N/A	2.34	2.17	4.21	
Graduation rate of the New Mexico State Police recruit school*	New	71%	N/A	N/A <sup>1</sup>	41%	N/A <sup>1</sup>	
<b>Program Rating</b>	<b>G</b>	<b>Y</b>					<b>G</b>

\*Measure is classified as explanatory and does not have a target.  
1. No state police recruit school graduated in the first or third quarters.

### Statewide Law Enforcement Support

**Forensic Laboratory.** The forensic laboratory did not see significant changes in performance trends between the second and third quarters of FY22. Once again, the Latent Print and Chemistry units completed more than 100 percent of cases received this quarter, and those units' outstanding case backlogs were reduced by 43 percent and 18 percent, respectively. The Latent Print Unit has almost entirely eliminated its backlog, with just 17 cases outstanding at the end of the third quarter, and filled one of its two vacant positions in March.

The Firearm and Toolmark Unit completed 63 percent more cases in the third quarter than in the second, but still fell well below target, despite having no vacant positions. Although the unit has been fully staffed since the last quarter of FY21, it has continued to struggle to meet performance targets, falling well below target in three of the last four quarters. Although variations in case complexity may account for some quarter-over-quarter changes in productivity, this long-term pattern suggests the unit may require additional staff.

While the Biology Unit increased its case completions by 41 percent this quarter compared with the second quarter, a 40 percent increase in cases received prevented the unit from reaching its target.

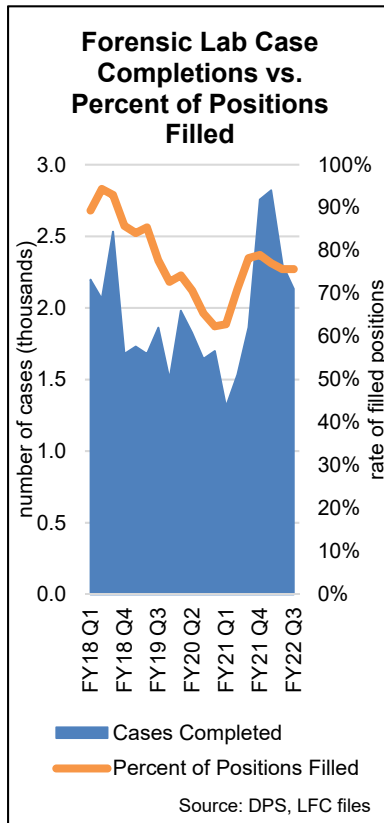
### Department of Public Safety FY22 Q3 Forensic Cases Received and Completed

Unit	Cases Received	Cases Completed	Completion Rate	Pending Cases	Scientist/ Technician Vacancy Rate
Firearm and Toolmark	291	188	65%	1,888	0%
Latent Print	144	157	109%	17	33%
Chemistry	1,172	1,544	132%	1,652	26%
Biology	525	506	96%	1,609	27%

Source: DPS, State Personnel Office organizational listing report

## PERFORMANCE REPORT CARD

Department of Public Safety  
Third Quarter, Fiscal Year 2022



### 2022 LEAB Legislation

Significant changes to law enforcement officer training and certification are set to take place in FY24 under legislation passed during the 2022 session. Chapter 56 (House Bill 68), an omnibus public safety bill, splits the two functions of LEAB—training and certification—into two separate entities and implements new basic and in-service training requirements for law enforcement officers and dispatchers.

Beginning in FY24, law enforcement protection fund distributions will be contingent on law enforcement agencies complying with statutory reporting requirements, and DPS received \$100 thousand in recurring funds to support agencies needing assistance to meet these requirements.

While vacancies have historically impacted the laboratory's productivity, turnover also significantly affects case completions, as new scientists may require extensive training before they can be as productive as more experienced staff. Retention is therefore a high priority for the laboratory. Almost \$600 thousand in recurring general fund appropriations in the GAA support reducing laboratory backlogs by adding support staff and increasing forensic scientist and technician compensation. One of the agency's goals is to add higher level forensic scientist positions to provide more options for career advancement among laboratory staff and improve retention, and DPS is working with the State Personnel Office to create these new positions, which it believes it can do by this fall.

**Law Enforcement Academy Board.** The Law Enforcement Academy Board (LEAB) did not meet during the third quarter of FY22 because it lacked a quorum to do so. LEAB received an additional 13 cases during the third quarter and closed the quarter with 63 cases outstanding. The board adjudicated 36 cases during its April meeting and is scheduled to hear five more on June 2.

	Budget: \$22,026.7	FTE: 157	FY20 Actual	FY21 Actual	FY22 Target	FY22 Q1	FY22 Q2	FY22 Q3	Rating
Forensic firearm and toolmark cases completed			80%	37%	100%	96%	52%	65%	R
Forensic latent fingerprint cases completed			65%	150%	100%	202%	214%	109%	G
Forensic chemistry cases completed			93%	103%	100%	193%	141%	132%	G
Forensic biology and DNA cases completed			73%	93%	100%	69%	95%	96%	Y
Forensic scientist and forensic technician vacancy rate*			New	22.9%	N/A	22.4%	24.5%	26.5%	
Complaint cases reviewed and adjudicated by the New Mexico Law Enforcement Academy Board* <sup>1</sup>			43%	194%	N/A	105%	230%	0%	
<b>Program Rating</b>			Y	G					Y

\*Measure is classified as explanatory and does not have a target.

1. LFC, DFA, and DPS agreed to change the methodology for calculating this measure in FY22 Q2 and recalculated historical data displayed here using the same methodology.