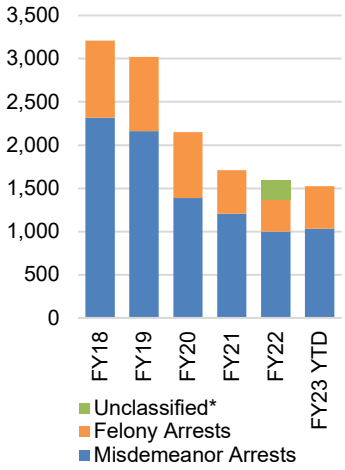
NEW MEXICO LEGISLATIVE FINANCE COMMITTEE

PERFORMANCE REPORT CARD
Department of Public Safety
Second Quarter, Fiscal Year 2023

ACTION PLAN

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

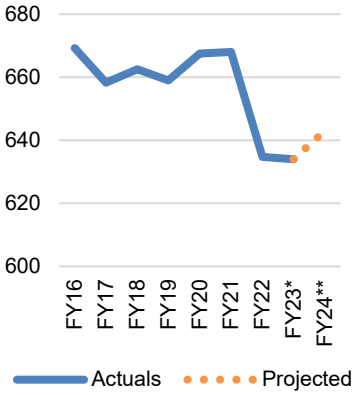
Average Quarterly NMSP Arrests
FY18 to FY23 YTD



*Due to a change in reporting methodology, some arrests not initially classified as felony or misdemeanor are reported as unclassified.

Source: DPS

State Police Force Strength



Note: Reflects average force strength based on force strength at the end of each quarter.
*Actuals FY23 Q1 and Q2; projected by DPS for Q3 to Q4.
**Projected by DPS for FY24 Q1 to Q4.

Source: DPS

Department of Public Safety

New Mexico's policymakers are often forced to make decisions without the benefit of timely data on statewide crime trends. The Department of Public Safety (DPS) is in the midst of a multi-year transition to the new National Incident-Based Reporting System (NIBRS), which should allow it to provide more timely and comprehensive data. However, many agencies, including New Mexico State Police (NMSP), are still not reporting to NIBRS, and NMSP is not anticipated to be fully NIBRS compliant until October 2023 or later. Ultimately, agencies' failure to transition to NIBRS promptly hindered understanding of crime in New Mexico, and the FBI's most recent reporting did not estimate the state's 2021 crime rate because so few agencies reported data.

Albuquerque has historically driven New Mexico's high violent crime rates, making up almost half the state's violent crimes despite comprising only about a quarter of the state's population. The Albuquerque Police Department reports crimes reported to it fell 2.5 percent in 2022, with violent crime falling 8 percent year-over-year and property crime declining 0.8 percent. Property crime has been declining for several years, dropping 28.6 percent over the past five years, and while violent crime saw a spike in 2021, it has dropped by a net of 3.3 percent since 2018.

Law Enforcement

Operations. In the first quarter of FY23, the agency was on track to exceed its target for saturation patrols, and DWI arrests were in line with the first quarter of FY22. However, the agency reported only 173 saturation patrols were conducted in the second quarter of FY23. While a delay receiving grant funding for these patrols and an operation in Albuquerque diverting some NMSP resources during the first half of the quarter, these factors do not appear to fully explain the decline; DPS is investigating the causes of the decrease and expects to be able to provide a more thorough explanation in its third quarter report. Although saturation patrols fell significantly, DWI arrests rose 15 percent compared with the first quarter.

State police arrests continue to fall, dropping 4 percent this quarter compared with the first quarter of FY23, and year-to-date arrests are down 18 percent compared with the first half of FY22. Of the 1,488 arrests in the second quarter of FY23, 480 were for felony offenses and 1,008 were for misdemeanors.

Manpower. In the second quarter of FY23, State Police graduated recruit and lateral schools, adding a total of 34 officers. Overall, State Police force strength rose to 645 at the end of the second quarter. The 2022 General Appropriation Act (GAA) provided $2 million for NMSP to expand its recruit and lateral schools beginning in FY23; however, DPS no longer plans to graduate a second lateral school this year, and the force is projected to fall to 636 officers at the end of the year. DPS's decision not to graduate a second lateral school in FY23 is due to receiving fewer applications this spring than expected, and the agency determined it would be a more efficient use of resources to extend the application period and hold a larger lateral school in the fall.

Over the past three years, the Legislature has invested $1.9 million into improving pay and reducing vacancies among dispatchers and transportation inspectors, with dramatically different results. While transportation inspector vacancies fell from 27

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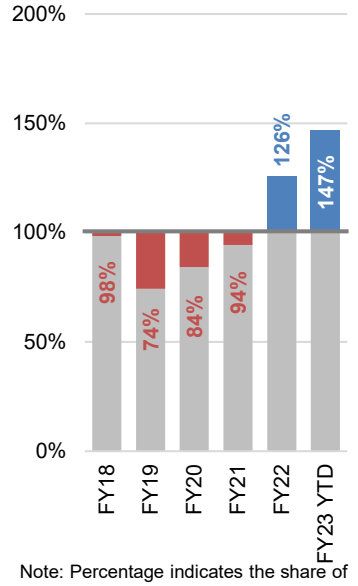
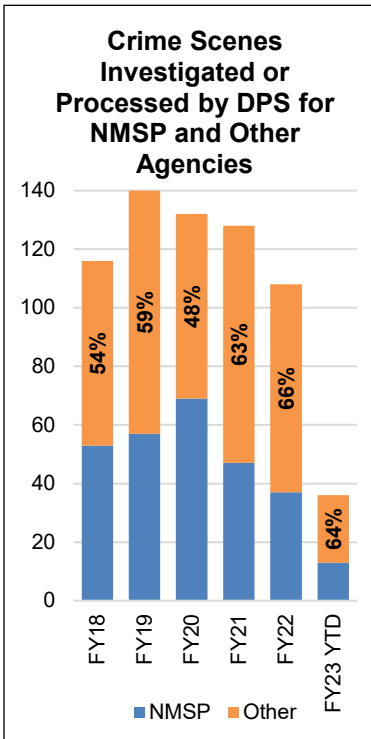


Note: Percentage indicates the share of total forensic cases received that were completed.

Source: DPS



Note: Percentage indicates the share of total crime scenes investigated for other agencies.

Source: DPS

percent in FY20 to 8 percent in the second quarter of FY23, vacancy rates among dispatchers rose from 24 percent to 36 percent. Dispatcher vacancies critically impact officer and public safety, increasing the risk of missed radio transmissions and abandoned emergency calls.

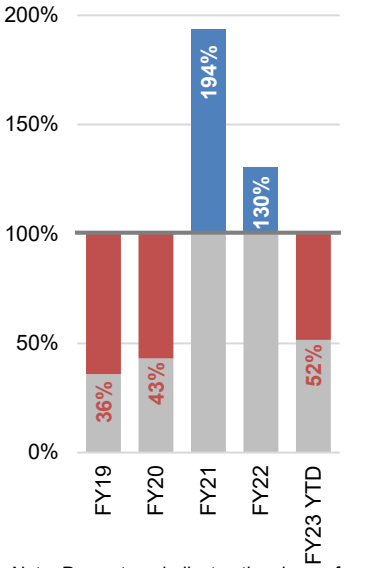
Budget: $143,392.3 **FTE:** 1,068.3	FY21 Actual	FY22 Actual	FY23 Target	FY23 Q1	FY23 Q2	FY23 Q3	Rating
DWI saturation patrols conducted	2,290	2,805	2,200	823	173		Y
Proactive Special Investigations Unit operations to reduce DWIs and alcohol-related crimes*	New	488	N/A	276	222		
DWI arrests*	1,272	1,450	N/A	375	431		
Misdemeanor and felony arrests*	6,844	6,375	N/A	1,560	1,488		
Commercial motor vehicle safety inspections conducted	76,269	102,972	80,000	28,594	29,259		G
Investigations conducted by Criminal Investigation Bureau*	724	592	N/A	132	92		
Crisis intervention cases handled*	New	21	N/A	63	38		
Percent of total crime scenes processed for other law enforcement agencies*	63%	66%	N/A	73%	67%		
Community engagement projects in counties with populations under 100 thousand	62	125	95	33	65		G
Commissioned state police officer vacancy rate*	8.7%	12.1%	N/A	13.6%	10.7%		
Commissioned state police officer turnover rate*	6.44	10.87	N/A	2.08	2.48		
Graduation rate of the New Mexico State Police recruit school*	71%	54%	N/A	N/A[1]	68%		
Transportation inspector vacancy rate*	29.6%	10.9%	N/A	6.6%	7.9%		
Dispatcher vacancy rate*	25.3%	36.7%	N/A	35.8%	35.5%		
Program Rating	Y	G		G			G

*Measure is classified as explanatory and does not have a target. 1. No state police recruit school classes graduated in the first quarter of FY23.

Statewide Law Enforcement Support

Forensic Laboratory. The forensic laboratory continues to make progress on reducing backlogged cases, completing 49 more cases than it received in the second quarter of FY22. The vacancy rate among forensic scientists and technicians increased in the second quarter, rising to 29 percent from 25 percent in the first quarter. Training of forensic scientists can take one to two years before full productivity is reached. As a result, high turnover rates increase the number of nonproductive hours, impacting the bureau's performance. The Legislature has made significant investments in forensic scientist and technician pay over the past several years, and DPS is currently working with the State Personnel Office on a salary study for the laboratory, which the agency believes will support adding higher level forensic scientist positions to provide more options for career advancement among laboratory staff and improve retention.

Oversight and Misconduct. After carrying a backlog of complaint cases in FY19 and FY20, in FY21 and FY22, the Law Enforcement Academy Board (LEAB) began cutting down on this backlog, and at the close of FY22, 44 cases were outstanding. However, during the first quarter of FY23, LEAB adjudicated five fewer cases than it



received and closed the quarter with 49 outstanding cases. In the second quarter, the board met only once and just 13 cases were adjudicated, 25 fewer than were reported. As a result, LEAB closed the quarter with 74 outstanding cases, and the board did not hold any meetings in the third quarter, so the backlog is likely to grow. However, LEAB staff have proposed holding an additional meeting in the fourth quarter to reduce this backlog, which the board will consider at its April meeting. LEAB's certification function will transfer to the new Law Enforcement Certification Board at the beginning of FY24.

Crime Reporting. DPS is required to collect and report crime data from all law enforcement agencies but has not publicly reported this data as it transitions to NIBRS. Unfortunately, many law enforcement agencies, including NMSP, are not yet reporting through NIBRS. As of the end of March, 72 percent of the state's 116 nontribal law enforcement agencies were reporting to the system, with an additional 13 percent testing the system, which takes a minimum of six months. The remaining 15 percent of agencies were not reporting at all. Notably, NMSP completed its upgrade of its Records Management System in March and should be able to move into the testing phase in the near future. The other four largest law enforcement agencies in the state are reporting to NIBRS, although the Santa Fe Police Department is behind in its reports. In FY23, DPS received a $100 thousand recurring budget increase to support other law enforcement agencies' compliance with crime reporting and other statutory reporting requirements.

Lack of reporting makes it impossible to accurately understand crime trends in the state because 2021 marked the first year the FBI's national crime statistics relied solely on information provided via NIBRS. The FBI did not provide estimates of crime rates in New Mexico for 2021 because reporting agencies accounted for less than 80 percent of the population, with only 61 percent of the population accounted for and only 33 percent of law enforcement agencies submitting 2021 data through NIBRS. By comparison, 95 percent of New Mexico agencies reported data in 2020 under the prior reporting system.

Information Technology. At the end of the second quarter, DPS entered the planning phase of its intelligence-led policing project, which will implement a new system to incorporate data and analytics functions to generate valuable intelligence to more efficiently direct law enforcement resources in a proactive approach.

Budget: $27,298.2 **FTE:** 183	**FY21 Actual**	**FY22 Actual**	**FY23 Target**	**FY23 Q1**	**FY23 Q2**	**FY23 Q3**	**Rating**
Percent of forensic cases completed	94%	126%	100%	196%	103%		G
Forensic scientist and technician vacancy rate*	22.9%	25%	N/A	24.5%	28.6%		
Complaint cases reviewed and adjudicated by the New Mexico Law Enforcement Academy Board*	194%	130%	N/A	79%	34%		
New Mexico Law Enforcement Academy graduation rate for police*	73%	73%	N/A	N/A[1]	81%		
New Mexico Law Enforcement Academy graduation rate for dispatchers*	100%	98%	N/A	100%	100%		
Program Rating	G	G		G			G

*Measure is classified as explanatory and does not have a target. 1. No basic law enforcement academy classes graduated in the first quarter of FY23.