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SENATE JOINT MEMORIAL 37

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Leonard Lee Rawson

A JOINT MEMORIAL

**REQUESTING THE NEW MEXICO SUPREME COURT TO ESTABLISH RULES FOR
EXPEDITING THE RELEASE OF NEW MEXICO STATE POLICE OFFICERS'
COURT APPEARANCES.**

**WHEREAS, the public safety depends on New Mexico state
police officers' availability to enforce laws and respond to
emergency calls; and**

**WHEREAS, police officers sometimes wait in court eight
hours on a trailing docket and at times they are not even
heard; and**

**WHEREAS, in some courts there is little cooperation in
scheduling police officers on working days; and**

**WHEREAS, some magistrates have scheduled police officers
for court hearings on the officers' day off; and**

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1 WHEREAS, districts lose numerous man hours of patrol
2 because police officers are waiting for the court to hear their
3 cases; and

4 WHEREAS, the trailing docket system needs to be improved
5 whereby the courts work with police officers in scheduling its
6 court appearances on their working days; and

7 WHEREAS, in order for the New Mexico state police to
8 utilize the officer duty schedule program, it is necessary for
9 its court liaison officer to spend several hours per week
10 entering police officers' duty schedules into the database in
11 court offices, and there is no compatible software application
12 program; and

13 WHEREAS, police officers are frequently scheduled for
14 multiple court cases at the same time, on different floors and
15 different courtrooms; and

16 WHEREAS, frequently, court clerks fail to notify police
17 officers for appearances, and cases get dismissed on the
18 officers' absences, being recorded as the officers' failures to
19 appear; and

20 WHEREAS, occasionally notices arrive late and the police
21 officers cannot appear, and the cases are dismissed and
22 recorded as failures to appear; and

23 WHEREAS, many times when a case is continued the court
24 fails to notify the appropriate police officer or his office of
25 the continuance and needlessly takes the officer off patrol

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1 duty;

2 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
3 STATE OF NEW MEXICO that the New Mexico supreme court be
4 requested to develop rules for courts to cooperate with the New
5 Mexico state police in scheduling police officers' appearances
6 in court so that cases are not dismissed unnecessarily and
7 patrol time by officers is not unnecessarily reduced; and

8 BE IT FURTHER RESOLVED that a copy of this memorial be
9 transmitted to the New Mexico supreme court.

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