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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/06/14

SPONSOR Rehm & Leavell LAST UPDATED \_\_\_\_\_ HB 318

SHORT TITLE Law Enforcement In-Service Training SB \_\_\_\_\_

ANALYST Chenier

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		Minimal	Minimal	Minimal	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Public Safety (DPS)  
 Attorney General’s Office (AGO)  
 Child Youth and Families Department (CYFD)

### SUMMARY

#### Synopsis of Bill

House Bill 318 removes all mandatory continuing education or what are termed “in-service” training requirements for law enforcement officers. Currently commissioned law enforcement officers must complete at least 40 hours of “in-service” training every two years to maintain their commissions in good standing. This bill would make permissive the current 13 hours of mandatory training required in the following areas:

- high-speed vehicle pursuits – 4 hours
- domestic abuse – 1 hr.
- sex crimes prosecutions and treatment – 1 hr.
- child abuse – 1 hr.
- child safety upon arrest – 1 hr.
- missing person and AMBER alert – 1 hr.
- crisis management, including interaction with persons with mental impairments – 2 hrs.
- hate crimes – 2 hrs.

HB 318 would instead provide discretion to the Law Enforcement Academy Board to decide which in-service training courses to offer, which could include any number, none or all of the above areas.

HB 318 does not seek to change any of the existing mandatory training requirements in the initial basic training course that requires successful completion of 400 hours of instruction before being certified as a law enforcement officer in the State.

### **FISCAL IMPLICATIONS**

DPS stated that “The Academy would be able to more effectively utilize current funds, but there would be no direct change in funding or revenue”.

### **SIGNIFICANT ISSUES**

There is no known legal impediment to removing mandatory training requirements in certain areas and allowing the Law Enforcement Academy Board to determine, within its discretion, which areas to offer for annual “in-service” training courses. The total number of the required 40 hours of supplemental training for law enforcement officers every two years will still remain intact.

CYFD provided the following analysis:

Law enforcement officers are often first responders in highly charged situations such as domestic abuse, child abuse, and sexual crimes; and their ability to effectively manage crisis situations through intervention and de-escalation techniques can make a significant difference in how a situation plays out. Similarly, their ability to preserve and protect crime scenes and properly collect evidence and conduct interviews can make a significant difference in the effective prosecution and conviction of perpetrators. This amendment means that trainings which provide law enforcement with the tools, techniques, and knowledge to perform their job optimally even in crisis situations will be optional, and these critical first responders may consequently be entering highly charged situations with outdated skills.

DPS provided the following analysis:

While all law enforcement officers would agree that the above-referenced sections regarding training are vital, it is not always necessary to repeat training every two years. The proposed change would ensure that law enforcement training in New Mexico is targeted to specific areas that require a more in-depth treatment in any given training cycle. In addition to the benefits to the New Mexico Law Enforcement Academy, law enforcement entities would have a greater say regarding the bi-annual in-service training requirement for their own officers. As an example, the Special Investigations Division may choose to use more training for under-age drinking than a County Sheriff’s Department would which may focus on domestic abuse.