

The Department of Public Safety (DPS) and the New Mexico State Police (NMSP) were significantly impacted by the COVID-19 pandemic, as NMSP made early adjustments to operations to reduce contact with the public by decreasing proactive policing, traffic operations, and investigations, while redirecting resources to enforce the governor’s public health orders and emergency declarations and respond to protests. As of August 9, state police officers had responded to over 4,600 calls for service related to noncompliance with public health orders, including over 400 related to masks. Additionally, between May 1 and May 10, the governor declared a state of emergency in Gallup under the Riot Control Act, during which time 16 to 35 officers were deployed to Gallup to enforce the emergency provisions.

Protests related to police violence have also impacted state police operations, as NMSP’s emergency response team (ERT) has responded to 25 protests for police reform and to reopen New Mexico. Each deployment of the ERT involves between 15 and 50 officers, agents, and supervisors from across NMSP, taking those officers away from their regular duties.

Law Enforcement

DWI Arrests and Enforcement Operations. DWI arrests in FY20 decreased 24 percent compared with FY19. Although the 39 percent drop in arrests between the third and fourth quarters of this year was likely tied to the COVID-19 pandemic, with overall vehicle traffic decreasing and NMSP conducting just two DWI checkpoints (compared with 25 in the third quarter), FY20’s overall decline is part of a longer-term trend that precedes the pandemic. By the third quarter of FY20, DWI arrests were tracking 12 percent below FY19, and DWI saturation patrols were down 42 percent. Even with more patrols conducted in the fourth quarter than the third, overall the number of DWI saturation patrols conducted this year declined 43 percent compared with FY19.

These trends suggest decreased enforcement has resulted in fewer DWI arrests. If drunk driving is declining, such a reallocation of resources is prudent. However, data from the Department of Transportation (NMDOT) suggests this may not be the case.

State Police Force Strength

Fiscal Year	Recruit and Lateral Officer Hires	Total Force Strength ¹
FY16	59	677
FY17	24	661
FY18	60	665
FY19	47	662
FY20	52	674

1. Reflects force strength at the close of the fiscal year.

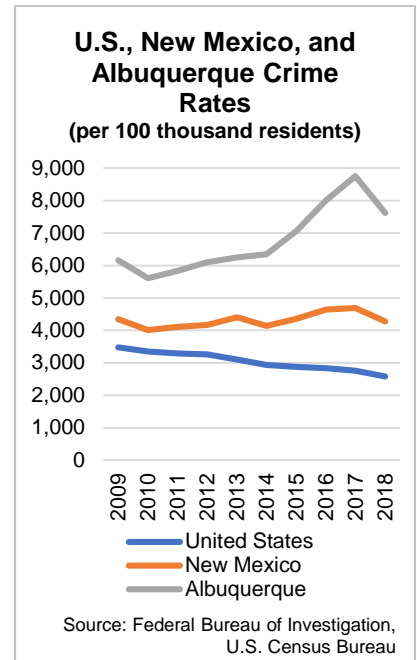
Source: Department of Public Safety

Although NMDOT reports alcohol-involved traffic fatalities declined 10 percent this year compared with FY19, FY20 fatalities totaled 142, just one less than FY18 (a decrease of less than 1 percent). Comparatively, DWI arrests in FY20 were 36 percent lower than FY18, and enforcement operations (both saturation patrols and checkpoints) are down 39 percent.

Manpower. Vacancy rates among commissioned state police officers improved in FY20, averaging 9 percent over the course of the year compared with 10 percent in FY19. NMSP employed 674 officers at the close of FY20, an 8 percent overall vacancy rate, with a 6 percent

ACTION PLAN

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



Police-Involved Fatalities

New Mexico had the highest per-capita rate of civilians killed by law enforcement officers in the country from 2015 to 2019. In FY20, New Mexico State Police (NMSP) officers were involved in the deaths of six of the 22 civilians killed during interactions with law enforcement officers statewide. NMSP also led or aided investigations into 21 of those deaths.

State Police Investigations of Police-Involved Fatalities

NMSP Role	Number of Cases
Lead (Sole Agency)	10
Lead (Task Force)	1
Participant (Task Force)	9

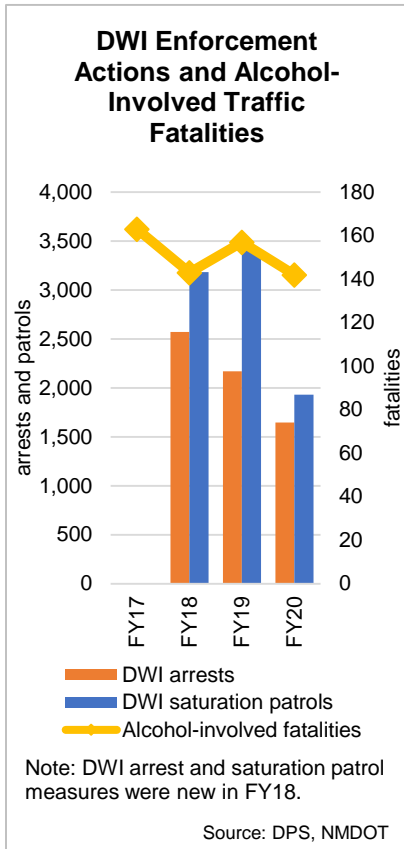
Note: Two individuals killed in a single incident were investigated as one case.
Source: DPS

State Police FY20 Stats

- 100%** homicide clearance rate
- 9,962** cases investigated
- 3,049** felony arrests
- 5,555** misdemeanor arrests
- 132** crime scenes investigated
- 339** stolen vehicles recovered

vacancy rate among state-funded positions and a 50 percent vacancy rate among federally funded positions (of which there are only 28). A targeted 8.5 percent pay increase implemented in FY19 likely helped to improve recruitment and retention among officers in FY20. Although planned appropriations to institute a new pay plan for state police officers, dispatchers, and transportation inspectors were reduced as part of the solvency measures passed during the 2020 special session, DPS’s revised FY21 operating budget still represents a \$2.7 million (or 3 percent) increase in general fund appropriations for personnel in the Law Enforcement Program; however, concerns regarding the stability of this funding and potential funding reductions in FY22 make the department hesitant to implement compensation increases that may not be sustainable.

Although the state police recruit school was suspended in March due to the COVID-19 pandemic, classes were able to resume during the fourth quarter of FY20 and 20 recruits graduated the school. Overall, in FY20 44 recruits graduated the NMSP recruit school out of 60 who started, a 73 percent graduation rate.



Budget: \$125,691.2 **FTE:** 1,084.2

	FY18 Actual	FY19 Actual	FY20 Target	FY20 Actual	Rating
Data-driven traffic-related enforcement projects held	1,926	3,308	1,900	2,851	G
Driving-while-intoxicated saturation patrols conducted	3,184	3,416	975	1,933	G
Commercial motor vehicle safety inspections conducted	88,078	95,041	88,000	68,378	Y
Driving-while-intoxicated arrests	2,574	2,171	2,250	1,647	Y
Program Rating	G	G			G

Statewide Law Enforcement Support

Forensic Laboratory. The forensic laboratory’s productivity dropped significantly in FY20, with all but one of the units with measured case types completing fewer cases than either of the past two fiscal years. The lab increased its backlogged cases by 31 percent, with 1,514 cases added to the backlog at the close of FY20. The overall vacancy rate among forensic scientists and technicians increased 14 percentage points between FY19 and FY20, and while high vacancy rates and turnover are often cited as the causes of lower laboratory productivity, a closer examination of FY20’s results suggests more nuanced issues.

Notably, while the latent fingerprint unit lost a highly productive scientist during the second quarter of FY20, it also experienced a 70 percent drop in case completions between the third and fourth quarters while there was no staff turnover, as the three remaining staff members were impacted by needing to work from home and attending to other high-priority projects, such as the upgrade to the department’s Laboratory Information Management System. As a result of only completing 29 cases during the fourth quarter (compared with an average of 132 per quarter over the rest of the year), the unit’s fourth quarter case completion rate was just 17 percent; overall, the unit completed analysis on 42 percent fewer cases in FY20 than in FY19.

On the other hand, the forensic chemistry unit, which receives the highest volume of cases, achieved its highest rate of case completions since at least FY17, despite

Crime in New Mexico

In 2018, New Mexico had the **second highest violent crime rate** in the country and the **highest property crime rate**. Between 2017 and 2018, New Mexico’s violent crime rate increased **10 percent**, while its property crime rate fell almost **13 percent**. The state also had the **fifth highest rate of assaults on police officers** (per officer).

struggling with significant vacancy rates. Indeed, while average staffing levels were lower in FY20 than in FY19, the unit completed 29 percent more cases this year, and the fourth quarter was the unit’s most productive in over two years. DPS cites decreased court appearances (a result of the COVID-19 pandemic) as the reason this unit was able to be so productive.

**Department of Public Safety
FY20 Q4 Forensic Cases Received and Completed**

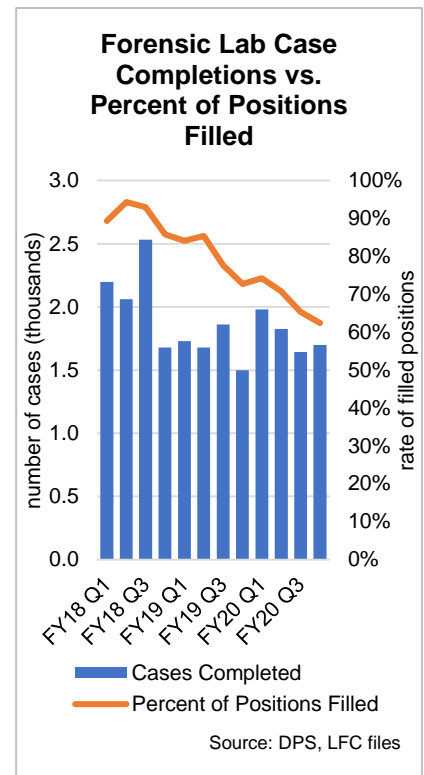
Case Type	Cases Received	Cases Completed	Completion Rate	Pending Cases	Scientist/ Technician Vacancy Rate
Firearm and Toolmark	178	130	73%	931	33%
Latent Fingerprint	167	29	17%	330	50%
Chemistry	1,039	1,217	117%	3,831	31%
Biology and DNA	475	322	68%	1,196	36%

Source: Department of Public Safety

New Mexico Law Enforcement Academy Board. The New Mexico Law Enforcement Academy Board adjudicated 34 complaint cases against law enforcement officers statewide in FY20, an increase of 42 percent compared with the 24 it adjudicated in FY19 (during which the board lacked a quorum for at least two quarters). However, the board closed out FY20 with 140 open cases, 47 percent more than the 95 that were open at the end of FY19.

Budget: \$20,475.4 FTE: 162

	FY18 Actual	FY19 Actual	FY20 Target	FY20 Actual	Rating
Forensic firearm/toolmark cases completed	96%	67%	100%	80%	Y
Forensic latent fingerprint cases completed	105%	118%	100%	65%	R
Forensic chemistry cases completed	91%	65%	90%	93%	G
Forensic biology and DNA cases completed	116%	87%	100%	73%	R
Program Rating	G	Y			Y



New Mexico Law Enforcement Academy Board

The New Mexico Law Enforcement Academy Board is charged with issuing, granting, denying, renewing, suspending, and revoking a peace officer’s certification. Grounds for denying, suspending, or revoking an officer’s certifications include:

- being convicted of, pleading guilty to or entering a plea of no contest to any felony charge or certain other violations;
- making false statements or giving any false information to the academy in connection with an application for admission or certification;
- committing acts which indicate a lack of good moral character, or which constitute dishonesty or fraud;
- committing acts of violence or brutality; and,
- committing acts which would be grounds for denial of admission to the academy.