

West's New Mexico Statutes Annotated  
Chapter 29. Law Enforcement  
Article 7. Law Enforcement Training (Refs & Annos)

N. M. S. A. 1978, § 29-7-1

§ 29-7-1. Short title

[Currentness](#)

Chapter 29, Article 7 NMSA 1978 may be cited as the “Law Enforcement Training Act”.

**Credits**

L. 1969, Ch. 264, § 1; L. 1970, Ch. 48, § 1; L. 1981, Ch. 114, § 1; [L. 1993, Ch. 255, § 1](#).

**Formerly** 1953 Comp., § 39-6-1.

NMSA 1978, § 29-7-1, NM ST § 29-7-1

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N. M. S. A. 1978, § 29-7-2

§ 29-7-2. Academy established

[Currentness](#)

The “New Mexico law enforcement academy” is established to provide a planned program of basic law enforcement training and in-service law enforcement training for police officers and to furnish instruction and seminars to constantly upgrade law enforcement within the state.

**Credits**

L. 1969, Ch. 264, § 2; L. 1970, Ch. 48, § 2; L. 1981, Ch. 114, § 2.

**Formerly** 1953 Comp., § 39-6-2.

NMSA 1978, § 29-7-2, NM ST § 29-7-2

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N. M. S. A. 1978, § 29-7-3

§ 29-7-3. New Mexico law enforcement academy board

Effective: July 1, 2015

[Currentness](#)

A. There is created the “New Mexico law enforcement academy board”.

B. The academy shall be controlled and supervised by policy set by the board. The board shall be composed of the attorney general, who shall serve automatically by reason of office and serve as chair of the board, and eight members who are qualified electors to be appointed by the governor and confirmed by the senate. An appointed board member shall serve and have all of the duties, responsibilities and authority of that office during the period prior to the final action by the senate in confirming or rejecting the appointment.

C. Appointments to the board shall be for terms of four years or less made in such manner that the terms of not more than two members expire on July 1 of each year. At all times, the board shall have represented on it, as members, one municipal police chief, one sheriff, one state police officer, one attorney who is currently employed in a district attorney's office, one certified police chief of a New Mexico Indian tribe or pueblo, one certified New Mexico police officer holding the rank of sergeant or below and two citizen-at-large members, neither of whom shall be a police officer or retired police officer or have familial or financial connections to a police officer or any agency or department for which a police officer works. Vacancies shall be filled by the governor for the unexpired term.

D. Members of the board shall receive, for their service as members of the board, per diem and mileage as provided in the Per Diem and Mileage Act.<sup>1</sup>

**Credits**

L. 1979, Ch. 202, § 42; L. 1983, Ch. 121, § 1; L. 1993, Ch. 250, § 1; L. 1993, Ch. 255, § 2; L. 1994, Ch. 39, § 1; L. 2015, Ch. 3, § 22, eff. July 1, 2015.

**Footnotes**

<sup>1</sup> [NMSA 1978, § 10-8-1 et seq.](#)

NMSA 1978, § 29-7-3, NM ST § 29-7-3

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N. M. S. A. 1978, § 29-7-4

§ 29-7-4. Powers and duties of board

Currentness

The board shall:

- A. approve or disapprove the appointment of the director by the secretary;
- B. develop and implement a planned program of:
  - (1) basic law enforcement training and in-service law enforcement training, a portion of which may be conducted on a regional basis; and
  - (2) basic telecommunicator training and in-service telecommunicator training, as provided in the Public Safety Telecommunicator Training Act,<sup>1</sup> a portion of which may be conducted on a regional basis;
- C. prescribe qualifications for instructors and prescribe courses of instruction for:
  - (1) basic law enforcement training and in-service law enforcement training; and
  - (2) basic telecommunicator training and in-service telecommunicator training, as provided in the Public Safety Telecommunicator Training Act;
- D. report annually to the governor;
- E. in its discretion, accept donations, contributions, grants or gifts from whatever source for the benefit of the academy, which donations, contributions, grants or gifts are appropriated for the use of the academy;
- F. adopt, publish and file, in accordance with the provisions of the State Rules Act,<sup>2</sup> all regulations and rules concerning the operation of the academy and the implementation and enforcement of the provisions of the Law Enforcement Training Act and the Public Safety Telecommunicator Training Act;

G. issue, grant, deny, renew, suspend or revoke a:

(1) peace officer's certification for any cause set forth in the provisions of the Law Enforcement Training Act; and

(2) telecommunicator's certification for any just cause set forth in the Public Safety Telecommunicator Training Act;

H. administer oaths, subpoena persons and take testimony on any matter within the board's jurisdiction; and

I. perform all other acts appropriate to the development and operation of the academy.

**Credits**

L. 1969, Ch. 264, § 6; L. 1970, Ch. 48, § 4; L. 1977, Ch. 257, § 52; L. 1979, Ch. 202, § 43; L. 1981, Ch. 114, § 3; L. 1987, Ch. 254, § 20; L. 1993, Ch. 255, § 3; L. 2003, Ch. 320, § 1, eff. July 1, 2003.

**Formerly** 1953 Comp., § 39-6-6.

**Footnotes**

1 [NMSA 1978, § 29-7C-1 et seq.](#)

2 [NMSA 1978, § 14-4-1 et seq.](#)

NMSA 1978, § 29-7-4, NM ST § 29-7-4

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N. M. S. A. 1978, § 29-7-4.1

## § 29-7-4.1. Domestic abuse incident training

Effective: July 1, 2018

[Currentness](#)

Domestic abuse incident training that includes information on strangulation shall be included in the curriculum of each basic law enforcement training class. Domestic abuse incident training shall be included as a component of in-service training each year for certified police officers.

### Credits

[L. 2002, Ch. 34, § 3](#); [L. 2002, Ch. 35, § 3, eff. March 4, 2002](#); [L. 2018, Ch. 37, § 1, eff. July 1, 2018](#).

NMSA 1978, § 29-7-4.1, NM ST § 29-7-4.1

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N. M. S. A. 1978, § 29-7-4.2

§ 29-7-4.2. Child abuse incident training

Effective: July 1, 2011

[Currentness](#)

Child abuse incident training shall be included in the curriculum of each basic law enforcement training class. Child abuse incident training shall be included as a component of in-service training each year for certified police officers.

**Credits**

Added by [L. 2011, Ch. 49, § 1, eff. July 1, 2011](#).

NMSA 1978, § 29-7-4.2, NM ST § 29-7-4.2

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N. M. S. A. 1978, § 29-7-5

§ 29-7-5. Powers and duties of the director

Currentness

The director shall:

- A. be the chief executive officer of the academy and employ necessary personnel;
- B. issue a certificate of completion to any person who:
  - (1) graduates from an approved basic law enforcement training program and who satisfies the qualifications for certification as set forth in [Section 29-7-6 NMSA](#) 1978; or
  - (2) graduates from an approved basic telecommunicator training program and who satisfies the qualifications for certification as set forth in the Public Safety Telecommunicator Training Act;<sup>1</sup>
- C. perform all other acts necessary and appropriate to the carrying out of his duties;
- D. act as executive secretary to the board;
- E. carry out the policy as set by the board; and
- F. annually evaluate the courses of instruction being offered by the academy and make necessary modifications and adjustments to the programs.

**Credits**

L. 1969, Ch. 264, § 7; L. 1977, Ch. 257, § 53; L. 1978, Ch. 2, § 1; L. 1979, Ch. 202, § 44; L. 1981, Ch. 114, § 4; L. 1993, Ch. 255, § 4; L. 2003, Ch. 320, § 2, eff. July 1, 2003.

**Formerly** 1953 Comp., § 39-6-7.

Footnotes



1 [NMSA 1978, § 29-7C-1 et seq.](#)

NMSA 1978, § 29-7-5, NM ST § 29-7-5

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N. M. S. A. 1978, § 29-7-5.1

§ 29-7-5.1. Removal of director

Effective: July 1, 2015

[Currentness](#)

The director may be removed by the board in accordance with the procedures provided in [Section 29-2-11 NMSA 1978](#) for removal of members of the New Mexico state police holding permanent commissions. In the case of removal proceedings for the director under that section, “commission”, as used in [Subsections C and D of Section 29-2-11 NMSA 1978](#), shall be construed to mean the New Mexico law enforcement academy board.

**Credits**

L. 1979, Ch. 202, § 45; [L. 1993, Ch. 255, § 5](#); L. 2015, Ch. 3, § 23, eff. July 1, 2015.

NMSA 1978, § 29-7-5.1, NM ST § 29-7-5.1

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N. M. S. A. 1978, § 29-7-6

§ 29-7-6. Qualifications for certification

Currentness

A. An applicant for certification shall provide evidence satisfactory to the board that he:

- (1) is a citizen of the United States and has reached the age of majority;
- (2) holds a high school diploma or the equivalent;
- (3) holds a valid driver's license;
- (4) has not been convicted of or pled guilty to or entered a plea of nolo contendere to any felony charge or, within the three-year period immediately preceding his application, to any violation of any federal or state law or local ordinance relating to aggravated assault, theft, driving while intoxicated, controlled substances or other crime involving moral turpitude and has not been released or discharged under dishonorable conditions from any of the armed forces of the United States;
- (5) after examination by a licensed physician, is free of any physical condition that might adversely affect his performance as a police officer or prohibit him from successfully completing a prescribed basic law enforcement training required by the Law Enforcement Training Act;
- (6) after examination by a certified psychologist, is free of any emotional or mental condition that might adversely affect his performance as a police officer or prohibit him from successfully completing a prescribed basic law enforcement training required by the Law Enforcement Training Act;
- (7) is of good moral character;
- (8) has met any other requirements for certification prescribed by the board pursuant to regulations adopted by the board; and
- (9) has previously been awarded a certificate of completion by the director attesting to the applicant's completion of an approved law enforcement training program.

B. A person employed as a police officer by any law enforcement agency in this state shall forfeit his position unless, no later than twelve months after beginning his employment as a police officer, the person satisfies the qualifications for certification set forth in Subsection A of this section and is awarded a certificate attesting to that fact.

**Credits**

[L. 1993, Ch. 255, § 6.](#)

[Notes of Decisions \(4\)](#)

NMSA 1978, § 29-7-6, NM ST § 29-7-6

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N. M. S. A. 1978, § 29-7-6.1

§ 29-7-6.1. County sheriffs; training requirement

Effective: July 1, 2015

[Currentness](#)

A. Every county sheriff, except sheriffs who have previously been awarded a certificate attesting to completion of a basic law enforcement training program, shall participate in and complete an administrative law enforcement training program no later than twelve months after the date the sheriff assumes office as a county sheriff.

B. The director shall establish the administrative law enforcement training program for county sheriffs, subject to review and approval by the executive committee of the sheriff's affiliate of the New Mexico association of counties.

C. A county sheriff's per diem, mileage and tuition expenses attributed to attendance at the administrative law enforcement training shall be paid for by the governing body of the county served by that sheriff.

**Credits**

[L. 1993, Ch. 255, § 7](#); [L. 2015, Ch. 3, § 24](#), eff. July 1, 2015.

NMSA 1978, § 29-7-6.1, NM ST § 29-7-6.1

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N. M. S. A. 1978, § 29-7-7

§ 29-7-7. Definitions

Effective: July 1, 2015

[Currentness](#)

For the purpose of the Law Enforcement Training Act:

- A. “academy” means the New Mexico law enforcement academy;
  
- B. “basic law enforcement training” means a course consisting of not less than four hundred hours of instruction in basic law enforcement training as required by the Law Enforcement Training Act;
  
- C. “board” means the New Mexico law enforcement academy board;
  
- D. “conviction” means an adjudication of guilt or a plea of no contest and includes convictions that are suspended or deferred;
  
- E. “director” means the director of the division;
  
- F. “division” means the New Mexico law enforcement academy of the department of public safety;
  
- G. “in-service law enforcement training” means a course of instruction required of all certified peace officers and designed to train and equip all police officers in the state with specific law enforcement skills and to ensure the continuing development of all police officers in the state. The training and instruction shall be kept current and may be conducted on a regional basis at the discretion of the director;
  
- H. “police officer” means any commissioned employee of a law enforcement agency that is part of or administered by the state or any political subdivision of the state, and includes any employee of a missile range civilian police department who is a graduate of a recognized certified regional law enforcement training facility and who is currently certifiable by the academy, which employee is responsible for the prevention and detection of crime or the enforcement of the penal, or traffic or highway laws of this state. The term specifically includes deputy sheriffs. Sheriffs are eligible to attend the academy and are eligible to receive certification as provided in the Law Enforcement Training Act. As used in this subsection, “commissioned” means an employee of a law enforcement agency who is authorized by a sheriff or chief of police to apprehend, arrest and bring before the court all violators within the state; and

I. “certified regional law enforcement training facility” means a law enforcement training facility within the state certified by the director, with the approval of the academy's board of directors, that offers basic law enforcement training and in-service law enforcement training that is comparable to or exceeds the standards of the programs of the academy.

**Credits**

L. 1981, Ch. 114, § 6; L. 1988, Ch. 58, § 2; [L. 1993, Ch. 255, § 8](#); [L. 1997, Ch. 213, § 1](#); L. 2015, Ch. 3, § 25, eff. July 1, 2015.

[Notes of Decisions \(4\)](#)

NMSA 1978, § 29-7-7, NM ST § 29-7-7

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N. M. S. A. 1978, § 29-7-7.1

§ 29-7-7.1. In-service law enforcement training; requirements; eligibility

**Currentness**

A. In-service law enforcement training consists of at least forty hours of academic instruction, approved by the board, for each certified police officer during each twenty-four month period of employment or service with a political subdivision. The first training course shall commence no later than twelve months after graduation from an approved basic law enforcement training program.

B. All certified police officers who are eligible for in-service training shall, during each twenty-four month period of employment, complete a minimum of forty hours of in-service law enforcement training in courses approved by the board. All certified police officers shall provide proof of completing in-service law enforcement training requirements to the director no later than March 1 of the year in which the requirements must be met. The director shall provide annual notice to all certified police officers regarding in-service law enforcement training requirements. Failure to complete in-service law enforcement training requirements may be grounds for suspension of a certified police officer's certification. A police officer's certification may be reinstated by the board when the police officer presents the board with evidence of satisfying in-service law enforcement training requirements.

**Credits**

L. 1981, Ch. 114, § 7; L. 1993, Ch. 255, § 9.

NMSA 1978, § 29-7-7.1, NM ST § 29-7-7.1

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N. M. S. A. 1978, § 29-7-7.2

§ 29-7-7.2. Reports

**Currentness**

Every law enforcement agency within the state shall submit quarterly a report to the director on the status of each police officer employed by the law enforcement agency. The reports shall include the status of in-service law enforcement training. The reporting forms and submittal dates shall be prescribed by the director.

**Credits**

L. 1981, Ch. 114, § 8; L. 1988, Ch. 58, § 3.

NMSA 1978, § 29-7-7.2, NM ST § 29-7-7.2

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N. M. S. A. 1978, § 29-7-7.3

§ 29-7-7.3. Ensuring child safety upon arrest; training

Effective: June 15, 2007

[Currentness](#)

Training for ensuring child safety upon the arrest of a parent or guardian shall be included in the curriculum of each basic law enforcement training class and as a component of in-service training each year for certified police officers.

**Credits**

Added by [L. 2007, Ch. 89, § 1, eff. June 15, 2007](#).

NMSA 1978, § 29-7-7.3, NM ST § 29-7-7.3

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N. M. S. A. 1978, § 29-7-7.4

§ 29-7-7.4. Missing person and AMBER alert training

Effective: May 19, 2010

[Currentness](#)

A minimum of four hours of combined missing person and AMBER alert training shall be included in the curriculum of each basic law enforcement training class. Missing person and AMBER alert training shall be included as a component of in-service training each year for certified police officers.

**Credits**

Added by [L. 2010, Ch. 33, § 1, eff. May 19, 2010](#).

NMSA 1978, § 29-7-7.4, NM ST § 29-7-7.4

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N. M. S. A. 1978, § 29-7-7.5

§ 29-7-7.5. Interaction with persons with mental impairments; training

Effective: July 1, 2011

[Currentness](#)

A. A minimum of forty hours of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, shall be included in the curriculum of each basic law enforcement training class.

B. A minimum of two hours of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, shall be included as a component of in-service law enforcement training pursuant to [Section 29-7-7.1 NMSA 1978](#).

C. A pre-recorded course on crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, shall not satisfy the requirements of the basic law enforcement training class required pursuant to Subsection A of this section.

D. As used in this section, “mental impairment” includes a mental illness, developmental disability, posttraumatic stress disorder, dual diagnosis, autism, youth in crisis and traumatic brain injury.

**Credits**

Added by [L. 2011, Ch. 180, § 1, eff. July 1, 2011](#).

NMSA 1978, § 29-7-7.5, NM ST § 29-7-7.5

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N. M. S. A. 1978, § 29-7-7.6

§ 29-7-7.6. Law enforcement officers; naloxone rescue kit

Effective: June 16, 2017

[Currentness](#)

A. As agency funding and agency supplies of naloxone rescue kits permit, each local and state law enforcement agency shall provide naloxone rescue kits to its law enforcement officers and require that officers carry the naloxone rescue kits in accordance with agency procedures so as to optimize the officers' capacity to timely assist in the prevention of opioid overdoses.

B. Nothing in this section shall be construed to impose civil or criminal liability on a local or state law enforcement agency or law enforcement officer when ordinary care is used in the administration or provision of naloxone in cases where an individual appears to be experiencing an opioid overdose.

C. As used in this section:

(1) “naloxone” means naloxone hydrochloride, which is an opioid antagonist for the treatment of opioid overdose; and

(2) “naloxone rescue kit” means a kit containing:

(a) two doses of naloxone in either a generic form or in a form approved by the federal food and drug administration; and

(b) overdose education materials that conform to department of health or federal substance abuse and mental health services administration guidelines for opioid overdose education that explain the signs and causes of an opioid overdose and instruct when and how to administer in accordance with medical best practices: 1) life-saving rescue techniques; and 2) an opioid antagonist.

**Credits**

Added by [L. 2017, Ch. 59, § 2, eff. June 16, 2017](#).

NMSA 1978, § 29-7-7.6, NM ST § 29-7-7.6

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N. M. S. A. 1978, § 29-7-7.7

## § 29-7-7.7. Tourniquet and trauma kit training and distribution

Effective: July 1, 2017

[Currentness](#)

A. Tourniquet and trauma kit training shall be included in the curriculum of each basic law enforcement training class and as a component of in-service law enforcement training each year for certified police officers. The academy, in coordination with certified regional law enforcement training facilities, shall provide a tourniquet and trauma kit to each cadet who graduates from the academy or from a certified regional law enforcement training facility and to each previously certified police officer who attends a certification-by-waiver course.

B. The academy shall provide hands-on tourniquet and trauma kit training to all officers using tourniquet and trauma kit equipment designed for training purposes. The training shall be designed in a manner that will safely replicate field conditions without the risk of injury in order for officers to develop the necessary skills to use tourniquets and trauma kits. In order to supplement the hands-on training, the academy may produce a training video on the proper use of tourniquets and trauma kits for use in the academy and certified regional law enforcement training facilities.

C. The academy, in coordination with certified regional law enforcement training facilities, shall distribute a tourniquet and trauma kit to each police officer who has been certified pursuant to the Law Enforcement Training Act.

### Credits

Added by [L. 2017, Ch. 35, § 1, eff. July 1, 2017](#).

NMSA 1978, § 29-7-7.7, NM ST § 29-7-7.7

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N. M. S. A. 1978, § 29-7-10

§ 29-7-10. Certification by waiver

**Currentness**

A. The director shall, with the approval of the board, waive the basic law enforcement training program and certify applicants who are employed as full-time police officers and who furnish evidence of satisfactory completion of a basic law enforcement training program which is comparable to or exceeds the standards of the programs of the academy.

B. All individuals allowed a waiver under this section must meet the requirements set out in the Law Enforcement Training Act, and this section shall not be construed to exempt them from such requirements in any manner.

**Credits**

L. 1971, Ch. 247, § 4; L. 1977, Ch. 257, § 54; L. 1979, Ch. 104, § 1; L. 1979, Ch. 202, § 49; L. 1981, Ch. 107, § 1; L. 1981, Ch. 114, § 10.

**Formerly** 1953 Comp., § 39-6-12.

NMSA 1978, § 29-7-10, NM ST § 29-7-10

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N. M. S. A. 1978, § 29-7-12

§ 29-7-12. Charges; fund created; use

Effective: July 1, 2015

[Currentness](#)

A. The division shall not charge local public bodies or New Mexico Indian tribes or pueblos for any expenses associated with providing basic law enforcement training programs to applicants for certification seeking commission pursuant to the provisions of the Law Enforcement Training Act. The division may charge state agencies and institutions and federal agencies and shall charge civilian participants for the cost of providing basic law enforcement training programs, which charges shall be specified in a tuition and fee schedule promulgated by the board and shall not exceed the actual cost of providing the training programs.

B. The division may charge state agencies and institutions, local public bodies, New Mexico Indian tribes and pueblos and federal agencies and shall charge civilian participants for the cost of providing advanced training programs, which charges shall be specified in a tuition and fee schedule promulgated by the board and shall not exceed the actual cost of providing the training programs.

C. The division may charge for the rental or other use of the academy's facility, personnel and equipment, which charges shall be specified in a tuition and fee schedule promulgated by the board and shall not exceed the actual cost of the facility, personnel or equipment.

D. The "law enforcement training and recruiting fund" is created in the state treasury. Money received by the division for activities specified in this section shall be deposited in the fund. The department of public safety shall administer the fund, and money in the fund is appropriated to the division to offset the operational costs of the division. Money in the fund shall be nonreverting. Money shall be expended on warrants issued by the secretary of finance and administration upon vouchers signed by the secretary of public safety or the secretary of public safety's authorized representative.

E. As used in this section, "local public body" means all political subdivisions of the state and their agencies, instrumentalities and institutions.

**Credits**

L. 1981, Ch. 114, § 12; L. 1983, Ch. 270, § 1; [L. 2000, Ch. 14, § 1](#); L. 2015, Ch. 3, § 26, eff. July 1, 2015.

NMSA 1978, § 29-7-12, NM ST § 29-7-12

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N. M. S. A. 1978, § 29-7-13

§ 29-7-13. Refusal, suspension or revocation of certification

Currentness

A. After consultation with the employing agency, the board may refuse to issue, or may suspend or revoke a police officer's certification when the board determines that a person has:

- (1) failed to satisfy the qualifications for certification, set forth in [Section 29-7-6 NMSA 1978](#);
- (2) committed acts that constitute dishonesty or fraud;
- (3) been convicted of, pled guilty to or entered a plea of no contest to:
  - (a) any felony charge; or
  - (b) any violation of federal or state law or a local ordinance relating to aggravated assault, theft, driving while under the influence of intoxicating liquor or drugs, controlled substances or any law or ordinance involving moral turpitude;
- (4) knowingly made any false statement in his application for certification.

B. The board shall develop, adopt and promulgate administrative procedures for suspension or revocation of a police officer's certification that include notice and an opportunity for the affected police officer to be heard as well as procedures for review of the board's decision.

**Credits**

[L. 1993, Ch. 255, § 10.](#)

NMSA 1978, § 29-7-13, NM ST § 29-7-13

Current through the end of the Second Regular Session and First Special Session of the 54th Legislature (2020).

West's New Mexico Statutes Annotated  
Chapter 29. Law Enforcement  
Article 7. Law Enforcement Training (Refs & Annos)

N. M. S. A. 1978, § 29-7-15

§ 29-7-15. Revoke police officer certification after conviction or making certain pleas

Effective: September 20, 2020

[Currentness](#)

Notwithstanding any other provision of law, if any police officer is convicted of or pleads guilty or nolo contendere to a crime involving the unlawful use or threatened use of physical force or a crime involving the failure to intervene in the use of unlawful force, the board shall permanently revoke the police officer's certification. The board shall not, under any circumstance, reinstate the police officer's certification or grant new certification to the police officer unless the police officer is exonerated by a court or pardoned by the governor.

**Credits**

Added by [L. 2020, 1st Sp. Sess., Ch. 7, § 2, eff. Sept. 20, 2020](#).

NMSA 1978, § 29-7-15, NM ST § 29-7-15

Current through the end of the Second Regular Session and First Special Session of the 54th Legislature (2020).