LEGISLATIVE FINANCE COMMITTEE November 17, 2016

### **SCOTT WEAVER**

**Cabinet Secretary** 

#### **PETE KASSETAS**

Chief / Deputy Cabinet Secretary Law Enforcement Operations

#### **AMY ORLANDO**

Deputy Cabinet Secretary
Statewide Law Enforcement Support Program
Administrative Services Division





## LIVES ON THE LINE / Violence Against Police Officers

Nationwide officer line of duty deaths:

- 123 Officers; a nine (9) percent increase over 2015.
  - 56 officers died by gunfire; a
    65 percent increase.
  - 49 officers died in auto accidents; a 14 percent increase.
  - Gender: 118 male; 5 female.
  - Average Age: 41 years old.
  - Average Tour of Duty:13 years 4 months.

- New Mexico has lost four officers in less than 18 months.
- Two since June 2016, our last LFC presentation in Roswell.



Officer Jose Chavez Hatch Police Department



Officer Clint Corvinus
Alamogordo Police Department





## The Most Dangerous States in America

The Most Dangerous States in America
By Thomas C. Frohlich November 14, 2016 6:00 am EST



#### 3. New Mexico

\* Violent crimes per 100,000: 656.1

\* **Total population:** 2,085,109

\* **Total 2015 murders:** 117.0 (19th lowest)

\* Poverty rate: 20.4% (2nd highest)

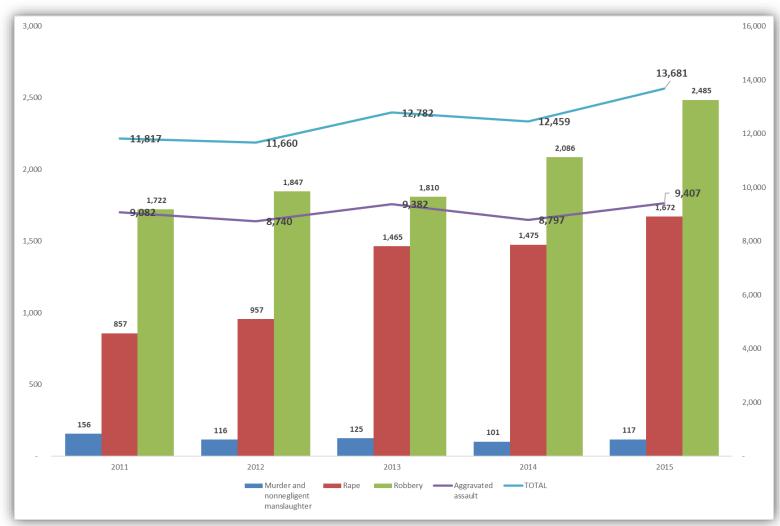
New Mexico's violent crime rate of **656** incidents per 100,000 people is the third highest of all states, well above the national rate of **383** incidents per 100,000 Americans, and five to six times higher than low crime states such as Vermont and Maine.

The violent crime rate, including murder and aggravated assault, rose by nearly **10%** in New Mexico last year versus the national increase of **3%**.

As is generally the case in states with high violent crime rates, nonviolent crimes are also relatively common in New Mexico. The incidence of burglary, larceny, and motor vehicle theft — which together comprise property crime — are each second highest of all states. And while the prevalence of these property crimes **decreased by 3.4% across the nation**, it **rose by 4.4% in New Mexico** last year, more than all but three other states.



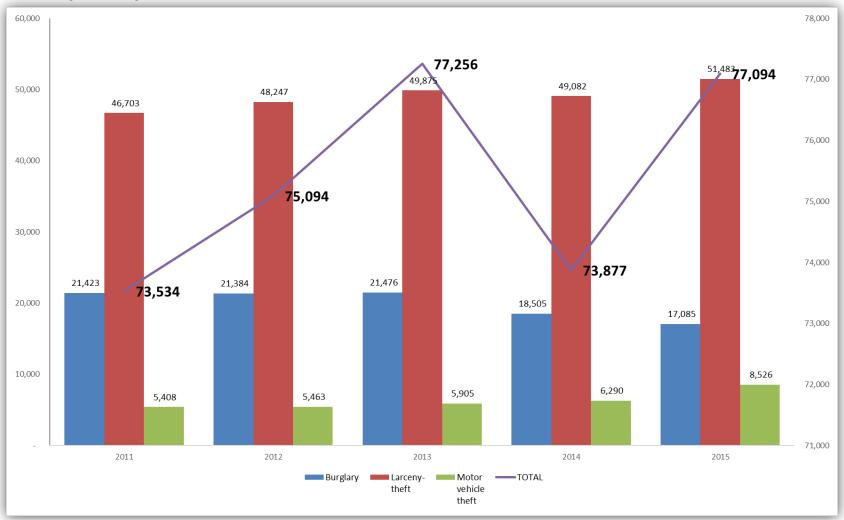
## Violent Crime 2011-2015



Source: FBI Uniform Crime Reporting (UCR) Data



## Property Crime 2011-2015



Source: FBI Uniform Crime Reporting (UCR) Data



## PRIMARY VULNERABILITIES:

- 1. New Mexico's crime rate and reputation.
- 2. Increasing reliance on NMSP by local / county law enforcement agencies.
- 3. Forensic casework demands.
- 4. Keeping DPS critical positions filled.
- 5. Manage the increasing demands on the base budget.

## **PLAN OF ATTACK:**

- 1. Continuing efforts to hire and retain more officers including changes of approach for recruiting and training.
- 2. Ensure the Investigations Bureau and specialty teams have sufficient resources directed to the demands.
- 3. Increase capacity of the State Forensic Laboratories (personnel, equipment, space).
- 4. Hire and retain key staff at a competitive salary.



#### **SERVICES & SUPPORT FOR**

## LOCAL LAW ENFORCEMENT / RURAL COMMUNITIES

NMSP Uniform Bureau provides primary support and
response to calls-for-service:

- Traffic/DWI enforcement
- Accident investigation
- Domestic violence
- Property crime
- Other criminal investigations

## **NMSP Special Operations Bureau** provides specialized unit response for local law enforcement agencies:

- ✓ Explosive detection, dismantle & disposal;
- ✓ Dive Team
- ✓ Aircraft
- ✓ Tactical Team (SWAT) response services:
  - ✓ High-risk warrant service
  - ✓ Hostage rescue
  - ✓ Fugitive apprehension
  - ✓ Active shooter response

## **NMSP Investigations Bureau** provides high level criminal investigative services:

- Violent crime
- Narcotic-related investigations
- Public corruption
- Expert crime scene processing
- Officer involved shooting investigations
- Alcohol & tobacco enforcement & investigation

## **Commercial Vehicle Enforcement Bureau** provides specialized commercial vehicle enforcement:

- Commercial vehicle crash investigations.
- Crash reconstruction services.
- Backup on calls-for-service in rural communities with limited local law enforcement resources.
- Training of law enforcement and industry on basic commercial motor vehicle safety enforcement.
- DWI enforcement, crash reduction efforts, saturation patrols, and enforcement operations targeted at aggressive driving behaviors.



## DPS SPECIALTY TEAM CALLOUTS AND ASSISTANCE TO OTHER LAW ENFORCEMENT AGENCIES – FY16

#### Officer involved shooting investigations:

- 6 for NMSP
- 29 for other agencies

#### **Crime Scene Team:**

- 83 for NMSP
- 75 for other agencies

#### **Dive Team**

- ✓ 5 missions for NMSP
- √ 10 for other agencies

#### **Crash Reconstruction Unit**

- ✓ 54 for NMSP
- √ 33 for other agencies

#### **Tactical Team**

- 36 missions for NMSP
- 53 for other agencies

#### **Bomb Team**

- 53 missions for NMSP
- 22 for other agencies

#### Aircraft Section

- 173 missions for NMSP
- 22 for other agencies

#### **Motorcycle Unit**

- ❖ 37 missions for NMSP
- ❖ 18 for other agencies



ALL NMSP SERVICES ARE PROVIDED TO OTHER AGENCIES

FREE OF CHARGE

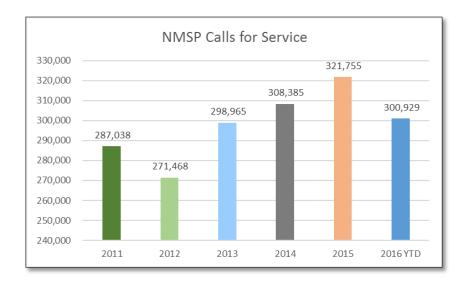


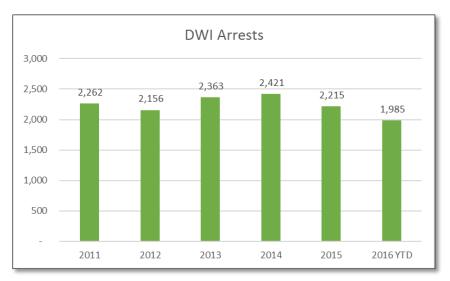
**NMSP** 

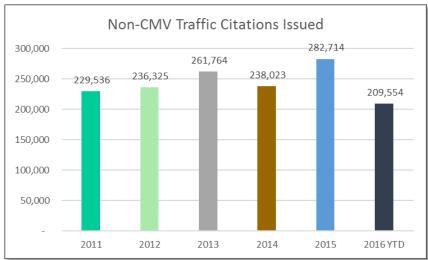
## UNIFORM AND CVE TRAFFIC ENFORCEMENT

Primary focus – address DWI and quality of life issues in New Mexico through high visibility patrols and proactive police work – NMSP is the primary law enforcement force in many areas of NM:

- Continual analysis to identify new or emerging trends in crime or crash patterns;
- Resources directed to high crash and high crime areas based on available data.



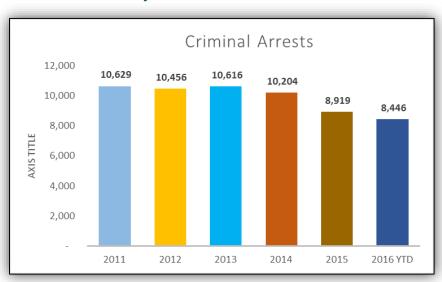




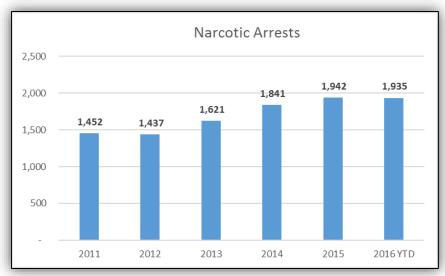


#### **NMSP**

## **UNIFORM, CRIMINAL INVESTIGATION & EMERGENCY RESPONSE**







## **Investigations Bureau:**

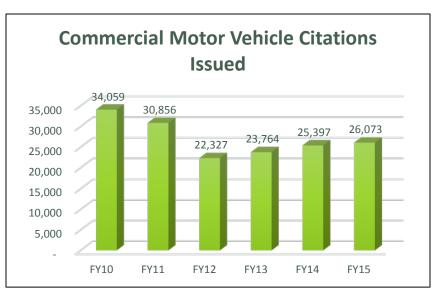
- 1,182 drug related investigations in FY16
- 181 kilograms of methamphetamine
- 20 kilograms of heroin
- 105 kilograms of cocaine
- 1,604 pounds marijuana



#### **NMSP**

## COMMERCIAL VEHICLE ENFORCEMENT

- Increased Safety Inspections During FY16, the NMSP CVE conducted 95,855 commercial vehicle safety inspections, a 32% increase over FY15.
- New Mexico Operations Permitting System NMOPS In FY16, CVE promoted
  the increased usage of the automated permitting system known as Pro-Miles,
  which was deployed in February 2015. The system allows customers to selfissue permits online which has greatly reduced the delays in permit order
  turnaround times.
- Since 2015, 51,000 carriers have enrolled in Pro-Miles;
- The system has issued 94,717 special permits;
- \$16,620,899 in permitting fees;
- \$8,223,471 in Weight Distance Tax.





LAW ENFORCEMENT PROGRAM

## **ROLE IN NEW MEXICO PUBLIC SAFETY**

Assisting other law enforcement and criminal justice agencies is a key role for NMSP. However, all services provided by NMSP are at risk as:

Recruitment of officers remains challenging.

Every time an officer leaves there is a domino effect on the State.

NMSP dispatch services, including 911 in some areas, are the last level of defense and protection of officers and the public.

These dispatch services have been at serious risk due to extremely high turnover during the past several years.



#### LAW ENFORCEMENT PROGRAM

## OFFICER TRAINING AND RETENTION

- The NMSP Law Enforcement Program is the backbone of the organization
- NMSP officers serve the State, the citizens, visitors and local communities
- RECRUITMENT AND TRAINING:
  - It costs the taxpayer \$50,000 per officer to train a new NMSP officer
  - NMSP is developing "outside the box" strategies to improve recruitment and recruit school graduation rates including:
    - Use of social media such as FaceBook and Twitter to engage the interest of younger potential applicants
    - Implementing a comprehensive new approach with the December 2016 recruit school of "building up" and supporting the growth of recruits both physically as well as mentally for the tough job of law enforcement



#### LAW ENFORCEMENT PROGRAM

## **OFFICER TRAINING AND RETENTION (cont.)**

- RECRUITMENT AND TRAINING:
  - Maximizing the retention of experienced, proven officers is critical
  - DPS is prioritizing the retention of officers using limited budgetary resources with a new retention plan focused on officers who are retirement eligible
  - The plan will be implemented in December 2016
  - NMSP held the first Lateral Hire School in Summer 2016; this pilot program will be continued in FY17 in an effort to attract experienced law enforcement officers to maintain current staffing levels



## **INVESTMENT IN NMSP OFFICER STRENGTH**

The Legislature and the Governor have supported \$7,457,000 in officer pay plan appropriations over the past three years.

DPS has prioritized further investment in the officer pay plan, carving out an additional \$950,000 in funding in the past three years from the base budget to improve our market position and competitiveness.

However, despite the investment of funding over the past three years, NMSP officer pay remains 6<sup>th</sup> in the market at the starting level and 8<sup>th</sup> based on average officer pay. The retention rate improved in FY16, positively impacted by the recent pay plans, but FY17 to date trends to a somewhat lower retention rate.

In FY16 DPS increased officer strength to 670 by 15 officers through 2 traditional recruit schools and 1 lateral officer school (46 officers separated, 61 new officers hired).

In FY17 DPS does not have the funding for 2 recruit schools – this will negatively impact officer hires and strength.

DPS is considering a Retention Incentive Plan for retirement-eligible officers to hold onto current officers longer rather than just relying on bringing in new officers. It costs \$50,000 to train each new recruit – it's cheaper to retain seasoned officers than multiple new officers to replace them.

## THE CHALLENGES OF MAINTAINING NMSP OFFICER STRENGTH

DPS is experiencing difficulty in attracting recruits – Starting pay is 6<sup>th</sup> in the market, average pay is 8<sup>th</sup>.

PATROL OFFICER	Rank on Starting Pay	Sign On Bonus/ Accelerated Pay	Number of Incumbents	Starting Salary	Highest Actual Salary	Rank on Average Pay	Average Salary Inclusive of Longevity Pay*
Carlsbad	1		31	\$25.70	\$30.86	1	\$28.77
Hobbs	2	\$5K/year for 5 years	75	\$24.78	\$30.00	5	\$26.05
Los Alamos	3		21	\$24.65	\$28.34	3	\$27.04
Farmington	4	\$15K in state lateral sign on bonus	94	\$22.27	\$32.43	4	\$26.20
San Juan	5	\$4K for up to 2 years \$5K 2-3 years	58	\$22.13	\$30.10	7	\$25.23
NMSP	6		401	\$21.62	\$27.16	8	\$24.81
Roswell	7		71	\$21.42	\$26.34	12	\$21.56
Bernalillo County**	8	\$25.03 after 1 year	248	\$20.75	\$26.96	6	\$25.53
Albuquerque*	9	\$26.44 @ 1 year, \$28.00/hr @ 1.5 years; \$5K sign on bonus,	538	\$20.44	\$29.30	2	\$28.61
Rio Rancho	10		90	\$20.30	\$23.64	11	\$22.00
Las Cruces	11		113	\$19.96	\$29.62	10	\$22.31
Santa Fe	12		92	\$19.11	\$30.59	9	\$23.57
Dona Ana	13		84	\$16.76	\$22.71	13	\$18.63

# NM DEPARTMENT OF PUBLIC SAFETY OFFICER STRENGTH UPDATE



#### Current and Projected Officer Strength Assuming a Flat Budget in FY18:

Time Period	Strength at Beginning of Period	Resigned/ Terminated	Known # Eligible for Retirement	% of Retirees Elig. Actually Retiring	# Retiring	Total Separations	Recruit/ Lateral School Graduates	Reinstate- ments	Officer Strength as of End of Time Period
DPS LEP MERGER 7/1/15	658								658
Actual July-Dec 2015	658	13	40	32%	13	26	35	1	668
Actual Jan-June 2016	668	15	29	28%	8	23	24	1	670
Projected July-Dec 2016	670	15	28	42%	12	27	0	2	645
Projected Jan-June 2017	645	15	19	42%	9	24	45	0	666
Projected July-Dec 2017	666	15	18	50%	10	25	0	0	641
Projected Jan-June 2018	641	15	15	50%	8	23	45	0	663
Projected July-Dec 2018	663	15	21	50%	11	26	0	0	637
Projected Jan-June 2019	637	15	18	50%	9	24	45	0	658

RECAP SEPARATIONS/HIRES:	Retirement Eligible	Total Separations	Total Hires	Net Increase Per Year	Vacant by Year End
Total FY16	42	49	61	12	75
Total Projected FY17	31	51	47	-4	79
Total Projected FY18	24	48	45	-3	82
Total Projected FY19	33	50	45	-5	87
			FY17 -		FY19 -
AVERAGES:	FY15	FY16	Projected	FY18 - Projected	Projected
Average # Officers	641	665	654	650	646
Average Vacancy Rate	14.0%	10.7%	11.4%	11.9%	12.4%

NMSP: Total of 745 Officer Positions



## **INVESTMENTS IN OFFICER TRAINING**

Next NMSP recruit school is scheduled for December 2016. Steps have been taken to improve the graduation rate of the 91st recruit class and still maintain the level of standards the State Police have always strived for:



- Training staff were sent to the following agencies to review the programs to ensure NMSP applies best practices: Colorado Highway Patrol, Arkansas State Police, Texas DPS, Iowa State Police, Las Vegas Metro PD.
- Staff assigned to the Training Bureau are receiving advanced training and certification in the area of physical fitness and nutrition.
- The physical fitness program has been significantly re-designed, focusing on building fitness and reducing injuries.
- Training staffing levels have been increased.
- NMSP Recruit school length reduced from 23 weeks to 20 weeks.
- A pre-entry hiring program similar to APD's Public Service AIDS is being explored.



## **Communications Bureau**

## STAFFING LEVELS ARE INADEQUATE DUE TO DISPURSED DISPATCH CENTERS AND HIGH VACANCY RATES

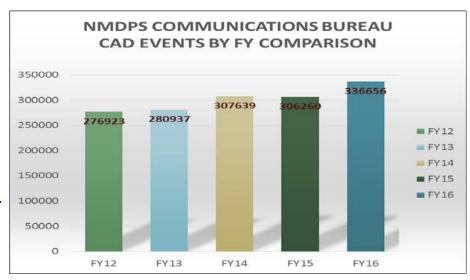


- The high vacancy rate for DPS dispatchers directly impacts performance of staff and ability to keep up with workload (19% vacancy rate FY16, 16% to date FY17).
- Even during brief periods of full staffing, abandoned call rates can be unacceptably high, creating highly stressful environment for dispatchers.
- Issues include missed radio transmissions by officers and dispatchers having difficulty navigating radio and telephone calls simultaneously.
- Also impacting performance is the distribution of dispatch personnel across eight dispatch centers across the state. This spreads resources thin, especially when providing 24/7 coverage.



#### **LAW ENFORCEMENT PROGRAM – Communications Bureau**

The workload on the communications centers has increased significantly and the resources available to meet the demands are insufficient. Calls for service have increased 22% statewide in the past five years. Calls for service are going unanswered or underserved not only due to staffing shortages but due to an inefficient communications center structure.



DPS has begun the process of centralizing the dispatch function into three central dispatch centers:

- Northcom Las Vegas
- Cencom Albuquerque
- Southcom Las Cruces

Communication Center centralization improves public safety for citizens and the officers, and is much more efficient than the current structure.

All dispatchers affected by the centralization have been offered positions at the open centers or elsewhere within the DPS.



#### **LAW ENFORCEMENT PROGRAM – Communications Bureau**

## INVESTMENTS IN DISPATCHER PERSONNEL

The impact on operations and public services made it necessary for DPS to fund a dispatcher pay plan out of the current operating budget.

DPS invested \$425,000 in a dispatcher pay plan effective May 2016 to move starting pay from the <u>bottom of the market</u> to the <u>middle</u> of the market.

Starting pay was increased 14.4%, and the average increase in pay was 12.5%. Prior initiatives to improve dispatcher pay include:

- ✓ In FY15 DPS absorbed a 5% increase in dispatcher pay out of the base operating budget;
- ✓ In FY13 implemented a \$225.0K dispatcher pay plan out of the operating budget.

To date, in FY17 the vacancy rate is down to 16%. However, turnover is expected to increase this year as DPS pursues the consolidation of the dispatch centers into three centrally located centers in Las Cruces, Albuquerque and Las Vegas.





## **IMPROVED DISPATCHER PAY**

DISPATCHERS	Pre 5/16 Rank	Post 5/16 Rank	Number of Incumbents	Lowest Actual Salary	Highest Actual Salary	Average Salary
Bernalillo County	1	1	10	\$23.00	\$23.00	\$23.00
Albuquerque	2	2	37	\$18.21	<b>\$</b> 19.98	\$18.43
Eddy County	3	3	5	\$17.68	\$29.68	\$19.48
San Juan County	4	4	17	\$16.11	\$23.60	\$18.92
Rio Rancho	5	5	26	\$15.64	\$20.29	\$16.42
Dept. of Public Safety**		6	49	\$15.53	\$19.58	\$18.52
Pecos Valley	6	7	12	\$15.47	\$19.03	\$15.92
McKinley County	7	8	15	\$14.21	\$19.33	\$14.62
Mesilla Valley	8	9	26	\$14.03	\$17.62	\$14.60
Dept. of Public Safety	9		53	\$13.58	\$19.39	\$16.88
Quay County	10	10	3	\$10.48	\$11.97	\$10.84
**As of May 2016		Weight	\$16.35			
		DPS Dif		20.4%		
		DPS Dif	Adjustment	<b>\$5.3</b> %		



## The other divisions of DPS also provide support to all law enforcement/criminal justice agencies in the state:



The Law Enforcement Academy trains officers and dispatchers for service in law enforcement agencies and dispatch centers around the State.



The Forensic
Laboratory Bureau
provides forensic
casework in four
disciplines.



The Information
Technology Division
provides data sharing /
access to multiple
systems with criminal
history, crime data, etc.



Program Support manages millions in grants provided the NM sub-recipients in support of local law enforcement, forensic casework, and other law enforcement \ correctional programs.

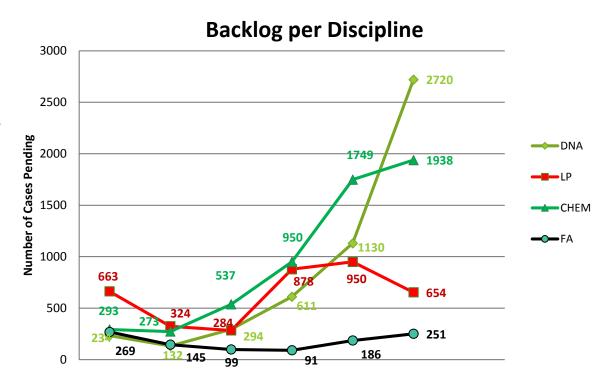
These services are provided **FREE OF CHARGE**.



## FORENSIC LABORATORY BUREAU

### **Forensic Services:**

- DNA / Serology
- Latent Prints / Footwear/ Tire Track
- Controlled Substance Analysis (Chemistry)
- Firearms / Toolmarks / Serial Number Restoration



**NOTE:** The DNA backlog does reflect the additional 1,030 untested sexual assault kits.



## INVESTMENTS IN FORENSIC SCIENTIST PERSONNEL

Forensic Scientists are extremely difficult to recruit:

- ➤ Forensic Scientists 30% vacancy rate FY15, 21% FY16
- Individual positions remain vacant as long as 1.5 years despite ongoing recruitment

State pay for forensic scientists has been well below market for years. DPS has requested pay plan funding in recent years for Forensic Scientists, but economic limitations have impeded funding.

It was imperative that DPS find a solution to the scientist pay disparity. DPS invested \$258,000 in a forensic scientist pay plan late FY16 to provide a 10% increase in pay for all scientists.

This allows DPS to offer a 10% higher starting pay than in FY16, to attract new scientists and hopefully improve retention.

However, DPS is still well below the market in forensic scientist pay – it is highly likely that additional investment in forensic scientist pay will be required to achieve a normalized vacancy rate of 5-8%.



## **INCREASING DEMANDS ON THE BASE BUDGET**

As can be seen, DPS does everything possible to pro-actively address and support improving the ability to attract and retain our critical personnel out of our base budget when other funding is not available.

This comes at a cost — the further erosion of our base budget for core operations. Such expenditures, as well as unexpected costs such as expensive helicopter repairs (FY17-18 estimated at \$500.0K), unbudgeted radio communications costs (FY17 increase of \$381.0K), ever-escalating vehicle maintenance costs etc., result in not a "flat" budget, but a budget that must be spread thinner every year just to maintain core services.

Protecting the public is not inexpensive, and DPS appreciates all of the support to maintain current operations.

DPS is doing everything it can to prioritize limited budgetary resources every year for the public and officers' benefit.



#### DPS SPECIAL PROJECTS UPDATE

## CRIMINAL HISTORY CLEARINGHOUSE

#### **Criminal History Clearinghouse**

- ❖ LIVE pilot program with first judicial district court and magistrate court.
- ❖ A key feature will be a portal through which criminal history backgrounds can be requested and current arrest data will be automatically loaded.
- ❖ DPS will analyze the backgrounds and place the information into the portal to be accessed by the court/criminal justice agency.
- Stage 1 has been completed portal functionality and design.
- The rollout will be incremental, focusing first on smaller local courts that do not have any access to criminal history data.
- Stage 2: implementation of the portal and Consolidated Offender Query (COQ).
- ❖ Stage 3: the ideal ultimate implementation with full automation of results of the history background, will need additional funding, to include a project manager.



**DPS SPECIAL PROJECTS UPDATE** 

## UNTESTED SEXUAL ASSAULT KITS

- ❖ DPS received \$1.2 million in special funding FY16/17; will need extension.
- ❖ DPS successfully applied for a \$2 million grant to the Department of Justice to fund the remaining need − 1 of only 12 nationwide awards in 2016! (only \$147K goes to testing kits.)
- The grant will also provide funding for a case tracking and reporting database, local outreach and training for law enforcement agencies, victim advocacy and community leadership.
- ❖ 1,024 kits have been received to date up to 700 more kits are expected to be submitted to DPS for testing.
- ❖ DPS has hired 3 additional term DNA Scientists who begin in December.
- ❖ In the meantime, DPS has dedicated 2 full-time staff, with additional overtime, to test these kits beginning July 2016.
- ❖ A remodel of the Santa Fe Laboratory to provide sufficient room for the additional scientists is nearing completion.
- ❖ To date, 148 kits have been completed of which 36 had DNA profiles eligible for entry into the DNA criminal database (CODIS).
- ❖ 7 tested kits have resulted in identification of suspects.



#### **DPS IT PROJECTS UPDATE**

## **COMPUTER AIDED DISPATCH (CAD)**

CAD is the system used to dispatch 911 calls out to officers, map the call location in the dispatch center, provide Automatic Vehicle Location (AVL) for officers in the field, and provide National Crime Information Center (NCIC) access to the officer and other parties. CAD is essential in providing rapid response from NMSP to crime/incident scenes. The current CAD system is ten years old and technologically obsolete.

Implementation of the new CAD system for DPS is anticipated in Summer 2017. The new CAD will provide updated map information as well as other new advantages, and can be utilized by local law enforcement agencies.

DPS can provide this essential service at a fraction of the cost that a local agency would incur to implement their own updated system, leaving local resources available for other priorities.

When combined with an updated Records Management System (RMS), agencies including the Department of Transportation, will have the ability to mine high quality data to improve law enforcement operations around the State.



# DPS CAPITAL and IT PROJECTS REQUEST

- ❖ DPS Statewide Facilities upgrades \$3,650,000 − multiple DPS facilities are in urgent need of upgrades including port of entries statewide.
- ❖ NMSP Helicopter \$7,100,000 the current helicopter has ongoing, expensive emergency and routine maintenance costs, and is not capable of fully performing safely for NMSP missions, even basic rescue missions; over the next two years \$500.0 in maintenance has already been identified.
- ❖ NMSP District 1 New Facility \$400,000 in 2018 for plan and design originally built in 1969, the current building is too small to meet current NMSP operational needs, does not support efficient operations, and is not code compliant; renovation is not an option due to asbestos and lead issues.
- ❖ Records Management System (RMS) \$3,000,000 to purchase a records management system to capture and maintain accurate, easily accessible records of law enforcement and public safety data. The RMS will improve access to information, expedite intelligence sharing and enable precision in resource deployment.