



DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES



Subject: Law Enforcement Records		Policy Number: ADM: 29
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1) PURPOSE

- a) The purpose of this policy is to establish policies, procedures and guidelines to be adhered to while preparing and disseminating specific law enforcement related records.

2) POLICY

- a) It is the policy of the Department of Public Safety that all required reports and forms documenting the activities of all employees be completed accurately and in a timely manner.

3) APPLICABILITY

- a) This policy is applicable to all employees of the Department of Public Safety (DPS).

4) REFERENCES

- a) Inspection of Public Records Act, NMSA, 1978, §14-2-1 et seq.
- b) Fingerprinting of Persons Arrested; disposition, NMSA, 1978, §29-3-8
- c) Public Records, Chapter 13 NMAC
- d) General Records Retention and Disposition Schedules, Chapter 15 NMAC
- e) CJIS Security Policy
- f) Arrest Records Information Act
- g) CALEA Chapter 82- Central Records
- h) The Compact Act-National Crime Prevention and Privacy Compact 1998

5) DEFINITIONS

- a) **Arrest Fingerprint Card** – The FBI fingerprint card is used to capture ten print impressions and arrest record information each time a person is arrested, which will serve as the source document for an individual's arrest.
- b) **Computer Aided Dispatch (CAD) Reports** – Logs of all calls coming into every telecommunications center, including, but not limited: calls for service, citizen reports of crime, and miscellaneous items. The CAD reports also



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



document actions taken by officers, including generation of reports, citations and physical arrests. These documents are available for review at District Offices.

- c) **Criminal Justice Information System (CJIS) Accident Reporting Segment** - The portion of CJIS that is used to capture limited accident report information, which will enable Law Enforcement Records Bureau (LERB) personnel to identify that an accident report has been created and has been sent to the LERB.
- d) **FBI Number** - A number which is automatically assigned by the FBI to individual arrest records.
- e) **Field Reports** – Field reports are intended to record the activities of commissioned employees within the DPS.
- f) **Final Disposition** – The final outcome after adjudication or when the report is closed if no charges were filed.
- g) **NGI ((Next Generation Identification System)** – Performs automated biometric matching of fingerprints, palm prints, facial recognition, and other modalities under NGI. Returns Criminal History rap sheets back to New Mexico.
- h) **Livescan** – Captures fingerprints and is routed to the State Identification Bureau (SIB). New Mexico gathers all fingerprints and arrests as the Criminal History Repository from every agency and forwards prints to the FBI, NGI for national searches, criminal history updates, sex offender registry, and civil background check responses depending on Type of Transaction (TOT).
- i) **Motor Vehicle Crash Reports** – The crash report is the official report of a motor vehicle crash documenting an investigation conducted by a DPS commissioned officer.
- j) **NIBRS** – National Incident Based Reporting System
- k) **Offense/Incident Report** – A record of a criminal or non-criminal event reported by a commissioned officer of the DPS.
- l) **Secured Group** - A secured group is a defined group set up in the RMS that limits access to an Offense/Incident Report to those people in that group. A secured group is typically set up for high-risk groups (i.e., Narcotics, K-9, Criminal Investigations Section) or for a report that is high profile (a public figure, possibly a case involving a child, etc.) or involves a police officer (whether ours or from another law enforcement agency). A member of the chain of command above the investigator can also request to have a secured



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



group set up and will be included in the group unless they are a suspect in the investigation.

- m) **SID Number (State Identification Number)** - A number assigned to every person custodial arrested.
- n) **State Bureaus** – . DPS uses a manual hard-copy filing system in which NMSP district offices create physical case files tied to Mark43 case numbers that are then transferred to LERB for secure long-term storage, retention, and retrieval in compliance with state law, Inspection of Public Records Act (IPRA), and CJIS requirements.
- o) **STN (State Tracking Number)** - A number automatically and manually assigned by Live Scan (Automated Fingerprint Scanner) when fingerprints are electronically scanned.
- p) **RMS** – The DPS approved Record Management System for Offense/Incident reporting and NIBRS compliance.
- q) **TraCS** – The DPS approved system for traffic crash reporting, traffic, DWI and administrative citations, arrest/booking forms, arrest warrants, criminal complaints, DPS tow forms, and other miscellaneous forms.

6) OPERATIONAL PROCEDURES

a) DPS Field Reports

- i) The DPS Criminal Report is comprised of the following forms:
 - (1) Offense/Incident Report form and all related attachments including supplemental report forms and other report types.
 - (2) Evidence Control forms from the approved evidence management system.
 - (3) Arrest/Booking form(s).
- ii) The State of New Mexico Uniform Crash Report (UCR) is comprised of the following forms:
 - (1) State of New Mexico Uniform Crash Report form with supplemental/diagram form(s).
 - (2) Commercial Motor Vehicle Supplemental Report form.
- iii) DPS citations are comprised of the following forms:
 - (1) State of New Mexico Uniform Traffic Citation.
 - (2) State of New Mexico Uniform DWI Citation.
- iv) All DPS field reports shall be completed accurately and completely using the appropriate report form. All pertinent information shall be included.



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



All mandatory fields shall be completely and accurately filled out in an Offense/Incident report or other report type.

- v) All DPS field reports shall be submitted in a timely manner through the appropriate channels for approval and filing purposes.

(1) Initial Offense/Incident Report shall be submitted within three (3) days of taking the report. Supplemental Offense/Incident reports shall be entered in the RMS within ten (10) days of a change in the status of the investigation, e.g., serving arrest warrant, evidence submitted to crime lab, etc.

(2) Initial motor vehicle crash reports shall be submitted within twenty-four (24) hours of completing the crash investigation. Supplemental crash reports shall be submitted within ten (10) days of a change in the status of the investigation.

b) Field Reporting

- i) Offense/Incident Report

(1) Offense/Incident Reports shall be completed in the RMS under the following circumstances, including, but not limited to:

- (a) A person physically arrested.
- (b) Evidence or property seized.
- (c) Use of force, pursuant to department policy *OPR: 01 Use of Force*.
- (d) Criminal and non-criminal cases initiated by department commissioned personnel.
- (e) When administrative citations are issued pursuant to the Liquor Control Act.
- (f) When there is a use of department contingency funds.
- (g) Any other type of incident in which the officer believes the incident should be documented.
- (h) Supplemental reports should be generated in those instances when there is a referral made to another division within the law enforcement program (i.e., If an SIB agent stops a vehicle and determines the driver is DWI and requests assistance from a uniform officer, the SIB agent would complete a supplemental report to the arresting officer's original Offense/Incident Report.)
- (i) Original Offense/Incident reports should be completed by the assigned primary officer or agent. Any follow-up investigation should be documented on a supplemental report, whether the



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



follow up investigation is done by additional uniform personnel, the Criminal Investigations Bureau, or Crime Suppression Bureau, or other personnel.

- (2) Submission, Processing and Review
 - (a) The reporting personnel must submit the investigative information into the RMS and complete the appropriate Offense/Incident report form or other report type.
 - (b) The reporting personnel shall review and approve the report and notify their supervisor that the report is ready for their review and final approval.
 - (c) The supervisor shall review and approve the report., If the supervisor reject the report because corrections are needed, the supervisor shall notify the reporting personnel that corrections are needed.. Once a report is approved, it cannot be returned to an editable status without approval from the Records Bureau.
- ii) Arrest/Booking Form
 - (1) The standard Arrest/Booking form shall be completed any time a physical arrest is made according to the following procedure.
 - (2) Submission and Processing
 - (a) All appropriate sections of the Arrest/Booking form shall be completed in order to identify the arrestee, all charges being filed, arresting officer, arrestee's property inventoried, etc. The form shall be validated to ensure that it is complete and correct prior to its use.
 - (b) Once completed, the arresting officer will provide a copy of the form to the detention facility.
- iii) Motor Vehicle Crash Reports
 - (1) Motor vehicle crash reports shall be completed under the following circumstances:
 - (a) Traffic crashes resulting in death or injury.
 - (b) Traffic crashes resulting in property damage to an apparent extent of \$500.00 or more.
 - (c) Traffic crashes involving department vehicles. Refer to department policy *ADM:18 Fleet Crashes*.
 - (2) The standard State of New Mexico Motor Uniform Crash Report form shall be completed according to the following procedure.
 - (3) Submission, Processing and Review



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- (a) The reporting officer will complete all appropriate sections of the State of New Mexico Uniform Crash Report form in order to identify the location, driver(s) involved, witness(es), vehicle(s), contributing factors, investigating officer, results of the investigation, etc. The diagram form will be used for documenting the diagram of the crash. The supplemental form will be used for the narrative of the crash investigation.
- (b) Once completed, the reporting officer will submit the completed report to a supervisor for processing, review and final approval.
- (c) The supervisor will process, review and approve the report if appropriate. If corrections are needed, the supervisor will notify the reporting officer that corrections are needed.
- (d) The New Mexico Commercial Motor Vehicle Supplemental Report form shall be completed by the investigating officer when the crash involves a commercial vehicle as defined in state statute.
- (e) Fatal Crash Reports
 - (i) NMDOT is federally required to report crash data to the Fatality Analysis Reporting System (FARS).
 - (ii) This reporting ensures New Mexico remains eligible for federal highway safety funding and supports statewide initiatives to reduce traffic fatalities.
 - (iii) To meet these requirements, NMSP provides fatal crash notifications directly to NMDOT.
- iv) Uniform Traffic Citations
 - (1) New Mexico Uniform Traffic citations shall be completed when taking enforcement action pursuant to state law.
 - (2) The standard uniform traffic citation shall be completed according to the following procedure. Refer to Department policies *OPR:33 Arrest* and *OPR:41 Traffic Control and Enforcement* for details on issuing citations.
 - (3) Submission, Processing and Review
 - (a) The issuing officer/agent shall complete all appropriate sections of the uniform traffic citation in order to identify the location, driver, vehicle, violation being charged, issuing officer, court appearance, etc.



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- (b) Once completed, the issuing officer/agent will provide a copy of the completed citation(s) to the driver and/or to the appropriate court in the case of a custodial arrest.
- (c) The district/bureau administrative personnel will utilize the TraCS system to process the citations to provide them to the appropriate court and/or the NM Motor Vehicle Department.
- v) Computer Aided Dispatch (CAD) Reporting
 - (1) The standard CAD call entry form will be completed by telecommunications personnel in order to document the following, including but not limited to:
 - (a) Calls for service citizen reports of crime, incidents resulting in an employee being dispatched or assigned and incidents involving arrests and citations.
 - (b) Citizen complaints not referred to the NM DPS portal, and other criminal and non-criminal cases initiated by law enforcement personnel.
 - (2) CAD reports shall contain the information required by and be completed pursuant to the procedures described in Department policy *OPR:31 Telecommunications*.
- c) **Responsibilities**
 - i) **Officers/Agents**
 - (1) Accurately complete the appropriate report forms in accordance with policy for timely submission through appropriate channels.
 - (2) Ensure the report is thorough and that all required mandatory fields are completed correctly. This includes thoroughly describing items of evidence/property seized, stolen, and/or found.
 - (3) Submit reports in a timely manner for approval. Officers/Agents will enter reports into the RMS within 72 hours of taking the initial report.
 - (4) Promptly submit a final disposition to the LERB for every physical arrest that is submitted upon conclusion of the case.
 - ii) **Supervisors**
 - (1) Receive, review, and approve reports and records completed by commissioned officers prior to submission to the Law Enforcement Records Bureau via the RMS.
 - (2) Ensure the overall quality and completeness of the report.



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- (3) Establish and maintain a records system to track and monitor the status of pending and completed reports.
 - (4) Ensure supplemental reports are prepared and submitted in a timely manner.
- iii) DPS-CJIS Systems Agency (CSA)
- (1) DPS-CSA is the entity designated by the FBI CJIS Division to represent the state in all matters relating to access, use, and management of Criminal Justice Information (CJI) and Non-Criminal Justice Information.
 - (2) In New Mexico, the New Mexico Department of Public Safety (NMDPS) serves as the CSA. The CSA is responsible for:
 - (a) Managing statewide access to FBI CJIS systems (e.g., NCIC, NICS, N-DEX, III).
 - (b) Ensuring compliance with the FBI CJIS Security Policy (CJISSECPOL).
 - (c) Overseeing the security, training, and auditing of all criminal justice and non-criminal justice agencies that access CJI.
 - (3) Participate in Compact Council
 - (a) The National Crime Prevention and Privacy Compact Council, often referred to as the Compact Council, is a federal–state body established under Public Law 92-544 and 42 U.S.C. § 14616. It governs the interstate exchange of criminal history records for non-criminal justice purposes (such as employment, licensing, and adoption background checks).
 - (b) The Compact Council Policy provides national standards for:
 - (i) Applicant fingerprint submissions and Rap Back participation.
 - (ii) Dissemination and retention of criminal history record information.
 - (iii) Compliance and audit procedures for non-criminal justice use.
 - (c) Together, the CJIS Security Policy and Compact Council Policy form the federal framework guiding how New Mexico, as the CSA, ensures secure, lawful, and consistent use of criminal justice information.
 - (d) It is the entity designated by the FBI CJIS Division to represent the state in all matters relating to access, use, and management of Criminal Justice Information (CJI) and Non-Criminal Justice Information.
- iv) Law Enforcement Records Bureau (LERB)



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- (1) The Law Enforcement Records Bureau (LERB) serves as the central hub for New Mexico's criminal justice information systems, ensuring the accuracy, integrity, and security of data that underpins public safety statewide. Through its specialized units spanning criminal history management, fingerprint identification, auditing, compliance, sex offender registration, missing persons, and records access, LERB supports every level of law enforcement and justice operations. LERB also serves as the official records division for the New Mexico State Police (NMSP), maintaining, securing, and disseminating all NMSP reports and associated documentation. By enforcing FBI CJIS Security Policy, maintaining critical databases, and advancing modern information-sharing technologies, LERB strengthens trust, transparency, and collaboration across New Mexico's criminal justice community.
 - (2) Receive and store original copies of field reports and applicable attachments. The RMS stores the original electronic version of the report.
 - (3) Disseminate records pursuant to state law and department policy.
 - (4) Collect and submit UCR crime information to state and/or national uniform crime reporting programs using the following procedure:
 - (a) Pertinent UCR information is collected by the reporting person during the investigation. This information is then entered into the appropriate field of the RMS report form by the reporting officer or transcription personnel. This information automatically populates the appropriate field in the UCR report.
 - (b) LERB personnel run the UCR report on a monthly basis out of the approved RMS and other systems and verify information contained in the report.
 - (c) LERB personnel submit the UCR report to the FBI/UCR unit by mail.
 - (5) Maintain physical security over and restrict access to agency records.
 - (6) Maintain an on-call person, to the extent possible, to respond to requests for records that occur outside of normal business hours.
 - (7) Be the central repository of all criminal history information.
 - (8) Maintain the Missing Persons Clearinghouse.
 - (9) Maintain the Sex Offender Registration and provide notifications as described in State law.
- v) Information Technology Division



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- (1) Provide data backup and storage for computerized records.
- (2) Provide access security for computerized records.

d) Records Storage and Retention

- i) The department approved RMS and TraCS system will be utilized to maintain copies of all required reports and forms for purposes of submission to LERB and retention as required by departmental policy and NMAC rules.
- ii) The TraCS system is configured to provide copies of properly approved and validated crash reports to the NM Department of Transportation and any other authorized recipient of crash report data.
- iii) All records shall be maintained pursuant to the State Records Retention Schedule.
- iv) All records must be approved for destruction by DPS Records Custodian and reported to State Records and Archives and shall be shredded or otherwise obliterated when being destroyed in order to ensure privacy.

e) Records Numbering

- (1) Offense/Incident reports are created based on a unique report number generated by the approved CAD system. Only one report number per incident should be generated, and that report number should be used for all reporting purposes. The RMS maintains an alphabetical name index for those reports within the system.
- (2) The RMS and CAD system maintains calls for service and crimes by type and location for those reports within the system.
- (3) The RMS maintains a listing of stolen, found, recovered evidence and property for those reports within the system.
- ii) A unique number is assigned to traffic crash reports by the Traffic Safety Bureau of the Department of Transportation.
- iii) In instances in which an officer responds to a call for service and no report is taken, the officer shall provide a summary of the incident and reason that no report was taken to the Telecommunicator for purposes of logging the incident into the CAD system. The CAD system will automatically assign a CAD event number to the incident.
- iv) The LERB maintains criminal history files for every person custodially arrested.



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- v) State Tracking Numbers (STN) are assigned to every person placed under custodial arrest.
 - (1) A State Tracking Number (STN) will be assigned to each person arrested at the time of booking. If person is booked using Livescan, the STN will be automatically generated.
 - (2) All officers will forward the STN to the appropriate agency (courts, district attorneys) if it is available to the booking officer at the time of the completion of the arrest/booking form via the arrest/booking form.
 - (3) The STN will be utilized by the courts, district attorneys and the DPS to link a final disposition to the actual arrest via the STN.
- vi) State Identification (SID) Numbers are assigned by the LERB to every person placed under custodial arrest.
 - (1) The LERB receives fingerprint cards and assigns an SID number.
 - (2) If the arrested person already has an SID number from a previous arrest, the LERB will then append the existing criminal history to reflect the new arrest.
- f) **Security Protocol for Criminal History Records**
 - i) Access to and Release of Criminal History Records
Criminal history records will be accessed and released pursuant to the guidelines described in the Arrest Records Information Act found at NMSA 1978, Section 29-10-1, et seq.
- g) **Juvenile Records**
 - i) Juvenile records, including fingerprints, photographs, and other forms of identification shall be collected, maintained and disseminated in a manner consistent with state law, including the following:
 - (1) Children's Code – Delinquency Act
 - (a) NMSA 1978, §32A-2-32 – Confidentiality
 - (b) NMSA 1978, §32A-2-28 – Records; maintenance and disclosure
 - (c) NMSA 1978, §32A-2-31 – Inspection of records
 - (d) NMSA 1978, §32A-2-26 – Fingerprinting & photographing of juveniles
 - (2) Children's Court Rules:
 - (a) Rule 10-262 NMRA – Confidentiality of records
 - (b) Rule 10-164 NMRA – Fingerprint records



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- (3) Arrest Record Information Act (NMSA 1978, §29-10-1, et seq.)
 - (a) Juvenile arrest information is carved out and cannot be disseminated as adult criminal history.
- ii) Guidelines for distinguishing juvenile records.
 - (1) When reports involving juveniles are entered into the CJIS report system, the database automatically populates a field indicating the person is a juvenile based on the date of birth.
 - (2) Additionally, the LERB will stamp "Juvenile" on the hard copies of juvenile reports.
- iii) Guidelines for retaining fingerprints, photographs, and other forms of identification.
 - (1) All photographs, fingerprints, or other forms of identification taken by an officer/agent will be clearly identified as belonging to a juvenile.
 - (2) Photographs, fingerprints, or other forms of identification will be retained in the file as attachments in accordance with state law.
- iv) The LERB shall maintain security over juvenile records and control access to authorized personnel only.
- v) There is a difference between expungement and sealing of records.
 - (1) Expungement is the complete removal and destruction of the criminal record.
 - (a) The record is deleted from all criminal history databases.
 - (b) Agencies are generally prohibited from retaining or disseminating the record.
 - (c) For most purposes, the event is treated as though it never occurred.
 - (d) Individuals may usually lawfully never be arrested or charged for the expunged matter (with limited statutory exceptions, such as certain law enforcement or licensing exceptions).
 - (2) Sealing means the record still exists, but access is limited.
 - (a) The record is removed from public view.
 - (b) Criminal justice agencies may retain the record.
 - (c) Access is typically limited to:
 - (i) Courts
 - (ii) Law enforcement
 - (iii) Prosecutors
 - (iv) Other entities as defined by statute



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- (v) The record may be used for future criminal purpose (i.e.: sentencing, charging, eligibility determinations)
- vi) The LERB shall expunge a juvenile record only after receiving a valid court order. The following is the procedure for expunging juvenile records:
 - (1) The LERB receives a valid court order for the expunging of a specific record.
 - (a) The LERB will pull the specific record identified in the court order. The receipt of the court order is logged in a designated spreadsheet. Orders received from the courts regarding juvenile expungements apply to specific arrests, and those arrests must be verified in our NM-CJIS database.
 - (b) The LERB will then search NM-CJIS by using the juvenile's name and date of birth to determine whether a record exists and verify the arrest listed in the court order is present.
 - (c) If the arrest exists in NM-CJIS, the arrest is deleted. If the deleted arrest is the only entry on the record, the SID will be deleted as well.
 - (d) The LERB will run a Query Reason (QR) with the purpose code of "J," which is entered when the user runs a NCIC or III query. This documents why the information is being accessed and ensures that the query is for legitimate criminal justice purposes. It also confirms a corresponding record exists at the FBI.
 - (i) To delete the arrest at the FBI, use the message key Delete Record Cancellation (DRC).
 - (ii) To delete the entire record at the FBI, use the message key Delete Record Supplement (DRS).
 - (iii) Attach the QR response to the file for auditing purposes.
 - (iv) If no record exists in NM-CJIS for the juvenile:
 - a. Run a Query History (QH)- A QH does **not** return the underlying NCIC record itself—only query activity metadata.
 - b. Attach the QH response to the file.
- vii) Specified ORI's that are authorized attached to New Mexico Department of Public Safety's Criminal History Repository can expunge criminal history records.



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



h) Records Security

- i) Physical security over records stored in the LERB shall be maintained by restricting access electronically to authorized personnel only.
- ii) Access to the LERB area, including after-hours access, must be approved by LERB or appropriate supervisors, and can only be activated by the Chief Security Officer. In the event of an emergency after-hour request, the appropriate LERB Bureau Chief or designee with security permissions will fulfill the request.
- iii) Security over computerized files is accomplished through the use of user name, password identification, and proper permissions to requested files.
- iv) Password audits are conducted pursuant to the guidelines in the CJIS Security Policy.

i) Procedures and Criteria for Release of Agency Records

Refer to Department policy *OPR:37 Release of Public Information* and the Inspection of Public Records Act, NMSA, 1978, §14-2-1 et seq. regarding release of agency records.

j) Procedure to Account for the Status of Reports

i) Field Reporting

- (1) Officers/Agents handling an incident or traffic crash shall obtain a CAD event number or report number, as appropriate, from the telecommunications center.
- (2) The report number shall be used to create the Offense/Incident report form. The report number shall be entered in the "Case Number" block on the State of New Mexico Uniform Crash Report form.
- (3) The use of the report number will ensure that the correct control number is assigned and accounted for.
- (4) Completed field reports are submitted to the reporting employee's supervisor for processing, review and approval.
- (5) When incidents/vehicle crashes require additional investigation, the reporting employee shall submit an original report according to the time requirements outlined for the specific report. Supplemental reports shall be submitted according to the guidelines outlined earlier.

k) Procedures for Storage, Issuance and Accounting of Paper Traffic Citations



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



- i) Storage
 - (1) Paper Citations are to be stored in a secure storage area until they are issued to department personnel.
 - (2) Secure storage areas shall be accessible only by supervisory personnel.
- ii) Issuance
 - (1) Paper Citations shall be issued to officers using the standard Department Citation Books Issued form.
 - (2) The issuing supervisor shall fill out the Citation Books Issued form completely listing all citation books issued by the appropriate numerical sequence.
 - (3) The receiving officer shall sign the Citation Books Issued form indicating receipt of the citation books.
 - (4) A copy of the completed Citation Books Issued form shall be maintained by the issuing supervisor for accounting purposes.
 - (5) It is the officer's responsibility to ensure that he/she has a sufficient number of blank citations.
- iii) Accounting
 - (1) Officers shall submit issued copies of citations, in numerical order, to his/her respective supervisor for review. Officers shall include photocopies of any court citations.
 - (2) Supervisors shall compare the issued citations against the Citation Books Issued form for accounting purposes.
 - (a) Citations may be voided by the officer. An officer will clearly indicate the word "VOID" across the entire citation, making sure it appears on each copy of the citation.
 - (b) Voided citations will be submitted to the employee's supervisor for review/approval and accounting.
 - (3) The supervisor shall initial the Citation Books Issued form when all the citations listed on the form have been accounted for.
 - (4) Once all the citations have been accounted for on the Citation Books Issued form, the supervisor shall sign off on the form and submit it to the district/bureau/division administrative staff for filing and audit purposes.
 - (5) The district/bureau/division commander will utilize the completed Citations Books Issued forms to conduct audits of citations pursuant to *OPR:41 Traffic Control and Enforcement*.



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



I) Traffic Records System

- i) The DPS cooperates with the Traffic Safety Bureau of the Department of Transportation for access to information relating to:
 - (1) Traffic collision data.
 - (2) Traffic enforcement data.
 - (3) Roadway hazard information.
- ii) This information can be obtained by making a written request to the Traffic Safety Bureau.
- iii) Traffic Crash-related information shall be transmitted to the Traffic Safety Bureau according to the following procedure:
 - (1) Traffic crash reports are approved at the district level.
 - (2) The district administrative personnel shall affix a crash report number for tracking purposes.
 - (3) Once Traffic Crash Reports are approved, the TraCS system will automatically transmit the Traffic Crash Reports to the Traffic Safety Bureau.
- iv) Traffic Enforcement-related information shall be transmitted to the Motor Vehicle Department according to the following procedure:
 - (1) Officers will issue a traffic citation to violators.
 - (2) For electronic citations issued using the TraCS system:
 - (a) the officer will ensure that the citation is properly completed and validated after issuance.
 - (b) The district/bureau administrative personnel will process the traffic citations using the TraCS system for transmittal to the NM Motor Vehicle Department for their district/bureau as assigned.
 - (3) For paper citations:
 - (a) Officers will separate citations into the following categories: Issuing Agency Copy, Abstract Copy, and Court Copy and submit them to their supervisor for review and approval. (The separation of citations may be performed by the reviewing supervisor).
 - (b) Once approved, the supervisor will give the copies of citations to the district administrative personnel.
 - (c) The district administrative personnel will file the Issuing Agency Copy of the citation and mail the Abstract and Court Copy to the State Motor Vehicle Division.
 - (d) Issuing Agency Copies of citations are maintained in district files for a period of one year.



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



(e) Written warning citations are also mailed to the Motor Vehicle Division.

m) Legal Process

i) Service

- (1) Any arrest warrant or other legal process may be executed by any department commissioned officer.
- (2) Civil process is generally a function of the sheriff's department or local agency as established by statute and procedure.
- (3) This policy governs service of the criminal process, and those special circumstances in which service of civil process is made by the DPS.

ii) Documentation

- (1) All attempts to serve the legal process (civil or criminal), whether successful or not, shall be documented.
- (2) This may be accomplished by submitting a supplemental offense report when the process has been successfully served or by requesting a CAD entry from telecommunications personnel when unsuccessful.
- (3) The following information, if known, shall be documented:
 - (a) Date and time received by the Department.
 - (b) Type of document.
 - (c) Nature of document.
 - (d) Source of document (Court/Judge's name).
 - (e) Names of parties to the legal action.
 - (f) Name of officer assigned for service.
 - (g) Date of assignment.
 - (h) Docket number.
 - (i) Date service due.
- (4) Upon successfully serving the criminal/civil process, the following information will be documented in an offense/incident report or supplemental report:
 - (a) Date/time service was executed/attempted.
 - (b) Name of officer(s) executing/attempting service.
 - (c) Name of individual on whom the legal process was served/executed.
 - (d) Method of service/reason for non-service.
 - (e) Address of service/attempted service.

iii) Service of Civil Process Documents



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



- (1) *Ex parte* emergency protection orders shall be handled as described in NMSA, 1978, §40-13-3.2 and DPS policy *PRS:28 Victim/Witness Assistance*.
- (2) *Ex parte* custody orders shall be handled as described in NMSA 1978, §32A-4-16.
- (3) Any civil process performed by DPS commissioned employees must be within the appropriate area in which the officer has jurisdiction.

7) ATTACHMENTS

8) APPROVAL

APPROVED BY:  DATE: 2-24-26
DPS Cabinet Secretary

