



**DEPARTMENT OF PUBLIC SAFETY  
INTRA-DEPARTMENTAL CORRESPONDENCE**



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**DATE: DECEMBER 21, 2022**

**FROM: CHIEF TIM Q. JOHNSON  
DEPUTY SECRETARY - OPERATIONS**

**TO: ALL STATE POLICE PERSONNEL**

**SUBJECT: DIRECTIVE 2022-04 - OTHER AGENCY ASSISTS**

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This directive provides direction to commissioned personnel on the required steps for receiving a request to assist another agency with any type of planned high-risk operation. This directive also applies to other agency requests for NMSP officers to conduct a traffic stop related to another agency's criminal investigation, including but not limited to traffic stops involving narcotics, human trafficking, weapons trafficking, and money laundering.

If a patrolman receives a request to conduct a traffic stop related to another agency's high-risk operation, the patrolman shall notify a supervisor. An NMSP supervisor must approve these types of requests to assist another agency; unless the officer is a task force officer (TFO) assigned to the operation. Supervisors and any officer assigned to this type of operation shall ensure that the request does not violate NMSP policy, NMSP procedures, federal law, state law, or the priorities-of-life tactical decision-making hierarchy.

High-Risk Operation: a critical incident response, special operation, planned high-risk operation, or short-term special event that requires an Operations Plan and/or coordination of multiple officers to achieve a successful resolution. Refer to OPR: 30 (Critical Incidents, Special Operations, and Homeland Security) for information regarding critical incident response and special operations. High-Risk operations include, but are not limited to impact operations, planned tactical operations, planned arrests of high-risk offenders, planned surveillance operations, compliance operations, patrol operations, DWI checkpoints, warrant round ups, planned operations involving other agencies, and all critical incident response/special operations outlined in OPR: 30.

Emergency Operation: an emergency in which someone's life is in immediate danger of death or great bodily harm, including but not limited to a hostage situation, armed barricaded situation, improvised explosive device (IED) recovery, or any active threat that requires immediate action. An Operations Plan is not required for emergency operations. Officers responding to these emergencies shall be briefed as they arrive at the scene.

Multi-agency operations shall utilize the Unified Command Structure. Large operations that cover multiple target locations, multiple jurisdictions, significant distances, and/or multiple agencies, shall have a command post. Operations like these shall also have a communications plan to establish a method for routing situational updates or operational

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changes to all involved personnel who are affected by those updates or changes. An NMSP supervisor shall be assigned to the command post during the operation.

NMSP will not participate in any operation run by another agency that lacks a Unified Command Structure.

NMSP will only participate in another agency's operation if NMSP has veto authority on any aspect of an operation that would require an NMSP officer to violate NMSP policy, NMSP procedures, federal law, state law, or the priorities of life tactical decision-making hierarchy.

**Priorities of Life:** The priorities of life tactical decision-making hierarchy can be used by any officer when deciding on a course of action in a dangerous situation. This decision-making structure can be used particularly when the officer is about to interact with a person whom the officer may know is armed and involved with drug-related or violent crime. Officers should look at the dangers and threats based on these priorities. The officer can then make tactical decisions according to the officer's assessment of those priorities.

When an officer has a choice of what to do in a dangerous situation, prioritization progresses from:

- 1. Hostages/victims*
- 2. Innocent bystanders*
- 3. Public safety personnel (Police, EMS, Fire)*
- 4. Suspect(s)*
- 5. Drugs/evidence (Controlling objective)*

The priorities of life are then followed by specific tactics to mitigate the threat that the officer faces.

An officer should never put the value of recovering evidence, including drugs, over the value of anyone's life, including that of the officer. An officer must look at danger cues and the priorities of life to determine if the tactics need to shift toward greater officer safety.

**Decision-Making Questions:** This directive establishes a list of questions to guide the supervisor in determining how NMSP should be involved in these types of requests. These questions may also help to determine the correct tactics to be used in the operation, investigation, or traffic stop. Refer to pages 3-5 of this directive for the list of questions.

Decision-making questions:

Officers do not have to get involved in high-risk operations just because another agency asks for help. If there are safety or legal concerns based on the following questions, then officers can decline the request until these issues are resolved.

General Supervisor Questions

1. Is this related to an operation of any kind?
2. What is the focus of the operation, investigation, or traffic stop? Is it for dangerous suspects, narcotics, weapons, human trafficking, money laundering, etc.?
  - a. Use caution if the case is related to human trafficking. Ensure that the case is human trafficking and not just undocumented persons being transported.
3. Is there a briefing (location and time)?
  - a. All NMSP personnel must attend this briefing to be involved.
4. Has deconfliction been done with other agencies?
5. Are any other NMSP Districts or Bureaus involved? Have you deconflicted internally?
6. Is there an Operations Plan?
  - a. The supervisor shall obtain a copy of the operations plan.
  - b. Ensure all involved personnel receive a copy of the Operations Plan.
  - c. When necessary, the supervisor shall make an NMSP Operations Plan, in accordance with OPR: 35 A (Impact Operation Plan).
7. How many people will be in the vehicle / at the location?
  - a. How many suspects?
  - b. How many others are in the vehicle / at the location?
  - c. What is their connection to the suspect?
  - d. Any mental health concerns with people connected to the suspect?
  - e. What are the approximate ages?
  - f. Did you run a criminal history on the suspect(s)?
  - g. Do you have criminal histories of anyone else in the car / at the location?
  - h. Does anyone in the car / at the location have military or law enforcement training?
  - i. Is anyone in the car / at the location associated with gang, criminal, or anti-government organizations?
  - j. Any known weapons in the car / at the location?
8. Suspect(s)
  - a. What charges are currently on the suspect?
  - b. Are the charges for a violent felony?
  - c. Is there an arrest warrant for the suspect?
  - d. What is the agency's history with the suspect?
  - e. Any known drug use or mental health concerns with the suspect?
  - f. Any threats to law enforcement?
  - g. Any known weapons on the suspect specifically?
  - h. Does this meet threshold for Tact Team assistance?
    - i. See page 6 of this directive for the Tact Team matrix.
9. Is there surveillance on the vehicle / location?
  - a. Does anyone have eyes on the vehicle / location right now?

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- i. Is it vehicle surveillance?
    - ii. Aerial surveillance?
    - iii. UC surveillance?
    - iv. Do you have a tracker?
    - v. Pinging the phone?
    - vi. Is there a CI involved?
  - b. Are you willing to burn the surveillance if the officer(s) need backup?
10. Do you have the right people on duty to handle this request – both primary and back up officers?
  - a. Training and experience with this type of operation, investigation, or traffic stop.
  - b. Training and experience working together.
  - c. Tactical training and experience.
  - d. Should this be handled by a specialized team, like Tactical Team, Fugitive Apprehension Unit (FAU), Impact, Auto Theft, or K9?
  - e. Is Tact Medic and/or Aircraft available?
    - i. Can either arrive in time to participate in the operation?
11. Has the NMSP chain of command been notified and briefed?

### For Traffic Stops

1. Is K9 available?
  - a. Certain types of stops are their specialty, and they have federal commissions.
2. What is the approximate location of the traffic stop?
  - a. Does it put the officer in the best tactical advantage and minimize the impact on other traffic?
3. How does the agency intend for this stop to further the investigation?
4. Has the driver been identified?
5. Does the agency have enough probable cause for a search warrant or arrest warrant without the traffic stop?
6. Does the agency intend to do a controlled delivery?
7. Does the agency want NMSP to just identify and let the vehicle go?
8. Does the agency want NMSP to develop our own reasonable suspicion/probable cause?
9. Is there a plan for pursuits?
  - a. Discuss a pursuit plan prior to the traffic stop, so officers know if we will pursue or not, based on charges, suspect, time of day, roadway, traffic conditions, etc.
  - b. Refer to OPR: 08 (Pursuits).
10. Will the agency that is being assisted take possession of all evidence and suspects?
  - a. NMSP will not take another agency's evidence, and we will only transport the other agency's suspect(s) for that agency.
11. What are the other options if NMSP cannot find the vehicle, develop probable cause to stop the vehicle, or find any further criminal activity associated with the vehicle?

Federal Task Force Officer (TFO) Questions

These questions are for those who have the legal authority to make this kind of stop:

1. If the vehicle is loaded, how reliable is the source, and how valid is this information?
2. For traffic stops, do they want a stop and detain?
3. Are they requesting a whisper/wall off stop where we develop our own probable cause for the traffic stop?
  - a. If using our own probable cause, do they want us to try and search the vehicle; if we believe the suspect or vehicle is currently involved in illegal activity?
  - b. For whisper/wall off stops, we require two officers to be present. Be cautious when using more than two officers, if requesting consent from the suspect. It can be construed as intimidation if multiple officers are present when asking for consent.
4. For traffic stops, what is the overall game plan?
  - a. Every request is completely different, i.e., guns, drugs, etc.
  - b. What is the level of risk for the stop?
    - i. If they request a whisper/wall off stop, and a felony stop is authorized due to risk, we will not establish our own probable cause for the stop.
    - ii. We will be using their probable cause for the felony stop. We do not do felony stops for minor traffic violations to wall off a risky dope or gun case.
    - iii. More officers may be needed if a felony stop is being conducted.
5. For traffic stops, if we ask for consent to search, and consent to search is denied, what do they want us to do?
  - a. We will not search based on the requesting agency's probable cause unless they have a warrant in hand.
  - b. We can have a K-9 deployed on the vehicle; and if the K-9 alerts, then we can search the vehicle based on K-9 alert under federal authority.
  - c. K9 will not conduct a sniff if the vehicle/package is not going to be searched or opened. We cannot request a state warrant for a whisper/wall off stop.
6. Will the agency we assist take possession of all evidence and suspects?
  - a. This is their case, and we are only assisting them. We cannot adopt a case for state prosecution from a whisper/wall off stop.

DETERMINE IF TACTICAL ELEMENTS HANDLE OPERATION / TRAFFIC STOP  
INSTEAD OF OTHER OFFICERS



## New Mexico State Police Threat Assessment Matrix



Case#: \_\_\_\_\_ Suspect(s): \_\_\_\_\_ Tact Team Case #: \_\_\_\_\_  
 Date: \_\_\_\_\_ Address: \_\_\_\_\_  
 Time: \_\_\_\_\_

Check if Mandatory

If Mandatory, Matrix is not required

**The following situations require a Mandatory Tactical Team Activation**

- Armed Barricaded Subject
- "Booby Trap" Situations
- Hostage Situation
- Penitentiary Disturbance
- Active Manhunt for Violent Suspect or Escapee
- Open Field Marijuana Eradications
- Armed Suicidal Subject that poses eminent threat to public or another person
- Warrant for suspect has been served by tactical team before

1-9 points= Consultation with Tact Team is Optional

10+ points= Consultation with Team is Required

Arrest Warrant	Points	Score
Arrest warrant for suspect is for committing a violent felony (Homicide, Aggravated Battery, Robbery, Kidnapping)	5 <input type="checkbox"/>	
Search Warrant		
Search Warrant is for arrest/seizure of person	5 <input type="checkbox"/>	
Target Location		
Firearms are present or available at location	2 <input type="checkbox"/>	
Target Location is Fortified (Use of Specialized Entry Tools)	5 <input type="checkbox"/>	
Target location has Geographical Barriers	2 <input type="checkbox"/>	
Suspect History		
Suspect has history of Mental Illness	3 <input type="checkbox"/>	
Suspect has Military or LE Training, other specialized tactical training	5 <input type="checkbox"/>	
Suspect is involved in Gang, Criminal, or Anti-Government Org	3 <input type="checkbox"/>	
Suspect is known to have made statements of violence against LE	5 <input type="checkbox"/>	
Suspect Criminal History		
History of Armed Violent Crime	5 <input type="checkbox"/>	
History of Unarmed Violent Crime	3 <input type="checkbox"/>	
History of weapons violations	3 <input type="checkbox"/>	
History of Aggravated Resisting/Evading/Fleeing	2 <input type="checkbox"/>	
History of other crimes against police	5 <input type="checkbox"/>	
Other		
Suspect of Homicide but no evidence to arrest or obtain arrest warrant	5 <input type="checkbox"/>	
<b>Tactical Team Activated?</b> Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>Total</b>	
<b>Name of Tactical Team Commander consulted:</b>		

**ALL** preplanned, high risk warrant service **MUST** have a Threat Assessment Matrix completed prior to the service of the warrant unless exigent circumstances exist for immediate service. A copy of all completed Threat Assessment Matrices will be kept in the case file. If the Tactical Team is involved in any capacity, a copy will also be forwarded to the Tactical Team Commander.

\_\_\_\_\_  
 Officer Signature  
 Date: \_\_\_\_\_

\_\_\_\_\_  
 Supervisor Signature  
 Date: \_\_\_\_\_

\_\_\_\_\_  
 Tactical Team Commander Signature  
 Date: \_\_\_\_\_