



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



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| POLICY NUMBER | |
| ADM: 01 | |
| EFFECTIVE DATE: 11/06/2012 | ORIGINAL ISSUED ON: 08/01/1989 |
| REVISION NO: 9 | |

SUBJECT: POLICY & PROCEDURE DEVELOPMENT

1.0 PURPOSE

The purpose of this policy is to establish guidelines by which policies are developed for the Department of Public Safety. The policies are intended to serve as a guide and framework by which employees can make decisions. They are not intended to cover every situation that may arise in the discharge of an employee’s duties.

2.0 POLICY

It is the policy of the Department of Public Safety to establish fair and consistent policies and procedures designed to ensure efficient and effective operations of the Department. All DPS employees are required to comply with applicable policies and procedures. The development, format, design, numbering and related forms relevant to a policy shall follow the standards outlined in the procedure section below.

Non-commissioned DPS employees and Commissioned employees of the Special Investigations Division and the Motor Transportation Division are also required to comply with applicable State Personnel Rules and Regulations.

The New Mexico Administrative Code shall be applicable to those employees of the DPS, as appropriate.

3.0 APPLICABILITY

This policy applies to all employees of the Department of Public Safety. This policy supersedes all prior policy versions.

4.0 REFERENCES

- A. CALEA Chapter 12 - Direction**

5.0 DEFINITIONS

- A. DPS Policy Manual** – A compilation of all DPS Policies and Procedures. The DPS Policy manual will be available on the Insider.
- B. DPS** – Department of Public Safety.
- C. Insider** – Intranet site that contains departmental information.

- D. **OOC** – Office of the New Mexico State Police Chief / Deputy Secretary of Operations or his designees.
- E. **OLA** – The DPS Office of Legal Affairs.
- F. **R&D** – Research and Development is a section of the Standards Bureau that manages departmental Policies and Procedures.
- G. **Reviewers** – Persons assigned to review draft policies or revisions for the Department.
- H. **Secretary** – The Cabinet Secretary of the Department of Public Safety.

6.0 PROCEDURE

A. General Guidelines

1. The OOC, or R&D, shall be responsible for finalizing, implementing, distributing, and storing all policies and procedures.
2. All policies and procedures shall follow the format as illustrated in Attachment A.
3. Policies and procedures shall be effective indefinitely, unless otherwise specified.
4. Policies and procedures will be provided by R&D to the Insider for posting. The compilation of policies and procedures will be known as the DPS Policy Manual. This manual will be up to date and available to all DPS employees at all times on *The Insider*.
5. The sole authority to issue, modify, and approve department policies rests with the Secretary. The Secretary may authorize the immediate or temporary implementation of a policy or procedure without following this policy, should the need arise. Existing policies approved by former Cabinet Secretaries remain in effect unless specifically rescinded in writing by the current Secretary.
6. The Chief of the New Mexico State Police may also issue written directives related to department operations.

B. Initiation / Revision of Policies and Procedures

1. Any employee who perceives the need for development of a particular policy, or revision of an existing policy may submit a written proposal outlining the need to the OOC, or designee, through his/her chain of command.
2. R&D will ensure that all steps in this procedure are followed in the drafting of new policies or the revision of existing policies.

C. Procedures for Review of Proposed Policies

1. After reviewing and researching the subject, R&D, shall develop an initial draft or assign an author to prepare the initial draft. The draft policy will follow the format established in this policy and label it “DRAFT.” The OOC, or R&D, will ensure that

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the proposed or revised policy/procedure does not contradict other existing agency directives or applicable law(s).

2. R&D will prepare a Transmittal for Review of Draft Form (Attachment B), attach the draft policy, and forward the package to the OOC for review and assessment.
3. The OOC assessment will determine what course the particular policy will take for further review. Assignments to review a draft or revised policy shall be assigned to groups of reviewers, or subject matter experts, as determined by the OOC.
 - a. Division Directors and Bureau/District/Section Commanders;
 - b. Office of Legal Affairs;
 - c. Human Resource Bureau;
4. Each reviewer shall provide a written response to the OOC, or R&D within five (5) working days. If there are no comments, the response shall indicate that there are no comments.
5. The OOC, or R&D, shall analyze comments from assigned reviewers and adopt them if necessary.
6. If, during the course of its review, the OLA identifies a policy as qualifying as a rule under the New Mexico Administrative Code, the OLA will take all necessary steps to prepare and submit the rule according to New Mexico Administrative Code requirements. The OLA may seek a written extension from the OOC if more time is needed for review. The OOC may grant a maximum thirty (30) day extension based on extenuating circumstances.
7. If substantial changes are made after the OLA's initial review, those changes will be re-submitted to the OLA for review. The OLA will have (5) days to respond to the proposed changes.
8. R&D shall make final revisions and submit the policy for final approval. A packet to include a copy of the specific revisions made to the policy, the final version of the policy and an Approved Policy Transmittal Form (Attachment C) will be presented to the Chief/ Deputy Secretary of Operations for final review and approval. The approved packet will then be submitted to the Secretary.
9. If the proposed/revised policy is approved, the Secretary will sign the policy and return it to the OOC, or designee, for dissemination.

D. Dissemination of Approved Policies

1. When approval is obtained R&D, shall prepare the policy or procedure for distribution to all divisions and district offices within the Department. The approved policy and procedure will be sent to the Information Technology Program by R&D to have the policy and or procedure posted on the Department intranet site; the Insider.

2. The OOC or R&D will notify all applicable DPS employees via electronic notification of the approved new or revised policy and of its posting to the Insider. The notification will be considered a statement of understanding that the receipt of the email acknowledges full compliance with the aforementioned policy and/or procedure. The email will also state that the recipient can view the policy and/or procedure on the Insider and that the recipient can forward any questions and/or concerns regarding the new or revised policy and or procedure to the Research and Development Section.
3. Division Directors and Bureau/District/Section Commanders shall advise first line supervisors to ensure that their subordinates are aware of the new policy and/or procedure.

E. Procedures for Formatting and Indexing of Policies

1. All policies and procedures shall be written in simple declarative sentences. Acronyms should not be used unless definitions are provided in the Definitions Section. Refer to Attachment A as a visual guide for formatting and indexing purposes.
2. All policies/procedures will be formatted using:
 - a. Arial 12 pt. Font,
 - b. The main categories (i.e. **1.0**, **2.0**, **A**, **B**) will be in bold type.
3. Policy Categories and Policy Numbers
 - a. A policy shall be identified and indexed by an alpha category designation and a numeric two digit policy number. The OOC, or designee, shall assign the appropriate identifier.
 - b. The Department shall use the following policy categories, and may adopt additional categories as necessary:

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| i. ADM: Administrative | v. FIN: Finance |
| ii. OPR: Operations | vi. TRG: Training |
| iii. PRS: Personnel | vii. COM: Communications |
| iv. BGT: Budget | |
 - c. The second part of the alphanumeric identifier will consist of a number starting with 01 and progress as policies are added in each category. For example; ADM:01, ADM:02, PRS:01, PRS:02.
4. Policy Section and Order

Unless otherwise specified, each policy shall have, at a minimum, the following sections. If a section does not apply to a policy, the section will be identified and followed by "NONE."

 - a. PURPOSE – A statement that explains why the policy exists.

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- b. POLICY – A concise definitive statement stating the Department’s position on an issue or concern related to the administration or operation of the Department.
 - c. APPLICABILITY – Identifies the DPS employees that are covered by the policy.
 - d. REFERENCES – Identifies laws or requirements which may provide additional information related to the policy such as, State Personnel Board Rules or the Fair Labor Standards Act.
 - e. DEFINITIONS – Provides a brief explanation of the major terms used and identifies all acronyms used.
 - f. PROCEDURE – Sequence of activities and responsibilities necessary for the achievement of the policy it implements.
 - g. ATTACHMENTS – Any forms or related documents identified within the policy.
 - h. APPROVAL – The approval signature of the Cabinet Secretary.
5. Classification system indicating the critical significance of each policy.

A three level classification system will be used to indicate the critical importance of each policy. The situations and circumstances that a commissioned DPS employee in the field faces on a day to day basis is dynamic in nature and unpredictable. This leveling system is intended to assist commissioned DPS employees better understand which policies are of utmost importance and critical to know, understand and practice while carrying out their duties. It is important to understand that all DPS policies are critical; some more crucial than others. Each policy will be highlighted in the following color to illustrate the critical importance of each policy.

- a. Policies in red are the most critical for commissioned DPS employees in the field to know and understand. These policies outline procedures that need to be followed in situations that allow little or no time to research or clarify when action needs to be taken. An example of a policy in this category is OPR: 01 Use of Force.
- b. Policies in orange are critical for commissioned DPS employees in the field to know and understand as they execute their duties. These policies outline procedures that need to be followed in situations that allow employees to review and/or ask questions related to certain situations. An example of a policy in this category is OPR: 45 Traffic Crash Investigation.
- c. Policies in blue are less critical for commissioned DPS employees in the field to know but are still important to be familiar with. These policies outline procedures covering issues that do not routinely impact commissioned DPS employees while in the execution of their day to day duties. An example of a policy in this category is OPR: 16 Vehicle Stickers/Decals.
- d. Policies in black refer to policies that are unassigned.

Refer to the Policy Index for a list of policies with a color legend indicating the critical significance of each policy.

F. Purging of Policies and/or Directives

1. When a policy is revised, the OOC, or designee, will prepare the policy/procedure for dissemination and forward it to *The Insider* for posting where it will be available to all DPS employees for review.
2. When a policy is rescinded, the OOC, or designee, will issue a written notification rescinding the policy/procedure and distribute to all Division Directors and Bureau/District/Section offices of the Department. This will be accomplished through electronic distribution.

7.0 ATTACHMENTS

- A. Policy Template; Format, Categories and Numbers
- B. Transmittal for Review of Draft.
- C. Approved Policy Transmittal Form

8.0 APPROVAL

APPROVED BY: s/ Gorden E. Eden Jr.
DPS Cabinet Secretary

DATE: November 6, 2012