



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



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| POLICY NUMBER | |
| PRS: 07 | |
| EFFECTIVE DATE: 10/17/2016 | ORIGINAL ISSUED ON: 10/17/2016 |
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| SUBJECT: SPECIAL APPOINTED COMMISSIONED OFFICER OF THE NEW MEXICO STATE POLICE |
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1.0 PURPOSE

The purpose of this policy is to provide guidelines for the special appointed commission of a New Mexico certified law enforcement officer by the Chief and DPS Secretary. The commissioning of any certified officers through the New Mexico State Police are at the discretion of the Chief of the New Mexico State Police.

2.0 POLICY

It is the policy of the Department of Public Safety to allow the special commissions of New Mexico certified law enforcement officers by the Chief.

3.0 APPLICABILITY

This policy applies to all New Mexico certified law enforcement officers seeking a special appointed commission by the New Mexico State Police.

4.0 REFERENCES

- A. 29-2-4 NMSA 1978, Appointments
- B. 29-2-24 NMSA 1978, Waiver
- C. 9-19-6 NMSA 1978, Secretary; duties and general powers

5.0 DEFINITIONS

- A. **Chief** – Chief of the State Police and DPS Deputy Secretary of the Law Enforcement Program.
- B. **Deputy Secretary** – DPS Deputy Secretary of Statewide Law Enforcement Support Services.
- C. **DPS** – Department of Public Safety.
- D. **Secretary** – Department of Public Safety Cabinet Secretary
- E. **Special Appointed Commissioned**– A certificate or commission card granting authority to act as a peace officer for the Department of Public Safety, New Mexico Law Enforcement Academy.

6.0 PROCEDURE

- A. When in receipt of a Special Appointed Commissioned Officer of the New Mexico State Police, the recipients of the commission are vested with full power and authority of a Conservator of the Peace, with commission to apprehend arrest and bring before the court all violators within the State of New Mexico and to perform other duties imposed by law.
- B. The commission is afforded to the recipient under New Mexico State Statute, 9-19-6 and 29-2-24 NMSA 1978 by the Chief of the New Mexico State Police and affirmed by

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the Secretary of the Department of Public Safety to those persons employed with the New Mexico Law Enforcement Academy.

- C. All employees who possess or are applying for a Special Law Enforcement Commission (SLEC) must meet the specified criteria. The Director of the Law Enforcement Academy must provide a letter to the Chief of the State Police, which will accompany the application for an SLEC, affirming the applicant has met the following criteria:
1. The applicant must be a United States citizen;
 2. The applicant must have a high school diploma or equivalent;
 3. The applicant must be at least 21 years of age;
 4. The applicant must possess a valid driver's license;
 5. The applicant must be employed full-time at the New Mexico Law Enforcement Academy and currently certified
 6. The applicant must pass the current New Mexico Law Enforcement Academy and New Mexico State Police firearms qualification courses. All employees holding a SLEC must continue to qualify on both qualifications courses. All employees holding an SLEC must abide by the requirements set forth in ADM: 13:00 Carrying of Firearms.
 7. The applicant must never have been convicted of a felony offense.
 8. The applicant must not have been convicted of a misdemeanor offense within the one-year period preceding the issuance of the SLEC, with the exception of minor traffic offenses, excluding misdemeanor DWI convictions.
 9. The applicant must never have been convicted of a misdemeanor crime involving moral turpitude (including any convictions expunged from the applicant's record).
 10. The applicant must never have been convicted of a misdemeanor crime of domestic abuse that prevents the applicant from possessing a firearm or ammunition.
 11. The applicant must not have been removed from office or terminated by the DPS or any of its Divisions.
 12. Each recipient of a special appointed commission shall be a certified police officer in accordance to 29-7-7(G), (H) and will be required to follow the In-service (biennium) training requirements set forth in 29-7-7.1 NMSA 1978.
 13. Each recipient of a special appointed commission will be knowledgeable of and held to the standards of all DPS policy and procedures.
- D. Special Appointed Commission Restrictions – All special appointed commissions are subject to limitations and or restrictions as set forth by the Chief. The following, but not limited to, are restrictions for certified law enforcement officers holding a special appointed commission:

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1. Employees possessing a SLEC will not act as representative of the New Mexico State police unless called upon by the Chief.
2. Employees possessing a SLEC will not wear any clothing or other types of apparel indicating they are New Mexico State Police personnel.
3. Employees possessing a SLEC will still be held to State Personnel Office rules for employment, hiring and promotion.
4. Employees possessing a SLEC will only act under the Special Appointed Commission in emergency situations.
5. Employees possessing a SLEC will maintain operational readiness in the event the Chief requires the activation of service due to unforeseen circumstances.
6. Employees possessing a SLEC will not be allowed/eligible to be a member of any New Mexico State Police Specialty Team.
7. Employees possessing a SLEC will not receive New Mexico State Police educational incentive pay.
8. Employees possessing a SLEC, when working special projects, will report to the district project supervisor.
9. Employees possessing a SLEC will wear the issued NMDPS LEA badge.

E. Suspension

1. All special appointed commissions will expire yearly from the date of issue or immediately upon separation from NMDPS.
2. The Chief or Secretary may suspend any special appointed commission at his/her sole discretion.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APPROVED BY: S/ Scott Weaver DATE: October 17, 2016
DPS Cabinet Secretary