

TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT
CHAPTER 29 LAW ENFORCEMENT ACADEMY
PART 4 INSTRUCTOR CERTIFICATION AND ADVANCED CERTIFICATIONS

10.29.4.1 ISSUING AGENCY: New Mexico Law Enforcement Academy - Department of Public Safety, 4491 Cerrillos Road, Santa Fe, New Mexico 87507
[10.29.4.1 NMAC - Rp, 10.29.4.1 NMAC, 06/27/17]

10.29.4.2 SCOPE: All law enforcement agencies in the state of New Mexico, any law enforcement instructor, professional lecturer, or specialized law enforcement or telecommunicator instructor conducting training programs in New Mexico.
[10.29.4.2 NMAC - Rp, 10.29.4.2 NMAC, 06/27/17]

10.29.4.3 STATUTORY AUTHORITY: NMSA 1978, Section 29-7-4 (Repl. Pamp. 1994), NMSA 1978, Section 29-7-5 (Repl. Pamp. 1994), NMSA 1978, Section 29-7-7.1 (Repl. Pamp. 1994), NMSA 1978, Section 29-7-10 (Repl. Pamp. 1994)
[10.29.4.3 NMAC - Rp, 10.29.4.3 NMAC, 06/27/17]

10.29.4.4 DURATION: Permanent
[10.29.4.4 NMAC - Rp, 10.29.4.4 NMAC, 06/27/17]

10.29.4.5 EFFECTIVE DATE: June 27, 2017, unless a later date is cited at the end of a section.
[10.29.4.5 NMAC - Rp, 10.29.4.5 NMAC, 06/27/17]

10.29.4.6 OBJECTIVE: The purpose of Part 4 is to encourage and regulate the certification of law enforcement and telecommunicator instructors and upgrade and improve in-service law enforcement and telecommunicator training programs.
[10.29.4.6 NMAC - Rp, 10.29.4.6 NMAC, 06/27/17]

10.29.4.7 DEFINITIONS:

- A.** “Advanced police training” is approved police officer training beyond the basic level and does not include mandated in-service training courses.
 - B.** “Advanced telecommunicator training” is approved telecommunicator training beyond the basic level and does not include mandated in-service training courses.
 - C.** “Agency” means a law enforcement or public safety agency recognized by the New Mexico law enforcement academy.
 - D.** “Director” means the director of the New Mexico law enforcement academy.
 - E.** “General instructor” means a New Mexico law enforcement academy certified general instructor who is authorized to teach those generalized, lecture-based topics of instruction which would not otherwise require a specialized, technical, high-risk or master instructor certification.
 - F.** “Instructor course” is any approved advanced police or telecommunicator training intended to further the individual’s knowledge, skills, and abilities, beyond a basic level, for instructor certification in the respective field.
 - G.** “Master course” is any approved advanced police or telecommunicator training intended to further the individual’s knowledge, skills, and abilities set, beyond an instructor course, for master certification to deliver train-the-trainer level instruction.
 - H.** “Master instructor” is the only designation which authorizes the New Mexico law enforcement academy certified master instructor to train instructor level or train-the-trainer courses.
- [10.29.4.7 NMAC - Rp, 10.29.4.7 NMAC, 06/27/17]

10.29.4.8 GENERAL INSTRUCTOR:

- A.** To qualify for general instructor certification, an applicant shall complete the instructor certification application, and satisfactorily demonstrate to the director a combination of education and experience in criminal justice, as well as proficiency in the instructional process, and meet the following requirements:
 - (1)** certified police officer or public safety telecommunicator, or a duly elected sheriff;

(2) has acquired three years of practical experience as a certified police officer, certified telecommunicator, or police administrator, or specialist in a field relevant to or related to the criminal justice system; this requirement may be waived by the director only upon written request from the agency head with supporting documentation;

(3) completion of a 40 hour instructor training or development course, or equivalent training approved in writing by the director;

B. Qualified applicants for a general instructor designation will be issued a certification for a period of two or more years.

C. An evaluation will be completed by the students subsequent to the completion of each class taught by the instructor; the agency administrator responsible for conducting the class shall review the evaluations and maintain the course rosters to ensure the quality of the instruction; and

D. Instructors attending and completing a national highway traffic safety administration (NHTSA) driving while intoxicated and standardized field sobriety testing (DWI/SFST), or drug recognition expert (DRE) instructor course with the approval of the contract oversight committee of the department of transportation will not be required to attend and complete a 40 hour instructor training/development course, but may receive a limited instructor certification to teach only national highway traffic safety administration (NHTSA) approved courses in driving while intoxicated (DWI), standardized field sobriety testing (SFST) or drug recognition expert (DRE) courses and shall not permit the instructor to teach any other topics of instruction without completing a 40 hour general instructor training/development course.

E. A general instructor certification will require successful completion of an approved eight hour general instructor update training program prior to the instructor applying to renew their general instructor certification.

[10.29.4.8 NMAC - Rp, 10.29.4.8 NMAC, 06/27/17]

10.29.4.9 PROFESSIONAL LECTURER:

A. The director may certify as a professional lecturer a person in their formally recognized profession, e.g., medicine, law, psychology, who by virtue of formal academic graduate degrees or professional experience has developed special expertise in a subject area material to the presentation of criminal justice training or educational programs. To be eligible for certification, an applicant shall:

(1) be properly licensed or certified by a legally recognized state or national licensing body for the designated profession to actively engage in the designated profession, or have retired in good standing. This requirement may be waived by the director upon written request should a professional or specialist not have an available or required licensing agency;

(2) have acquired a minimum of one year of practical experience in the designated profession and area of expertise; and

(3) obtain an endorsement from the chief or administrator of the agency conducting in-service training; such endorsement must:

(a) recommend the individual as a professional lecturer;

(b) describe the individual's expected participation, topic areas, duties, and responsibilities in criminal justice conducted by the academy, school, or agency; and

(c) specify the professional subject area and training courses in which certification is requested.

B. Professional lecturer designation will be issued for a period of two or more years.

C. An evaluation will be completed by the students subsequent to the completion of each class taught by the lecturer; the agency administrator responsible for conducting the class shall review the evaluations and maintain the course rosters to ensure the quality of the instruction.

[10.29.4.9 NMAC - Rp, 10.29.4.9 NMAC, 06/27/17]

10.29.4.10 SPECIALIZED LAW ENFORCEMENT INSTRUCTOR:

A. To qualify for a specialized law enforcement instructor certification, an applicant shall be required to demonstrate to the director proof of skills, successful experience, and training in the related field for which they will be providing instruction, and must meet the following requirements:

(1) must be sponsored by a law enforcement agency in the state of New Mexico; this requirement may be waived by the director upon written request based on a showing of previous training/experience in the field for which certification is requested; the following fields will require specialized training:

and

- (a) high risk, including such areas as firearms, baton, unarmed self-defense, etc.;
- (b) specialized training, two years assignment to the specialty and a showing of a number of cases in the field that the applicant brought to a logical conclusion;
- (c) technical, including such areas as fingerprinting, photography, accident investigation, traffic enforcement, vehicle operations, radio-dispatching, etc.;
- (2) completion of a 40 hour instructor training or development course, or equivalent training approved in writing by the director; and

B. Applicants for certification who have federal training or certifications, or who have training or hold certifications from another state that meets or exceeds the minimum instructor requirements for the state of New Mexico, may be considered by the director upon written request for specialized instructor status upon successful proof of skills and equivalency standards set forth in this section.

C. Qualified applicants for a specialized law enforcement instructor designation will be issued a certification for a period of two or more years.

D. An evaluation will be completed by the students subsequent to the completion of each class taught by the instructor; the agency administrator responsible for conducting the class shall review the evaluations and maintain the course rosters to ensure the quality of the instruction.

E. The director will maintain and provide to all agencies a listing of those courses which require an instructor to provide supporting documentation of training for certification to instruct in either the high risk or technical law enforcement training areas.

F. Specialized instructor certification subject areas: The following list is provided to each agency to assist in determining the area in which specialized training or prior training experience must be achieved by the individual requesting instructor certification in the high risk or technical areas. This list is by no means all-inclusive and the academy will determine whether the request qualifies in either the high risk or technical areas if not included below:

(1) High risk: use of force; baton, bombs, crowd control, officer survival, emergency vehicle operations, motorcycle operations, unarmed self-defense; and firearms.

(2) Technical: accident investigation, accident reconstruction, auto theft, child abuse, civil-vicarious liability, crime prevention, electronic surveillance, executive development, evidence, crisis intervention, field training officer, fingerprinting, hazardous materials, homicide investigation, intoxilyzer, jail administration, legal/criminal laws, photography, police officer as prosecutor, polygraph, national crime information center (NCIC), computer aided dispatch (CAD), search and seizure, and traffic enforcement.

G. Renewal of a firearms instructor certification shall require successful completion of an approved 16 hour firearms instructor update prior to renewal application.

[10.29.4.10 NMAC - Rp, 10.29.4.10 NMAC, 06/27/17]

10.29.4.11 MASTER INSTRUCTOR: To qualify for a master instructor certification, an applicant shall be required to demonstrate to the director proof of skills, successful experience, and training in the related field for which they will be training new instructors, and must meet the following requirements:

A. must be sponsored by a law enforcement agency in the state of New Mexico; this requirement may be waived by the director upon written request based on a showing of previous training/experience in the subject area for which certification is requested;

B. must have completed a minimum of two years certification as a general, specialized, or professional lecturer instructor in the same subject area as the request for master instructor certification;

C. must produce documentation of successful completion of an instructor-trainer course, train-the-trainer course or master instructor course (or what other term is used to describe a course that qualifies a person to train instructors) in the same subject area for which certification is requested or:

(1) must have completed at least one four-year certification as a general, specialized, or professional lecturer instructor in the same subject area; and

(2) must show documentation of additional training hours of expertise of at least the same amount of hours as the original instructor-level certification; and

(3) must show rosters and student evaluations from at least 10 training classes as the lead instructor in the same subject area;

D. qualified applicants for a master instructor designation will be issued a certification for a period of two or more years; an evaluation will be completed by the students subsequent to the completion of each class

taught by the master instructor; the agency administrator responsible for conducting the class shall review the evaluations and maintain the course rosters to ensure the quality of the instruction.
[10.29.4.11 NMAC - Rp, 10.29.4.11 NMAC, 06/27/17]

10.29.4.12 REVOCATION OF INSTRUCTOR CERTIFICATION:

A. The director may revoke or suspend an instructor certification based on a preponderance of evidence that the instructor:

- (1) failed to meet minimum standards;
- (2) displayed a lack of good moral character or behavior that adversely affects his credibility as an instructor;
- (3) lacked the ability to effectively communicate or instruct in the academy setting; or
- (4) had their police officer or telecommunicator certification suspended or revoked.

B. The employing agency may request action on an instructor certification by submitting the request to the director in writing and including all supporting documentation.

C. The director may take all necessary steps to review the matter, and all steps shall be at the discretion of the director. These steps may include, but are not limited to, issuing written notice to the instructor of the specific allegations no later than 30 days after receiving the request for action, conducting an oral response meeting with the instructor no later than 60 days after receiving all relevant supporting documentation, and issuing a final decision no later than 120 days after receiving all relevant supporting documentation. The director shall inform the instructor in writing whether the instructor certification has been revoked or suspended, and the reasons for the revocation or suspension.

[10.29.4.12 NMAC - Rp, 10.29.4.12 NMAC, 06/27/17]

10.29.4.13 POLICE OFFICER ADVANCED CERTIFICATION: The law enforcement academy awards advanced certification credit for approved training beyond the basic level. An applicant must submit a completed application packet containing copies of all training certificates and other supporting documentation. Applications should be submitted only after the required number of hours have been accrued. Individual certificates will not be processed if they are not attached to an application for a specific level of certification. Advanced certifications are ranked from intermediate to executive and are only awarded if criteria for the previous level(s) of certification have been met.

A. Certification fee: A fee not to exceed one hundred and fifty dollars (\$150.00) may be assessed for processing an application. Payment can be made in the form of an agency check, purchase order, or money order. Payment must accompany the application. As published in the New Mexico law enforcement academy director's fee schedule, these fees are subject to change. For the current applicable fee schedule, please refer to the New Mexico law enforcement academy or academy website.

B. Advance certification criteria and guidelines:

(1) **Intermediate** (minimum of 200 cumulative hours required): two years' experience, non-probationary status at time of application, and 200 cumulative hours of advanced police training (beyond basic and maintenance training).

(2) **Advanced** (minimum of 400 cumulative hours required): four years' experience, non-probationary status at time of application, and 400 cumulative hours of advanced police training or formal education (beyond basic and maintenance training) approved by the director.

(3) **First-line supervisor** (minimum of 500 cumulative hours required): must have held rank of corporal or sergeant with one year in rank and completion of a law enforcement academy approved first-line supervisor course (40 hours minimum).

(4) **Command** (minimum of 700 cumulative hours required): must have held rank of lieutenant with one year in rank and 100 hours of management training or formal education approved by the director.

(5) **Executive** (minimum of 800 cumulative hours required): must have held rank of chief, assistant chief, sheriff, under-sheriff, director or deputy director with one year in rank: or

(a) majors and captains who report directly to department head and have one year in rank; and

(b) 200 cumulative hours of management or administrative training or formal education approved by the director.

C. Criteria for cumulative credit calculations:

(1) **Certificate criteria:** The law enforcement academy will accept certificates of completion for credit toward an advanced certificate.

(2) **College course credit:** College courses will receive the credit ratio of 15 advanced certification hours for each credit hour up to a maximum of 400 advanced hours. College course credits apply only to advanced level certification and above. Official copies of college transcripts are required. Credit hours may be given only for college courses that are law enforcement related.

(3) **Military course credit:** Military advanced level courses related to law enforcement and approved by the director can be used for credit towards advanced level certification and above at an hourly ratio of one-to-one. Training hours and dates must be noted on the training certificate for credit or on an official training transcript.

(4) **In-service training:** Law enforcement academy approved in-service training will be accepted based upon the approved course hours. Mandated training required to maintain police officer certification or instructor certification will not be credited towards advanced certifications. In-service training will be accepted only upon providing evidence that a test was administered and passed, or a certificate of completion was issued.

(5) **Rank requirements:** Certificates at the first-line supervisor level and above require that the pre-requisite rank or title was held for a minimum period of at least one year prior to the date of the application. Documentation indicating date(s) of promotion must be included with the application packet. Non-traditional rank designations will be reviewed for equivalency to ranks designated for applicable certificates.

(6) **Out-of-state certificates:** Only course certificates clearly indicating the hours and dates of training received will be accepted.

[10.29.4.13 NMAC - N, 06/27/17]

10.29.4.14 TELECOMMUNICATOR ADVANCED CERTIFICATION: The law enforcement academy awards advanced certification credit for approved training beyond the basic level. An applicant must submit a completed application packet containing copies of all training certificates and other supporting documentation. Applications should be submitted only after the required number of hours have been accrued. Individual certificates will not be processed if they are not attached to an application for a specific level of certification. Advanced certifications are ranked from intermediate to executive and are only awarded if criteria for the previous level(s) of certification have been met.

A. Certification fee: A fee not to exceed one hundred and fifty dollars (\$150.00) may be assessed for processing an application. Payment may be made in the form of an agency check, purchase order, or money order. Payment must accompany the application. As published in the New Mexico law enforcement academy director's fee schedule, these fees are subject to change. For the current applicable fee schedule, please refer to the New Mexico law enforcement academy or academy website.

B. Advance certification criteria and guidelines:

(1) **Intermediate** (minimum of 200 cumulative hours required): two years' experience, non-probationary status at time of application, and 200 cumulative hours of advanced telecommunicator training (beyond basic and maintenance training).

(2) **Advanced** (minimum of 400 cumulative hours required): four years' experience, non-probationary status at time of application, and 400 cumulative hours of advanced telecommunicator training or formal education (beyond basic and maintenance training) approved by the director.

(3) **First-line supervisor** (minimum of 500 cumulative hours required): must have held the title of shift supervisor, terminal agency coordinator (TAC) or training officer with one year in rank and completion of a law enforcement academy approved first-line supervisor course (40 hours minimum).

(4) **Command** (minimum of 700 cumulative hours required): must have held rank of deputy director, assistant supervisor, terminal agency coordinator (TAC), 9-1-1 coordinator, or training coordinator with one year in rank and 100 hours of management training or formal education approved by the director.

(5) **Executive** (minimum of 800 cumulative hours required): must have held rank of director or deputy director with one year in rank: or

(a) held the title or rank of regional manager or manager who reports directly to the department or agency head and have one year in rank; and

(b) 200 cumulative hours of management or administrative training or formal education approved by the director.

C. Criteria for cumulative credit calculations:

(1) **Certificate criteria:** The law enforcement academy will accept certificates of completion for credit toward an advanced certificate.

(2) **College course credit:** College courses will receive the credit ratio of 15 advanced certification hours for each credit hour up to a maximum of 400 advanced hours. College course credits apply only to advanced level certification and above. Official copies of college transcripts are required. Credit hours may be given only for college courses that are law enforcement related and approved by the director.

(3) **Military course credit:** Military advanced level courses related to law enforcement and approved by the director can be used for credit towards advanced level certification and above at an hourly ratio of one-to-one. Training hours and dates must be noted on the training certificate for credit or on an official training transcript.

(4) **In-service training:** Law enforcement academy approved in-service training will be accepted based upon the approved course hours. Mandated training required to maintain telecommunicator certification or instructor certification will not be credited towards advanced certifications. Other in-service training will be accepted only upon provided evidence that a test was administered and passed, or a certificate of completion was issued.

(5) **Rank requirements:** Certificates at the first-line supervisor level and above require that the pre-requisite rank or title was held for a minimum period of at least one year prior to the date of the application. Documentation indicating date(s) of promotion must be included with the application packet. Non-traditional rank designations will be reviewed for equivalency to ranks designated for applicable certificates.

[10.29.4.14 NMAC - N, 06/27/17]

HISTORY OF 10.29.4 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under: NMLEA Rule #38, Instructor Certification, filed 8-14-85; NMLEA Rule #38, Instructor Certification, filed 10-22-86; NMLEA Rule #C2, Instructor Certification, filed 3-10-89; NMLEA Rule #C2, Instructor Certification, filed 8-2-93.

History of Repealed Material:

10.29.4 NMAC, filed 07/01/2001, repealed effective 06/27/2017.