

Court Chambers
820 Highway 478
Anthony, NM 88021

City of Anthony, NM
Board of Trustees: Regular Meeting
MINUTES
Wednesday, May 7th, 2025

Diana Murillo, Mayor
Gabriel I. Holguin, MPT
Jose Garcia, Trustee
Daniel Barreras, Trustee
Fernando Herrera, Trustee

**You can join meeting using your phone
by dialing.**

**United States: [+1\(469\)312-8116](tel:+14693128116)
Access Code: 729 393 024#**

6:00pm

**Please join TEAMS meeting from your
computer, tablet or smartphone.**

[Meeting ID: 257 680 530 510 0](#)

[Passcode: rF3GS6LH](#)

All members of the public entity participating remotely must identify themselves whenever they speak and must be clearly audible to the other members.

1. CALL TO ORDER by Mayor Diana Murillo at 6:11pm

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL	Present:	MPT Gabriel I. Holguin	YES	NO
		Trustee Jose Garcia	YES	NO
		Trustee Daniel Barreras	YES	NO
		Trustee Fernando Herrera	YES	NO
		Mayor Diana Murillo	YES	NO
		Quorum Established	YES	NO

Traduccion del ingles al español y del español al ingles esta disponible a petición.

Si necesita un traductor, informe la Secretaria de la Ciudad a más tardar una semana antes de la fecha programada de la reunión

4. APPROVAL OF AGENDA ORDER

Mayor requested that item 7b and 8e be postponed.

1st Motion: Trustee Garcia **2nd Motion:** Trustee Barreras

Roll Call Vote:

MPT Holguin	YES	NO
Trustee Garcia	YES	NO
Trustee Barreras	YES	NO
Trustee Herrera	YES	NO

4-0 Vote, Motion Passes.

5. PUBLIC COMMENTS (3-minute limit for each person)

Javier Barrios

6. APPROVAL OF MINUTES

a. Special Meeting: 04/16/2025

1st Motion: Trustee Herrera **2nd Motion:** Trustee Garcia

Roll Call Vote:

MPT Holguin	YES	NO
Trustee Garcia	YES	NO
Trustee Barreras	YES	NO
Trustee Herrera	YES	NO

4-0 Vote, Motion Passes.

b. Regular Meeting: 04/16/2025

w/ amendments 1st Motion: MPT Holguin **2nd Motion:** Trustee Garcia

Roll Call Vote:

MPT Holguin	YES	NO
Trustee Garcia	YES	NO
Trustee Barreras	YES	NO
Trustee Herrera	YES	NO

4-0 Vote, Motion Passes.

c. Budget Workshop: 04/21/2025

1st Motion: Trustee Garcia

2nd Motion: Trustee Barreras

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** NO

Trustee Herrera **YES** NO

4-0 Vote, Motion Passes.

d. Special Meeting: 05/01/2025

1st Motion: Trustee Herrera

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** NO

Trustee Herrera **YES** NO

4-0 Vote, Motion Passes.

7. PRESENTATION

- a. Introductory Presentation and Project Update by the On-Call Engineers, Bohannon Huston, Inc.
The new engineers from Bohannon Huston, Inc. introduced themselves, particularly those who will be working closely with City staff and the Board. Each provided a brief overview of their experience. They shared examples from recent projects and gave an update on ongoing City projects, explaining how they will assume responsibility following the recent transition. MPT Holguin asked whether staff had reached out to the new firm as previously stated. The engineers confirmed that they have been in contact with City staff and reiterated what the HR Director/CPO had previously mentioned: for any project that is more than 30% complete, the previous engineering firm, Wilson & Co., will continue to handle those projects.
- b. Presentation of the 2024 Audit Report, **Presented by Beasley, Mitchell & Co. (POSTPONED)**
- c. Update on the Overpayment Policy, **Presented by HR/CPO.**
The HR Director/CPO provided an update, stating that one employee is missing along with 2 trustees and the alternate judge.

8. CONSIDERATION AND ACTION

- a. Consideration and Action to hold a workshop on May 27th, 2025 at 6:00pm to discuss the City of Anthony ICIP, **Presented by the Projects Coordinator.**
The Projects Coordinator announced upcoming discussions regarding the new ICIP for the City of Anthony, noting that a public hearing will be held on May 27th at 5:00 p.m. Prior to the Board of Trustees workshop, this hearing will provide an opportunity for the public to offer input, after which recommendations will be presented to the Board.

1st Motion: Trustee Barreras

2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** NO

Trustee Herrera **YES** NO

4-0 Vote, Motion Passes.

- b. Consideration and Action to approve a resolution that authorizes the submission of an application for the 2026-2027 NMDOT's Transportation Project Fund (TPF), **Presented by the Projects Coordinator.**
As previously mentioned by BHI, the application for NMDOT's Transportation Project Fund will support improvements to Church Street Phase II, from Clark Street to Ruth Street. The total funding request is \$3,150,000.00, with a required City match of \$157,500.00.

1st Motion: Trustee Barreras

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** NO

4-0 Vote, Motion Passes.

Trustee Herrera **YES** NO

- c. Consideration and Action to approve an Insurance Broker Servicer for RFP 032015-01, **Presented by HR/CPO.**

The HR Director/CPO explained the need for the recently posted RFP, noting that the current insurance broker's three-year contract is coming to an end. Two proposals were received—one from the current provider, Rydeski, and one from USI. Following evaluation, the committee awarded the highest score to USI, with 280 out of 300 points. Seeking clarification, MPT Holguin inquired about the services provided. The HR Director responded that the broker assists with securing rates and policies for medical, dental, and vision insurance. When further asked whether there would be a difference in services between the current provider and USI, the HR Director explained that both act as brokers and provide premium quotes and related services, but USI is a much larger firm that may offer additional resources or support.

1st Motion: Trustee Barreras **2nd Motion:** Trustee Herrera

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** NO

Trustee Herrera **YES** NO

4-0 Vote, Motion Passes.

- d. Consideration and Action to approve a trade vehicle for the ADA truck, **Presented by HR/CPO.**

As agreed upon, the HR Director/CPO presented they available trades for the ADA truck. She noted that she selected a few vehicles beyond the equal trade and further noted that any remaining balance will be taken from the General Fund. After some discussion regarding the year, model and mileage of the vehicles it was agreed upon to select the 2019 Honda Pilot listed at \$18,899. If unavailable, their second choice is the 2022 Nissan Frontier listed at \$24,667.

1st Motion: Trustee Herrera

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** **NO**

Trustee Herrera **YES** NO

3-1 Vote, Motion Passes.

Original 1st Motion: Trustee Barreras **2nd Motion:** Trustee Garcia

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** **NO**

Trustee Herrera **YES** NO

3-1 Vote, Motion Passes.

- e. Consideration and Action to approve the purchase of material for the Oñate Irrigation Project, **Presented by Albert Gonzalez, Public Works. (POSTPONED)**

- f. Consideration and Action to select a hiring committee for the selection of the Head Librarian, **Presented by MPT Holguin.**

Similar to the hiring committee established for the Community Development position, MPT Holguin expressed the importance of forming a hiring committee for this position as well. He suggested that the committee be composed of the HR Director, the Mayor, a Trustee, a member of the Library Advisory Board, and a librarian from the community.

1st Motion: MPT Holguin

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin **YES** NO

Trustee Garcia **YES** NO

Trustee Barreras **YES** **NO**

Trustee Herrera **YES** NO

3-1 Vote, Motion Passes.

Original 1st Motion: Trustee Barreras **2nd Motion:** Trustee Herrera

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	
Trustee Barreras	YES NO	3-1 Vote, Motion Passes.
Trustee Herrera	YES NO	

9. EXECUTIVE SESSION

- a. NOTICE IS HEREBY GIVEN that the City of Anthony Board of Trustees will meet in Executive Session Pursuant to NMSA 1978, , Section 10-15-1(H)(2) regarding Limited Personnel Matters regarding all City Departments to include discussions on positions, position updates, performances and evaluations.

1st Motion: Trustee Garcia **2nd Motion:** Trustee Herrera

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	4-0 Vote, Motion Passes at 7:12pm
Trustee Barreras	YES NO	
Trustee Herrera	YES NO	

- b. Open Session **No action was taken during executive session.*

1st Motion: Trustee Garcia **2nd Motion:** MPT Holguin

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	4-0 Vote, Motion Passes at 8:12pm
Trustee Barreras	YES NO	
Trustee Herrera	YES NO	

10. POSSIBLE ACTION

- a. Possible Action regarding matters discussed in Executive Session.

MPT Holguin made a motion for City Clerk Karla Oropeza to reapply for her current position. He also moved to terminate Code Enforcement Officer Albert Herrera, placing him on paid administrative leave until his official termination date of May 9, 2025. He added that this motion includes a directive to Human Resources to coordinate with the Police Department to schedule a date for the return of all City-issued equipment. The motion was seconded by Trustee Garcia. However, before the roll call vote was completed, Trustee Herrera noted that it had previously been discussed that the matters should be presented as two separate motions. MPT Holguin then withdrew his original motion and reintroduced the items as individual motions.

To have Karla Oropeza reapply to her City Clerk Position: 1st Motion: MPT Holguin

2nd Motion: Trustee Garcia

There was debate as to whether the motion implied that the City Clerk was being terminated. Both MPT Holguin and the City Attorney clarified that the intent was for the City Clerk, Karla Oropeza, to continue in her role while the position is reposted, allowing additional candidates to apply and be interviewed. Mayor and Trustee Barrera expressed concern that the motion appeared to imply termination. To address this, the motion was specifically reworded to state: To repost the City Clerk position and have the current City Clerk, Karla Oropeza, reapply and continue serving in that position unless and until another candidate is selected for the role, and to have Ms. Oropeza reinterview for the position.

Roll Call Vote:

MPT Holguin	YES NO	
Trustee Garcia	YES NO	
Trustee Barreras	YES NO	2-3 Vote, Motion Denied.
Trustee Herrera	YES NO	
Mayor Murillo	YES NO	

Motion was made to terminate Code Enforcement Officer Albert Herrera, with an effective

termination date of May 9, 2025. Mr. Herrera will remain on paid administrative leave until Human Resources can coordinate, with police escort, a date for the return of all City-issued property.

1st Motion: MPT Holguin

2nd Motion: Trustee Garcia

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

3-1 Vote, Motion Passes.

11. CONSIDERATION AND ACTION

- a. Consideration and Action to approve amendments to the City Clerk Job Description, ***Presented by MPT Holguin.***

MPT Holguin outlined several proposed changes, including updating the reporting structure of the City Clerk—changing it from reporting to the City Manager to reporting directly to the Governing Body—and incorporating provisions recently added to the Open Meetings Act Resolution. Both the Mayor and the City Clerk advised the Board that, according to state statute, the City Clerk, as an employee, reports to the Mayor or the City Manager, if one is appointed. MPT Holguin countered that state statute also grants the Governing Body the authority to make such a change. The City Clerk recommended revising the City Clerk ordinance to reflect this adjustment, but MPT Holguin responded that a revision was not necessary at this time, as the reporting structure is already outlined in the job description.

1st Motion: Trustee Garcia

2nd Motion: MPT Holguin

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

3-1 Vote, Motion Passes.

12. ITEMS FROM THE MAYOR AND TRUSTEES

Trustee Herrera: A request was made for the current user fee schedule for parks and facilities, along with clarification on where the collected funds are allocated. Additionally, there was a request for assistance in placing signage to help the public locate the cemetery, as it has been difficult for some to find. Ernesto's and Gillette have requested that, following the completion of nearby construction, the area be converted to a one-way street to help mitigate traffic. Requested an update on the status of the Urgent Care project. Lastly, it was requested that all City meetings, including Planning & Zoning meetings, be livestreamed moving forward.

Trustee Barreras: NONE

Trustee Garcia: Motion to move the Budget Workshop to May 29th to May 19th and hold the regular meeting on Monday, May 19th. Update on the Municipal Soccer Field Bleachers. Requested a walkthrough for the Urgent Care and the Multigenerational Building.

MPT Holguin: There was agreement with the suggestion to livestream meetings; however, it was emphasized that, more importantly, City employees need to consistently show up and perform their duties. It was further stated that, as elected officials, their primary responsibility is to safeguard the public, which cannot be accomplished if individuals who have caused harm to the community continue to be protected. The speaker emphasized the importance of accountability, noting that now is the time for reflection and "soul searching" to ensure the decisions being made are in the best interest of the community. Additionally, the City Clerk was notified that a formal request would follow, but a preliminary request was made for all communications with current and former Board members from March 27 to March 31, 2023.

13. ADJOURNMENT

1st Motion: Trustee Barreras

2nd Motion: Trustee Herrera

Roll Call Vote:

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras
Trustee Herrera

YES NO
YES NO

4-0 Vote, Motion Passe at 8:53pm.

Diana Murillo, Mayor

{SEAL}
Attest:

Karla Oropeza, City Clerk

DRAFT

STATE OF NEW MEXICO
CITY OF ANTHONY
BASIC FINANCIAL STATEMENTS AND SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED JUNE 30, 2024
INDEPENDENT AUDITORS' REPORT

STATE OF NEW MEXICO
CITY OF ANTHONY
FOR THE YEAR ENDED JUNE 30, 2024

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STATE OF NEW MEXICO
CITY OF ANTHONY
FOR THE YEAR ENDED JUNE 30, 2024

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STATE OF NEW MEXICO
CITY OF ANTHONY
FOR THE YEAR ENDED JUNE 30, 2024

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STATE OF NEW MEXICO
CITY OF ANTHONY
OFFICIAL ROSTER
JUNE 30, 2024

BOARD OF TRUSTEES

Diana M. Trujillo	Mayor
Gabriel I. Holguin	Mayor Pro-Tem
Jose Garcia	Trustee
Fernando Herrera	Trustee
Daniel Barreras	Trustee

ADMINISTRATIVE OFFICIALS

Hiram Gonzalez	Finance Officer
Judge Sarah G Holguin	Municipal Judge



Beasley, Mitchell & Co.

Certified Public Accountants

INDEPENDENT AUDITORS' REPORT

Mr. Joseph M. Maestas, P.E., CFE, State Auditor
and the Mayor and City Board of Trustees of the
City of Anthony, New Mexico

Opinion

We have audited the accompanying financial statements of the governmental activities, each major fund, the aggregate remaining fund information, and the budgetary comparison for the general fund of the City of Anthony (the City) as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise City's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, the aggregate remaining fund information, and the budgetary comparison for the general fund of the City of Anthony, as of June 30, 2024, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Anthony, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Anthony's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and Government Auditing Standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Anthony's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Anthony's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Management has omitted the Management's Discussion and Analysis which is required to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Accounting principles generally accepted in the United States of America require City's proportionate and contribution share of the net pension liability on pages 63 - 67 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the City's basic financial statements. The accompanying combining and individual non-major fund financial statements, the schedule of deposit and investment accounts, the schedule of collateral pledged by depository for public funds, and the schedule of joint powers agreements are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual non-major fund financial statements, the schedule of deposit and investment accounts, the schedule of collateral pledged by depository for public funds, and the schedule of joint powers agreements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 13, 2024, on our consideration of the City of Anthony, New Mexico's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City of Anthony, New Mexico's internal control over financial reporting and compliance.

A handwritten signature in cursive script that reads "Beasley, Mitchell & Co. LLP".

Beasley, Mitchell & Co., LLP
Las Cruces, New Mexico
December 13, 2024

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF NET POSITION
JUNE 30, 2024

	<u>Governmental Activities</u>
ASSETS AND DEFERRED OUTFLOWS	
Current and other assets:	
Cash and cash equivalents (Note 3)	\$ 7,600,934
Accounts receivable:	
Taxes (Note 4)	667,399
Trade (Note 4)	15,649
Leases receivable - current (Note 8)	<u>6,835</u>
Total Current Assets	8,290,817
Noncurrent assets	
Restricted investments (Note 3)	404,335
Capital assets, net of accumulated depreciation (Note 6)	30,492,538
Leases receivable, net of current (Note 8)	<u>14,030</u>
Total noncurrent assets	<u>30,910,903</u>
Total assets	39,201,720
Deferred outflows of resources	
Difference between expected and actual experience (Note 10)	212,297
Changes in proportion (Note 10)	254,189
Net difference between projected and actual investment earnings (Note 10)	235,986
Employer contributions subsequent to the measurement date (Note 10)	<u>199,445</u>
Total deferred outflows of resources	<u>901,917</u>
Total assets and deferred outflows	<u>\$ 40,103,637</u>

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF NET POSITION
JUNE 30, 2024

**Governmental
Activities**

LIABILITIES

Current Liabilities

Accounts payable	\$ 659,572
Accrued payroll	127,481
Accrued compensated absences, current (Note 7)	42,237
Current portion of loans payable (Note 7)	<u>294,371</u>

Total Current Liabilities 1,123,661

Noncurrent liabilities

Accrued compensated absences, net of current (Note 7)	23,919
Net pension liability (Note 10)	2,653,995
Loans payable - net of current (Note 7)	<u>7,298,241</u>

Total noncurrent liabilities 9,976,155

Total liabilities 11,099,816

Deferred inflows of resources

Difference between expected and actual experience (Note 10)	17,314
Changes in proportion (Note 10)	18,223
Right of use assets (Note 8)	<u>20,865</u>

Total deferred inflows of resources 56,402

Total liabilities and deferred inflows 11,156,218

NET POSITION

Net investment in capital assets 22,899,926

Restricted for:

Debt service	1,273,443
Capital projects	5,260,742
Special revenue	3,630,914
Reserved	439,899
Unrestricted	<u>(4,557,505)</u>

Total net position 28,947,419

Total liabilities, deferred inflows, and net position \$ 40,103,637

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2024

	Program Revenues				Net (Expense) Revenue and Changes in Net Position
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	
FUNCTIONAL/PROGRAMS:					
Governmental activities:					
General government	\$ 1,226,840	\$ 136,994	\$ 925,253	\$ -	\$ (164,593)
Public safety	939,187	67,305	121,203	263,319	(487,360)
Public works	1,994,969	-	84,090	4,833,150	2,922,271
Culture and recreation	365,412	35,462	17,167	281,956	(30,827)
Interest on long-term debt	193,685	-	-	-	(193,685)
Total governmental activities	\$ 4,720,093	\$ 239,761	\$ 1,147,713	\$ 5,378,425	2,045,806
General Revenues and transfers:					
Taxes:					
Gross receipts taxes					3,993,991
Gasoline taxes and franchise tax					51,987
Other taxes					884,984
Investment income					20,419
Miscellaneous income					47,925
Loan Proceeds					2,832
Total general revenues and transfers					5,002,138
Changes in net position					7,047,944
Net position, beginning of year					21,899,474
Net position, end of year					\$ 28,947,418

See independent auditors' report and accompanying notes to financial statements.

GOVERNMENTAL FUND STATEMENTS

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - GOVERNMENTAL FUNDS
JUNE 30, 2024

	Debt Service		Capital Project Funds			
	General Fund	PPRF - 4890 PPRF - 4815	Anthony Multi-Gen Facility Construction	Church St HW2-LP10024	Futbol Field 22-ZG1023-26	Transfer Station - Planning/Design
ASSETS						
Cash and cash equivalents	\$ -	\$ 446,329	\$ -	\$ 235,442	\$ -	\$ 800,000
Investments - NMFA	-	283,938	-	-	-	-
Receivables:						
Taxes	666,891	-	-	-	-	-
Trade	15,649	-	-	-	-	-
Due from other funds	3,860,905	-	-	537,368	-	-
Total assets	4,543,445	730,267	-	772,810	-	800,000
LIABILITIES AND FUND BALANCE						
Liabilities:						
Accounts payable	36,291	-	15,025	286,283	33,010	-
Accrued payroll	127,481	-	-	-	-	-
Unearned revenue	-	-	-	-	-	720,000
Due to other funds	537,368	-	894,755	-	1,021,663	-
Total liabilities	701,140	-	909,780	286,283	1,054,673	720,000
Deferred inflows of resources	30,522	-	-	-	-	-
Fund balances:						
Restricted for:						
General government	-	-	-	-	-	-
Public safety	-	-	-	-	-	-
Culture and recreation	-	-	-	-	-	-
Public works	-	-	-	486,527	-	80,000
Debt service expenditures	-	730,267	-	-	-	-
Reserved for:						
General government	439,899	-	-	-	-	-
Unassigned	3,371,884	-	(909,780)	-	(1,054,673)	-
Total fund balances	3,811,783	730,267	(909,780)	486,527	(1,054,673)	80,000
Total liabilities and fund balances	\$ 4,543,445	\$ 730,267	\$ -	\$ 772,810	\$ -	\$ 800,000

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - GOVERNMENTAL FUNDS
JUNE 30, 2024

		Capital Project Funds				
		South Anthony Arroyo - CWSRLF-067	South Anthony Arroyo - CIF-5509	Emergency Health Clinic EDA No08-7905526	Transportation Project Fund HW2-LP1033	Anthony Parks and Recreation - E2539 (CDBG Acosta)
ASSETS	Cash and cash equivalents	\$ 1,363,241	\$ 1,300,000	\$ -	\$ 12,496	\$ 98,512
	Investments - NMFA	-	-	-	-	-
	Receivables:					
	Taxes	-	-	-	-	-
	Trade	-	-	-	-	-
	Due from other funds	-	-	-	-	-
	Total assets	1,363,241	1,300,000	-	12,496	98,512
LIABILITIES AND FUND BALANCE						
Liabilities:	Accounts payable	-	-	-	-	-
	Accrued payroll	-	-	-	-	-
	Unearned revenue	1,350,000	-	-	-	-
	Due to other funds	-	-	1,134,396	-	280,861
	Total liabilities	1,350,000	-	1,134,396	-	280,861
Fund balances:	Restricted for:					
	General government	-	-	-	-	-
	Public Safety	-	-	-	-	-
	Culture and recreation	-	-	-	-	-
	Public works	13,241	1,300,000	-	12,496	5,704
	Debt service expenditures	-	-	-	-	-
Reserved for:	General government	-	-	-	-	-
	Unassigned	-	-	(1,134,396)	-	-
	Total fund balances	13,241	1,300,000	(1,134,396)	12,496	5,704
	Total liabilities and fund balances	\$ 1,363,241	\$ 1,300,000	\$ -	\$ 12,496	\$ 98,512

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - GOVERNMENTAL FUNDS
JUNE 30, 2024

	<u>Capital Project Fund</u>		
	<u>Multigenerational Phase 2</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
ASSETS			
Cash and cash equivalents	\$ -	\$ 2,900,262	\$ 7,600,934
Investments - NMFA	-	120,397	404,335
Receivables:			
Taxes	-	508	667,399
Trade	-	-	15,649
Due from other funds	-	-	4,398,273
Total assets	-	3,021,167	13,086,590
LIABILITIES AND FUND BALANCE			
Liabilities:			
Accounts payable	17,272	271,691	659,572
Accrued payroll	-	-	127,481
Unearned revenue	-	540,000	2,610,000
Due to other funds	36,112	400,310	4,398,273
Total liabilities	53,384	1,212,001	7,795,326
Deferred inflows of resources	-	-	30,522
Total liabilities and deferred inflows	53,384	1,212,001	7,825,848
Fund balances:			
Restricted for:			
General government	-	217,743	217,743
Public Safety	-	761,167	761,167
Culture and recreation	-	39,825	39,825
Public works	-	550,420	2,612,179
Debt service expenditures	-	543,176	1,273,443
Reserved for:			
General government	-	-	439,899
Unassigned	(53,384)	(303,165)	(83,514)
Total fund balances	(53,384)	1,809,166	5,260,742
Total liabilities and fund balances	\$ -	\$ 3,021,167	\$ 13,086,590

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
JUNE 30, 2024

Amounts reported for governmental activities in the Statement of Activities are different because:

Fund balances- total governmental funds	\$ 5,260,742
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds	30,492,538
Lease receivable	20,865
Grant revenue are not collected within sixty days after year end are not considered "available" revenues and are considered to be unavailable revenue in the fund financial statements, but are considered revenue in the Statement of Activities	2,610,000
Deferred outflows and inflows of resources related to pensions are applicable to future periods and therefore, are not reported in funds:	
Deferred outflows of resources related to Pension	901,917
Deferred inflows of resources related to Pension	(35,537)
Deferred inflows - Leases	(20,865)
Long-term assets are not available to pay for current-period expenditures and therefore, are deferred in the funds:	
Property taxes	30,522
Some liabilities, including the loan and net pension liability are not due and payable in the current period and, therefore, are not reported in the funds:	
Accrued compensated absences	(66,156)
Loan payable	(7,592,612)
Net pension liability	<u>(2,653,995)</u>
Total net position of governmental activities	<u>\$ 28,947,419</u>

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS
JUNE 30, 2024

	Debt Service		Capital Project Funds			
	General Fund	PPRF - 4890 PPRF - 4815	Anthony Multi-Gen Facility Construction	Church St HW2-LP10024	Futbol Field 22-ZG1023-26	Transfer Station - Planning/Design
REVENUES						
\$ Gross receipts	3,993,991	\$ -	\$ -	\$ -	\$ -	\$ -
Gasoline and motored vehicle	46,119	-	-	-	-	-
Other tax	616,860	-	-	-	-	-
Federal grants	-	-	-	-	-	-
State operating grants	763,939	-	-	-	-	-
State capital grants	-	-	262,701	1,235,000	19,255	-
Charges for services	126,412	-	-	-	-	-
Licenses, fees and permits	85,928	-	-	-	-	-
Investment income	-	12,022	-	-	-	-
Miscellaneous	26,638	10,265	-	-	-	-
Total revenues	5,659,887	22,287	262,701	1,235,000	19,255	-
EXPENDITURES						
General government	1,682,077	-	-	-	-	-
Public safety	1,272,663	-	-	-	-	-
Public works	1,909,287	30,528	-	-	-	-
Culture and recreation	280,482	-	-	-	-	-
Capital outlay	134,273	14,168	1,172,481	813,473	1,073,928	-
Debt service:	-	50,519	-	-	-	-
Principal	-	158,976	-	-	-	-
Interest	-	-	-	-	-	-
Total expenditures	5,278,782	254,191	1,172,481	813,473	1,073,928	-
Excess (deficiency) of revenues over expenditures	381,105	(231,904)	(909,780)	421,527	(1,054,673)	-

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS
JUNE 30, 2024

	Debt Service		Capital Project Funds			
	General Fund	PPRF - 4890 PPRF - 4815	Anthony Multi-Gen Facility Construction	Church St HW2-LP10024	Futbol Field 22-ZG1023-26	Transfer Station - Planning/Design
OTHER FINANCING SOURCES (USES):						
Transfers in	274,752	-	-	-	-	80,000
Transfers out	(268,360)	-	-	-	-	-
Total other financing source (uses)	6,392	-	-	-	-	80,000
Net change in fund balances	387,497	(231,904)	(909,780)	421,527	(1,054,673)	80,000
Fund balance at beginning of year	3,424,286	962,171	-	65,000	-	-
Fund balance at end of year	\$ 3,811,783	\$ 730,267	\$ (909,780)	\$ 486,527	\$ (1,054,673)	\$ 80,000

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS
JUNE 30, 2024

Capital Project Funds						
	South Anthony Arroyo - CWSRLF-067	South Anthony Arroyo - CIF-5509	Emergency Health Clinic EDA No08- 7905526	Transportation Project Fund HW2-LP1033	Anthony Parks and Recreation - E2539	Acosta Rd (CDBG Acosta)
REVENUES						
Gross receipts	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Gasoline and motored vehicle	-	-	-	-	-	-
Other tax	-	-	-	-	-	-
Federal grants	92,911	-	-	-	-	-
State operating grants	-	-	-	-	-	-
State capital grants	-	-	375,000	969,826	595,433	556,892
Charges for services	-	-	-	-	-	-
Licenses, fees and permits	-	-	-	-	-	-
Investment income	-	-	-	-	-	-
Miscellaneous	-	-	-	-	-	-
Total revenues	92,911	-	375,000	969,826	595,433	556,892
EXPENDITURES						
General government	-	-	-	-	-	-
Public safety	-	-	-	-	-	-
Public works	-	-	-	-	-	-
Culture and recreation	-	-	-	-	-	-
Capital outlay	-	-	1,386,217	826,458	150,781	609,364
Debt service:	-	-	-	-	-	-
Principal	-	-	-	-	-	-
Interest	-	-	-	-	-	-
Total expenditures	-	-	1,386,217	826,458	150,781	609,364
Excess (deficiency) of revenues over expenditures	92,911	-	(1,011,217)	143,368	444,652	(52,472)

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS
JUNE 30, 2024

	Capital Project Funds				
	South Anthony Arroyo - CWSRLF-067	South Anthony Arroyo - CIF-5509	Emergency Health Clinic EDA No08- 7905526	Transportation Project Fund HW2-LP1033	Anthony Parks and Recreation - E2539 Acosta Rd (CDBG Acosta)
OTHER FINANCING SOURCES					
(USES):					
Transfers in	-	-	-	-	-
Transfers out	-	-	-	-	-
Total other financing source (uses)	-	-	-	-	-
Net change in fund balances	92,911	-	(1,011,217)	143,368	444,652
Fund balance at beginning of year	(79,670)	1,300,000	(123,179)	(130,872)	(280,861)
Fund balance at end of year	\$ 13,241	\$ 1,300,000	\$ (1,134,396)	\$ 12,496	\$ 163,791
					\$ 5,704

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS
JUNE 30, 2024

	<u>Capital Project Fund</u>			
	<u>Multigenerational Phase 2</u>	<u>Other Governmental Funds</u>	<u>Governmental Funds</u>	
REVENUES				
Gross receipts	\$ -	\$ -	\$ -	3,993,991
Gasoline and motored vehicle	-	5,868		51,987
Other tax	-	264,006		880,866
Federal grants	-	-		92,911
State operating grants	-	467,368		1,231,307
State capital grants	660,106	503,059		5,177,272
Charges for services	-	9,043		135,455
Licenses, fees and permits	-	18,378		104,306
Investment income	-	11,229		23,251
Miscellaneous	-	11,022		47,925
				<u>11,739,271</u>
Total revenues	660,106	1,289,973		11,739,271
EXPENDITURES				
General government	-	34,576		1,716,653
Public safety	-	288,619		1,561,282
Public works	-	461,240		2,401,055
Culture and recreation	-	44,100		324,582
Capital outlay	573,795	1,477,338		8,232,276
Debt service:				
Principal	-	228,396		278,915
Interest	-	34,709		193,685
				<u>14,708,448</u>
Total expenditures	573,795	2,568,978		14,708,448
Excess (deficiency) of revenues over expenditures	86,311	(1,279,005)		(2,969,177)

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS
JUNE 30, 2024

	<u>Capital Project Fund</u>		
	<u>Multigenerational Phase 2</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
OTHER FINANCING SOURCES			
(USES):			
Transfers in	-	268,360	623,112
Transfers out	-	(354,752)	(623,112)
Total other financing source (uses)	-	(86,392)	-
Net change in fund balances	86,311	(1,365,397)	(2,969,177)
Fund balance at beginning of year	(139,695)	3,174,563	8,229,919
Fund balance at end of year	\$ (53,384)	\$ 1,809,166	\$ 5,260,742

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND
BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2024

Amounts reported for governmental activities in the Statement of Activities are different because:

Net change in fund balances - total governmental funds	\$ (2,969,177)
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Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense:

Capital expenditures recorded in capital outlay	8,232,276
Depreciation expense	(846,136)

Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenue in the funds:

Decrease in unavailable revenue related to grants	2,610,000
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Governmental funds report City lease payments as revenue. However, in the Statement of Activities, the revenue of those leases is allocated over the estimated life of the lease:

Lease receivable	(16,055)
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Deferred outflows - NPL	429,067
Deferred inflows - NPL	31,983
Deferred inflows - Lease	3,539

Property taxes that do not provide current financial resources, made available to pay for the current period's expenditures, reported as deferred inflows in the funds.	28,766
Change in net pension liability	(741,709)
Change in accrued compensated absences	6,476
Principal payments on loan payable	<u>278,915</u>

Change in net position of governmental activities	<u>\$ 7,047,945</u>
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See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET (NON-GAAP BUDGETARY BASIS) AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2024

	Original Budget	Final Budget	Actual on Budgetary Basis	Variance with Final Budget Positive (Negative)
REVENUES:				
Taxes:				
Gross receipts	\$ 1,259,700	\$ 1,793,950	\$ 999,002	\$ (794,948)
Gas and motor vehicle	14,500	45,000	46,119	1,119
Other	1,505,400	1,784,400	616,860	(1,167,540)
Intergovernmental income:				
State operating grants	275,000	550,100	763,939	213,839
Charges for services	414,000	443,400	126,412	(316,988)
Licenses and fees	15,000	17,500	85,928	68,428
Miscellaneous	<u>195,000</u>	<u>211,950</u>	<u>26,638</u>	<u>(185,312)</u>
Total revenues	3,678,600	4,846,300	2,664,898	(2,181,402)
EXPENDITURES:				
Current				
General government	1,496,557	1,972,758	1,157,940	814,818
Public safety	1,507,666	1,512,866	1,272,663	240,203
Public works	599,192	603,854	1,909,287	(1,305,433)
Culture and recreation	138,196	138,464	280,482	(142,018)
Capital outlay	<u>187,000</u>	<u>615,300</u>	<u>134,273</u>	<u>481,027</u>
Total expenditures	<u>3,928,611</u>	<u>4,843,242</u>	<u>4,754,645</u>	<u>88,597</u>
Excess (deficiency) of revenues over expenditures	(250,011)	3,058	(2,089,747)	(2,092,805)

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET (NON-GAAP BUDGETARY BASIS) AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2024

	Original Budget	Final Budget	Actual on Budgetary Basis	Variance with Final Budget Positive (Negative)
OTHER FINANCING SOURCES (USES)				
Transfers In	465,000	545,000	274,752	(270,248)
Transfers (out)	<u>(563,833)</u>	<u>(556,808)</u>	<u>(268,360)</u>	<u>288,448</u>
Total other financing sources (uses)	<u>(98,833)</u>	<u>(11,808)</u>	<u>6,392</u>	<u>18,200</u>
Net changes in fund balance	(348,844)	(8,750)	(2,083,355)	(2,074,605)
Cash fund balance - beginning of the year	<u>2,083,355</u>	<u>2,083,355</u>	<u>2,083,355</u>	<u>-</u>
Cash fund balance - end of the year	<u>\$ 1,734,511</u>	<u>\$ 2,074,605</u>	<u>\$ -</u>	<u>\$ (2,074,605)</u>
Reconciliation of budgetary basis to GAAP basis:				
Net change in fund balance (non-GAAP budgetary basis)			\$ (2,083,355)	
Adjustments to revenues for gross receipts and other taxes			2,994,989	
Adjustments to expenditures for salaries, professional services, utilities, and other expenses			<u>(524,137)</u>	
Net change in fund balance (GAAP basis)			<u>\$ 387,497</u>	

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF FIDUCIARY NET POSITION
FOR THE YEAR ENDED JUNE 30, 2024

	<u>Custodial Funds</u>
ASSETS	
Cash	\$ <u>16,402</u>
Total assets	<u>16,402</u>
LIABILITIES	
Deposits held for others	<u>-</u>
Total liabilities	<u>-</u>
Total net position	\$ <u>16,402</u>

See independent auditors' report and accompanying notes to financial statements.

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
FOR THE YEAR ENDED JUNE 30, 2024

Schedule of Changes in Fiduciary Net Position

	MVD State Fees	Total Custodial Funds
Additions		
Contributions:		
Fees	\$ 879,934	\$ 879,934
Total Additions	<u>879,934</u>	<u>879,934</u>
Deductions		
Distributions	878,593	878,593
Expenses	<u>-</u>	<u>-</u>
Total deductions	<u>878,593</u>	<u>878,593</u>
Net Increase (decrease) in custodial net position	1,341	1,341
Net position-beginning	<u>15,061</u>	<u>15,061</u>
Net position-ending	<u>\$ 16,402</u>	<u>\$ 16,402</u>

See independent auditors' report and accompanying notes to financial statements.

NOTES TO FINANCIAL STATEMENTS

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Anthony (the "City") was incorporated in 2010. The City operates under a Trustee-Mayor form of government and provides the following services as authorized by its charter: public safety(police), streets, culture-recreation, and general administrative services.

The City of Anthony is a body politic and corporate under the name and form of government selected by its qualified electors. The City may:

1. Sue or be sued;
2. Enter into contracts and leases;
3. Acquire and hold property, both real and personal;
4. Have common seal, which may be altered at pleasure;
5. Exercise such other privileges that are incident to corporations of like character or degree that are not inconsistent with the laws of New Mexico;
6. Protect generally the property of its municipality and its inhabitants;
7. Preserve peace and order within the municipality; and
8. Establish rates for revenue-producing projects, including amounts which the governing body determines to be reasonable in the operation of similar facilities.

This summary of significant accounting policies of the City is presented to assist in the understanding of City's financial statements. The financial statements and notes are the representation of City's management who is responsible for their integrity and objectivity. The financial statements of the City have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units.

A. Financial Reporting Entity

The financial reporting entity consists of (a) the primary government, (b) organizations for which the primary government is financially accountable and (c) other organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

In evaluating how to define the City, for financial reporting purposes, management has considered all potential component units. The decision to include any potential component units in the financial reporting entity was made by applying the criteria set forth in GASB Statement No. 14, as amended by GASB Statement No. 39, GASB Statement No. 61 and GASB Statement No. 80. Blended component units, although legally separate entities, are in substance part of the government's operations. Each discretely presented component unit is reported in a separate column in the government-wide financial statements to emphasize that it is legally separate from the government.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

A. Financial Reporting Entity (continued)

The basic-but not the only-criterion for including a potential component unit within the reporting entity is the governing body's ability to exercise oversight responsibility. The most significant manifestation of this ability is financial interdependency. Other manifestations of the ability to exercise oversight responsibility include, but are not limited to, the selection of governing authority, the designation of management, the ability to significantly influence operations, and accountability for fiscal matters. A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the government and/or its citizens.

A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the government and/or its citizens.

A third criterion used to evaluate potential component units for inclusion or exclusion from the reporting entity is the existence of special financing relationships, regardless of whether the government is able to exercise oversight responsibilities. Finally, the nature and significance of a potential component unit to the primary government could warrant its inclusion within the reporting entity.

Based upon the application of these criteria, the City has no component units, and is not a component unit of another governmental agency.

B. Government-wide and fund financial statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. The City has no business-type activities.

The Statement of Net Position and the Statement of Activities were prepared using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets and liabilities resulting from exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets and liabilities resulting from non-exchange transactions are recognized in accordance with the requirements of GASB Statement No. 33, Accounting and Financial Reporting for Non-exchange Transactions.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

B. Government-wide and fund financial statements (continued)

In the government-wide Statement of Net Position, both the governmental and business-type activities columns (a) are presented on a consolidated basis by column, (b) and are reported on a full accrual, economic resource basis, which recognizes all long-term assets and receivables as well as long-term debt and obligations. The City's net position is reported in three parts: net investment in capital assets, restricted net position, and unrestricted net position.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segments are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds, proprietary funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

C. Measurement focus, basis of accounting, and financial statement presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund and fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes, net of estimated refunds, are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

C. Measurement focus, basis of accounting, and financial statement presentation (continued)

Franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period, subject to the availability criterion. Sales and use taxes are classified as derived tax revenues and are recognized as revenue when the underlying exchange takes place and the revenues are measurable and available. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met, subject to the availability criterion. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The City reports the following major governmental funds:

The General Fund is the government's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund. This fund includes state shared gross receipts tax income fund and state shared gas tax income funds.

The Debt Service Loan Comp Loan Grants CIF-4890 and CIP-4815 are used to accumulate monies for the repayment of the loan received from NMFA. The loan is a component of grant CI-4890 used for infrastructure and sidewalk improvements in the City of Anthony, NM and CIF-4815 used the purchase of the Dos Lagos Golf Course. This fund is authorized by the Board of Trustees.

The Anthony Multi-Gen Facility Construction Grant is used to acquire land, easements, water rights and rights of way, and to plan, design, construct, purchase, install, furnish and equip a multigenerational center in Anthony.

The Church St HW2-LP10024 Grant is used for pre-construct services, construction, and construction management of the Church Street Improvement Project.

The Futbol Field 22-ZG1023-26 Grant is dedicated to the design, planning, and development of soccer fields as part of the Dos Lagos project, promoting community recreation and sports.

The Transfer Station Planning & Design Grant is dedicated to the initial planning and design phases of the city's solid waste transfer station project to improve waste management logistics.

The South Anthony Arroyo CWSRLF-067 fund has been established to allocate a total of \$676,115 from the Clean Water Fund. This allocation is designated for the final design phase of the South Anthony Arroyo and Adams Park Flood Control Facility, as officially approved during the Special Meeting held on February 28, 2022.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

C. Measurement focus, basis of accounting, and financial statement presentation (continued)

The South Anthony Arroyo Planning CIF-5509 Grant is used to account for collections and disbursements of the loan and state grants obtained by the City from the New Mexico Environment Department. The authority for the creation of the fund is NMSA 1978, Section 74-6A-1 as amended. The fund is authorized by the Board of Trustees.

The Emergency Health Clinic fund provides an Urgent Care facility as part of the Anthony Multigenerational Complex. Initially, this will be a stand-alone facility with the intent that it would be fully integrated in the overall Multi-Gen Complex at full development.

The Transportation Project fund is directly associated with the Duffer Lane Project.

The Anthony Parks and Recreation fund is used to account for Capital Outlay 20-E2539 grant award. This fund is authorized by the Board of Trustees.

The Acosta Rd is used to account for the CDBG - Acosta grant award utilized for the Acosta Road construction. This fund is authorized by the Board of Trustees.

The Multigenerational Phase 2 fund is established to allocate grants 20-E2539 and 21-F2727 for the Dos Lagos Multi-Gen Phase 2 Construction Project.

The City accounts for resources held for others in a custodial capacity in custodial funds. Assets equals liabilities and this fund does not include measurements or results of operations. The City's custodial fund is the trustee account for a local company yet to start operations and a sweep account for the State of New Mexico Motor Vehicle Division.

Program revenues included in the Statement of Activities are derived directly from the program itself or from parties outside the City's taxpayers or citizenry, as a whole; program revenues reduce the cost of the function to be financed from the City's general revenues. Program revenues are categorized as (a) charges for services, which include revenues collected for fees and use of City facilities, etc., (b) program-specific operating grants, which includes revenues received from state and federal sources such as small cities assistance to be used as specified within each program grant agreement, and (c) program-specific capital grants and contributions, which include revenues from state sources to be used for capital projects. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

C. Measurement focus, basis of accounting, and financial statement presentation (continued)

The City reports all direct expenses by function in the Statement of Activities. Direct expenses are those that are clearly identifiable with a function. The City does not currently employ indirect cost allocation systems. Depreciation expense is specifically identified by function and is included in the direct expense of each function. Interest on general long-term debt is considered an indirect expense and is reported separately on the Statement of Activities.

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

D. Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources and Net Position or Equity

Deposits and Investments: The City's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition.

State statutes authorize the City to invest in Certificates of Deposit, obligations of the U.S. Government, and the State Treasurer's Investment Pool.

Reimbursements are when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers between governmental or between proprietary funds are netted as part of the reconciliation to the government-wide financial statements.

Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources in the event they are not received within 60 days of year end.

All receivables are reported at their gross value and, where appropriate, are reduced by the estimated portion that is expected to be uncollectible. The City estimates the allowance for uncollectible accounts based off the days delinquent. The City has estimated all accounts that are greater than 120 days to be uncollectible.

Restricted Assets: Restricted assets consist of those funds expendable for operating purposes but restricted by donors or other outside agencies as to the specific purpose for which they may be used and restricted for future debt service payments and capital projects.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

D. Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources and Net Position or Equity (Continued)

Capital Assets: Capital assets, which include buildings and improvements, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Pursuant to the implementation of GASB Statement No. 34, the historical costs of infrastructure assets (retroactive to 1979) are included as part of the governmental capital assets reported in the government-wide statements. Information Technology Equipment including software is being capitalized and included in machinery and equipment in accordance with NMAC 2.20.1.9 C (5). Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Library books and periodicals are estimated to have a useful life of less than one year or are under the capitalization threshold and are expensed when purchased.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase of capital assets of business-type activities is included as part of the capitalized value of the assets constructed. There was no interest expense capitalized by the City during the current fiscal year. No interest was included as part of the cost of capital assets under construction.

Property, plant, and equipment of the primary government are depreciated using the straight line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings and improvements	10-40
Equipment	5-10
Infrastructure	25

Deferred Outflows of Resources: In addition to assets, the balance sheet reports a separate section for deferred outflows of resources. This separate financial statement element represents a use of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expenditure) until that time. The City has five types of items that qualify for reporting in this category in the governmental activities.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

D. Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources and Net Position or Equity (Continued)

Deferred Inflows of Resources: In addition to liabilities, the balance sheet reports a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. Revenue must be susceptible to accrual (measurable and available to finance expenditures of the current fiscal period) to be recognized. If assets are recognized in connection with a transaction, but those assets are not yet available to finance expenditures of the current fiscal period, then the assets must be offset by a corresponding liability for deferred inflows of resources. The City does have deferred inflows which arises under the modified accrual basis of accounting that qualifies for reporting in this category. The City has two types of items present on the Statement of Net Position which arise due to the implementation of GASB 68 and GASB 75, and the related net pension liability.

Pensions: For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Public Employees Retirement Association (P.E.R.A) and the New Mexico Retiree Health Care Authority (NMRHCA) and additions to/deductions from P.E.R.A's and NMRHCA's fiduciary net position have been determined on the same basis as they are reported by P.E.R.A and NMRHCA, on the economic resources measurement focus and accrual basis of accounting. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Compensated Absences: Vested or accumulated vacation leave that is expected to be liquidated with expendable available financial resources is reported as an expenditure and a fund liability of the governmental or proprietary fund that will pay it. In prior years, substantially all of the related expenditures have been liquidated by the general fund. Amounts of vested or accumulated vacation leave that are not expected to be liquidated with expendable available financial resources are reported in the government-wide statement of net position.

Long-term Obligations: In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the governmental activities, statement of net position. Bond premiums and discounts, are deferred and amortized over the life of the bonds using the effective interest method or the straight-line method if the difference is minimal. Bonds payable are reported net of the applicable bond premium or discount. For fund financial reporting, bond premiums and discounts, as well as issuance costs, are recognized in the period the bonds are issued. Bond proceeds are reported as another financing source net of the applicable premium or discount. Issuance costs, even if withheld from the actual net proceeds received, are reported as debt service expenditures.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

D. Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources and Net Position or Equity (Continued)

Fund Balance Classification Policies and Procedures: For committed fund balance, the City's highest level of decision-making authority is the Board of Trustees. The formal action that is required to be taken to establish a fund balance commitment is the Board of Trustees.

For assigned fund balance, the Board of Trustees or an official or body to which the Board of Trustees delegates the authority is authorized to assign amounts to a specific purpose. The authorization policy is in governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund. For the classification of fund balances, the City considers restricted or unrestricted amounts to have been spent when an expenditure is incurred for the purposes for which both restricted and unrestricted fund balance is available. Also for the classification of fund balances, the City considers committed, assigned, or unassigned amounts to have been spent when an expenditure is incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

Nonspendable Fund Balance: At June 30, 2024, the City did not have any fund balances in nonspendable form.

Restricted and Committed Fund Balance: At June 30, 2024, the City has presented restricted fund balance on the governmental funds balance sheet for various general government operations as restricted by enabling legislation. The details of these fund balance items are located on the governmental funds balance sheet.

Minimum Fund Balance Policy: The City's policy for maintaining a minimum amount of fund balance for operations is to minimize any sudden and unplanned discontinuity to programs and operations and for unforeseen contingencies. At a minimum, the budget shall ensure that the City holds cash reserves of 1/12th the General Fund expenditures as a requirement mandated by the Department of Finance and Administration (DFA) for municipalities. At June 30, 2024, the balance of reserves of the General Fund is \$439,899.

Net Position: Equity is classified as net position and displayed in three components:

- a. Net investment in capital assets: Consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. Restricted net position: Consist of net position with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulation

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

D. Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources and Net Position or Equity (Continued)

of other governments; or (2) law through constitutional provisions or enabling legislation. Descriptions for the related restrictions for net position restricted for "special revenue, debt service and capital projects" are described on pages 54 and 69-72.

c. Unrestricted net position: Net position that does not meet the definition of "restricted" or "Net Investment in Capital Assets."

Interfund Transactions: Quasi-external transactions are accounted for as revenues, expenditures or expenses. Transactions that constitute reimbursements to a fund from expenditures/expenses initially made from it that are properly applicable to another fund, are recorded as expenditures/expenses in the reimbursing fund and as reductions of expenditures/expenses in the fund that is reimbursed.

All other interfund transactions, except quasi-external transactions and reimbursements, are reported as transfers. Nonrecurring or non-routine permanent transfers of equity are reported as residual equity transfers. All other interfund transfers are reported as operating transfers.

Estimates: The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates. Significant estimates in the City's financial statements include depreciation on capital assets and the net pension liability.

NOTE 2. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Budgetary Information

Annual budgets of the City are prepared prior to June 1 and must be approved by resolution of the Board of Trustees, and submitted to the Department of Finance and Administration for State approval. Once the budget has been formally approved, any amendments must also be approved by the Board of Trustees Members and the Department of Finance and Administration. A separate budget is prepared for each fund. Line items within each budget may be over-expended; however, it is not legally permissible to over-expend any budget in total by fund.

At June 30, 2024, the City had not any over-expenditures.

Governmental fund budgets are prepared on the Non-GAAP budgetary basis, excluding encumbrances, and secure appropriation of funds for only one year. Carryover funds must be re-appropriated in the budget of the subsequent fiscal year.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 3. DEPOSITS AND INVESTMENTS

State statutes authorize the investment of City funds in a wide variety of instruments including certificates of deposit and other similar obligations, state investment pool, money market accounts, and United States Government obligations. The City is not aware of any invested funds that did not meet the State investment requirements as of June 30, 2024.

Deposits of funds may be made in interest or non-interest bearing checking accounts in one or more banks or savings and loan associations within the geographical boundaries of the City. Deposits may be made to the extent that they are insured by an agency of the United States or collateralized as required by statute. The financial institution must provide pledged collateral for 50% of the deposit amount in excess of the deposit insurance.

The rate of interest in non-demand interest-bearing accounts shall be set by the State Board of Finance, but in no case shall the rate of interest be less than one hundred percent of the asked price on United States treasury bills of the same maturity on the day of deposit.

Excess funds may be temporarily invested in securities which are issued by the State or by the United States government, or by their departments or agencies, and which are either direct obligations of the State or the United States or are backed by the full faith and credit of those governments.

All of the City's accounts are at an insured depository institution, including all noninterest-bearing transaction accounts, which will be insured by the FDIC up to the Standard Maximum Deposit Insurance Amount of \$250,000.

Custodial Credit Risk – Deposits and investments

Custodial credit risk is the risk that in the event of a bank failure, the City's deposits may not be returned to it. The City does not have a deposit policy for custodial credit risk, other than following state statutes as set forth in the Public Money Act (Section 6-10-1 to 6-10-63, NMSA 1978). At June 30, 2024, \$1,639,243 of the City's deposits of \$4,323,458 was exposed to custodial credit risk. \$2,932,596 was uninsured and collateralized by collateral held by the pledging bank's trust department, not in the City's name, and no amounts were uninsured and uncollateralized.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 3. DEPOSITS AND INVESTMENTS (CONTINUED)

Custodial Credit Risk – Deposits and investments (continued)

	First New Mexico Bank	Wells Fargo Bank	New Mexico Finance Authority	Total
Amount of deposits	\$ 3,778,485	\$ -	\$ 544,973	\$ 4,323,458
FDIC and NMFA coverage	<u>250,000</u>	<u>250,000</u>	<u>544,973</u>	<u>1,044,973</u>
Total uninsured public funds	<u>3,528,485</u>	<u>(250,000)</u>	<u>-</u>	<u>3,278,485</u>
Collateral requirement (50% of uninsured funds)	1,764,243	-	-	1,639,243
Pledged Collateral	<u>2,932,596</u>	<u>-</u>	<u>-</u>	<u>2,932,596</u>
Over (Under) collateralized	<u>\$ 1,168,353</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,168,353</u>

The collateral pledged is listed in the supplementary section this report. The types of collateral allowed are limited to direct obligations of the United States Government and all bonds issued by any agency, district or political subdivision of the State of New Mexico.

Investments

The City has investments held in U.S. Treasury Money Market Mutual Funds at the Bank of Albuquerque in connection with New Mexico Finance Authority (NMFA) loans.
The City's investments at June 30, 2024 include the following:

Investments	Rated	Weighted Average Maturity	Fair Value
U.S. Treasury Money Market Mutual Funds	Aaa **	>365 Days *	\$ <u>404,335</u>

** Based Moody's rating

* The City has funds which are managed by NMFA which are considered restricted cash and cash equivalents and restricted investments. Of the total balances of \$404,335 is considered to be restricted investments per Exhibit A-1.

Interest Rate Risk – Investments

The City does not have a formal policy limiting investment maturities that would help manage its exposure to fair value losses from increasing interest rates.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 3. DEPOSITS AND INVESTMENTS (CONTINUED)

Concentration of Credit Risk – Investments

For an investment, concentration of credit risk is when any one issuer is 5% or more of the investment portfolio of the City. The investments in the U.S Treasury Money Market Mutual Funds represent 100%, of the investment portfolio. Since the City only purchases investments with the highest credit rating, the additional concentration is not viewed to be an additional risk by the City. The City's policy related to concentration of credit risk is to comply with the state statute as put forth in the Public Money Act (Section 6-10-1 to 6-10-63, NMSA 1978).

Fair Value Measurements

The fair value framework uses a hierarchy that prioritizes the inputs to the valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurement) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy are described below:

- Level 1 Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Foundation has the ability to access.
- Level 2 Inputs to the valuation methodology include:
- o Quoted prices for similar assets or liabilities in active markets;
 - o Quoted prices for identical or similar assets or liabilities in inactive markets;
 - o Inputs other than quoted prices that are observable for the asset or liability,
 - o Inputs that are derived principally from or corroborated by observable market data by correlation or other means

If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

- Level 3 Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs. See above for discussion of valuation methodologies used to measure fair value of investments.

U.S. Treasury Money Market Mutual Funds are valued at the daily closing price as reported by the fund. These investments held by the City are open-end funds that are registered with the SEC. These funds are required to publish their daily net asset value (NAV) and to transact at that price. The mutual funds held by the City are deemed to be actively traded.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 3. DEPOSITS AND INVESTMENTS (CONTINUED)

The valuation methodologies described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the City believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

The City maintained a balance of \$404,335 in investments at June 30, 2024 which required fair value disclosure. The following table sets forth by level within the fair value hierarchy of the City's assets at fair value as of June 30, 2024:

	Level 1	Level 2	Level 3	Total
U.S. Treasury Money Market Mutual Fund	\$ <u>404,335</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>404,335</u>
Total Investments	\$ <u>404,335</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>404,335</u>

NOTE 4. RECEIVABLES

Receivables as of June 30, 2024, are as follows:

Taxes:	
Gross receipts taxes	\$ 607,182
Other taxes	<u>60,217</u>
Total Tax AR	667,399
Trade:	
Licenses and fees	<u>15,649</u>
Total Trade AR	<u>15,649</u>
TOTAL AR	<u>\$ 683,048</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 5. DUE TO/DUE FROM AND TRANSFERS

Internal balances have primarily been recorded when funds overdraw their share of pooled cash. The composition of interfund balances as of June 30, 2024 is as follows:

Governmental Activities	Due from other funds	Due to other funds
General Fund	\$ 3,860,905	\$ 537,368
Church St HW2-LP10024	537,368	-
Public Safety Equipment	-	10,356
Futbol Field 22-ZG1023-26	-	1,021,663
Anthony Multi-Gen Facility Construction	-	894,755
Flood Prevention Project	-	66,071
South Anthony Arroyo-OSG-001	-	4,552
Emergency Health Clinic	-	1,134,396
Fishing Lakes & Amphitheater	-	64,131
BKLUP/CIOT 16-OP-RF-158	-	17
E-Rate Library Internet Services	-	3,597
Anthony Parks and Recreation-E2539	-	280,861
Acosta Rd (CDBG Acosta)	-	92,808
Multigenerational Phase 2	-	36,112
Litter Control & Beautification (KNMB)	-	1,586
Police Vehicles	-	250,000
Total	<u>\$ 4,398,273</u>	<u>\$ 4,398,273</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 5. DUE TO/DUE FROM AND TRANSFERS (Continued)

All interfund transactions are short-term and are expected to be repaid within a year. The composition of interfund transfers as of June 30, 2024 is as follows:

Governmental Activities	Transfers In	Transfers Out
General Fund	\$ 274,752	\$ 268,360
Property Tax Mill Levy	131,429	-
Transfer Station - Planning/Design	80,000	-
Citywide Maintenance	47,500	-
Library Grant	281	-
STEP	64	-
Church Street MAP-L100584	65,817	-
Development Projects	3,917	-
PD Vehicles 23-ZH9193	999	-
Charitable Projects Fund	680	-
Law Enforcement Protection Fund	91	-
Court Automation Fund	-	9,790
Judicial Education Fund	-	120
ENDWI 16-AL-64-158	58	-
BKLUP/CIOT 16-OP-RF-158	292	-
E-Rate Library Internet Services	574	-
Corrections Fund	-	9,661
Transfer Station Feasibility	-	5,181
American Rescue Plan	-	330,000
Debt Services Fund - CIP 4890 CIP 4815	<u>16,658</u>	<u>-</u>
Total	<u>\$ 623,112</u>	<u>\$ 623,112</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 6. CAPITAL ASSETS

A summary of capital assets and changes occurring during the year ended June 30, 2024 follows. Land and construction in progress are not subject to depreciation.

Governmental activities:	Balance June 30, 2023	Additions	Deletions	Balance June 30, 2024
Capital assets not being depreciated:				
Land	\$ 483,800	\$ -	\$ -	\$ 483,800
Construction in progress	<u>8,334,936</u>	<u>7,511,361</u>	<u>-</u>	<u>15,846,297</u>
Total capital assets not being depreciated	8,818,736	7,511,361	-	16,330,097
Capital assets being depreciated:				
Buildings and Improvements	3,395,467	-	-	3,395,467
Equipment	1,478,218	298,201	-	1,776,419
Vehicles	26,100	12,000	-	38,100
Infrastructure	<u>13,794,338</u>	<u>410,714</u>	<u>-</u>	<u>14,205,052</u>
Total capital assets being depreciated	<u>18,694,123</u>	<u>720,915</u>	<u>-</u>	<u>19,415,038</u>
Total capital assets	27,512,859	8,232,276	-	35,745,135
Less accumulated depreciation for:				
Buildings and improvements	725,563	107,592	-	833,155
Equipment	1,223,330	170,342	-	1,393,672
Infrastructure	<u>2,457,568</u>	<u>568,202</u>	<u>-</u>	<u>3,025,770</u>
Total accumulated depreciation	<u>4,406,461</u>	<u>846,136</u>	<u>-</u>	<u>5,252,597</u>
Total capital assets, net of depreciation	<u>\$ 23,106,398</u>	<u>\$ 7,386,140</u>	<u>\$ -</u>	<u>\$ 30,492,538</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 6. CAPITAL ASSETS (CONTINUED)

Depreciation expense for the year ended June 30, 2024 was charged to governmental activities as follows:

General Government	\$	323,342
Public Safety		191,060
Public Works		290,904
Culture and Recreation		<u>40,830</u>
Total Depreciation	\$	<u>846,136</u>

NOTE 7. LONG TERM DEBT

During the year ended June 30, 2024, the following changes occurred in the liabilities reported in the government-wide statement of net position:

	Balance June 30, 2023	Additions	Retirements	Balance June 30, 2024	Due Within One Year
Governmental Activities:					
NMFA Loans	\$ 7,871,527	\$ -	\$ 278,915	\$ 7,592,612	\$ 294,371
Compensated Absences	72,632	65,528	72,004	66,156	42,237
Total long-term debt	<u>\$ 7,944,159</u>	<u>\$ 65,528</u>	<u>\$ 350,919</u>	<u>\$ 7,658,768</u>	<u>\$ 336,608</u>

NMFA Loans

On December 2013, the City borrowed \$1,790,102 from the New Mexico Finance Authority. The loan proceeds were used to finance the acquisition of a building and grounds for the City's municipal building. The new building will allow the City to expand and improve on municipal services for the constituents of the City. This loan matures in May 2034 and accrues interest at 2.90%. The payments of principal and interest are paid from the revenue pledged as security through Municipal Local Option GRT.

On October 26, 2016, the City borrowed \$53,266 from the New Mexico Finance Authority. The proceeds of the loan are to be used for Flood Control Project 3178. The note matures in June 2034 and does not accrue interest. The City has pledged revenues to the payment of the loan to the grantor. The payments of principal is paid from the revenue pledged as security through Municipal Local Option GRT.

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NOTE 7. LONG TERM DEBT (CONTINUED)

On February 26, 2016, the City borrowed \$68,842 from the New Mexico Finance Authority. The proceeds of the loan were used for Flood Control Project 3339. The note matures on June 2, 2035 and does not accrued interest. The City has to pledge revenue to the payment of the loan to the grantor. The payments of the principal is paid from the revenue pledged as security though Municipal Local Option GRT.

On January 13, 2017, the City borrowed \$150,000 from the New Mexico Finance Authority. The proceeds of the loan were used for Road Improvement Project 3505. The note matures on July 2, 2039 and does not accrued interest. The City has to pledge revenue to the payment of the loan to the grantor. The payments of the principal is paid from the revenue pledged as security though Municipal Local Option GRT.

On June 1 2020 the City borrowed \$49,875 from the New Mexico Environmental Department. The proceeds of the loan were used for planning and preliminary design and final design of the South Anthony Arroyo and surrounding flood control improvements. The note matures on October 24, 2040 and does not accrued interest. No collateral was provided for this loan.

On March 29, 2019, the City borrowed \$3,000,000 from the New Mexico Finance Authority. The proceeds of the loan were used for GO Bond Series in order to improve City roads and parks. The note matures on August 1, 2039 and does not accrued interest. The City has to pledge revenue to the payment of the loan to the grantor. The payments of the principal is paid from the revenue pledged as security though Municipal Local Option GRT.

On April 1, 2020, the City borrowed \$4,000,000 from the New Mexico Finance Authority. The proceeds of the loan were used for GO Bond Series for the acquisition of the Dos Lagos Golf Course. The note matures on May 1, 2049 and does not accrued interest. The City has to pledge revenue to the payment of the loan to the grantor. The payments of the principal is paid from the revenue pledged as security though Municipal Local Option GRT.

Description	Date of Issue	Maturity Date	Interest Rate	Original Amount of Issue	Balance June 30, 2024
NMFA Loan- Municipal Building	Dec-13	May-34	2.90%	\$ 1,790,102	\$ 1,020,443
NMFA Loan- Flood Control Project	Oct-16	Jun-34	0.00%	53,266	27,520
NMFA Loan- Flood Control Project	Feb-16	Jun-35	0.00%	68,842	39,307
NMFA Loan - Road Improvements Project	Jan-17	Jul-39	0.00%	150,000	112,500
NMED - South Anthony Arroyo Planning	Nov-19	Oct-40	0.00%	49,875	39,899
NMFA Loan - Go Bond Series 2019	Mar-19	Aug-39	1.64%	3,000,000	2,542,035
NMFA Loan - Go Bond Series 2020	April-20	May-49	1.21%	4,000,000	<u>3,810,908</u>
Total NMFA Loans					<u>\$ 7,592,612</u>

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NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 7. LONG TERM DEBT (CONTINUED)

The annual requirements to amortize the NMFA loan as of June 30, 2024, including interest payments are as follows:

Fiscal Year Ended June 30,	Principal	Interest	Total Debt Service
2025	\$ 294,371	\$ 154,374	\$ 448,745
2026	300,171	149,952	450,123
2027	306,366	145,287	451,653
2028	312,912	140,400	453,312
2029	319,830	135,279	455,109
2030-2034	1,718,904	591,590	2,310,494
2035-2039	1,858,608	435,316	2,293,924
2040-2044	1,208,921	247,950	1,456,871
2045-2049	<u>1,272,529</u>	<u>67,031</u>	<u>1,339,560</u>
Total	<u>\$ 7,592,612</u>	<u>\$ 2,067,179</u>	<u>\$ 9,659,791</u>

Compensated Absences

Employees of the City are able to accrue a limited amount of vacation and other compensatory time during the year. During fiscal year June 30, 2024, compensated absences increased \$(6,476) from the prior year accrual. Compensated absences are liquidated by the respective funds in which they are accrued.

Conduit Debt Obligation

The City of Anthony has issued Industrial Revenue Bonds, in one or more series, in an aggregate principal amount not to exceed \$100,000,000 to provide financial assistance to private entities for the acquisition and construction of industrial facilities deemed to be in public interest. The bonds are secured by the property financed and are payable solely from payments received from the entities involved. Upon repayment of the bonds, ownership of the acquired facilities transfers to the entity served the bond issuance. Neither the City or the State, nor any political subdivision thereof is obligated in any manner for repayment of the bonds. Accordingly, the bonds are not reported as liabilities in the accompanying financial statements. See Note 17 for tax abatement information.

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NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 8. LEASE RECEIVABLE

On January 1, 2022, after the adoption of GASB 87, Leases, City of Anthony served as the lessor in different contracts which made changes in City's assets in the form of lease receivables.

The following is a summary of the leases receivable and the activity for the year ended June 30, 2024:

	Balance June 30, 2023	Additions	Reductions	Balance June 30, 2024	Due Within One Year
Governmental Activities:					
Property leases	\$ 36,920	\$ -	\$ 16,055	\$ 20,865	\$ 6,835
Total governmental activities	\$ 36,920	\$ -	\$ 16,055	\$ 20,865	\$ 6,835

The annual receivables expected from the Property leases outstanding as of June 30, 2024, including interest payments with interest rates of 1.75% are as follows:

Years ending June 30,	Principal	Interest	Total
2025	\$ 6,835	\$ 365	\$ 7,200
2026	6,954	246	7,200
2027	7,076	122	7,198
	<u>\$ 20,865</u>	<u>\$ 733</u>	<u>\$ 21,598</u>

At June 30, 2024, the activity in deferred inflows of resources for leases is as follows:

Deferred inflow - ROU as of June 30, 2023	\$ 24,404
Lease revenue	<u>(3,539)</u>
Deferred inflow - ROU as of June 30, 2024	<u>\$ 20,865</u>

NOTE 9. RISK MANAGEMENT

The City is exposed to various risks of loss related to torts, thefts of, damage to, and destruction of property, errors and omissions and natural disasters. The City participates in the New Mexico Self- Insurers' Fund risk pool.

The City has not filed any claims for which the settlement amount exceeded the insurance coverage during the past three years. However, should a claim be filed against the City which exceeds the insurance coverage, the City would be responsible for a loss in excess of the coverage amounts. As claims are filed, the New Mexico Self-Insurers' Fund assesses and estimates the potential for loss and handles all aspects of the claim. Insurance coverage has not changed significantly from prior years and coverage's are expected to be continued. At

STATE OF NEW MEXICO
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NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 9. RISK MANAGEMENT (CONTINUED)

June 30, 2024, no unpaid claims have been filed which exceed the policy limits and to the best of management's knowledge and belief all known and unknown claims will be covered by insurance. The City is not aware of any major lawsuits that have been filed.

New Mexico Self-Insurers' Fund has not provided information on an entity by entity basis that would allow for a reconciliation of changes in the aggregate liabilities for claims for the current fiscal year and the prior fiscal year.

NOTE 10. PENSION PLAN-PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

General Information about the Pension Plan

Plan Description: The Public Employees Retirement Fund (PERA Fund) is a cost-sharing, multiple employer defined benefit pension plan. This fund has six divisions of members, including State General, State Police/Adult Correction Officer, Municipal General, Municipal Police/Detention Officers, Municipal fire, and State Legislative Divisions, and offers 24 different types of coverage within the PERA plan. All assets accumulated may be used to pay benefits, including refunds of member contributions, to any of the plan members or beneficiaries, as defined by the terms of this plan. Certain coverage plans are only applicable to a specific division. Eligibility for membership in the PERA Fund is set forth in the Public Employees Retirement Act (Chapter 10, Article 11, NMSA 1978). Except as provided for in the Volunteer Firefighters Retirement Act (10-11A-1 to 10-11A-7, NMSA 1978), the Judicial Retirement Act (10-12B-1 to 10-12B-19, NMSA 1978), the Magistrate Retirement Act (10-12C-1 to 10-12C-18, NMSA 1978), and the Educational Retirement Act (Chapter 22, Article 11, NMSA 1978), and the provisions of Sections 29-4-1 through 29-4-11, NMSA 1978 governing the State Police Pension Fund, each employee and elected official of every affiliated public employer is required to be a member in the PERA fund.

PERA issues a publicly available financial report and an annual comprehensive financial report that can be obtained at <http://saonm.org/> using the Audit Report Search function for agency 366.

Benefits provided. For a description of the benefits provided and recent changes to the benefits see Note 1 in the PERA audited financial statements for the fiscal year ended June 30, 2023 available at: <https://www.nmpera.org/assets/uploads/home-banner/NM-PERA-FINAL-Allocation-Schedules-2023.pdf>

Tier II. The retirement age and service credit requirements for normal retirement for PERA state and municipal general members hired increased effective July 1, 2013. Under the new requirements (Tier II), general members are eligible to retire at any age if the member has at least five years of service credit and the sum of the member's age and service credit equals at least 85 or at age 65 with 5 or more years of service credit. General members hired on or before June 30, 2013 (Tier I) remain eligible to retire at any age with 25 or more years of service credit. Under Tier II, police and firefighters in Plans 3, 4 and 5 are eligible to retire at any age with 25 or more years of service credit. State police and adult correctional officers, peace officers and

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NOTE 10. PENSION PLAN-PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (CONTINUED)

municipal juvenile detention officers will remain in 25-year retirement plans, however, service credit will no longer be enhanced by 20%. All public safety members in Tier II may retire at age 60 with 5 or more years of service credit. Generally, under Tier II pension factors were reduced by .5%, employee Contribution increased 1.5 percent and effective July 1, 2014 employer contributions were raised .05 percent. The computation of final average salary increased as the average of salary for 60 consecutive months.

Contributions. The contribution requirements of defined benefit plan members and The City are established in State Statute under Chapter 10, Article 11 NMSA 1978. The contribution requirements may be amended by acts of the legislature. For the employer and employee contribution rates in effect for FY23 for the various PERA coverage options, for both Tier I and Tier II, see the tables available in the note disclosures of the PERA FY23 annual audit report at: <https://www.nmpera.org/assets/uploads/home-banner/NM-PERA-FINAL-Allocation-Schedules-2023.pdf>

The PERA coverage options that apply to City of Anthony are: Municipal General Division and Municipal Police Division. Statutorily required contributions to the pension plan from City of Anthony were \$79,778 for the year ended June 30, 2024.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions: The PERA pension liability amounts, net pension liability amounts, and sensitivity information were based on an annual actuarial valuation performed as of June 30, 2022. The PERA pension liability amounts for each division were rolled forward from the valuation date to the Plan year ending June 30, 2023, using generally accepted actuarial principles. Therefore, the employer's portion was established as of the measurement date June 30, 2023.

The assets of the PERA fund are held in one trust, but there are six distinct membership groups (municipal general members, municipal police members, municipal fire members, state general members, state police members and legislative members) for whom separate contribution rates are determined each year pursuant to chapter 10, Article 11 NMSA 1978. Therefore, the calculations of the net pension liability, pension expense and deferred inflows and outflows were performed separately for each of the membership groups: municipal general members; municipal police members; municipal fire members; state general members; state police members and legislative members.

City of Anthony's proportion of the net pension liability for each membership group that the employer participates in is based on the employer contributing entity's percentage of that membership group's total employer contributions for the fiscal year ended June 30, 2024. Only employer contributions for the pay period end dates that fell within the period of July 1, 2023 to June 30, 2024 were included in the total contributions for a specific employer. Regular and any adjustment contributions that applied to FY 2024 are included in the total contribution amounts. In the event that an employer is behind in reporting to PERA its required contributions, an

STATE OF NEW MEXICO
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NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 10. PENSION PLAN-PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (CONTINUED)

estimate (receivable) was used to project the unremitted employer contributions. This allowed for fair and consistent measurement of the contributions with the total population. This methodology was used to maintain consistent measurement each year in determining the percentages to be allocated among all the participating employers.

For PERA Fund Municipal General Division, at June 30, 2024, City of Anthony reported a liability of \$1,418,712 for its proportionate share of the net pension liability. At June 30, 2024, Anthony's proportion was 0.0579%, which was increased from its proportion measured as of June 30, 2023, by 0.0010%.

For the year ended June 30, 2024, City of Anthony recognized PERA Fund Municipal General Division pension expense of \$173,669. At June 30, 2024, City of Anthony reported PERA Fund Municipal General Division deferred outflows of resources and deferred inflows or resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes in proportion	\$ 111,711	\$ 12,327
Difference between expected and actual experience	106,480	17,314
Net difference between expected and actual experience	133,392	-
Contributions subsequent to the measurement date	<u>119,667</u>	<u>-</u>
Total	<u>\$ 471,250</u>	<u>\$ 29,641</u>

\$119,667 reported as deferred outflows of resources related to pensions resulting from City of Anthony's contributions subsequent to the measurement date June 30, 2023 will be recognized as a reduction of the net pension liability in the year ended June 30, 2024. Other amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended June 30:

	<u>Municipal General</u>
2025	\$ 106,195
2026	61,192
2027	142,409
2028	<u>12,146</u>
Total	<u>\$ 321,942</u>

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NOTE 10. PENSION PLAN-PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (CONTINUED)

For PERA Fund Municipal Police Division, at June 30, 2024, City of Anthony reported a liability of \$1,235,283 for its proportionate share 0.1101% of the net pension liability. At June 30, 2023, City of Anthony's proportion was 0.0924% which was an increase from its proportion measured as of June 30, 2023, by 0.0177%.

For the year ended June 30, 2024, City of Anthony recognized PERA Fund Municipal Police Division pension expense of \$93,673. At June 30, 2024, City of Anthony reported PERA Fund Municipal Police Division deferred outflows of resources and deferred inflows or resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes in proportion	\$ 142,478	\$ 5,896
Difference between expected and actual experience	105,817	-
Net difference between expected and actual experience	102,594	-
Contributions subsequent to the measurement date	<u>79,778</u>	<u>-</u>
Total	<u>\$ 430,667</u>	<u>\$ 5,896</u>

\$79,778 reported as deferred outflows of resources related to pensions resulting from City of Anthony's contributions subsequent to the measurement date June 30, 2023 will be recognized as a reduction of the net pension liability in the year ended June 30, 2024. Other amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended June 30:

	Police Division
2025	\$ 140,781
2026	80,416
2027	114,429
2028	<u>9,367</u>
Total	<u>\$ 344,993</u>

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NOTE 10. PENSION PLAN-PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (CONTINUED)

Actuarial assumptions described above, the PERA Fund member group pension liabilities and net pension liabilities are based on actuarial valuations performed as of June 30, 2022 for each of the membership groups. Then each PERA Fund member group pension liability was rolled forward from the valuation date to the Plan year ending June 30, 2022 using generally accepted actuarial principles. There were no significant events or changes in benefit provisions that required an adjustment to the roll-forward liabilities as of June 30, 2022. These actuarial methods and assumptions were adopted by the Board for use in the June 30, 2022 actuarial valuation.

Actuarial valuation date	June 30, 2022
Actuarial cost method	Entry age normal
Amortization method	Level percentage of payroll, Open
Asset valuation method	4-year Smoothed Market Value
Actuarial assumptions:	
-Investment rate of return	7.25%
-Administrative expenses	.50% of payroll
-Projected salary increases*	All pay increases are assumed to occur at the beginning of the year
Post-retirement benefit increases	1.60% annual rate beginning 7/1/2023 (2.50% for certain retirees and disabled participants with annual benefits less than \$25,000)

The long-term expected rate of return on pension plan investments was determined using a statistical analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target asset allocation and most recent best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

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CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 10. PENSION PLAN-PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (CONTINUED)

ALL FUNDS - Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Global Equity	38.00 %	6.90 %
Risk Reduction & Mitigation	17.00 %	3.90 %
Credit Oriented Fixed Income	19.00 %	6.00 %
Real Assets to Include Real Estate Equity	18.00 %	7.00 %
Multi-Risk Allocation	<u>8.00 %</u>	0.61 %
Total	100.00 %	

Discount rate: The discount rate used to measure the total pension liability was 7.25 percent. The projection of cash flows used to determine the discount rate assumed that future contributions will be made in accordance with statutory rates. On this basis, the pension plan's fiduciary net position together with the expected future contributions are sufficient to provide all projected future benefit payments of current plan members as determined in accordance with GASBS 67. Therefore, the 7.25% assumed long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Employer's proportionate share of the net pension liability to changes in the discount rate. The following tables show the sensitivity of the net pension liability to changes in the discount rate. In particular, the tables present City of Anthony's net pension liability in each PERA Fund Division that City of Anthony participates in, under the current single rate assumption, as if it were calculated using a discount rate one percentage point lower (6.25%) or one percentage point higher (8.25%) than the single discount rate.

PERA Fund Municipal General Division

	1% Decrease (6.25%)	Current Discount Rate (7.25%)	1% Increase (8.25%)
City of Anthony's proportionate share of the Net Pension Liability	<u>\$ 2,056,920</u>	<u>\$ 1,418,712</u>	<u>\$ 888,092</u>
TOTAL	<u>\$ 2,056,920</u>	<u>\$ 1,418,712</u>	<u>\$ 888,092</u>

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NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 10. PENSION PLAN-PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (CONTINUED)

PERA Fund Municipal Police Division

	1% Decrease (6.25%)	Current Discount Rate (7.25%)	1% Increase (8.25%)
City of Anthony's proportionate share of the Net Pension Liability	\$ 1,778,910	\$ 1,235,283	\$ 790,296
TOTAL	<u>\$ 1,778,910</u>	<u>\$ 1,235,283</u>	<u>\$ 790,296</u>

Pension plan fiduciary net position. Detailed information about the pension plan's fiduciary net position is available in the separately issued FY23 PERA financial report. The report is available at <https://www.nmpera.org/assets/uploads/home-banner/NM-PERA-FINAL-Allocation-Schedules-2023.pdf>

Payment for contributions in arrears: The City made no additional payments for contributions in arrears.

NOTE 11. CONTINGENT LIABILITIES

The City is party to various claims and lawsuits arising in the normal course of business. The City is insured through the New Mexico Self Insurers Fund. The maximum exposure of the City is not estimable as of June 30, 2024.

NOTE 12. FEDERAL AND STATE GRANTS

In the normal course of operations, the City receives grant funds from various federal and state agencies. Amounts received or receivable from grantor agencies are subject to audit and adjustment by grantor agencies, the purpose of which is to ensure compliance with conditions precedent to the granting of funds. Any liability for reimbursement which may arise as a result of these audits is not believed to be material.

Also, the City receives federal and state grants that are recorded as unearned revenue until they are earned. The unearned revenue at June 30, 2024 is as follows:

WPF-5938	\$ 1,350,000
WPF-5937	360,000
CIF-6101	180,000
CIF-6102	<u>720,000</u>
Total	\$ 2,610,000

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 13. CONSTRUCTION AND OTHER SIGNIFICANT COMMITMENTS

The City has committed to pay for several construction contracts that were not completed at June 30, 2024 in the amount of \$15,846,297 as follows:

Project	Year Ending	Remaining Amount
South Anthony Arroyo Planning	2024	\$ 4,552
Adams Park	2024	\$ 3,297,893
Sidewalk Rehabilitation	2024	\$ 854,815
Additions and renovations of the Dos Lagos Golf Course	2024	\$ 3,076,021
Library Renovation	2024	\$ 92,060
Street Improvements	2024	\$ 605,835
E2539	2024	\$ 1,112,800
Church Street	2024	\$ 1,040,030
Urgent Care Clinic	2024	\$ 1,386,217
Futbol / Soccer Field	2024	\$ 1,090,124
Pond 9A	2024	\$ 92,726
Fishing Lakes & Amphitheater	2024	\$ 64,131
Duffer Lane Street	2024	\$ 826,458
CDBG	2024	\$ 609,364
Multi-Generational Phase 2	2024	\$ 1,693,269

NOTE 14. SUBSEQUENT EVENTS

The date to which events occurring after June 30, 2024, the date of the most recent statement of net position, have been evaluated for possible adjustment to the financial statements or disclosures is December 13, 2024, which is the date on which the financial statements were issued.

NOTE 15. CONCENTRATIONS

The City depends on financial resources flowing from, or associated with, both the Federal Government and the State of New Mexico. Because of this dependency, the City is subject to changes in the specific flows of intergovernmental revenues based on modifications to Federal and State laws and Federal and State appropriations.

NOTE 16. RESTRICTED NET POSITION

The government-wide statement of net position reports \$10,165,099 of restricted net position for governmental activities, all of the special revenue funds which are restricted by enabling legislation.

STATE OF NEW MEXICO
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NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 17. TAX ABATEMENTS

The City has the following tax abatement agreement:

Agency number for Agency making the disclosure	6007
(Abating Agency)	
Abating Agency Name	City of Anthony
Abating Agency Type	Municipality
Tax Abatement Agreement Name	Industrial Revenue Bond Project Agreement
Name of agency affected by abatement agreement (Affected Agency)	Dona Ana County
Agency number of Affected Agency	5007
Agency type of Affected Agency	County
Recipient(s) of tax abatement	CN Wire Corporation
Tax abatement program (name and brief description)	Industrial Revenue Bond
Specific Tax(es) Being Abated	Property Tax
Authority under which abated tax would have been paid to Affected Agency	New Mexico Statutes 3-32-1 through 3-32-16
Gross dollar amount, on an accrual basis, by which the Affected Agency's tax revenues were reduced during the reporting period as a result of the tax abatement agreement	Contract states that the abating agency will receive a PILOT in the amount equal to the 25% of the property tax abated.
For any Payments in Lieu of Taxes (PILOTS) or similar payments receivable by the Affected Agency in association with the foregone tax revenue, list the amount of payments received in the current fiscal year	2 Payments (Contract states that from each payment City of Anthony keeps 40% and the rest 60% is distributed to Dona Ana County)
If the Abating Agency is omitting any information required in this spreadsheet or by GASB 77, cite the legal basis for such omission	N/A

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NOTES TO BASIC FINANCIAL STATEMENTS
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NOTE 17. TAX ABATEMENTS (CONTINUED)

Agency number for Agency making the disclosure	6007
(Abating Agency)	
Abating Agency Name	City of Anthony
Abating Agency Type	Municipality
Tax Abatement Agreement Name	Industrial Revenue Bond Project Agreement
Name of agency affected by abatement agreement (Affected Agency)	Taxation and Revenue Department
Agency number of Affected Agency	333
Agency type of Affected Agency	New Mexico State agency
Recipient(s) of tax abatement	CN Wire Corporation
Tax abatement program (name and brief description)	Industrial Revenue Bond
Specific Tax(es) Being Abated	Property Tax
Authority under which abated tax would have been paid to Affected Agency	New Mexico Statutes 3-32-1 through 3-32-16
Gross dollar amount, on an accrual basis, by which the Affected Agency's tax revenues were reduced during the reporting period as a result of the tax abatement agreement	Contract states that the abating agency will receive a PILOT in the amount equal to the 25% of the property tax abated. Thus the gross amount abated for FY2017 is \$444,088.00
For any Payments in Lieu of Taxes (PILOTS) or similar payments receivable by the Affected Agency in association with the foregone tax revenue, list the amount of payments received in the current fiscal year	2 Payments (Contract states that from each payment City of Anthony keeps 40% and the rest 60% is distributed to Dona Ana County)
If the Abating Agency is omitting any information required in this spreadsheet or by GASB 77, cite the legal basis for such omission	N/A

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 17. TAX ABATEMENTS (CONTINUED)

Agency number for Agency making the disclosure

(Abating Agency)

6007

Abating Agency Name

City of Anthony

Abating Agency Type

Municipality

Tax Abatement Agreement Name

Industrial Revenue Bond Project Agreement

Name of agency affected by abatement agreement (Affected Agency)

Dona Ana County

Agency number of Affected Agency

5007

Agency type of Affected Agency

County

Recipient(s) of tax abatement

Valley Cold Storage & Transportation

Tax abatement program (name and brief description)

Industrial Revenue Bond

Specific Tax(es) Being Abated

Property Tax

Authority under which abated tax would have been paid to Affected Agency

New Mexico Statutes 3-32-1 through 3-32-16

Gross dollar amount, on an accrual basis, by which the Affected Agency's tax revenues were reduced during the reporting period as a result of the tax abatement agreement

None, Project started December 2016 and no pavements have been received yet.

For any Payments in Lieu of Taxes (PILOTS) or similar payments receivable by the Affected Agency in association with the foregone tax revenue, list the amount of payments received in the current fiscal year

None, Project started December 2016 and no pavements have been received yet.

If the Abating Agency is omitting any information required in this spreadsheet or by GASB 77, cite the legal basis for such omission

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 17. TAX ABATEMENTS (CONTINUED)

Agency number for Agency making the disclosure

(Abating Agency)

6007

Abating Agency Name

City of Anthony

Abating Agency Type

Municipality

Tax Abatement Agreement Name

Industrial Revenue Bond Project Agreement

Name of agency affected by abatement agreement (Affected Agency)

Taxation and Revenue Department

Agency number of Affected Agency

333

Agency type of Affected Agency

New Mexico State agency

Recipient(s) of tax abatement

Valley Cold Storage & Transportation

Tax abatement program (name and brief description)

Industrial Revenue Bonds

Specific Tax(es) Being Abated

Property Tax

Authority under which abated tax would have been paid to Affected Agency

New Mexico Statutes 3-32-1 through 3-32-16

Gross dollar amount, on an accrual basis, by which the Affected Agency's tax revenues were reduced during the reporting period as a result of the tax abatement agreement

None, Project started December 2016 and no pavements have been received yet.

For any Payments in Lieu of Taxes (PILOTS) or similar payments receivable by the Affected Agency in association with the foregone tax revenue, list the amount of payments received in the current fiscal year

None, Project started December 2016 and no pavements have been received yet.

If the Abating Agency is omitting any information required in this spreadsheet or by GASB 77, cite the legal basis for such omission

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 18. SUBSEQUENT PRONOUNCEMENTS

In June 2022 GASB issued Statement No. 100 Accounting Changes and Error Corrections - an amendment of GASB Statement No. 62 was issued. The primary objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability. The requirements of this Statement are effective for accounting changes and error corrections made in fiscal year beginning after June 15, 2023, and all reporting periods thereafter. The pronouncement did not affect the Company's financial statements.

In June 2022 GASB Statement No. 101, requires that liabilities for compensated absences be recognized for (1) leave that has not been used and (2) leave that has been used but not yet paid in cash or settled through noncash means. A liability should be recognized for leave that has not been used if (a) the leave is attributable to services already rendered, (b) the leave accumulates, and (c) the leave is more likely than not to be used for time off or otherwise paid in cash or settled through noncash means. Leave is attributable to services already rendered when an employee has performed the services required to earn the leave. Leave that accumulates is carried forward from the reporting period in which it is earned to a future reporting period during which it may be used for time off or otherwise paid or settled. In estimating the leave that is more likely than not to be used or otherwise paid or settled, a government should consider relevant factors such as employment policies related to compensated absences and historical information about the use or payment of compensated absences. However, leave that is more likely than not to be settled through conversion to defined benefit postemployment benefits should not be included in a liability for compensated absences. The requirements of this Statement are effective for fiscal years beginning after December 15, 2023. The Company is still evaluating how this pronouncement will affect the financial statements.

In December 2023, GASB Statement No. 102, Certain Risk Disclosures, was issued. State and local governments face a variety of risks that could negatively affect the level of service they provide or their ability to meet obligations as they come due. Although governments are required to disclose information about their exposure to some of those risks, essential information about other risks that are prevalent among state and local governments is not routinely disclosed because it is not explicitly required.

The objective of this Statement is to provide users of government financial statements with essential information about risks related to a government's vulnerabilities due to certain concentrations or constraints. The requirements of this Statement are effective for fiscal years beginning after June 15, 2024, and all reporting periods thereafter. Earlier application is encouraged. The City is still evaluating how this pronouncement will affect the financial statements.

In April 2024, GASB Statement No. 103, continues the requirement that the basic financial statements be preceded by management's discussion and analysis (MD&A), which is presented

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 18. SUBSEQUENT PRONOUNCEMENTS (CONTINUED)

as required supplementary information (RSI). MD&A provides an objective and easily readable analysis of the government's financial activities based on currently known facts, decisions, or conditions, and presents comparisons between the current year and the prior year. This Statement requires that the information presented in MD&A be limited to the related topics discussed in five sections: (1) Overview of the Financial Statements, (2) Financial Summary, (3) Detailed Analyses, (4) Significant Capital Asset and Long-Term Financing Activity, and (5) Currently Known Facts, Decisions, or Conditions. Furthermore, this Statement stresses that the detailed analyses should explain why balances and results of operations changed rather than simply presenting the amounts or percentages by which they changed. This Statement emphasizes that the analysis provided in MD&A should avoid unnecessary duplication by not repeating explanations that may be relevant to multiple sections and that "boilerplate" discussions should be avoided by presenting only the most relevant information, focused on the primary government. In addition, this Statement continues the requirement that information included in MD&A distinguish between that of the primary government and its discretely presented component units. GASB Statement No. 103 was implemented and has been omitted as our opinion on the financial statements is not affected by the missing information.

SAS 149, Audits of Group Financial Statements, effective for periods ending on or after 12/15/2026. The objective is to provide a risk-based approach to planning and performing a group audit. Extant AU-C section 600 focused on the identification of significant components at which to perform audit work. In SAS No. 149, the group auditor uses professional judgment in determining the components at which to perform procedures that respond to assessed risks. SAS No. 149 also better aligns the standard with other recently issued SASs and clarifies the interaction between the SAS and other AU-C sections. SAS No. 149 is effective for audits of group financial statements for periods ending on or after December 15, 2026. The City is still evaluating how this pronouncement will affect the financial statements.

The Uniform Guidance's single audit threshold is increasing from \$750,000 to \$1,000,000 for audits with periods beginning on or after October 1, 2024. This means that only entities that spend \$1 million or more of federal funds in their fiscal year will be subject to a Single Audit.

NOTE 19. POST EMPLOYMENT BENEFITS - STATE RETIREE HEALTH CARE PLAN

The City opted out of the State Retiree Health Care plan, thus will not record and OPEB liability.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO BASIC FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

NOTE 20. DEFICIT FUND BALANCE

The following funds had deficit fund balances as of June 30, 2024:

Anthony Multi-Gen Facility Construction	\$ 909,780
Futbol Field 22-ZG1023-26	1,054,673
Emergency Health Clinic EDA No08	1,134,396
Multigenerational Phase 2	53,384
E-Rate Library Internal Service	3,597
Public Safety Equipment	3,947
Litter Control & Beautification (KNMB)	1,586
Fishing Lakes & Amphitheater	64,131
South Anthony Arroyo OSG-001	4,552
Police Vehicles	<u>225,352</u>
Total	<u>\$ 3,455,398</u>

REQUIRED SUPPLEMENTARY INFORMATION

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA) PLAN
PERA MUNICIPAL GENERAL DIVISION
LAST 10 FISCAL YEARS*
FOR THE YEAR ENDED JUNE 30, 2024

	Measurement Date (As of and for the Year Ended June 30, 2024)	Measurement Date (As of and for the Year Ended June 30, 2023)	Measurement Date (As of and for the Year Ended June 30, 2022)	Measurement Date (As of and for the Year Ended June 30, 2021)	Measurement Date (As of and for the Year Ended June 30, 2020)	Measurement Date (As of and for the Year Ended June 30, 2019)	Measurement Date (As of and for the Year Ended June 30, 2018)	Measurement Date (As of and for the Year Ended June 30, 2017)	Measurement Date (As of and for the Year Ended June 30, 2016)
The City of Anthony' proportion of the net pension liability	\$ 1,418,712	\$ 1,027,687	\$ 641,592	\$ 1,231,536	\$ 927,869	\$ 878,498	\$ 615,590	\$ 450,541	\$ 247,760
The City of Anthony' proportionate share of the net pension liability	0.0670 %	0.0579 %	0.0569 %	0.0609 %	0.0536 %	0.0551 %	0.0448 %	0.0282 %	0.0243 %
The City of Anthony' covered payroll	\$ 1,070,640	\$ 1,027,234	\$ 697,816	\$ 714,695	\$ 726,839	\$ 686,849	\$ 512,195	\$ 308,928	\$ 252,160
The City of Anthony' proportionate share of the net pension liability as a percentage of its covered payroll	132.51 %	100.04 %	91.94 %	172.32 %	127.66 %	127.90 %	120.19 %	145.84 %	98.26 %
Plan fiduciary net position as a percentage of the total pension liability	67.26 %	69.35 %	77.25 %	66.36 %	70.52 %	71.13 %	73.74 %	69.18 %	76.99 %

* The amounts presented were determined as of June 30. This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, City of Anthony will present information for those years for which information is available.

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA) PLAN
PERA MUNICIPAL POLICE DIVISION
LAST 10 FISCAL YEARS*
FOR THE YEAR ENDED JUNE 30, 2024

	Measurement Date (As of and for the Year Ended June 30, 2024)	Measurement Date (As of and for the Year Ended June 30, 2023)	Measurement Date (As of and for the Year Ended June 30, 2022)	Measurement Date (As of and for the Year Ended June 30, 2021)	Measurement Date (As of and for the Year Ended June 30, 2020)	Measurement Date (As of and for the Year Ended June 30, 2019)	Measurement Date (As of and for the Year Ended June 30, 2018)	Measurement Date (As of and for the Year Ended June 30, 2017)	Measurement Date (As of and for the Year Ended June 30, 2016)
The City of Anthony' proportion of the net pension liability	\$ 1,235,283	\$ 884,599	\$ 477,857	\$ 833,103	\$ 693,610	\$ 627,720	\$ 428,897	\$ 401,379	\$ 330,348
The City of Anthony' proportionate share of the net pension liability	0.1281 %	0.1101 %	0.0924 %	0.0970 %	0.0939 %	0.0920 %	0.0772 %	0.0553 %	0.0687 %
The City of Anthony' covered payroll	\$ 928,202	\$ 713,626	\$ 465,211	\$ 498,866	\$ 501,269	\$ 430,034	\$ 512,195	\$ 521,899	\$ 308,928
The City of Anthony' proportionate share of the net pension liability as a percentage of its covered payroll	133.08 %	123.96 %	102.72 %	167.00 %	138.37 %	145.97 %	83.74 %	76.91 %	106.93 %
Plan fiduciary net position as a percentage of the total pension liability	67.26 %	69.35 %	77.25 %	66.36 %	70.52 %	71.13 %	73.74 %	69.18 %	76.99 %

* The amounts presented were determined as of June 30. This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, City of Anthony will present information for those years for which information is available.

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF CITY OF ANTHONY' CONTRIBUTIONS
PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA) PLAN
PERA MUNICIPAL GENERAL DIVISION
LAST 10 FISCAL YEARS*
FOR THE YEAR ENDED JUNE 30, 2024

	As of and for the Year Ended June 30, 2024	As of and for the Year Ended June 30, 2023	As of and for the Year Ended June 30, 2022	As of and for the Year Ended June 30, 2021	As of and for the Year Ended June 30, 2020	As of and for the Year Ended June 30, 2019	As of and for the Year Ended June 30, 2018	As of and for the Year Ended June 30, 2017	As of and for the Year Ended June 30, 2016
Contractually required contribution	\$ 105,706	\$ 85,753	\$ 63,605	\$ 55,715	\$ 56,005	\$ 44,362	\$ 43,162	\$ 38,620	\$ 22,861
Contributions in relation to the contractually required contribution	105,706	85,753	63,605	55,715	56,005	44,362	43,162	38,620	22,861
Contribution deficiency (excess)	-	-	-	-	-	-	-	-	-
The City of Anthony' covered payroll	\$ 1,070,640	\$ 1,027,234	\$ 697,816	\$ 714,695	\$ 726,839	\$ 686,849	\$ 512,195	\$ 521,899	\$ 308,928
Contributions as a percentage of covered payroll	9.87 %	8.35 %	9.11 %	7.80 %	7.71 %	6.46 %	8.43 %	7.40 %	7.40 %

* The amounts presented were determined as of June 30. This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, City of Anthony will present information for those years for which information is available.

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF CITY OF ANTHONY' CONTRIBUTIONS
PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA) PLAN
PERA MUNICIPAL POLICE DIVISION
LAST 10 FISCAL YEARS*
FOR THE YEAR ENDED JUNE 30, 2024

	As of and for the Year Ended June 30, 2024	As of and for the Year Ended June 30, 2023	As of and for the Year Ended June 30, 2022	As of and for the Year Ended June 30, 2021	As of and for the Year Ended June 30, 2020	As of and for the Year Ended June 30, 2019	As of and for the Year Ended June 30, 2018	As of and for the Year Ended June 30, 2017	As of and for the Year Ended June 30, 2016
Contractually required contribution	\$ 92,830	\$ 57,168	\$ 42,403	\$ 37,143	\$ 39,465	\$ 36,716	\$ 40,712	\$ 31,090	\$ 20,404
Contributions in relation to the contractually required contribution	<u>92,830</u>	<u>57,168</u>	<u>42,403</u>	<u>37,143</u>	<u>39,465</u>	<u>36,716</u>	<u>40,712</u>	<u>31,090</u>	<u>20,404</u>
Contribution deficiency (excess)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
The City of Anthony' covered payroll	\$ <u>928,202</u>	\$ <u>713,626</u>	\$ <u>465,211</u>	\$ <u>498,866</u>	\$ <u>501,269</u>	\$ <u>430,034</u>	\$ <u>512,195</u>	\$ <u>521,899</u>	\$ <u>308,928</u>
Contributions as a percentage of covered payroll	10.00 %	8.01 %	9.11 %	7.45 %	7.87 %	8.54 %	7.95 %	5.96 %	6.60 %

* The amounts presented were determined as of June 30. This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, City of Anthony will present information for those years for which information is available.

STATE OF NEW MEXICO
CITY OF ANTHONY
NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION
AS OF AND FOR THE YEAR ENDED JUNE 30, 2024

Changes of benefit terms. The PERA Fund COLA and retirement eligibility benefits changes in recent years are described in Note 1 of the PERA FY23 audit available at <https://www.nmpera.org>

Changes of assumptions. The Public Employees Retirement Association (PERA) of New Mexico Annual Actuarial Valuation as of June 30, 2022 report is available at <https://www.nmpera.org>

See the notes to the financial statements on the ACFR which summarizes actuarial assumptions and methods effective with the 2022 valuation.

NON-MAJOR FUNDS

STATE OF NEW MEXICO
CITY OF ANTHONY
NON-MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2024

Non-major funds listed are for Special Revenue Funds are for specific revenue sources (other than special assessments, expendable trusts and major capital projects), Capital Projects Funds for the reporting of capital improvements, and Debt Services Funds for the management debt. These Funds are legally restricted for expenditures for specified purposes.

CHARITABLE PROJECTS FUND – To account for donation received by the City in order to promote the wellness of the people of Anthony, NM and specially for the children. This fund has been approved by the Board of Trustees.

COURT AUTOMATION FUND – NMSA 34-9-12 created the Municipal Court Automation Fund. The fund is administered by the Administrative Office of the Courts (AOC) for the purpose of "purchasing, maintaining and operating" court automation systems in municipal courts. This fund is authorized by the Board of Trustees.

JUDICIAL EDUCATION – A court education fee of three dollars (\$3.00); the fees are to be collected upon citation payments. This fund is authorized by the Board of Trustees.

CORRECTIONS – A special revenue fund that accounts for revenues and expenditures relating to the Corrections department. Financing is provided by correction fees. Section 35-14-11, NMSA 1978. This fund is authorized by the Board of Trustees.

LAW ENFORCEMENT PROTECTION – A special revenues fund that accounts for revenues and expenditures relating to Law Enforcement. Financing is provided by grants. Section 19-13-3F, NMSA. This fund is authorized by the Board of Trustees.

STEP FUND - The Selective Traffic Enforcement Program (STEP) Special revenue fund is a program is used to allow Police over time to safeguard on Traffic/Streets related to DWI's and DUI's

STONEGARDEN – Approved memorandum of agreement between Doña Ana County, Doña Ana Sheriff's Office and the City of Anthony Police Department for increased Border Security and protection under Operation Stonegarden, 2013. This fund is authorized by the Board of Trustees.

GENERAL OBLIGATION BOND – To account for expenses under the General Obligation Bond awarded to the City of Anthony's Library. This fund is authorized by the Board of Trustees.

E- RATE LIBRARY INTERNET SERVICES - To account for collections and disbursements of the funds used to provide affordable telecommunications and Internet access. This fund is authorized by the Board of Trustees.

BUCKLE UP – To account for grants awarded to the City of Anthony for traffic enforcement and alcohol monitoring. This fund is authorized by the Board of Trustees.

STATE OF NEW MEXICO
CITY OF ANTHONY
NON-MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2024

KEEP NEW MEXICO TRUE – To account for funds from Keep New Mexico Beautiful, Inc. awarded to the City of Anthony for the Anthony Community Clean Up project. This fund is authorized by the Board of Trustees.

END DWI – To account for grants awarded to the City of Anthony for traffic enforcement and alcohol monitoring. This fund is authorized by the Board of Trustees.

CAA PORTABLE RESTORATION - This is a revenue fund allocated for the refurbishment and improvement of CAA portables, with the intention of optimizing them for use as a revenue-generating asset through rental arrangements.

LIBRARY– To account for funds designated for library uses, collections and disbursements of the funds used to provide affordable telecommunications and Internet access. This fund was created administratively by ordinance. This fund is authorized by the Board of Trustees.

LPFF - This is the Law Enforcement Protection Fund. Used for Advanced Police Training, Public Safety Equipment, & Maintenance. This fund is authorized by the Board of Trustees.

MUNICIPAL STREETS – A special revenue fund that accounts for funds to maintain roads for which the City is responsible. Funding is provided by the gas tax. Expenditures are restricted to the construction and maintenance of City roads. Authority is NMSA 7-1-6.27.

LODGERS' TAX – To account for the operations of tourist facilities or for half of advertising, promoting and publicizing such facilities and tourist attractions. State Statute Section 4-6-41 provides for this tax to be imposed by the City. Revenues received are pursuant to the Lodgers' Tax Act (Section 3-38-15, NMSA 1978).

DEVELOPMENT PROJECTS - This is a revenue fund coming from Developers, mainly for housing, for engineering fees and land testing. This fund is authorized by the Board of Trustees.

ANTHONY POLICE DEPARTMENT EQUIPMENT - This fund is dedicated to upgrading police vehicles with screens and purchasing tasers for the police department. The goal is to enhance officer safety and improve the functionality of the department's vehicles.

LIVESAY - To account for collections and disbursements of the federal and state grants collected by the City on behalf of the citizens for Livesay Street. This fund is authorized by the Board of Trustees.

SPECIAL PROJECTS OTHER MUNICIPALITIES - This is a fund for special projects for Sunland Park, as they requested Police manpower for a special event and for Gadsden ISD SRO. This fund is authorized by the Board of Trustees.

STATE OF NEW MEXICO
CITY OF ANTHONY
NON-MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2024

PROPERTY TAX MILL LEVY - This fund has been established to meticulously monitor expenditures associated with the tax. The decision to segregate this fund from the operations fund (Fund 101) was made by the Board to enhance financial transparency and accountability.

PUBLIC SAFETY EQUIPMENT - This fund, comprising an \$80,000 grant, was allocated for the acquisition of Police Department Equipment, with a predominant portion designated for the procurement of Patrol Units Equipment, and the Anthony Police Department Equipment 22-G2824 fund is granted to purchase Police Equipment.

FLOOD PREVENTION PROJECT, ANTHONY BASIN 9A1 WTB-WPF5664 - This is a revenue fund allocated for planning and design services for flood control.

LITTER CONTROL & BEAUTIFICATION - This is a revenue fund that accounts for the KNMB Grant application award to purchase trees, soil, trash cans, and supplies to keep a good image of the City of Anthony. This fund is authorized by the Board of Trustees.

SOUTH ANTHONY ARROYO OSG-001 - This is a revenue fund allocated for the design, planning, and construction of the South Anthony Arroyo project to enhance infrastructure and water management in the area.

LIBRARY GRANT - The Library was awarded a grant of \$50,000, which was utilized for the purpose of renovating and enhancing the Library facilities.

LAW ENFORCEMENT RECRUITMENT FUND - This is a revenue fund to hire law enforcement/support positions.

TRANSFER STATION FEASIBILITY - This is a revenue fund allocated for the execution of a feasibility study for the transfer station. This study examines the technical, economic, legal, and operational aspects to determine the feasibility and advisability of implementing a transfer station.

FISCAL RECOVERY FUND - This fund is designated for the allocation of the second disbursement under the American Rescue Plan Act (ARPA).

FISHING LAKES & AMPHITHEATER - This fund is allocated for the design, planning, and construction of two fishing lakes within the Dos Lagos Project. It also supports the development of an amphitheater situated in the middle of the lakes, providing a recreational and community space for residents and visitors.

LAW ENFORCEMENT RETENTION FUND - This is a revenue fund that supports police department retention efforts by funding annual anniversary bonuses for officers, made possible through the state-funded Law Enforcement Retention Plan (LERP).

STATE OF NEW MEXICO
CITY OF ANTHONY
NON-MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2024

AMERICAN RESCUE PLAN - This is a revenue fund that accounts for ARPA First Disbursement.

DONALDSON AVE - This is a revenue fund focused on the design, planning, and renovation of Donaldson Avenue to improve transportation infrastructure and community accessibility.

POLICE VEHICLES - This is a revenue fund that provides resources to upgrade police vehicles with essential equipment, including radios, antennas, and radars, enhancing operational efficiency.

LEE STREET DESIGN/IMPROVEMENTS - This is a revenue fund for the design, planning, and improvement projects for Lee Street, aimed at upgrading its usability and safety standards.

CITYWIDE MAINTENANCE - This is a revenue fund that supports comprehensive street improvement initiatives across the city, ensuring better connectivity and infrastructure.

CHURCH STREET MAP-L100584 - This is a revenue fund allocated for the design, planning, and upgrades of Church Street to improve roadway conditions and community access.

CAPITAL ACQUISITION FUND - The Fund is used to account for funds granted by NM DOT for the construction of Multi-generational campus in the Dos Lagos Golf Course.

The CDBG GRA-NT 16-C-NR-1-07-G-18 - To account for collections and disbursements of the federal and state grants collected by the City on behalf of the citizens for Community Development. This fund is authorized by the Board of Trustees.

DEBT SERVICE ROAD IMPROVEMENT PROJECT - To accumulate monies for the repayment of the loan received from NMFA. The City has acquired the building at 820 Highway 478 Anthony, NM 88021 to house their daily operations. This fund is authorized by the Board of Trustees.

DEBT SERVICE – To accumulate monies for the repayment of the loan received from NMFA. The City has acquired the building at 820 Highway 478 Anthony, NM 88021 to house their daily operations. This fund is authorized by the Board of Trustees.

DEBT SERVICE-521 – This fund has been designated to document annual payments associated with the City's long-term debt obligations.

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds									
	Charitable Projects Fund	Court Automation Fund	Judicial Education Fund	Corrections Fund/Care of Prisoners	Law Enforcement Protection Fund	STEP	Stone Garden		
ASSETS									
Cash and cash equivalents	\$ 395	\$ 1,101	\$ -	\$ 61,128	\$ 1,546	\$ 7,205	\$	12,465	
Investments	-	-	-	-	-	-	-	-	
Receivables:									
Taxes	-	-	-	-	-	-	-	-	
Due from other funds	-	-	-	-	-	-	-	-	
Total assets	395	1,101	-	61,128	1,546	7,205		12,465	
LIABILITIES AND FUND BALANCE									
Liabilities									
Accounts payable	-	-	-	-	-	-	-	-	
Due to other funds	-	-	-	-	-	-	-	-	
Total liabilities	-	-	-	-	-	-	-	-	
Fund balances:									
Spendable:									
Restricted for:									
General government	-	-	-	-	-	-	-	-	
Public safety	-	1,101	-	61,128	1,546	7,205		12,465	
Culture and recreation	-	-	-	-	-	-	-	-	
Public works	-	-	-	-	-	-	-	-	
Debt service payments	-	-	-	-	-	-	-	-	
Unassigned	-	-	-	-	-	-	-	-	
Total fund balances	395	1,101	-	61,128	1,546	7,205		12,465	
Total liabilities and fund balances	\$ 395	\$ 1,101	\$ -	\$ 61,128	\$ 1,546	\$ 7,205	\$	12,465	

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds							
	General Obligation Bond	E-Rate Library Internet	BKLUP CIOT 16-OP-RF-158	Keep New Mexico True	ENDWI 16-AL-64-158	CAA Portable Restoration	
ASSETS							
Cash and cash equivalents	\$ 10,315	\$ -	\$ 205	\$ 2,402	\$ -	\$ 454	\$ 124,676
Investments	-	-	-	-	-	-	-
Receivables:							
Taxes	-	-	-	-	-	-	-
Due from other funds	-	-	-	-	-	-	-
Total assets	10,315	-	205	2,402	-	454	124,676
LIABILITIES AND FUND BALANCE							
Liabilities							
Accounts payable	-	-	-	-	-	-	-
Due to other funds	-	3,597	17	-	-	-	-
Total liabilities	-	3,597	17	-	-	-	-
Fund balances:							
Spendable:							
Restricted for:							
General government	-	-	-	-	-	-	-
Public safety	-	-	188	-	-	454	124,676
Culture and recreation	10,315	-	-	2,402	-	-	-
Public works	-	-	-	-	-	-	-
Debt service payments	-	-	-	-	-	-	-
Unassigned	-	(3,597)	-	-	-	-	-
Total fund balances	10,315	(3,597)	188	2,402	-	454	124,676
Total liabilities and fund balances	\$ 10,315	\$ -	\$ 205	\$ 2,402	\$ -	\$ 454	\$ 124,676

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds						
	Library	LFPF	Municipal Street Fund	Lodgers' Tax	Development Projects	
ASSETS						
Cash and cash equivalents	\$	26,713	\$	51,912	\$	530
Investments	-	-	-	-	-	-
Receivables:						
Taxes	-	-	508	-	-	-
Due from other funds	-	-	-	-	-	-
Total assets	26,713	51,912	18,872	530		36,579
LIABILITIES AND FUND BALANCE						
Liabilities						
Accounts payable	-	-	-	-	-	-
Due to other funds	-	-	-	-	-	-
Total liabilities	-	-	-	-	-	-
Fund balances:						
Spendable:						
Restricted for:						
General government	-	-	-	-	530	-
Public safety	-	-	-	-	-	-
Culture and recreation	-	-	-	-	-	-
Public works	26,713	-	18,872	-	-	36,579
Debt service payments	-	-	-	-	-	-
Unassigned	-	-	-	-	-	-
Total fund balances	26,713	51,912	18,872	530		36,579
Total liabilities and fund balances	\$	26,713	\$	51,912	\$	530
						\$

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

		Special Revenue Funds						
	Anthony Police Department Equipment	Livesay	Special Projects Other Municipalities	Property Tax Mill Levy	Public Safety Equipment	Flood Prevention Project, Anthony Basin 9A1		
ASSETS								
Cash and cash equivalents	\$ 150,000	\$ 23,748	\$ 326	\$ 170,609	\$ 2,775	\$ 379,514		
Investments	-	-	-	-	-	-		
Receivables:								
Taxes	-	-	-	-	-	-		
Due from other funds	-	-	-	-	-	-		
Total assets	150,000	23,748	326	170,609	2,775	379,514		
LIABILITIES AND FUND BALANCE								
Liabilities								
Accounts payable	-	-	-	131,851	(3,634)	-		
Due to other funds	-	-	-	-	10,356	66,071		
Total liabilities	-	-	-	131,851	6,722	66,071		
Fund balances:								
Spendable:								
Restricted for:								
General government	-	-	-	38,758	-	-		
Public safety	150,000	23,748	326	-	-	-		
Culture and recreation	-	-	-	-	-	-		
Public works	-	-	-	-	-	313,443		
Debt service payments	-	-	-	-	-	-		
Unassigned	-	-	-	-	(3,947)	-		
Total fund balances	150,000	23,748	326	38,758	(3,947)	313,443		
Total liabilities and fund balances	\$ 150,000	\$ 23,748	\$ 326	\$ 170,609	\$ 2,775	\$ 379,514		

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	Litter Control & Beautification (KNMB)	South Anthony Arroyo OSG-001	Special Revenue Funds				Transfer Station Feasibility	Fiscal Recovery Funds
			Library Grant	Law Enforcement Recruitment Fund				
ASSETS								
Cash and cash equivalents	\$ -	\$ -	\$ -	\$ -	\$ 95,014	\$ -	-	\$ 246,450
Investments	-	-	-	-	-	-	-	-
Receivables:								
Taxes	-	-	-	-	-	-	-	-
Due from other funds	-	-	-	-	-	-	-	-
Total assets	-	-	-	-	95,014	-	-	246,450
LIABILITIES AND FUND BALANCE								
Liabilities								
Accounts payable	-	-	-	-	-	-	-	67,995
Unearned revenue	-	-	-	-	-	-	-	-
Due to other funds	1,586	4,552	-	-	-	-	-	-
Total liabilities	1,586	4,552	-	-	-	-	-	67,995
Deferred inflows of resources	-	-	-	-	-	-	-	-
Total deferred inflows of resources	1,586	4,552	-	-	-	-	-	-
Fund balances:								
Spendable:								
Restricted for:								
General government	-	-	-	-	-	-	-	178,455
Public safety	-	-	-	-	95,014	-	-	-
Culture and recreation	-	-	-	-	-	-	-	-
Public works	-	-	-	-	-	-	-	-
Debt service payments	-	-	-	-	-	-	-	-
Unassigned	(1,586)	(4,552)	-	-	-	-	-	-
Total fund balances	(1,586)	(4,552)	-	-	95,014	-	-	178,455
Total liabilities and fund balances	\$ -	\$ -	\$ -	\$ -	\$ 95,014	\$ -	\$ -	\$ 246,450

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	Special Revenue Funds					
	Fishing Lakes & Amphitheater	Law Enforcement Retention Fund	American Rescue Plan	Donaldson Ave	Police Vehicles	Lee Street Design/Improvements
ASSETS						
Cash and cash equivalents	\$ -	\$ -	\$ 231,404	\$ 360,000	\$ 24,648	\$ 180,000
Investments	-	-	-	-	-	-
Receivables:						
Taxes	-	-	-	-	-	-
Due from other funds	-	-	-	-	-	-
Total assets	-	-	231,404	360,000	24,648	180,000
LIABILITIES AND FUND BALANCE						
Liabilities						
Accounts payable	-	-	-	-	-	-
Unearned revenue	-	-	-	360,000	-	180,000
Due to other funds	64,131	-	-	-	250,000	-
Total liabilities	64,131	-	-	360,000	250,000	180,000
Deferred inflows of resources	-	-	-	-	-	-
Total deferred inflows of resources	64,131	-	-	-	-	-
Fund balances:						
Spendable:						
Restricted for:						
General government	-	-	-	-	-	-
Public safety	-	-	231,404	-	-	-
Culture and recreation	-	-	-	-	-	-
Public works	-	-	-	-	-	-
Debt service payments	-	-	-	-	-	-
Health and welfare	-	-	-	-	-	-
Unassigned	(64,131)	-	-	-	(225,352)	-
Total fund balances	(64,131)	-	231,404	-	(225,352)	-
Total liabilities and fund balances	\$ -	\$ -	\$ 231,404	\$ 360,000	\$ 24,648	\$ 180,000

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds			
	Citywide Maintenance	Church Street MAP-L100584	
ASSETS			
Cash and cash equivalents	\$ 75,479	\$ -	36,710
Investments	-	-	-
Receivables:			
Taxes	-	-	-
Due from other funds	-	-	-
Total assets	<u>75,479</u>	<u>-</u>	<u>36,710</u>
LIABILITIES AND FUND BALANCE			
Liabilities			
Accounts payable	75,479	-	-
Unearned revenue	-	-	-
Due to other funds	-	-	-
Total liabilities	<u>75,479</u>	<u>-</u>	<u>-</u>
Deferred inflows of resources			
Total deferred inflows of resources	<u>75,479</u>	<u>-</u>	<u>-</u>
Fund balances:			
Spendable:			
Restricted for:			
General government	-	-	-
Public safety	-	-	-
Culture and recreation	-	-	-
Public works	-	-	36,710
Debt service payments	-	-	-
Health and welfare	-	-	-
Unassigned	-	-	-
Total fund balances	<u>-</u>	<u>-</u>	<u>36,710</u>
Total liabilities and fund balances	<u>\$ 75,479</u>	<u>\$ -</u>	<u>\$ 36,710</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
BALANCE SHEET - NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	Capital Project Funds		Debt Service Funds				
	Capital Acquisition Fund - Capital Project Fund	CDBG Grant 16-C-NR-I-07-G-18 - Capital Project Fund	Debt Service Road Improvement Project	Debt Service	Debt Service- 521	Total Nonmajor Governmental Funds	
ASSETS							
Cash and cash equivalents	\$ 65,079	\$ 79,737	\$ 157,353	\$ 122,276	\$ 143,150	\$ 2,900,262	
Investments	-	-	120,397	-	-	120,397	
Receivables:	-	-	-	-	-	-	
Taxes	-	-	-	-	-	508	
Due from other funds	-	-	-	-	-	-	
Total assets	65,079	79,737	277,750	122,276	143,150	3,021,167	
LIABILITIES AND FUND BALANCE							
Liabilities							
Accounts payable	-	-	-	-	-	271,691	
Unearned revenue	-	-	-	-	-	540,000	
Due to other funds	-	-	-	-	-	400,310	
Total liabilities	-	-	-	-	-	1,212,001	
Fund balances:							
Spendable							
Restricted for:							
General Government	-	-	-	-	-	217,743	
Public safety	-	-	-	-	-	761,167	
Culture and recreation	-	-	-	-	-	39,825	
Public works	65,079	79,737	-	-	-	550,420	
Debt service	-	-	277,750	122,276	143,150	543,176	
Unassigned	-	-	-	-	-	(303,165)	
Total fund balances	65,079	79,737	277,750	122,276	143,150	1,809,166	
Total liabilities and fund balances	\$ 65,079	\$ 79,737	\$ 277,750	\$ 122,276	\$ 143,150	\$ 3,021,167	

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds									
	Charitable Projects Fund	Court Automation Fund	Judicial Education Fund	Corrections Fund/Care of Prisoners	Law Enforcement/ Protection Fund	STEP	Stone Garden		
Revenues:									
Gasoline and motor vehicles	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Lodgers tax	-	-	-	-	-	-	-		
State operating grants	-	-	-	-	116,000	-	-		
State capital grants	-	-	-	-	-	4,438	-		
Other tax	-	-	-	-	-	-	-		
Charges for services	-	-	-	-	-	-	-		
Licenses and fees	-	6,647	1,533	10,198	-	-	-		
Investment income	-	-	-	-	-	-	-		
Miscellaneous	2,100	-	-	-	-	-	-		
Total revenues	2,100	6,647	1,533	10,198	116,000	4,438	-		
Expenditures:									
General government	2,780	-	-	-	-	-	-		
Public safety	-	7,780	1,413	7,687	105,070	3,725	-		
Capital outlay	-	-	-	-	12,000	-	-		
Total expenditures	2,780	7,780	1,413	7,687	117,070	3,725	-		
Excess (deficiency) of revenues over expenditures	(680)	(1,133)	120	2,511	(1,070)	713	-		
Other financing sources(uses)									
Transfers in	680	-	-	-	-	64	-		
Transfers (out)	-	(9,790)	(120)	(9,661)	-	-	-		
Total other financing sources	680	(9,790)	(120)	(9,661)	-	64	-		
Net change in fund balances	-	(10,923)	-	(7,150)	(1,070)	777	-		
Fund balance - beginning	395	12,024	-	68,278	2,616	6,428	12,465		
Fund balance - end of year	395	1,101	-	61,128	1,546	7,205	12,465		

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	Special Revenue Funds						
	General Obligation Bond	E-Rate Library Internet Services	BKUP CIOT 16-OP-RF- 158	Keep New Mexico True	ENDWI 16-AL-64-158	CAA Portable Restoration	
Revenues:							
Gasoline and motor vehicles	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Lodgers tax	-	-	-	-	-	-	
State operating grants	4,920	-	-	3,969	-	2,696	
State capital grants	-	-	-	-	-	-	
Other tax	-	-	-	-	-	-	
Charges for services	-	9,043	-	-	-	-	
Licenses and fees	-	-	-	-	-	-	
Investment income	-	-	-	-	-	-	
Miscellaneous	-	-	-	-	-	-	
Total revenues	4,920	9,043	3,969	-	2,696	-	
Expenditures:							
Public safety	-	-	4,056	-	2,364	-	29,420
Culture and recreation	2,838	10,814	-	-	-	-	
Total expenditures	2,838	10,814	4,056	-	2,364	-	29,420
Excess (deficiency) of revenues over expenditures	2,082	(1,771)	(87)	-	332	-	(29,420)
Other financing sources(uses)							
Transfers in	-	574	292	-	58	-	-
Total other financing sources	-	574	292	-	58	-	-
Net change in fund balances	2,082	(1,197)	205	-	390	-	(29,420)
Fund balance - beginning	8,233	(2,400)	(17)	2,402	64	-	154,096
Fund balance - end of year	10,315	(3,597)	188	2,402	454	-	124,676

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds						
	Library	LFPF	Municipal Street Fund	Lodgers Tax	Development Projects	
Revenues:						
Gasoline and motor vehicles	\$ -	\$ -	\$ 5,868	\$ -	\$ -	
Lodgers tax	-	-	-	1,609	-	
State operating grants	10,353	-	-	-	-	400
State capital grants	-	-	-	-	-	-
Other tax	-	-	-	-	-	-
Charges for services	-	-	-	-	-	-
Licenses and fees	-	-	-	-	-	-
Investment income	-	-	-	-	-	-
Miscellaneous	8,671	-	-	-	-	-
Total revenues	19,024	-	5,868	1,609	-	400
Expenditures:						
General government	-	-	-	1,588	-	22,346
Public works	-	-	6,335	-	-	-
Culture and recreation	30,448	-	-	-	-	-
Capital outlay	-	-	-	-	-	-
Total expenditures	30,448	-	6,335	1,588	-	22,346
Excess (deficiency) of revenues over expenditures	(11,424)	-	(467)	21	-	(21,946)
Other financing sources(uses)						
Transfers in	-	-	-	-	-	3,917
Transfers (out)	-	-	-	-	-	-
Total other financing sources	-	-	-	-	-	3,917
Net change in fund balances	(11,424)	-	(467)	21	-	(18,029)
Fund balance - beginning	38,137	51,912	19,339	509	-	54,608
Fund balance - end of year	26,713	51,912	18,872	530	\$ -	36,579

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	Special Revenue Funds					
	Anthony Police Department Equipment	Livesay	Special Projects Other Municipalities	Property Tax Mill Levy	Public Safety Equipment	Flood Prevention Project; Anthony Basin 9A1
Revenues:	\$	\$	\$	\$	\$	\$
Gasoline and motor vehicles	-	-	-	-	-	-
Lodgers tax	-	-	-	-	-	-
State operating grants	-	-	765	-	-	-
State capital grants	150,000	-	-	-	80,000	-
Other tax	-	-	-	-	8,671	-
Charges for services	-	-	-	-	-	-
Licenses and fees	-	-	-	-	-	-
Investment income	-	-	-	-	-	2,832
Miscellaneous	-	-	-	-	-	-
Total revenues	150,000	-	765	-	88,671	2,832
Expenditures:						
General government	-	-	-	-	-	-
Public safety	-	-	765	-	-	-
Public works	-	-	-	218,828	2,262	-
Capital outlay	-	-	-	317,643	-	92,726
Total expenditures	-	-	765	536,471	2,262	92,726
Excess (deficiency) of revenues over expenditures	150,000	-	-	(536,471)	86,409	(89,894)
Other financing sources(uses)						
Transfers in	-	-	-	131,429	-	-
Transfers (out)	-	-	-	-	-	-
Total other financing sources	-	-	-	131,429	-	-
Net change in fund balances	150,000	-	-	(405,042)	86,409	(89,894)
Fund balance - beginning	-	23,748	326	443,800	(90,356)	403,337
Fund balance - end of year	150,000	23,748	326	38,758	(3,947)	313,443

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds						
	Litter Control & Beautification (KNMB)	South Anthony Arroyo OSG-001	Library Grant	School Law Enforcement	Transfer Station Feasibility	Fiscal Recovery Funds
Revenues:						
Gasoline and motor vehicles	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lodgers tax	-	-	-	-	-	-
State operating grants	7,632	-	149	225,000	-	-
State capital grants	-	-	-	-	-	-
Other tax	-	-	-	-	-	-
Charges for services	-	-	-	-	-	-
Licenses and fees	-	-	-	-	-	-
Investment income	-	-	-	-	-	-
Miscellaneous	-	-	-	-	-	-
Total revenues	7,632	-	149	225,000	-	-
Expenditures:						
General government	-	-	-	-	68,139	(37,931)
Public safety	-	-	-	129,986	-	-
Public works	8,322	-	-	-	-	-
Capital outlay	-	4,552	-	-	-	296,534
Total expenditures	8,322	4,552	-	129,986	68,139	258,603
Excess (deficiency) of revenues over expenditures	(690)	(4,552)	149	95,014	(68,139)	(258,603)
Other financing sources(uses)						
Transfers in	-	-	281	-	-	-
Transfers (out)	-	-	-	-	(5,181)	-
Loan proceeds	-	-	-	-	-	-
Total other financing sources	-	-	281	-	(5,181)	-
Net change in fund balances	(690)	(4,552)	430	95,014	(73,320)	(258,603)
Fund balance - beginning	(896)	-	(430)	-	73,320	437,058
Fund balance - end of year	(1,586)	(4,552)	-	95,014	-	178,455

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

Special Revenue Funds						
	Fishing Lakes & Amphitheater	Law Enforcement Retention Fund	American Rescue Plan	Donaldson Ave	Police Vehicles	Lee Street Design/Improvements
Revenues:						
Gasoline and motor vehicles	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lodgers tax	-	-	-	-	-	-
State operating grants	-	-	-	-	-	-
State capital grants	-	-	-	-	-	-
Other tax	-	-	-	-	24,648	-
Charges for services	-	-	-	-	-	-
Licenses and fees	-	-	-	-	-	-
Investment income	-	-	-	-	-	-
Miscellaneous	-	-	-	-	-	-
Total revenues	-	-	-	-	24,648	-
Expenditures:						
General government	-	-	-	-	-	-
Public safety	-	91	(6,000)	-	-	-
Public works	-	-	-	-	-	-
Capital outlay	64,131	-	6,000	-	250,999	-
Total expenditures	64,131	91	-	-	250,999	-
Excess (deficiency) of revenues over expenditures	(64,131)	(91)	-	-	(226,351)	-
Other financing sources(uses)						
Transfers in	-	91	-	-	999	-
Transfers (out)	-	-	(330,000)	-	-	-
Loan proceeds	-	-	-	-	-	-
Total other financing sources	-	91	(330,000)	-	999	-
Net change in fund balances	(64,131)	-	(330,000)	-	(225,352)	-
Fund balance - beginning	-	-	561,404	-	-	-
Fund balance - end of year	<u>\$ (64,131)</u>	<u>\$ -</u>	<u>\$ 231,404</u>	<u>\$ -</u>	<u>\$ (225,352)</u>	<u>\$ -</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	<u>Special Revenue Funds</u>	
	<u>Citywide Maintenance</u>	<u>Church Street MAP - L100584</u>
Revenues:		
Gasoline and motor vehicles	\$ -	\$ -
Lodgers tax	-	-
State operating grants	-	-
State capital grants	142,500	197,450
Other tax	-	-
Charges for services	-	-
Licenses and fees	-	-
Investment income	-	-
Miscellaneous	-	-
Total revenues	142,500	197,450
Expenditures:		
General government	-	-
Public works	-	-
Capital outlay	190,000	226,557
Total expenditures	190,000	226,557
Excess (deficiency) of revenues over expenditures	(47,500)	(29,107)
Other financing sources(uses)		
Transfers in	47,500	65,817
Transfers (out)	-	-
Loan proceeds	-	-
Total other financing sources	47,500	65,817
Net change in fund balances	-	36,710
Fund balance - beginning	-	-
Fund balance - end of year	\$ -	\$ 36,710

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	Capital Project Funds				Debt Service Funds		Total Nonmajor Governmental Funds
	Capital Acquisition Fund - Capital Project Fund	CDBG Grant 16-C-NR-1-07-G-18 - Capital Project Fund	Debt Service Road Improvement Project	Debt Service	Debt Service- 521		
Revenues:	\$	\$	\$	\$	\$	\$	
Gasoline and motor vehicles	-	-	-	-	-	5,868	
Lodgers tax	-	-	-	-	-	1,609	
State operating grants	-	-	15,484	-	-	467,368	
State capital grants	-	-	-	-	-	503,059	
Other tax	-	-	-	237,749	-	262,397	
Charges for services	-	-	-	-	-	9,043	
Licenses and fees	-	-	-	-	-	18,378	
Investment income	-	-	7,741	-	656	11,229	
Miscellaneous	-	-	-	-	251	11,022	
Total revenues	-	-	23,225	237,749	907	1,289,973	
Expenditures:							
General government	-	-	-	-	-	34,576	
Public safety	-	-	-	-	-	288,619	
Public works	-	-	-	189,617	15,792	461,240	
Culture and recreation	-	-	-	-	-	44,100	
Capital outlay	-	-	-	-	16,196	1,477,338	
Debt service:							
Principal	-	-	82,356	16,654	129,386	228,396	
Interest	-	-	34,705	4	-	34,709	
Total expenditures	-	-	117,061	206,275	161,374	2,568,978	
Excess (deficiency) of revenues over expenditures	-	-	(93,836)	31,474	(160,467)	(1,279,005)	

STATE OF NEW MEXICO
CITY OF ANTHONY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2024

	Capital Project Funds		Debt Service Funds			Total Nonmajor Governmental Funds
	Capital Acquisition Fund - Capital Project Fund	CDBG Grant 16-C-NR-1-07-G-18 - Capital Project Fund	Debt Service Road Improvement Project	Debt Service 521		
Other financing sources(uses)						
Transfers in	-	-	-	16,658	-	268,360
Transfers (out)	-	-	-	-	-	(354,752)
Loan proceeds	-	-	-	-	-	-
Total other financing sources	-	-	-	16,658	-	(86,392)
Net change in fund balances	-	-	(93,836)	48,132	(160,467)	(1,365,397)
Fund balance - beginning	65,079	79,737	371,586	74,144	303,617	3,174,563
Fund balance - end of year	\$ 65,079	\$ 79,737	\$ 277,750	\$ 122,276	\$ 143,150	\$ 1,809,166

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF DEPOSIT AND INVESTMENT ACCOUNTS
FOR THE YEAR ENDED JUNE 30, 2024

Bank Name/ Account Name	Account Type	Bank Balance	Deposits in Transit	Outstanding Checks	Book Balance
First National Bank					
Checking- Operational	Checking non-interest bearing	\$ 3,757,267	\$ -	\$ 461,631	\$ 3,295,636
MVD Account	Checking non-interest bearing	16,402	-	-	16,402
CDBG Account	Checking non-interest bearing	4,816	-	-	4,816
Total First National Bank		3,778,485	-	461,631	3,316,854
New Mexico Finance Authority					
Anthony 6 Land Purchase	Reserve Fund Payable interest bearing	120,397	-	-	120,397
Anthony 6 Land Purchase	Checking interest bearing	70,537	-	-	70,537
Anthony PPRF-4815	Checking interest bearing	70,101	-	-	70,101
Anthony PPRF-4815	Reserve Fund Payable interest bearing	266,828	-	-	266,828
Anthony PPRF-4815	Program Funds interest bearing	17,110	-	-	17,110
Anthony PPRF-4890	Checking interest bearing	330	-	-	330
S Anthony Arroyo & Adams Park	Operating Grant	1,170,000	-	-	1,170,000
Anthony Basin 9A1	Operating Grant	379,514	-	-	379,514
Lee Ave Roadway and Drainage	Operating Grant	180,000	-	-	180,000
Donaldson Ave Storm Drain	Operating Grant	360,000	-	-	360,000
Solid Waste Transfer Station	Operating Grant	720,000	-	-	720,000
W S Anthony Arroyo Multi-Purpose	Operating Grant	1,350,000	-	-	1,350,000
Total New Mexico Finance Authority		\$ 544,973	\$ -	\$ -	\$ 4,704,817
Total Cash					<u>\$ 8,021,671</u>
Deposits and investments per financial statements:					
Cash and cash equivalents					\$ 7,600,934
Restricted Investments					404,335
Fiduciary funds cash and investments					<u>16,402</u>
Total					<u>\$ 8,021,671</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF COLLATERAL PLEDGE BY DEPOSITORY FOR PUBLIC ENTITIES
FOR THE YEAR ENDED JUNE 30, 2024

<u>Name of Depository</u>	<u>Description of Pledged Collateral</u>	<u>Maturity</u>	<u>CUSIP Number</u>	<u>Fair Market Value at June 30, 2024</u>
First New Mexico Bank - The Independent Bankers' Bank Dallas, Texas				
	FHLB Fixed Rate Note	1/27/2027	3130AHX32	\$ 467,874
	FHLB Fixed Rate Note	8/16/2028	3130AKYM2	436,213
	FHLB Fixed Rate Note	2/25/2028	3130ALE34	443,410
	FHLB Fixed Rate Note	10/14/2025	3130APBW4	476,500
	FFCB Fixed Rate Note	2/16/2027	3133EMQW5	451,876
	FHLB Fixed Rate Note	10/1/2041	3140XDMH6	<u>656,723</u>
Total pledged securities				<u>\$ 2,932,596</u>

STATE OF NEW MEXICO
CITY OF ANTHONY
JOINT POWERS AGREEMENTS
JUNE 30, 2024

Schedule of Joint Powers Agreements

Agreement	The City Participates with	Party Responsible for Operation	Description	Period	Cost to City	City Contributions	Audit Responsibility
Mesilla Valley Regional Dispatch Authority (MVRDA)	City of Las Cruces, Dona Ana County, Town of Mesilla, Village of Hatch and the City of Sunland Park	Dona Ana County	Jointly operate, maintain and administer a combined communications center to provide emergency dispatch services	Perpetual	Various	\$ 110,648	MVRDA

COMPLIANCE SECTION



Beasley, Mitchell & Co.
Certified Public Accountants

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL
STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Mr. Joseph M. Maestas, P.E., CFE, State Auditor
and the Mayor and City Board of Trustees of the
City of Anthony, New Mexico

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, the aggregate remaining fund information, and the budgetary comparisons of the general fund of City of Anthony, New Mexico as of and for the year ended June 30, 2024 and the related notes to the financial statements, which collectively comprise the City's basic financial statements and the combined and individual funds presented as supplementary information, and have issued our report thereon dated December 13, 2024.

Internal Control Over Financial Reporting

In planning and performing our audit, of the financial statements, we considered City of Anthony, New Mexico's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City of Anthony, New Mexico's internal control. Accordingly, we do not express an opinion on the effectiveness of City of Anthony, New Mexico's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. However, as described in the accompanying schedule of findings and responses, we did identify certain deficiencies in internal control that we consider to be material weaknesses and significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a



deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying schedule of findings and responses as item 2024-002 (2019-005) to be a material weakness.

A *significant deficiency* is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in the accompany schedule of findings and responses as item 2024-001 (2019-001) to be a significant deficiency.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether City of Anthony, New Mexico's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. We consider the deficiency described in the accompanying schedule of findings and responses as item 2024-003 (2023-003).

City of Anthony, New Mexico's Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the City of Anthony's response to the findings identified in our audit and described in the accompanying schedule of findings and responses. City of Anthony, New Mexico's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Beasley, Mitchell & Co.
Las Cruces, New Mexico
December 13, 2024

STATE OF NEW MEXICO
CITY OF ANTHONY
SUMMARY OF AUDITORS' RESULTS
FOR THE YEAR ENDED JUNE 30, 2024

Section 1 - Summary of Auditors' Results

Financial Statements

Type of auditors' report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? Yes
- Significant deficiencies identified that are not considered to be material weaknesses? Yes

Noncompliance material to financial statements noted? Yes

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED JUNE 30, 2024

Section II - Financial Statements Findings

RESOLVED FINDINGS

2023-004	Ordinance 2017-008 - Other Non-Compliance	Resolved
2023-005	Open Meetings Resolution & Internal Control - Significant Deficiency	Resolved
2023-006	DFA Financial Reports - Other Non-Compliance	Resolved
2023-007 (2019-008)	Legal Compliance with Budget - Significant Deficiency	Resolved

REPEATED/CURRENT YEAR FINDINGS

2024-001 (2019-001)	Designed Deficiencies in Internal Control - Significant Deficiency	Modified and Repeated
2024-002 (2019-005)	Cash Reconciliation - Material Weakness	Modified and Repeated
2024-003 (2023-003)	Interim City Manager - Other Non-Compliance	Modified and Repeated

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED JUNE 30, 2024

Designed Deficiencies in Internal Control 2024-001 (2019-001) - Significant Deficiency

CONDITION	<p>Management has not adopted sound accounting policies, established or maintained internal control that would initiate, authorize, record, processes and report transactions consistent with management's assertions embodied in the financial statements. The City had the following internal control deficiencies:</p> <p style="padding-left: 40px;">Cash reconciliations are not accurate, resulting in manual journal entries used to adjust balances.</p> <p style="padding-left: 40px;">The City does not have adequate controls over revenue recognition, resulting in a prior period adjustment to long-term debt of \$1,549,514, and a prior period adjustment to accounts payable of \$626,128.</p> <p>Progress has been noted. The Finance department has been working on a manual for the accounting and finance policies and procedures to avoid these type of deficiencies in the future. The City is aware that cash reconciliations have represented a repeated issue and they plan to correct it for 2025.</p>
CRITERIA	<p>The Committee of Sponsoring Organizations (COSO) internal control integrated framework consists of five critical elements that must be present in carrying out the achievement objectives of an organization. These elements are known as the control environment, risk assessment, control activities, information and communication, and monitoring elements of internal control.</p>
CAUSE	<p>For the fiscal year 2024, management did not implement documented policy to ensure internal controls were in place and working properly, which resulted in various errors.</p>
EFFECT	<p>Because internal control is inadequate and not documented, management and staff are unsure about what procedures and processes to follow or what key controls are in place to properly safeguard assets. Adequate controls are not in place to prevent or detect intentional misstatements of accounting information and fraudulent access to computer systems.</p>
RECOMMENDATION	<p>The City should ensure that a comprehensive internal control structure over financial information is designed, documented, and implemented. The City's Trustees is charged with governance and should provide effective oversight of the internal control and financial reporting process.</p>

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED JUNE 30, 2024

**Designed Deficiencies in Internal Control 2024-001 (2019-001) - Significant Deficiency
(continued)**

RESPONSE	The City will implement corrective actions to strengthen financial processes and oversight. To improve cash reconciliations, the City will conduct a detailed review of current practices, eliminate reliance on manual journal entries. For revenue recognition, enhanced controls will be implemented to ensure accurate recording and reporting of transactions, and adjustments will be made to address the prior period errors in long-term debt and accounts payable.
IMPLEMENTATION	Expected Completion: June 2025 Employee Responsible: Finance Officer

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED JUNE 30, 2024

Cash Reconciliation 2024-002 (2019-005) - Material Weakness

CONDITION	The City does reconcile the cash accounts to the pooled accounts; however, the pooled cash did not reconcile to the cash reflected in all the funds. The pooled cash account and the funds did not reconcile by \$1,289,099. The City's accounts payable module is not being used properly and many reconciling journal entries are conducted manually in an attempt to reconcile with pooled cash. Progress has been made as system has been updated to reconcile, adjusting journal entries are required to fix issue as well as adjustments with DFA.
CRITERIA	Per Section 6-10-2 NMSA 1978, it is the duty of every public official or agency of this state that receives or disburses public money to maintain a cash record in which is entered daily, in detail, all items of receipts and disbursements of public money. The cash record shall be balanced daily so as to show the balance of public money on hand at the close of each day's business.
CAUSE	Banks are not being properly reconciled, resulting in differences between cash accounts and funds available, and showing a deficiency in the City's internal controls system.
EFFECT	Failure to reconcile banks eliminate control over the City's money and can facilitate misuse, and abuse of public funds.
RECOMMENDATION	It is recommended that the City adjusts books and reports adjustment to DFA.
RESPONSE	The City will implement a series of corrective actions. First, a comprehensive analysis of the variance will be conducted to identify discrepancies, followed by the necessary adjusting journal entries to align pooled cash with fund balances. System updates will be implemented to streamline reconciliation processes and ensure accuracy. Coordination with the Department of Finance and Administration (DFA) will be prioritized to address required adjustments and submit updated financial reports reflecting accurate balances. Additionally, the City will develop regular monitoring schedules and enhance internal controls to prevent future variances. These actions will be overseen by the Finance Department and external auditors as needed, ensuring compliance and long-term financial integrity.
IMPLEMENTATION	Expected Completion: June 2025 Employee Responsible: Finance Officer

STATE OF NEW MEXICO
CITY OF ANTHONY
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED JUNE 30, 2024

Interim City Manager 2024-003 (2023-003) - Other Non-Compliance

CONDITION	<p>The governing body did not discuss or appoint the termination of the City Manager. Per City ordinance 2019-002, it should be voted on by the next Trustee meeting. BMC noted this was not discussed the following meeting of the termination.</p> <p>No progress was noted. The governing body was unaware that this issue had to be discussed by the next Trustee meeting, therefore, City's policies and procedures will be updated to ensure compliance rules are properly followed.</p>
CRITERIA	<p>Employee Section 1:13 Emergency Appointment of Temporary Employees by Mayor NMSA Sec. 3-11-6 (D)(1) the governing body may discharge an appointed official or employee by a majority of all members of the governing body.</p> <p>After termination, the position must be posted the following day of the decision for the minimum of 14 days or the Mayor may appoint another individual.</p>
CAUSE	<p>Controls are in place, but not being followed.</p>
EFFECT	<p>Break in control can lead to areas of non-compliance that may affect funding.</p>
RECOMMENDATION	<p>It is recommended that a review of Internal Controls as well as Policies and Procedures are reviewed and updated to include all active ordinances and that all employees and Governing Body are required to read and accept the understanding.</p>
RESPONSE	<p>To address the governance issue regarding the termination of the City Manager, the City will implement corrective actions to ensure compliance with City Ordinance 2019-002. Moving forward, the governing body will strictly adhere to the ordinance by including the discussion and appointment of any termination decisions on the agenda for the next Trustee meeting. A review of the meeting minutes and agendas will be conducted to identify procedural gaps, and policies will be updated to ensure all required items are documented and addressed in a timely manner. Additionally, training will be provided to trustees and staff on the requirements of Ordinance 2019-002 and other relevant governance protocols to prevent future occurrences of non-compliance. These measures will help reinforce accountability and transparency in decision-making processes.</p>
IMPLEMENTATION	<p>Expected Completion: June 2025 Employee Responsible: Mayor/Trustees</p>

STATE OF NEW MEXICO
CITY OF ANTHONY
CORRECTIVE ACTION PLAN
FOR THE YEAR ENDED JUNE 30, 2024

City of Anthony
New Mexico

Diana Murillo
Mayor

820 Highway 478
Anthony, NM 88021
PH: 575-882-2983
FAX: 575-882-2978



Board of Trustees

Gabriel I. Holguin, MPT
Fernando Herrera, Trustee
Daniel Barreras, Trustee
José García, Trustee

December 13, 2024

The City of Anthony respectfully submits the following corrective action plan for the year ended June 30, 2024.

Name and address of independent public accounting firm:
Beasley, Mitchell & Co.
PO Box 550 Las Cruces, NM 88001

FINDINGS—FINANCIAL STATEMENT AUDIT

1. 2024-001 (2019-001) - Design Deficiencies in Internal Control - Significant Deficiency

Condition: For the fiscal year ending June 30, 2024, the City had the following internal control deficiencies:

- i. Cash reconciliations are not accurate, resulting in manual journal entries used to adjust balances.
- ii. The City does not have adequate controls over revenue recognition, resulting in a prior period adjustment to long-term debt of \$1,549,514, and a prior period adjustment to accounts payable of \$626,128.

Auditors' Recommendation: The City should ensure that a comprehensive internal control structure over financial information is designed, documented, and implemented. The City's Trustees is charged with governance and should provide effective oversight of the internal control and financial reporting process.

Corrective Action: The City will implement corrective actions to strengthen financial processes and oversight. To improve cash reconciliations, the City will conduct a detailed review of current practices, eliminate reliance on manual journal entries. For revenue recognition, enhanced controls will be implemented to ensure accurate recording and reporting of transactions, and adjustments will be made to address the prior period errors in long-term debt and accounts payable.

2. 2024-002 (2019-005) - Cash Reconciliation - Material Weakness

Condition: The pooled cash did not reconcile to the cash reflected in all the funds. The pooled cash account and the funds did not reconcile by \$1,289,099. The City's accounts payable module is not being used properly and many reconciling journal entries are conducted manually in an attempt to reconcile with pooled cash. Progress has been made as system has been updated to reconcile, adjusting journal entries are required to fix issue as well as adjustments with DFA.

Auditors' Recommendation: It is recommended that the City adjusts books and reports adjustments to DFA.

STATE OF NEW MEXICO
CITY OF ANTHONY
CORRECTIVE ACTION PLAN
FOR THE YEAR ENDED JUNE 30, 2024

City of Anthony
New Mexico

Diana Murillo
Mayor

820 Highway 478
Anthony NM 88021
PH: 575-882-2983
FAX: 575-882-2978



www.cityofanthonymn.com

Board of Trustees

Gabriel I. Holguin, MPT
Fernando Herrera, Trustee
Daniel Barreras, Trustee
José García, Trustee

Corrective Action: The City will implement a series of corrective actions. First, a comprehensive analysis of the variance will be conducted to identify discrepancies, followed by the necessary adjusting journal entries to align pooled cash with fund balances. System updates will be implemented to streamline reconciliation processes and ensure accuracy. Coordination with the Department of Finance and Administration (DFA) will be prioritized to address required adjustments and submit updated financial reports reflecting accurate balances. Additionally, the City will develop regular monitoring schedules and enhance internal controls to prevent future variances. These actions will be overseen by the Finance Department and external auditors as needed, ensuring compliance and long-term financial integrity.

3. **2024-003 (2023-003) - City Manager - Other Non-Compliance**

Condition: The governing body did not discuss or appoint the termination of the City Manager. Per City ordinance 2019-002, it should be voted on by the next Trustee meeting. BMC noted this was not discussed the following meeting of the termination.

Auditors' Recommendation: It is recommended that a review of Internal Controls as well as Policies and Procedures are reviewed and updated to include all active ordinances and that all employees and Governing Body are required to read and accept the understanding.

Corrective Action: To address the governance issue regarding the termination of the City Manager, the City will implement corrective actions to ensure compliance with City Ordinance 2019-002. Moving forward, the governing body will strictly adhere to the ordinance by including the discussion and appointment of any termination decisions on the agenda for the next Trustee meeting. A review of the meeting minutes and agendas will be conducted to identify procedural gaps, and policies will be updated to ensure all required items are documented and addressed in a timely manner. Additionally, training will be provided to trustees and staff on the requirements of Ordinance 2019-002 and other relevant governance protocols to prevent future occurrences of non-compliance. These measures will help reinforce accountability and transparency in decision-making processes.

Sincerely,

Signature: H. I. Murillo

Title: Finance Officer

STATE OF NEW MEXICO
CITY OF ANTHONY
ENTRANCE & EXIT CONFERENCE AND FINANCIAL STATEMENT PREPARATION
FOR THE YEAR ENDED JUNE 30, 2024

An entrance conference was held on November 27, 2024 in a closed meeting with Beasley, Mitchell & Co., LLP and with the following City officials:

Diana Trujillo
Hiram Gonzalez

Mayor
Finance Officer

Beasley, Mitchell & Co., LLP

Carlos Rojas
Ninelle Gutierrez

Audit & Assurance Staff II
Audit & Assurance Assistant

An exit conference was held on December 13, 2024 in a closed meeting with Beasley, Mitchell & Co., LLP and with the following City officials:

Diana Trujillo
Hiram Gonzalez

Mayor
Finance Officer

Beasley, Mitchell & Co., LLP

Juan A. Garcia, CPA, MBA
Carlos Rojas
Ninelle Gutierrez

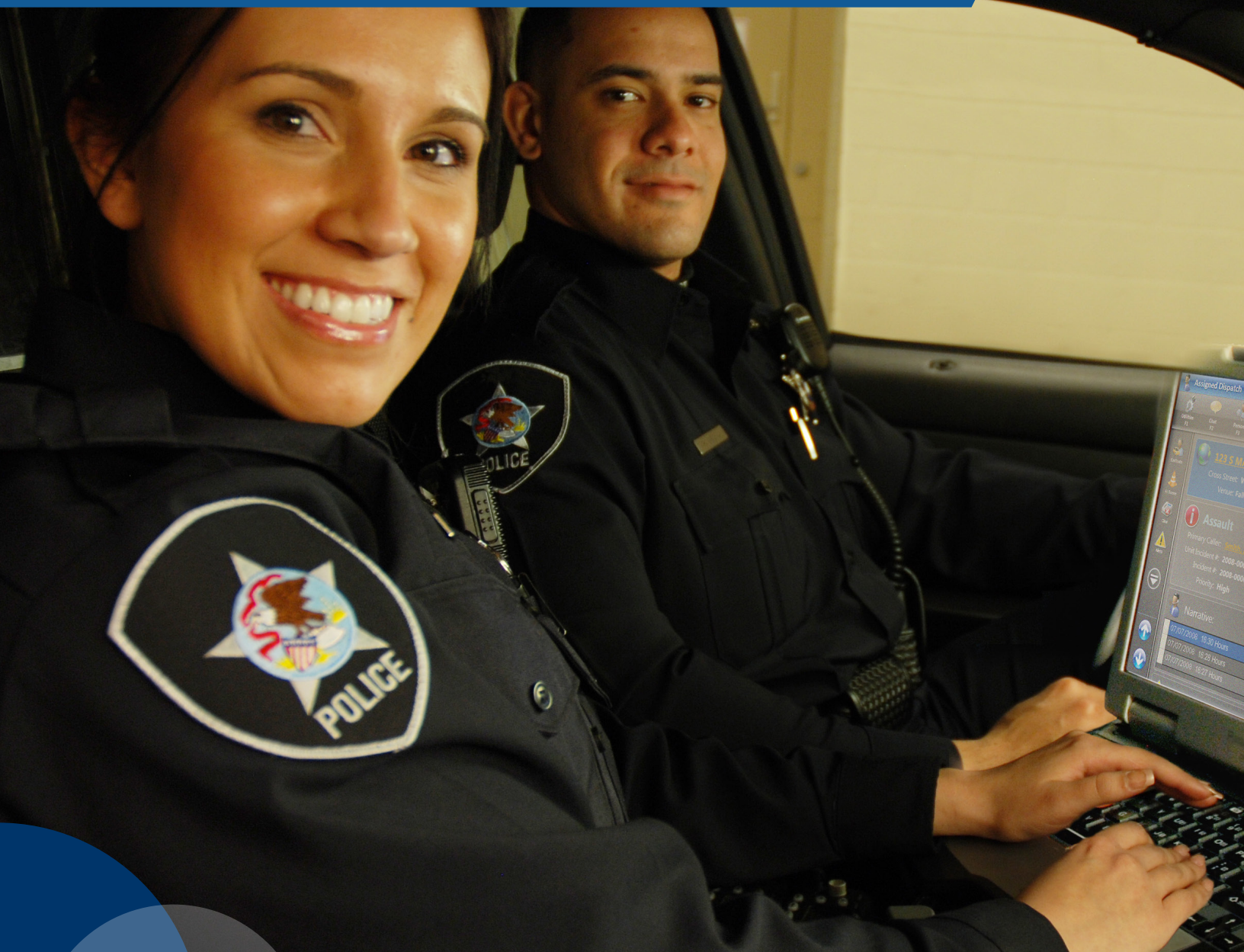
Audit & Assurance Manager
Audit & Assurance Staff II
Audit & Assurance Assistant

The financial statements presented in this report were compiled with the assistance of the auditors, Beasley, Mitchell & Co., LLP. However, the contents of the financial statements remain the responsibility of management.

Enterprise Law Enforcement Mobile

powered by New World™

IMPROVE SAFETY AND EFFICIENCY IN THE FIELD





Stable



Innovative



Focused



Reliable

Informed

Tyler Technologies' Enterprise Law Enforcement Mobile is essential for increasing first responder safety and productivity.

Enterprise Law Enforcement Mobile keeps field personnel connected and fully informed with its messaging and silent dispatching features. This connection is further enhanced through seamless integration with NCIC and the full suite of Enterprise Public Safety solutions.

Enterprise Law Enforcement Mobile's time-saving tools and advanced workflow keeps first responders in the field rather than behind a desk.

Advantages

- Seamless communication between CAD and Records
- Real-time, clear, and concise dispatch information
- Feature-rich mapping with automatic vehicle location and routing
- Monitor unit status, dispatch activity, and pending calls from anywhere
- Time-saving field reporting workflow and electronic approvals
- Designed for easy use on touch-screen laptops or Microsoft® Windows tablets





Mobile

Enhance safety with more intelligence in the field

Enterprise Law Enforcement Mobile uses a seamless flow of data and single-click access to information from CAD, Records, NCIC, and Maps to provide mission-critical intelligence to field personnel.

First responders stay informed with alerts and hazards prominently displayed from CAD. In addition, Enterprise Law Enforcement Mobile can also parse NCIC responses and generate automatic alerts.

Information returned from queries is organized and presented for quick and easy viewing. Users also have the ability to access details from dispatch, incidents, bookings, property, and address information with drill-down capabilities and hyperlinks to critical information.

Tools to monitor dispatch activity and calls

Whether in a vehicle, mobile command unit, or using a Windows tablet, Enterprise Law Enforcement Mobile keeps supervisors and command staff informed and aware of all activity.

At a glance, command staff can see pending and active calls, which units are available or at a call, and they can easily drill down for more detailed information.

Improve communication and collaboration

Keeping field personnel, dispatchers, and command staff connected is easy with silent dispatching, car-to-car messaging, and car-to-CAD messaging, unit status monitors, AVL, and notifications available in Enterprise Law Enforcement Mobile.

This solution enhances data sharing between departments and agencies with fast and intelligent access to multiple shared data sources. Inquiries may include local records, neighboring agencies, NCIC/DMV, dispatch, and corrections.

Advanced, integrated mapping reduces response times

Embedded Esri® mapping and AVL capabilities in Enterprise Law Enforcement Mobile provide first responders with up-to-the-minute views of current activity. Enterprise Law Enforcement Mobile leverages information from dispatch, including unit and incident location, as well as turn-by-turn directions to help improve response times.

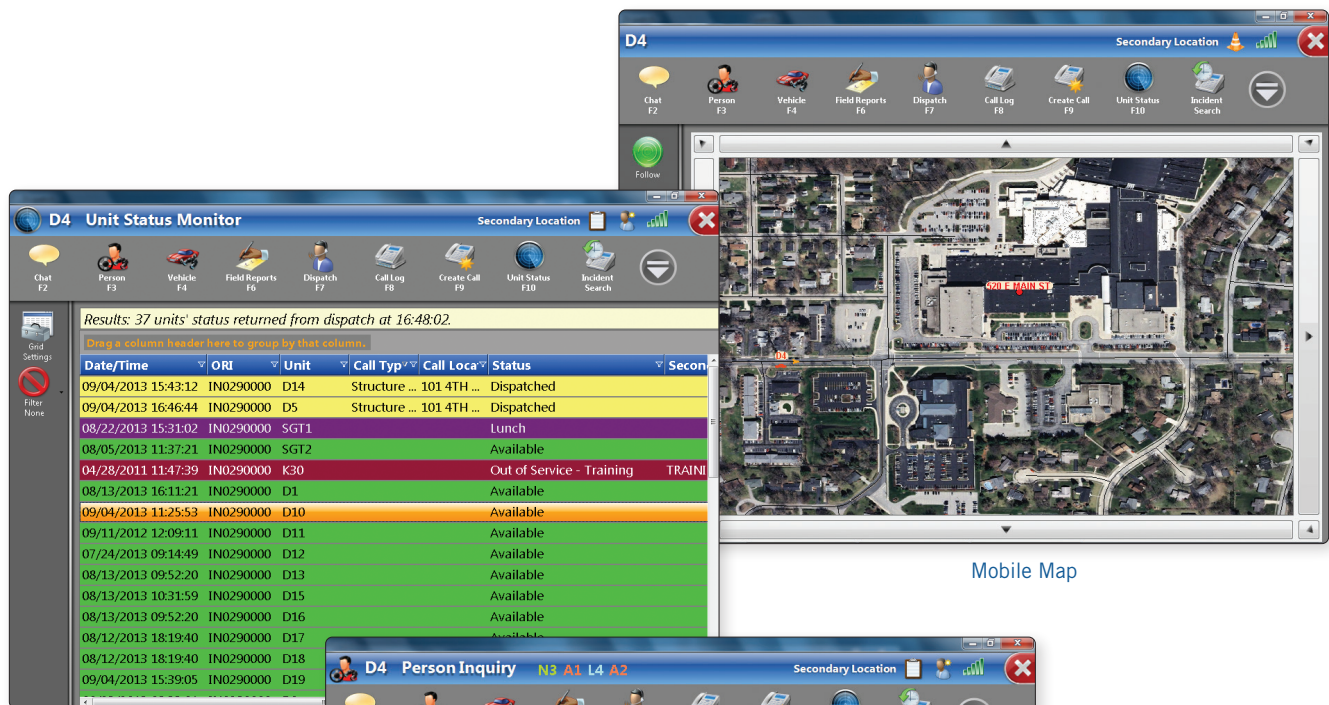
Enterprise Law Enforcement Mobile also provides dispatchers with the ability to send first responders to fractional house addresses, multi-residential/commercial locations, and rural addresses.

With the ability to access external data services, including traffic cameras and alarms, first responders arrive safer and faster than ever before.

Easy to Use and Maintain

The technology behind Enterprise Law Enforcement Mobile provides easy and familiar Windows navigation, including copy-and-paste clipboard functionality to reduce data entry. It is configurable to meet unique agency requirements and procedures, which helps to reduce training time.

Enterprise Law Enforcement Mobile further simplifies use for field personnel with role-based security that ensures users see only the tools they need for their particular role. The proven Microsoft .NET infrastructure simplifies administration so software updates can be distributed from the server instead of being physically installed on each mobile unit.



Unit Status Monitor



Person Query

Field Reporting

Save time and improve accuracy with pre-populated reports

Enterprise Law Enforcement Mobile offer unmatched paperless workflow and electronic approvals that streamline operations to improve efficiency for first responders.

To save time and reduce errors, information from dispatch, NCIC, driver's license swipes, inquiries, and reports can be saved and used to pre-populate appropriate fields in reports. To simplify administration, supervisors and command staff can electronically review and approve reports submitted by field personnel.

The built-in workflow with Enterprise Law Enforcement Mobile ensures reporting accuracy and completeness. In addition, law enforcement can save time and reduce data entry for corrections and field personnel by sending key information from the field to the jail via Enterprise Law Enforcement Mobile's pre-booking functionality.

Comply with state and federal mandates

Enterprise Law Enforcement Mobile forms have a tabular design that allows for the capture of IBR information.

After review and approval, all report information is easily merged into Records using business logic that maintains data integrity.

Enterprise Law Enforcement Mobile works with agencies to configure reports with mandatory fields, business logic, error checking, form design, and more. This ensures all information for state, federal and agency-specific reporting is collected.

Continue operations in low-or-no bandwidth areas

To increase efficiency, Enterprise Law Enforcement Mobile allows reports to be completed online or offline. If a connection is temporarily lost, the system automatically reconnects and syncs the information.

The screenshot displays the D4 Report Editor interface. The main window shows a 'Field Report' form with tabs for Detail, Offenses, Subjects, Vehicle, Property, Narrative, Documents, and Diagram. The 'Subjects' tab is active, showing a table with columns: Last Name, First Name, Middle Name, Date of Birth, and Subject Type. The table contains one row: Bass, Sal, , 6/26/1968, Arrestee. Below the table are fields for CASE SUBJECT TYPE (Suspect Arrestee), CASE SUBJECT SUB-TYPE (Arrestee), and UNKNOWN. There are also buttons for Copy, Paste, and a 'VICTIM/OFFENDER RELATIONSHIP' section. The bottom section contains fields for ADDRESS (32 RED OAK LN, CARMEL, IN 46032), CITY/VILLAGE (Carmel), STATE (IN), and ZIP CODE (46032). There are also fields for PRIMARY PH (222999-1111), HOME, SECONDARY PH TYPE, HEIGHT RANGE (6 ft 0 in to 6 ft 10 in), WEIGHT RANGE (150 to 195 lb), HAIR COLOR (Brown), EYE COLOR (Brown), ETHNICITY (Caucasian), SOCIAL SECURITY (444-44-4444), DL NUMBER (44444444), and DL STATE (IN).

Overlaid on the right is an 'ARREST REPORT' form. It has tabs for Arrestee, Charges, and Narrative. The 'Arrestee' tab is active, showing fields for ARREST TYPE (Taken Into Custody (I)), ARREST DATE (9/4/2013), ARREST TIME (08:50), ARREST STATUS (Held Custody), STATUS DATE (09/04/2013), and ARRESTER (Bass, Sal). There is also a 'Select Export Target' dialog box with options for Booking and Case. The 'Export to Booking' option is selected, and a message says 'Exports Arrest report to Bookings'.

Mobile Pre-Booking

Mobile Messaging Software

State/NCIC via Switch
CAD via Switch
Driver's License Mag Stripe Reader/Barcode
Reader Interface
Mugshot Image Download

State Photo Download
In-Car Mapping
In-Car Routing
AVL

Mobile Field Reporting and Squad Room Software

Field Reporting
- Field Reporting (Federal Standards)
- Incident
- Case
- Arrest
- Supplement
- Impound Vehicle
Field Reporting Compliance
Accident Field Reporting

Accident Field Reporting Compliance
Mobile Upload of Field Reports
Field Investigation Field Reporting
Demographic Profiling Questionnaire
MCT Ticket Writer Interface

In-Station Reporting
Field Reporting (Federal Standards)
- Incident
- Case
- Arrest
- Supplement
- Impound Vehicle
Field Reporting Compliance
Accident Field Reporting

Accident Field Reporting Compliance
Mobile Upload of Field Reports
Field Investigation Field Reporting

More About Mobile Interfaces and Optional Modules

Anytime, Anywhere Professional Mobility

- Enterprise Law Enforcement Mobile is available on touch-screen laptops or Windows tablets

State/NCIC Access

- Direct access to state/NCIC

Information Sharing

- Access regional data sources in real time, such as other records management, corrections and courts systems, as well as DMV, allowing dispatchers to obtain complete information on a person, vehicle, or property
- Enhance communication from CAD-to-car and between agencies with seamless messaging

Automatic Vehicle Location (AVL)

- Visually see the location of units in the field, enhance operations, and increase field personnel safety
- Transmit unit location and log data, including latitude/longitude, speed, direction, and closest address, for mapping, and tracking purposes

System-Wide Notifications

- Command staff, supervisors, and officers in the field can easily send messages and receive notifications, including BOLOs, wants, and warrants

Booking Upload and Booking Monitor

- An automatic mobile booking alert sends arrest information to the receiving correctional facility
- The information on the Incoming Booking Notification Monitor is updated automatically every minute to keep corrections staff prepared
- Exported arrest information can be used in booking process to reduce data entry and save time

*NOTE: Software capabilities are available in base package or optional modules, which are subject to change.
Microsoft and Windows are registered trademarks of Microsoft Corporation in the United States and other countries.
Esri is a registered trademark of Environmental Systems Research Institute, Inc.*

About Tyler Technologies, Inc.

Tyler Technologies (NYSE: TYL) provides integrated software and technology services to the public sector. Tyler's end-to-end solutions empower local, state, and federal government entities to operate more efficiently and connect more transparently with their constituents and with each other. By connecting data and processes across disparate systems, Tyler's solutions are transforming how clients gain actionable insights that solve problems in their communities. Tyler has more than 37,000 successful installations across more than 12,000 locations, with clients in all 50 states, Canada, the Caribbean, Australia, and other international locations. Tyler has been recognized numerous times for growth and innovation, including Government Technology's GovTech 100 list and Forbes' "Most Innovative Growth Companies" list. More information about Tyler Technologies, an S&P 500 company headquartered in Plano, Texas, can be found at tylertech.com.

800.646.2633 | publicsafetyinfo@tylertech.com | www.tylertech.com



Empowering people who serve the public®



Quoted By:
Quote Expiration:
Quote Name:

Jodie Hisala
9/27/25
City of Anthony- add on Mobile

Sales Quotation For:

Mesilla Valley Regional Dispatch Authority
130 W Lohman Ave
Las Cruces NM 88005-2804
Phone: +1 (575) 525-1911

Tyler Software

Description	License	Discount	License Total	Year One Maintenance
Enterprise Public Safety				
Law Enforcement Records Management System				
LERMS Add-On	\$ 25,000	\$ 0	\$ 25,000	\$ 5,250
Total	\$ 25,000	\$ 0	\$ 25,000	\$ 5,250
Mobile				
In-Car Mapping / AVL [18]	\$ 2,700	\$ 0	\$ 2,700	\$ 567
In-Car Routing [18]	\$ 1,800	\$ 0	\$ 1,800	\$ 378
LE Dispatch/Messaging/State/NCIC [18]	\$ 7,200	\$ 0	\$ 7,200	\$ 1,512
LE Field Reporting (Federal Standard) [18]	\$ 7,200	\$ 0	\$ 7,200	\$ 1,512
Field Investigation Field Reporting (1 form) [18]	\$ 1,800	\$ 0	\$ 1,800	\$ 378
Total	\$ 20,700	\$ 0	\$ 20,700	\$ 4,347
TOTAL	\$ 45,700		\$ 45,700	\$ 9,597

Services

Description	Quantity	Unit Price	Discount	Total
Enterprise Public Safety				

Project Management	1	\$ 12,000	\$ 0	\$ 12,000
LERMS Configuration	1	\$ 5,700	\$ 0	\$ 5,700
LERMS Training	1	\$ 5,700	\$ 0	\$ 5,700
LERMS Go-Live	1	\$ 5,700	\$ 0	\$ 5,700
Mobile Messaging and Field Reporting Configuration	1	\$ 5,700	\$ 0	\$ 5,700
Mobile Messaging and Field Reporting Training	1	\$ 5,700	\$ 0	\$ 5,700
Mobile Messaging and Field Reporting Go-Live	1	\$ 5,700	\$ 0	\$ 5,700
TOTAL				\$ 46,200

Summary

	One Time Fees	Recurring Fees
Total Tyler Software	\$ 45,700	\$ 9,597
Total Annual	\$ 0	\$ 0
Total Tyler Services	\$ 46,200	\$ 0
Total Third-Party Hardware, Software, Services	\$ 0	\$ 0
Estimated Travel	\$ 20,000	\$ 0
Summary Total	\$ 111,900	\$ 9,597

Assumptions

For additional information, please visit <https://empower.tylertech.com/enterprise-public-safety-specifications.html>

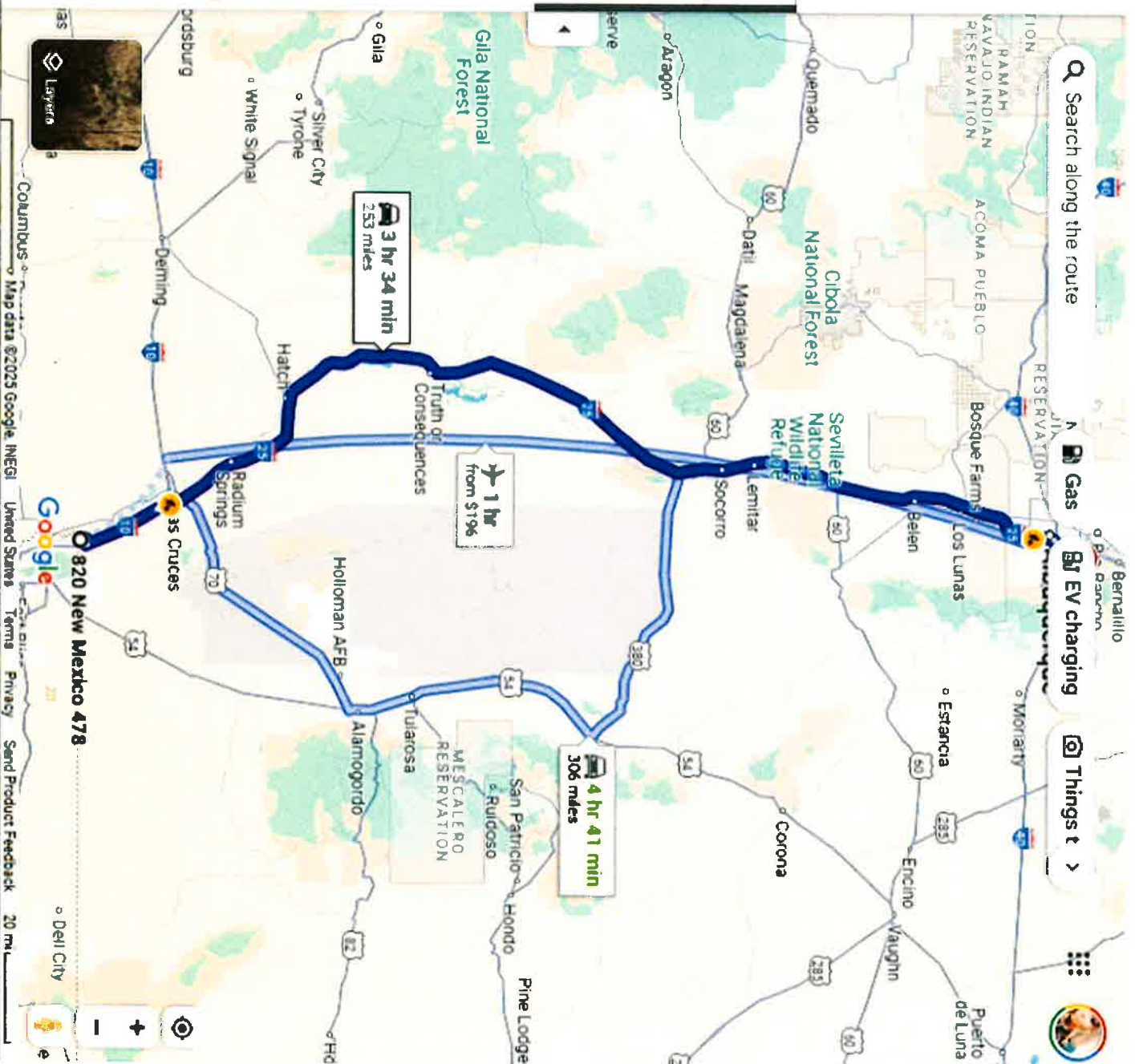
The Mobile forms and workflows that are adopted by the host agency are the templates for the activity to be completed at the add-on agency. Form customization for the add-on agency to diverge from the host agency are not allowed.

A Command Center approach will be utilized for Records, FRMS and Mobile. The hosting and add-on agency would be required to provide front-line support personnel for the add-on agency at go-live.

AVL requires third-party GPS hardware.

Explore new places along this route
Add suggested stops

New Mexico Museum
of Natural History



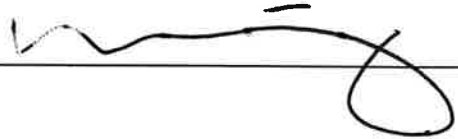
CITY OF ANTHONY MILEAGE REIMBURSEMENT FORM

1. Mileage will be reimbursed when placed in department budget for business purposes only and may not go over the budgeted amount. As per the Finance Department Policies and Procedures approved by the Board of Trustees.
2. 2.42.2.7 (F) & (L) NMAC 35 miles away from home or post of duty being on official business.
3. Shall receive the IRS standard mileage rate set January 1 of the previous year for each mile traveled in a privately owned vehicle.

DATE OF TRAVEL	ADDRESS OF HOME/POST OF DUTY	ADDRESS OF BUSINESS DESTINATION	REASON FOR TRAVEL	TOTAL MILES ROUND TRIP
04/22/25	820 hwy 478 Anthony NM 88021	Sheraton Hotel 2600 Louisiana Blvd NE, Albuquerque NM 87110	Annual judges conference	506 miles

Please attach GPS map showing the home/post of duty address to the business travel address showing the total mileage traveled.

This information I submit for mileage reimbursement and what is stated above is true and accurate to the best of my knowledge.

Signature 

Date 5/15/2025

BILL TO		JOB LOCATION	
Company:	New Mexico Courtroom Council of New Mexico	Company:	New Mexico Courtroom Council of New Mexico
Address:		Address:	
Contact:		Contact:	
Phone:		Phone:	

Date: 2025-05-02
Sales Rep: RAY LUNA
Phone: 915-203-5315
Email: ray@moodtexas.com

TITLE
Camera Quote
SCOPE OF WORK

PART NUMBER	MANUFACTURER	DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
PT12XSEWHG3	STARIN	PTZ Optics 12X Move SE (White)	4.00	\$1,536.00	\$6,144.00
MISC HARDWARE		cable cover as needed	1.00	\$120.00	\$120.00
GSM4210PD-100NAS	BTX	Netgear AV Line M4250-9G1F-PoE+	1.00	\$756.16	\$756.16
Custom Part		256350BK0500 westpenn	1.00	\$529.44	\$529.44
HCM-1-BK	STARIN	Huddle CamHD HCM-1 Camera Mount (Black)	4.00	\$115.20	\$460.80
Custom Part		Misc Ends	1.00	\$72.00	\$72.00
Custom Part		Enter description	1.00	\$8,000.00	\$8,000.00
8130PL-6 BLK	BEST WIRE	23 AWG Cat6 CMP , High-Performance Data Cable; 550 Mhz BLACK	1.00	\$416.00	\$416.00
FREIGHT		Freight	1.00	\$1,908.51	\$1,908.51
Installation Services					
INSTALLATION LABOR		Installation Labor	40.00	\$118.00	\$4,720.00
Installation Services Total:					\$4,720.00
Subtotal:					\$23,126.91
Tax:					\$0.00
Total:					\$23,126.91

The sale price includes all labor and hardware necessary to install the equipment listed above. If Seller's technician discovers unforeseeable conditions at the job site which will cause the job to take longer than expected, Seller's salesperson will provide Buyer with a revised sales price before Seller performs any further work.

The equipment described above carries a one-year warranty against defects in parts and workmanship. This warranty does not cover the replacement of parts due to damage caused by wind, fire, flood, rain, lightning, improper use or theft.

Buyer/client acknowledge that the current pricing for some equipment that it buys or leases from Mood Texas may be subject to increases due to recent tariffs, surcharges or percentage increases which equipment suppliers are imposing on Mood Texas. In the event that Mood Texas cost for such equipment is increased by its suppliers for any reason (including, but not limited to, increases due to tariffs, surcharges or percentage increase) between the date of the execution of the sale or lease agreement and the date that Mood Texas has to and pay its supplier for such equipment, then buyer/client agrees to issue a revised purchase order and/or change order that reflects the increased price and obligates the buyer/client to pay the increased amount.




This quotation is valid for 30 days from the date written above and automatically expires without further notice at the end of such 30 days unless Seller receives a Buyer's written acceptance of this offer during such time. If the parties contemplate executing additional documents covering the equipment and labor described herein, then this offer is not final until such additional documents are executed by the parties. Seller retains title to the equipment described above until Buyer pays the full purchase price. If Buyer pays Seller by check, Seller retains title until the check is finally paid.

Payment of 50% will accompany the order. The remaining 50% is due upon completion of the original order.

IF YOU WISH TO ACCEPT THIS PROPOSAL AND RELATED STATEMENT OF WORK, PLEASE SIGN AND RETURN





BUYER: _____ SIGNATURE: _____ DATE: _____
(Print Name)

Shopping Cart

		Price
	4K HDMI Cable 150ft, High Speed Hdmi Cables (HDMI2.0,18Gbps,1080P)-Ethernet	\$67.99
	In Stock	Typical price: \$69.99
	FREE delivery Mon, May 19	Savings: \$2.00 (3%)
	FREE Returns	Business Price
	Size: 150FT Number of Items: 1	Up to 10% off if you qualify Shop items
Qty: 1		Delete Save for later Request quote for 148+ Share
	Logitech Rally Plus Video Video Conference Equipment	\$2,185.00
	Only 12 left in stock - order soon.	List Price: \$2,599.00
	FREE delivery Mon, May 19	Savings: \$414.00 (16%)
	FREE Returns	Business Price
	Buy 2, save 16%	
Qty: 1		Delete Save for later Request quote for 5+ Share
	Logitech Mounting Bracket for Speaker, Camera, Table Hub, Display Hub	\$140.01
	Only 10 left in stock - order soon.	List Price: \$149.99
	Shipped from: Aqua Group Usa	Savings: \$9.98 (7%)
	FREE delivery May 21 - 27	Business Price
Qty: 1		Delete Save for later Request quote for 77+ Share
Subtotal (3 items):		\$2,393.00


The price and availability of items at Amazon.com are subject to change. The Cart is a temporary place to store a list of your items and reflects each item's most recent price. [Learn more](#)

Shopping Cart

		Price
	EVAIO Fiber Optic HDMI Cable 100 Feet, HDMI 2.0, 18Gbps, Supports 4K@ 60Hz,	\$47.32
	In Stock	Typical price: \$49.90
	One-Day FREE delivery Tomorrow, May 16	Savings: \$2.58 (5%)
	FREE Returns	Business Price
	Size: 100 Feet Buy 2, save 5%	Save 10% Clip Coupon
Qty: 1		Request quote for 212+ Delete Save for later Share
	Blackmagic Design ATEM Mini Pro HDMI Live Stream Switcher (SWATEMMINIBPR)	\$325.00
	In Stock	
	FREE delivery Mon, May 19	
	FREE Returns	
	Style: Atem Mini Pro	
Qty: 1		Request quote for 31+ Delete Save for later Share
	Tenveo AI Auto Tracking NDI PTZ Camera 3G-SDI/HDMI/USB3.0/LAN PoE 30X	\$699.00
	In Stock	Save \$70.00
	FREE delivery Mon, May 19	Clip Coupon
	FREE Returns	
	 Climate Pledge Friendly	
Qty: 1		Request quote for 17+ Delete Save for later Share

Subtotal (3 items): **\$1,071.32**


Shopping Cart

		Price
	Graige Wireless HDMI Transmitter and Receiver 4K 30HZ, 492 FT, Dual Cooling	\$147.34
	In Stock	List Price: \$189.99
	FREE delivery Mon, May 19 for Prime members	Savings: \$42.65 (22%)
	FREE Returns	Quantity Price
	Color: Black Buy 4, save 24%	<div>Coupon Clipped Save \$20.00</div>
Qty: 3 Buying in bulk? Delete Save for later Share		

Subtotal (3 items): **\$442.02**

The price and availability of items at Amazon.com are subject to change. The Cart is a temporary place to store a list of your items and reflects each item's most recent price. [Learn more](#)

Shopping Cart



4K HDMI Cable 150ft, High Speed Hdmi Cables (HDMI2.0,18Gbps,1080P)-Ethernet

In Stock

FREE delivery **Mon, May 19**

[FREE Returns](#)

Size: 150FT

Number of Items: 1

\$67.99

Typical price: ~~\$69.99~~

Savings: **\$2.00 (3%)**

[Business Price](#)

Up to 10% off if you qualify [Shop items](#)


Qty: 1

Request quote for 148+

Delete

Save for later

Share



Poly G7500 4K Ultra-HD Video Conferencing System with EagleEye IV-12X Camera 7200-

Only 4 left in stock - order soon.

Shipped from: [Robertson AV](#)

FREE delivery **May 22 - 30**

You added a protection plan for this item

\$5,899.00

Price ~~\$5,995.00~~

[Business Savings:](#) **\$96.00 (2%)**


[Business Price](#)

Qty: 1

Request quote for 2+

Delete

Share



ASURION 3 Year B2B Camera Accident Protection Plan (\$4000 - \$9999.99)

In Stock

Shipped from: [Asurion, LLC](#)

\$208.99

Qty: 1

Buying in bulk?

Delete

Share

Subtotal (3 items): **\$6,175.98**

The price and availability of items at Amazon.com are subject to change. The Cart is a temporary place to store a list of your items and reflects each item's most recent price. [Learn more](#)



cityofanthonym.org - Recycling/Data Destruction

cityofanthonym.org

Richard Valdez

rvaldez@cityofanthonym.org

5752625426

Reference: 20250507-144355131

Quote created: May 7, 2025

Quote expires: May 21, 2025

Quote created by: Troy Head

"Business Development Manager"

troy@dataknox.io

Comments from Troy Head

Products & Services

Item & Description	SKU	Quantity	Unit Price	Total
Full ITAD Processing (\$.50/lb, estimated 250 lbs) Includes serialized Certificate of Recycling within 45-days of pickup		250	\$0.50	\$125.00
Monitor/TV processing (\$.65/lb, estimated 110 lbs)		1	\$71.50	\$71.50
Onsite Labor & Materials		1	\$1,250.00	\$1,250.00

Item & Description	SKU	Quantity	Unit Price	Total
Secure Data Destruction (\$7/drive, estimated 15 drives) Includes serialized Certificate of Destruction within 45-days of pickup		15	\$7.00	\$105.00
Logistics		1	\$3,750.00	\$3,750.00
One-time subtotal				\$5,301.50
			Total	\$5,301.50

Purchase terms

- By signing this proposal, the Client understands and agrees to pay the prices stated in this proposal. For projects quoted at an hourly rate, a final rate will be provided at the completion of the project and Change Order will be logged.
 - If projects are cancelled while technicians, drivers, etc are en route on the agreed upon date and time of the project, a \$500 fee will be issued to the client
 - Information required to enter the client facility (access tickets, requested Certificates of Insurance, etc) is on the responsibility of the client to relay to Dataknox Solutions ahead of time. Client will be billed at the project rate for the time missed as a result of lack of necessary communication
- Payment Terms: Net 30 upon approval. Failure to pay within the 30 day net term will can result in a service disruption or Services cutoff.
- In accordance with the Sustainable Electronics Reuse and Recycling Standard v. 3.0 (R2v3), Dataknox is pleased to notify you that if your device contains data, the data will be sanitized by Dataknox with appropriately configured commercial software that meets the requirements of NIST 800-88. If Sanitization fails, then the data device will be physically destroyed through hard drive shredding by Dataknox.
- This quote is based on the scope of work presented by the client at the time of signing and is subject to change in the event that on site conditions and/or equipment type differ from the presented scope of work

Signature

Signature

Date

Printed name

Questions? Contact me



Troy Head
"Business Development Manager"
troy@dataknox.io

Dataknox
38505 Cherry St
Unit A
Newark, California 94560
United States

Asset Lifecycle Management

Secure, sustainable hardware asset management and IT asset disposition

Iron Mountain Asset Lifecycle Management (ALM) is a division of Iron Mountain Inc. For more than 70 years, Iron Mountain Inc. has been a world leader in secure asset management trusted by more than 225,000 organizations globally, including more than 90% of the Fortune 1000.

Iron Mountain Asset Lifecycle Management delivers secure and sustainable hardware asset management and IT asset disposition (ITAD) services. Our end-to-end services, available in over 30 countries, include best-in-class logistics and chain-of-custody, data sanitization, and certified decommissioning, all based on circular principles, which maximize reuse and minimize emissions and e-waste.

Available services

End-user device & data center end-of-life

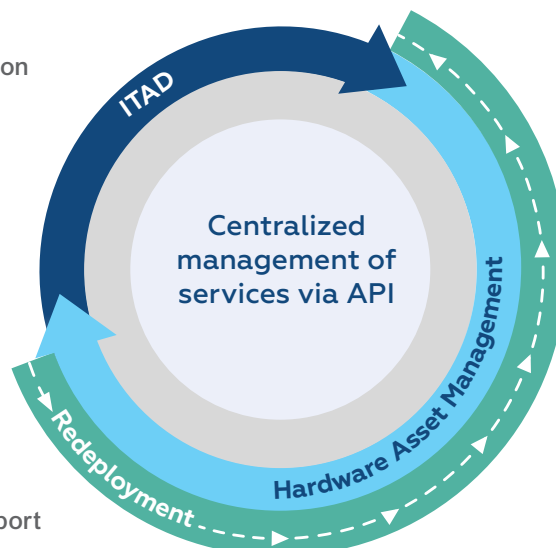
- Decommissioning services
- Packaging / logistics / transportation
- Data sanitization
- Lease returns
- ITAD
 - Remarketing
 - Onsite or offsite physical media destruction
 - E-waste recycling

End-user device reverse logistics

- Retrieval of PC and peripherals

End-user device maintenance

- Management of warranty and support extension, including break/fix



End-user device storage

- Asset tagging
- Asset tracking
- Inventory management
- Audits
- Legal holds

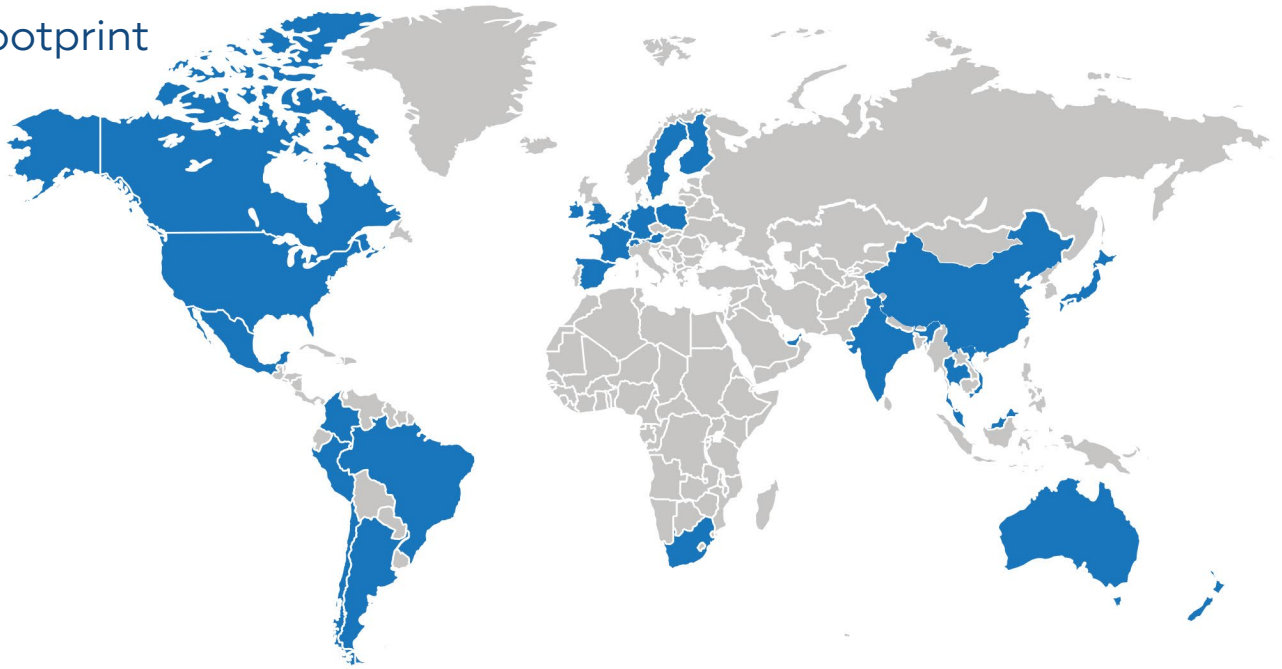
End-user device configuration

- Kitting
- Cleaning
- Planning/scheduling
- Imaging
- Required upgrades

End-user device deployment

- Shipment of PC and peripherals
- Advance exchange for repair or refresh

Global footprint



90%

More than 90% of Fortune 1000 companies trust Iron Mountain

70+

We operate with more than 70 years of experience in asset and information management

68M+

We process over 68 million kilograms of e-waste annually

30+

Operating in more than 30 countries, we deliver consistency, reach, and scale

Certifications and audit reports

- Service Organization Control (SOC) 3
- Service Organization Control (SOC) Type 2
- NAID AAA certification from i-SIGMA
- Privacy+ certification from i-SIGMA
- PCI-DSS Attestation of Compliance (AOC)
- SOC 2 Type 2 report from the AICPA
- FedRAMP
- ISO 9001: 2015
- ISO 45001: 2018
- ISO 14001: 2015
- ISO 27001: 2013
- NAID AAA
- Responsible Recycling (R2v3) *
- e-Stewards *
- ADISA Certified Data Sanitization: Passed
- ADISA Threat Matrix Level 2: Iron Mountain's proprietary sanitization platform, Teraware, is the only software to have done so for multiple types of SSDs and HDDs (incl. SATA-HDD, SAS-HDD, SATA-SSD, SAS-SSD, FC-SSD, and NVMeSSD)

Industry standard

- NIST 800-88

Learn more about how Iron Mountain Asset Lifecycle Management can support your hardware asset management and IT asset disposition needs.

800.899.IRON | IRONMOUNTAIN.COM/ALM

* Location dependent

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Richard Valdez

From: Sinyard, Anthony <asinyard@cleaneearthinc.com>
Sent: Thursday, April 24, 2025 1:35 PM
To: Richard Valdez
Subject: RE: :EXTERNAL: RE: Clean Earth & City of Anthony

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Richard,

Please find the estimate below for the transportation and disposal of your materials. Kindly note that final disposal costs are pending profile approval, which will be confirmed before the load is scheduled. Should there be any adjustments, you will be notified and asked to approve these changes.

This waste will be charged by the pound, and I estimated one ton of material. If you have a number that you think is closer to the actual weight, I am happy to plug it in. Also, we will need to ship all of this in DOT rated containers such as CYB's which I have included in the estimate below along with pallets to place them on so my driver can load them. I only estimated needing 4 boxes, let me know if you think that is enough room.

Disposal Charges:						
Facility	Item	Waste Name	Description	UOM	Price	QTY
South	REC55	Electronic Recycling	GENERAL E-WASTE RECYCLING; MAY INCLUDE CONSUMER ELECTRONICS, PERIPHERALS, PHONES, AND OTHER ELECTRONICS OR COMPONENTS, FOR RECYCLE	LB	\$1.11	2000
						Dispos

Transportation Charges:						
Facility	Item	Name	Description	UOM	Price	QTY
South	TRSTOP5-5	Transportation	CYB/Bag/Supersack/Pallet, LTL Trans., Zone 5 (>200 mi, RT)	Each	\$287.00	4
South	TRHUBALQ-3	HUB Fee	Hub Trans, 16-55DM (Albuquerque, NM)	Each	\$184.00	1
						Transportation

Supply Charges:						
Facility	Item	Name	Description	UOM	Price	QTY
South	SPBXCYP	Supplies	Box, Cubic Yard Box	Each	\$121.00	4
South	SPALLET	Supplies	Pallet	Each	\$42.00	4
						Supp

E8
Estim

Thank you,

Disposal Charges:								
Facility	Item	Waste Name	Description	UOM	Price	QTY	Net Price	Minimums
South	REC55	Electronic Recycling	GENERAL E-WASTE RECYCLING; MAY INCLUDE CONSUMER ELECTRONICS, PERIPHERALS, PHONES, AND OTHER ELECTRONICS OR COMPONENTS, FOR RECYCLE	LB	\$1.11	2000	\$2,220.00	\$25 Minimum Applies
							Disposal Subtotal:	\$2,220.00

Transportation Charges:								
Facility	Item	Name	Description	UOM	Price	QTY	Net Price	Minimums
South	TRSTOP5-5	Transportation	CYB/Bag/Supersack/Pallet, LTL Trans., Zone 5 (>200 mi, RT)	Each	\$287.00	4	\$1,148.00	\$400 Minimum / CBC Maximum per Pickup
South	TRHUBALQ-3	HUB Fee	Hub Trans, 16-55DM (Albuquerque, NM)	Each	\$184.00	1	\$184.00	
							Transportation Subtotal:	\$1,332.00

Supply Charges:								
Facility	Item	Name	Description	UOM	Price	QTY	Net Price	Minimums
South	SPBXCYB	Supplies	Box, Cubic Yard Box	Each	\$121.00	4	\$484.00	
South	SPALLET	Supplies	Pallet	Each	\$42.00	4	\$168.00	
							Supply Subtotal:	\$652.00

E&I Estimate:	\$735.70
Estimated Total:	\$4,939.70

Anthony Sinyard
Associate Account Manager



M 713.887.6453
asinyard@cleaneearthinc.com
www.cleaneearthinc.com
4050 Homestead Rd, Houston, TX 77028



From: Richard Valdez <rvaldez@cityofanthonym.org>
Sent: Wednesday, April 23, 2025 4:52 PM
To: Sinyard, Anthony <asinyard@cleaneearthinc.com>
Subject: :EXTERNAL: RE: Clean Earth & City of Anthony

CAUTION : This email originated from outside of the organization.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Anthony,

We are looking at removing several bits of equipment

12 – all in ones

10 computers

11 – laptops

12+ monitors

2+ printers

10 + hard drives

And several networking devices such as: hubs, switches, routers



Richard Valdez
IT Assistant
City Of Anthony, NM | Office: 575-882-2983 Ext 116
www.CityOfAnthonyNM.com
rvaldez@cityofanthonym.org
820 Hwy 478 Anthony NM, 88021

From: Sinyard, Anthony <asinyard@cleanearthinc.com>

Sent: Wednesday, April 23, 2025 3:50 PM

To: Richard Valdez <rvaldez@cityofanthonym.org>

Subject: Clean Earth & City of Anthony

Richard,

Thank you for reaching out and considering Clean Earth for your waste management needs. My name is Anthony Sinyard, and I am the Associate Account Manager for your area. I would be happy to assist you with the proper transportation and disposal of your waste.

To get started on your estimate, what type of electronics do you have for recycling?

Please feel free to reach out to me with any questions or for further assistance.

Thank you,

Anthony Sinyard

Associate Account Manager

CleanEarth™ 

M 713.887.6453

asinyard@cleaneearthinc.com

www.cleanearthinc.com

4050 Homestead Rd, Houston, TX 77028



Richard Valdez

From: James Hurst <jhurst@spectrumistechnology.com>
Sent: Friday, May 9, 2025 4:41 PM
To: Richard Valdez
Subject: destruction services

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Richard ,
Below is a summary of what and how we handle computer destruction etc.

- Equipment pickup with chassis-level and device inventory: \$300
- Hard Drive destruction (27 computers, various types): \$1375 (\$50/)
 - Remove hard drives from computers for destruction
 - Employ NSA/CSS listed and ADISA certified hard drive destroyer
 - Meets DIN 66399 Security Level: H-3 (HDD's) & E-1 (SSD's)
 - Certificate of Destruction on per drive basis (pdf file) provided
- Responsible recycle of chassis and peripherals, printers, monitors: \$250



James Hurst

Branch Sales Manager

Office: 575-522-6776

Cell: 575-640-4568

jhurst@spectrumistechnology.com

www.spectrumistechnology.com

A blue banner with a white diagonal line running from the bottom left to the top right. The word "RANSOMWARE" is written in large, white, bold, sans-serif capital letters on the left side of the banner, and the words "ON YOUR" are written in the same style on the right side.

RANSOMWARE ON YOUR

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this email by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, or distributing any action in reliance on the contents of this information is prohibited.



**CITY OF ANTHONY, NM
RESOLUTION 2025-0XX
A RESOLUTION AUTHORIZING THE DISPOSITION OF OBSOLETE EQUIPMENT INFORMATION TECHNOLOGY
DEPARTMENT**

The Governing Board is informed that:

WHEREAS, the destruction of obsolete record & equipment is necessary for efficiency and maintenance by the Information Technology Department of the City of Anthony and;

WHEREAS, in the interest of sound records management principles, the City of Anthony has established procedures for the retention and disposition of records/equipment and;

WHEREAS, City staff has identified (Exhibit A) that meet the City of Anthony Record Retention and;

NOW, THEREFORE BE IT RESOVED: by the Governing Body of the City of Anthony.

THAT, the Information Technology Department is hereby authorized to apply the retention period and dispose of the Items on Exhibit A as attached.

PASSED, APPROVED AND ADOPTED THIS 19th of May of 2025.

Diana Murillo, Mayor

{SEAL}

ATTEST:

Karla Oropeza City Clerk

ROLL CALL VOTE:

MPT Gabriel I. Holguin YES NO _____

Trustee Jose Garcia YES NO _____

Trustee Daniel Barreras YES NO _____

Trustee Fernando Herrera YES NO _____

Exhibit A

Make	Model	Device	Condition
HP	V221	Monitor	Used but working
HP	V221	Monitor	Used but working
HP	V222	Monitor	Used but working
HP	V223	Monitor	Used but working
HP	V224	Monitor	Used but working
HP	V225	Monitor	Used but working
HP	V226	Monitor	Used but working
HP	N246v	Monitor	Used but working
HP	N246v	Monitor	Used but working
HP	LV1911	Monitor	Used but working
HP	V244h	Monitor	Used but working
HP	E271i	Monitor	Used but working
HP	22-3130	All-In-One	Used but working
HP	ProDesk 600 G5 SFF	Computer	Used but working
HP	ProDesk 600 G4 SFF	Computer	Used but working
HP	ProDesk 600 G5 SFF	Computer	Used but working
HP	Compaq Pro 6300 SFF	Computer	Used but working
HP	255 G2	Laptop	Used but working
HP	PH0U	Keyboard	Used but working
HP	PH0U	Keyboard	Used but working
HP	KB57211	Keyboard	Used but working
HP	KB57212	Keyboard	Used but working
HP	SK-2061	Keyboard	Non- Responsive
HP	KU-1156	Keyboard	Non- Responsive
HP	KBAR211	Keyboard	Used but working
HP	SM-2022	Keyboard	Used but working
HP	SM-2022	Keyboard	Used but working
HP	SM-2022	Keyboard	Used but working
HP	MOFYUO	Mouse	Used but working
HP	SM-2022	Mouse	Used but working
HP	MODGUO	Mouse	Used but working
HP	SM-2061	Mouse	Used but working
HP	MOFYUO	Mouse	Used but working
HP	MODGU0	Mouse	Used but working
Acer	V206HQL	Monitor	Used but working
Acer	V206HQL	Monitor	Used but working
Acer	V206HQL	Monitor	Used but working
AOC	E2425Swd	Monitor	Used but working
DELL	E1913Sc	Monitor	Used but working
DELL	E2211Hb	Monitor	Damaged
DELL	E2211Hb	Monitor	Used but working
DELL	E2414Ht	Monitor	Non- Responsive
DELL	SE221GHV	Monitor	Used but working

[illegible]

Logitech	M505	Mouse	Used but working
Logitech	M325	Mouse	Used but working
Logitech	M510	Mouse	Used but working
Logitech	T-BC21	Mouse	Used but working
SEAGATE	SDC001	1 TB HD	
SEAGATE	SDC001	1 TB HD	
SEAGATE	2BA30004	1 TB HD	
SEAGATE	ST320LT020	1 TB HD	
SEAGATE	ST2000DM001	200 GB HARD DRIVE	
SEAGATE	ST500DM009	500 GB HD	
SEAGATE	ST250DM000	250 GB HD	
SEAGATE	ST3250318AS	250 GB HD	
SAMSUNG	ST1000LM024	1000 GB	
SAMSUNG	ST1000LM024	1000 GB	
INTEL	SSDSC2KW256G8	1000 GB	
WD	WD5000AAKX-08U6AA0	500 GB HD	
WD	WD5000AAKX-08U6AA0	500 GB HD	
WD	WD2500AAKX-753CA1	250 GB HD	
WD	WD20EURX-63T0FY0	2 TB HD	
WD	WD20PURX-64P6ZY0	2 TB HD	
WD	WD10EZEX-60WN4A0	1 TB HD	
TOSHIBA	2CFQF0AUZ6L9T4	500 GB HD	

Serial

6CM52507QT

6CM52508FJ

6CM52507R7

6CM52507GT

6CM52508FH

6CM52507R2

6CM4242SZ5

1CR008004K

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4 GB

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8 GB

512 gb

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9LMWV82

CN-03HM9P-64180-37J-0K6U

GSB7TX1	Intel i3 core	8 GB	1 TB
GPS7TX1	Intel i3 core	8 GB	1 TB
31G7TX1	Intel i3 core	8 GB	1 TB
DYF7TX1	Intel i3 core	8 GB	1 TB
1TCRSX1	Intel i3 core	8 GB	1 TB
7GDWCH2	Intel i7 Core 6700	8 GB	1 TB
81V9772	Intel i5 core 6400T	8 GB	500 GB
9ZXZTV1	Intel i5 Core 3450	4 GB	1 TB
JPPXKH2	Intel Core i5 6500	4 GB	500 GB
HLPY9Y1	Intek Core Duo	4 GB	250 GB
4KCSGQ1	Intel Core Duo	4 GB	250 GB
219WQS1	Intel Core i5 2450	8 GB	250 GB

D48HSQ1

1G30DT1

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Z990ZWTG
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WMC2E9146528
WMAYW0808547
WCC4M0570137
WMC4M0J9822X
WCC6Y6NY91D3
44FR8RBAS

QUOTE

Date: May 05, 2025

Valid Until: June 04, 2025



PrenticeWorx

8 E Broadway # 600, Salt Lake City, UT 84111

Quote For:

Richard Valdez, IT Assistant

City Of Anthony, NM

Office: 575-882-2983 Ext 116

www.CityOfAnthonyNM.com

rvaldez@cityofanthonymn.org

820 Hwy 478 Anthony NM, 88021

Product	Qty	Unit Price	Monthly Total
Microsoft 365 GCC G3 License	100	\$34.56	\$3,456.00
Annual Total			\$41,472.00

This quote includes Microsoft 365 GCC G3 licenses with full access to Microsoft 365 government cloud features, including security, compliance, and productivity tools. Pricing reflects a monthly per-user rate.



City of Anthony - Upgrade licenses from G1 to G3

SUBMITTED TO:

Richard Valdez

City of Anthony

James Hurst

cell: +15756404568

jhurst@spectrumistechnology.com

Quote # iQ01849

www.spectrumistechnology.com

About Spectrum

Quote # IQ01849

Since our establishment in 1903, Spectrum Technologies has upheld a tradition of local ownership deeply rooted in our community .

Over the years, we've grown to serve our clients across diverse sectors, offering expertise in Printers and Copiers, IT, Cybersecurity , Web, and Business Process Optimization . Our approach is centered on building lasting partnerships , understanding each client's unique needs, and delivering customized solutions for their success. With Spectrum , you gain more than a service provider –you gain a trusted ally committed to your organization's growth and prosperity . Let's collaborate and create a partnership founded on trust , transparency , and mutual success!

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Established in El Paso, Texas in 1903, we ventured into the IT space in 2004, providing proactive and personalized technology solutions .



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Two Regional Network Operations Centers fully staffed with PMP Certified Professionals , L1-L3 Network Engineers & Software Engineers.



Certified

Partnering with industry -leading manufacturers , our certified local engineers ensure top-notch implementation and support .



Helping People

We care about empowering organizations with technology that drives success and enriches lives.



Committed to Service

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Excellence

Despite evolving technology and solutions , our commitment to excellence remains unchanged .

A FEW CUSTOMERS



PARTNERSHIPS



SpectraCARE 0365 – G3 Annually

Qty-50



All the features of Office 365 Government Community G1 plus Office desktop applications, personalized search and discovery, self-service business intelligence, enterprise management of apps, eDiscovery tools, hosted voicemail with auto-attendant capabilities, and other services.

- Always-up-to-date Microsoft 365 apps for desktop and mobile
- Email, file storage and sharing, meetings, and instant messaging
- 1 TB of cloud storage
- Chat and call-in for up to 1,000 attendees
- Standard security
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[OneNote](#)



[Microsoft Forms](#)



[Power Apps](#)



[Power Automate](#)



[Power Virtual Agents](#)



[Microsoft Planner](#)



[Microsoft To Do](#)



[Viva Connections](#)



[Viva Insights](#)

TOTAL INVESTMENT
Quote Amount

	Amount
Subtotal	\$13,800.00

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.



QUOTE SIGNATURE

Helping Businesses
Thrive
Since 1903

City of Anthony
Richard Valdez
rvaldez@cityofanthonymn.org

820 Highway 478 Anthony, NM 88021

Quote: #iQ01849
Created: Thu May 08 2025
Expires: Sat Jun 07 2025

Spectrum Technologies

James Hurst

NAME

James Hurst

SIGNATURE

DATE

Customer Acceptance

NAME

SIGNATURE

DATE

This quotation for the itemized equipment and SpectraCARE Service Agreement will become an order when accepted and approved.

SERVICE AGREEMENT TERMS AND CONDITIONS

QUOTE # IQ01849

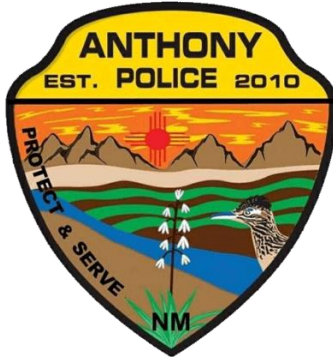
All hardware and software items will be invoiced after being received from vendor and payment will be due upon receipt or within standard account terms as approved and based on available credit. Contracted installation services may be billed separately and due upon satisfactory completion of our services without regard to customer's use of other contractors. If applicable, please refer to the "Scope of Work" and "SpectraCare IT Support Agreement" documents for additional terms and conditions including phase-complete or milestone billing for more complex /lengthy projects.

If applicable, monthly recurring service agreements shall be effective as of the executed date and shall be for an initial term of twelve (12) months or the term of the lease (if applicable) and automatically renews for a subsequent twelve (12) month term beginning on the day immediately following the end of the term, unless either party gives the other ninety (90) days prior written notice of its intent not to renew this agreement. In the case of contract non-renewal by either party, any remaining term costs associated with annual-based software or service subscriptions procured by Spectrum on customer's behalf shall immediately come due. Relevant remaining balances for all initial software licenses and/or service subscriptions plus any subsequently added will be invoiced to and payable by customer.

For your convenience, this quotation will become an order when accepted and approved. Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. The then existing recurring payment or charge may be increased by a maximum of fifteen percent on an annual basis. Additional training or professional services can be provided at our standard rates. Any additional devices or services added to the managed services program will have an incremental cost of (determined by device/service type) per month per device. The monthly pricing will be automatically updated with the addition of a device/service.

Any software /licensing that is added to the contract during the contract term will have an incremental cost of (determined by software /licensing type) per month per instance. The monthly pricing will be automatically updated on the next contract invoice of the billing cycle and shall be for an initial term of twelve (12) months or the term of the lease (if applicable) and automatically renews for a subsequent twelve (12) month term, unless either party gives the other ninety (90) days prior written notice of its intent not to renew the software /licensing that was added.

All product returns must meet Spectrum's return policy requirement in order for Spectrum to issue a return order. Spectrum only accepts the return of products within thirty days from the date that the order was received if the product is Defective or Dead on Arrival (DOA). In no event shall Spectrum Technologies be held liable for any special, incidental, indirect, or consequential damages of any kind including those resulting from loss of data, income, profit, or any other loss arising out of or in connection with the services or use thereof even if CLIENT has been advised or has knowledge of the possibility of such damages.



CITY OF ANTHONY, NEW MEXICO

Police Department Standard Operating Procedures

This manual is intended only to regulate the conduct of personnel of the City of Anthony Police Department (“Department”), and is not intended to create any higher standard of care than is required by State Law.

This manual is a supplement to the ordinances and personnel regulations of the City of Anthony. When a conflict arises, the City’s ordinances and personnel regulations take precedence over this manual.

The current form of government in the City is a Mayor-Council form of government. All duties and responsibilities under this policy that were assigned to the City Manager shall be assumed by the Mayor.

Approved _____
Mayor

Date _____

Approved _____
Human Resources

Date _____

Approved _____
Chief of Police Vanessa Ordoñez

Date _____

City of Anthony Police Department Chain of Command

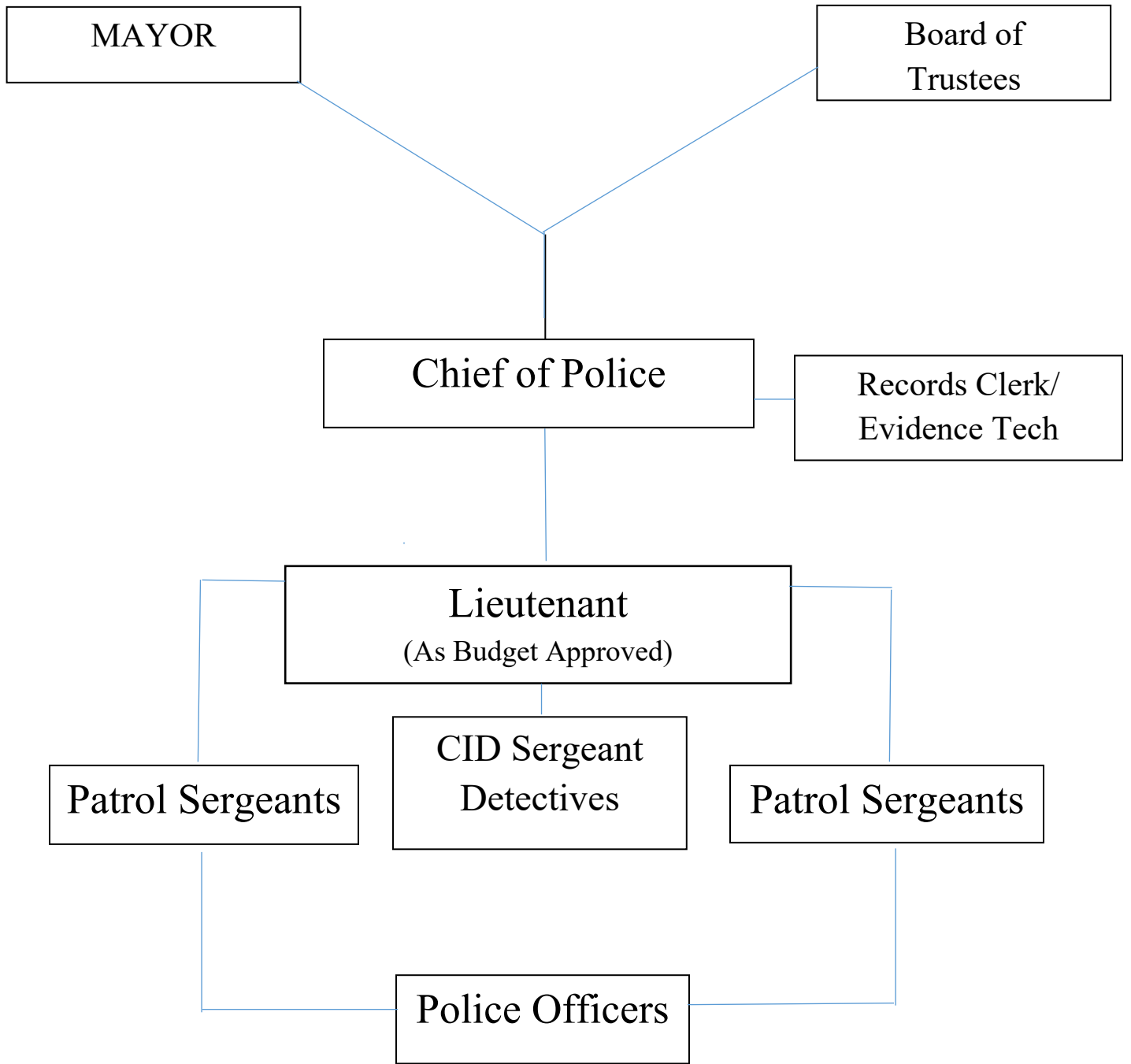


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ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: MISSION STATEMENT	NUMBER: ADM 01-01
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 06-23-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordoñez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

PURPOSE

It is the basis of any successful and respected organization to have an effective mission statement. The following is the mission statement for the Anthony Police Department.

MISSION STATEMENT

It is the mission of the City of Anthony, New Mexico Police Department to safeguard the lives and property of the people we serve, reduce the fear of crime, and to partner with our community to solve problems and enhance public safety in a manner that is fair, impartial, and transparent. We will conduct ourselves in a courteous, supportive manner, and will maintain the highest standards to maintain **PUBLIC TRUST AND LEGITIMACY**.

THE ANTHONY POLICE DEPARTMENT IS COMMITTED TO THESE PRINCIPLES:

Integrity – Recognizing right from wrong and the willingness to do what is right, no matter the consequences and to set the example.

Respect – Valuing human life, having considerate and courteous regard for all persons. We follow, honor and defend the constitutions and laws of the United States and the State of New Mexico.

Vigilance– Our responsibility is to be alert to issues and activities impacting our community and to promote public trust by upholding our obligations to the department and our community.

We will abide to the following:

- The protection of life and property is our highest priority.
- Will respect and protect the rights and dignity of all persons, and conduct all citizen contacts with integrity, respect, and vigilance.
- Will strive for excellence in its delivery of Police services, and will utilize training, technology, and innovation to achieve that goal.
- Recognize the Department's interdependent relationship with the community it serves, and will remain sensitive to the community's priorities and needs.
- Will enforce all laws impartially throughout the community.
- Recognize the individual worth of each of its members.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Goals and Objectives	NUMBER: ADM 01-02
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordoñez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. STATEMENT OF PURPOSE

THE PURPOSE OF THIS ORDER IS TO IDENTIFY THE ORGANIZATIONAL PHILOSOPHY OF THE DEPARTMENT WHICH EMPHASIZES A POSITIVE WORKING RELATIONSHIP BETWEEN THE PUBLIC AND THE POLICE. THIS CONCEPT INVOLVES A COMMUNITY ORIENTED APPROACH TO POLICING TO BUILD TRUST AND LEGITIMACY. EACH GOAL AND OBJECTIVE WILL BE FOCUSED TO ACHIEVE THIS PHILOSOPHY.

II. VISION STATEMENT

THE ANTHONY POLICE DEPARTMENT IS COMMITTED TO FAIRNESS, COMPASSION, AND EXCELLENCE WHILE PROVIDING POLICE SERVICES IN ACCORDANCE WITH THE LAW AND SENSITIVE TO THE PRIORITIES AND NEEDS OF THE PEOPLE.

III. GOALS AND OBJECTIVES

- A. The Department will have a written set of goals and objectives.
- B. The Department's goals and objectives form the foundation, and are in addition to the individual unit goals and objectives. All Department goals and objectives are established by providing each employee the opportunity to supply input into the process.
- C. Supervisors will draft and submit their goals and objectives after consulting with the employees of their component. Each unit shall maintain its goals and objectives, and is responsible for accomplishing them within the allotted period of time.
- D. A copy of the unit goals and objectives shall be submitted as deemed necessary to the Board of Trustees by the Chief of Police.
An annual update of the progress towards the attainment of the unit's goals and objectives will be provided to the Board of Trustees and relevant personnel by January of each calendar year by the Chief of Police.

IV. POLICY STATEMENT

It is the desire of the Department to provide guidance in those circumstances wherein the Rules and Regulations and Standard Operating Procedures or stated procedures cannot be followed. When employees encounter circumstances in which Department policy or stated procedures cannot be followed, officers adopt alternative procedures to accomplish police objectives.

When the use of alternative procedures becomes necessary, employees adopt those alternative procedures which will accomplish policy objectives in the most expedient manner with the least inconvenience to the public.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: WRITTEN DIRECTIVES	NUMBER: ADM 01-03
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 06-23-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordoñez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

In order to fulfill the Department's goals, it is necessary to create and maintain a system through which the Department can be effectively directed and controlled. This does not imply a disregard for the rights or abilities of the individual, but rather a structuring of the human efforts concerned with carrying out the everyday activities of the Department. As part of the overall training process, written direction must be provided to all personnel to guide and direct them in the performance of their duties. A manual of Standard Operating Procedures (SOP) should therefore be considered only a subpart of the governing of the Department.

The Department manual is compiled, adopted, and published on the authority of the City Manager, Governing Body, and the Chief of Police for the information, guidance, governance, discipline, and administration of the Department and its personnel. Department policy, rules and procedures may be updated by special orders or formal training, which may not be currently reflected in this Standard Operating Procedure. Any violations of the provisions of this Standard Operating Procedure may result in disciplinary charges against personnel responsible for such violations. The Department recognizes the fact that situations will occasionally arise which may mitigate such violation. Evidence of such mitigating circumstances may be considered on an individual basis when assessing the conduct of personnel of this Department.

II. POLICY

It is the policy of the Department to develop and maintain written directives for the information, guidance, governance, discipline, and administration of the Department and its personnel.

III. PROCEDURE

The City of Anthony Police Department, referred to throughout this manual as the Department or Standard Operating Procedures, together with the City Employee Handbook are the guidelines to this Department's organization and operations. The Chief of Police is responsible for the updating and revision of the manual. The manual is the property of the Department. All personnel will be issued an electronic copy of the manual, and will be required to sign a form acknowledging receipt.

It will be the responsibility of the Chief of Police to delegate to the appropriate unit any revisions of the manual which may be required and which affect that respective division. It is the responsibility of each employee to maintain and keep current all revisions to the manual. When revisions are received, old orders bearing the same number should be removed from the manual and destroyed. The new order should be placed in the manual to replace the revised order. (The manual will be available in hard copy and/or electronically.)

Written Directives come in the following forms:

1. General Order
2. Special Order
3. Standard Operating Procedure
4. City of Anthony Employee Handbook

Other correspondence comes in the following forms:

1. Memorandum
2. Memorandum to the Chief
3. Outgoing Correspondence
4. Training Request
5. Equipment Request

IV. GENERAL ORDERS

General Orders are permanent directives that describe departmental policy, programs and procedures which apply to one division only, more than one division, or throughout the department. Such orders take effect on the date issued, and remain in effect until withdrawn or modified.

Format

Each General Order includes the following:

1. Chapter and Section Number;
2. Subject;
3. Effective Date;
4. Statement of Purpose (such statements usually address the questions of “what?” and “why?”);
5. Methods of operation or guidelines for performance. (The guidelines usually address the question of “how?”.)

Authority to Issue

The authority to issue, modify or approve Departmental policies rests with the Chief of Police or his/her designee. Staff review provides for a copy of the draft being sent to all Supervisors for comments regarding the proposed order. The comments are sent to the Chief of Police prior to approving, disapproving, or modifying the proposed order.

V. SPECIAL ORDER

A special order may be used to set policy or procedures regarding a specific circumstance or event, such as football games, parades, or other public gatherings. This order is temporary or self-canceling. Once the event is over, the order has no effect. The same order may be reissued for each recurring event of the same nature.

When the need arises for an immediate change or amendment to a General Order, a Special Order may be used. The Special Order has the force and effect of a General Order until the change is incorporated into a General Order.

Authority to Issue

- A. When a Special Order is used to set policy or procedures to be followed during a special event, the order may be issued by the commanding officer in charge of said event.
- B. When a Special Order is issued to temporarily change or amend a General Order, it shall be issued by the Chief of Police after review to check compliance with existing laws and/or accreditation standards.
- C. When a Special Order applies only to employees in one division, the order is issued by the supervising officer of the affected division.

Distribution

- A. When a Special Order is issued for a special event, the person originating the order, shall distribute copies to involved personnel, and post a copy on appropriate bulletin boards.
- B. When a Special Order is issued to temporarily change or amend a General Order, it is distributed in the same way as any manual revision. The revision is then placed in the manual directly behind the affected General Order.
- C. When a Special Order is issued which applies to employees in one division, copies will be distributed by the originating officer to those employees and a copy posted on appropriate bulletin boards.

VI. The Standard Operating Procedures may be used to establish procedures within a Division so long as they do not conflict with the goals, objectives and established General Orders of the Department.

Format

The SOP is written in the same format currently utilized in the General Orders.

Authority to Issue

The SOP manual is established by the Chief of Police and may include chapters or sections that address the operations of a specific division or unit within the Department.

Distribution

It is the responsibility of the Chief of Police to distribute SOP manuals and/or

electronic copies and any revisions to the personnel affected. It is the responsibility of the Chief of Police to ensure that the manual is complete and up to date. A copy of each SOP manual will be maintained in the Chief's office and with the Chief's Administrative Assistant or police Records Clerk.

VII. MEMORANDUM

A memorandum is a formal written method of communication used to transmit information up or down the chain of command. A memorandum may be addressed to all personnel, a small group, or to an individual. A memorandum shall not be used to change or establish departmental policy, regulation or procedure.

Authority to Issue

Memoranda may be written by any Supervisor as needed in order to validate the memorandum. The issuing employee need only initial to the right of their name.

Distribution

When a memorandum is addressed to a small group or to an individual, the person originating the memorandum is responsible for distribution. Copies are made only for the people directly affected by that memorandum.

When a memorandum is written by an employee to the Chief of Police describing an incident, the employee should send the memorandum to their immediate supervisor to be routed through the appropriate chain of command.

VIII. MEMORANDUM TO THE CHIEF OF POLICE

All inter-departmental memoranda submitted to the Chief of Police shall be forwarded through the chain of command with the least possible delay. The memorandum should be initialed by each supervisor in the chain of command. No officer, regardless of rank, has the authority to stop or otherwise detain any memoranda or other correspondence.

Mandatory reports to the Chief

Memoranda shall be submitted to the Chief of Police in a timely manner when:

1. Requested or ordered;
2. Appropriate for commendation/disciplinary recommendations.

IX. OUTGOING CORRESPONDENCE

Employees shall not use Department stationery for private correspondence. Employees shall not correspond in the name of the Department without permission from the Chief of Police.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: OATH OF OFFICE	NUMBER: ADM 01-04
EFFECTIVE DATE:08-01-2017	REVIEW DATE: 06-23-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordoñez Chief of Police
NMMLEPSC STANDARDS: ADM.01.01	NMSA:

I. POLICY

All personnel, prior to assuming sworn status, must take and subsequently abide by an oath of office to enforce the law and to uphold the Constitutions of the United States and the State of New Mexico.

II. PURPOSE

The Oath of Office differentiates the Police Officer from the civilian. It imposes levels of accountability and responsibility on the officer that are not made of the general public.

III. FORMAT

The Oath consists of:

OATH OF OFFICE

STATE OF NEW MEXICO}
COUNTY OF DONA ANA}

I, _____, having been appointed Police Officer for the City of Anthony, County of Dona Ana, State of New Mexico, do solemnly swear that I will support the Constitution of the United States and Constitution and laws of the State of New Mexico, and that I will faithfully and impartially discharge all the duties pertaining to my office to the best of my ability and belief:

SO HELP ME GOD.

Subscribed and sworn to before me this _____ day of _____, 20____.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: CODE OF ETHICS	NUMBER: ADM 01-05
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 06-23-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordoñez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Ethical behavior by employees of this Department is imperative in maintaining the trust and respect of the citizens within this community. Should this trust or respect ever be compromised for allegations of unethical conduct, a full-scale internal investigation will be initiated and vigorously pursued. An internal investigation will serve to uncover any alleged Police practices/behavior which is considered to be undesirable, or dispel any citizen speculation of its existence.

II. POLICY

It is policy of the Department that all sworn officers are to be knowledgeable of and abide by the Law Enforcement Code of Ethics. The Law Enforcement Code of Ethics and Canon of Police Ethics is reproduced as a part of this policy in order to stress the importance of ethical conduct, and to provide further guidance for Law Enforcement Officers of this Department to follow:

III. PROCEDURE

The Law Enforcement Code of Ethics

AS A LAW ENFORCEMENT OFFICER, MY FUNDAMENTAL DUTY IS TO SERVE MANKIND; TO SAFEGUARD LIVES AND PROPERTY; TO PROTECT THE INNOCENT AGAINST DECEPTION, THE WEAK AGAINST OPPRESSION OR INTIMIDATION, AND THE PEACEFUL AGAINST VIOLENCE OR DISORDER; AND TO RESPECT THE CONSTITUTIONAL RIGHTS OF ALL MEN TO LIBERTY, EQUALITY AND JUSTICE.

I WILL KEEP MY PRIVATE LIFE UNSULLIED AS AN EXAMPLE TO ALL; MAINTAIN COURAGEOUS CALM IN THE FACE OF DANGER, SCORN, OR RIDICULE; DEVELOP SELF-RESTRAINT; AND BE CONSTANTLY MINDFUL OF THE WELFARE OF OTHERS. HONEST IN THOUGHT AND DEED IN BOTH MY PERSONAL AND OFFICIAL LIFE, I WILL BE EXEMPLARY IN OBEYING THE LAWS OF THE LAND AND THE REGULATIONS OF MY DEPARTMENT. WHATEVER I SEE OR HEAR OF A CONFIDENTIAL NATURE OR THAT IS CONFIDED TO ME IN MY OFFICIAL CAPACITY WILL BE KEPT EVER SECRET UNLESS REVELATION IS NECESSARY IN THE

PERFORMANCE OF MY DUTY.

I WILL NEVER ACT OFFICIOUSLY OR PERMIT PERSONAL FEELINGS, PREJUDICES, ANIMOSITIES, OR FRIENDSHIPS TO INFLUENCE MY DECISIONS. WITH NO COMPROMISE FOR CRIME AND WITH RELENTLESS PROSECUTION OF CRIMINALS, I WILL ENFORCE THE LAW COURTEOUSLY AND APPROPRIATELY WITHOUT FEAR OR FAVOR, MALICE OR ILL WILL, NEVER EMPLOYING UNNECESSARY FORCE OR VIOLENCE AND NEVER ACCEPTING GRATUITIES.

I RECOGNIZE THE BADGE OF MY OFFICE AS SYMBOL OF PUBLIC FAITH AND I ACCEPT IT AS A PUBLIC TRUST TO BE HELD SO LONG AS I AM TRUE TO THE ETHICS OF THE POLICE SERVICE. I WILL CONSTANTLY STRIVE TO ACHIEVE THESE OBJECTIVES AND IDEALS, DEDICATING MYSELF BEFORE GOD TO MY CHOSEN PROFESSION - LAW ENFORCEMENT.

CANONS OF POLICE ETHICS**ARTICLE I – Primary responsibility of job**

The primary responsibility of the police service, and of the individual officer, is the protection of the people of the United States through the upholding of their laws. Chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and it's legally expressed will and is never the arm of any political party or clique.

ARTICLE II – Limitations of authority

The first duty of a law enforcement officer, as upholder of the law, is to know its bounds upon he/she in enforcing it. Because the Officer represents the legal will of the community, be it local, state, or federal, the Officer must be aware of the limitations and proscriptions which the people, through law, have placed upon them. The Officer must recognize the genius of the American system of government, which has given to no man, groups of men, or institutions, absolute power, and the Officer must ensure that as a prime defender of the system, does not pervert its character.

ARTICLE III – Duty to be familiar with the laws and with responsibilities of self and other public officials.

The law enforcement officer shall assiduously apply themselves to the study of the principles of the laws which they are sworn to uphold. The Officer will make certain of their responsibilities in the particulars of their enforcement, seeking aid from their superiors in matters of technicality or principle when these are not clear to them; the Officer will make special efforts to fully understand their relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

ARTICLE IV – Utilization of proper means to gain proper ends

The law enforcement officer shall be mindful of their responsibility to pay strict heed to the selection of means in discharging the duties of their office. Violations of law or disregard for public safety and property on the part of the officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

ARTICLE V – Cooperation with public officials in the discharge of their authorized duties

The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. The Officer shall be meticulous, however, in assuring themselves of the propriety, under the law, of such actions and shall guard against the use of their office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, the Officer shall seek authority from his/her superior officer, giving them a full report of the proposed service or action.

ARTICLE VI – Private conduct

The law enforcement officer shall be mindful of their special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect upon the police officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable man/woman. Following the career of a policeman/policewoman gives no man/woman special requisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American Republic. The Officer who reflects upon this tradition will not degrade it. Rather, the Officer will so conduct his private life that the public will regard him as an example of stability, fidelity and morality.

ARTICLE VII – Conduct toward the public

The law enforcement officer, mindful of their responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct this official life in a manner such as will inspire confidence and trust. Thus, the Officer will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in neither awe of the Officer nor a right to command the Officer. The Officer will give service where he/she can and require compliance with the law. The Officer will do neither from personal preference or prejudice, but rather as a duly appointed officer of the law discharging their sworn obligation.

ARTICLE VIII – Conduct in arresting and dealing with law violators

The law enforcement officer shall use their powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. The Officer's office gives the Officer no right to prosecute the violator or to mete out punishment for the offense. The Officer shall, at all times, have a clear appreciation of their responsibilities and limitations regarding detention of the violator; the Officer shall conduct themselves in such a manner as will minimize

the possibility of having to use force. To this end, the Officer shall cultivate a dedication to the service of the people and the equitable upholding of their laws in the handling of law violators or in dealing with the law abiding.

ARTICLE IX – Gifts and favors

The law enforcement officer, representing government, bears the heavy responsibility of maintaining, in their own conduct, the honor and integrity of all government institutions. The Officer shall, therefore, guard against placing themselves in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given. Thus, the Officer should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing the Officer's judgment in the discharge of their duties.

ARTICLE X – Presentation of evidence

The law enforcement officer shall take special pains to increase their perception and skill of observation, mindful that in many situations the Officer is the sole impartial testimony to the facts of a case.

The law enforcement officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. The Officer shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, the Officer will ignore social, political and all other distinctions among the persons involved, strengthening the tradition of the reliability and the integrity of an officer's word.

ARTICLE XI – Attitude toward profession

The law enforcement officer shall regard the discharge of their duties as a public trust and recognize their responsibility as a public servant. By diligent study and sincere attention to self-improvement, the Officer shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. The Officer shall appreciate the importance and responsibility of their office, holding police work to be an honorable profession and rendering valuable service to their community and their country.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Code of Conduct	NUMBER: ADM 01-06
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 06-23-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordoñez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Employees of Department shall conduct themselves in a manner that reflects highly on the department and does not bring discredit to the Department or themselves. This policy provides guidelines and specificity to the standards of conduct that should be followed.

II. POLICY

It is the policy of the Department to set forth guidelines as to the standard of conduct that Department employees are held to.

III. VIOLATION OF RULES

Employees shall not violate or assist in violation of rules, regulations, directives or orders of the Department, whether stated in this Department manual or elsewhere.
(Category I, II, III Offenses)

IV. CONFORMANCE TO LAWS

Employees shall obey laws of the United States and of any state and local jurisdiction in which the employees are present. Any employee who is a suspect in or is arrested for any criminal offense, drug related offense, or major traffic offense shall report such to the Chief of Police as soon as practical and in all cases prior to returning to duty.
(Category I, II, III)

V. UNSATISFACTORY PERFORMANCE

Employees shall maintain sufficient competency to do their duties and assume the responsibilities of their positions. Employees shall do their duties in a way that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be shown by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to do assigned tasks; the failure to conform to work standards established for the employee's rank or position; the failure to take appropriate action on the occasion of crime, disorder, or other condition deserving police attention; or abuse of leave.

The following also will be considered unsatisfactory performance: consistently poor performance evaluations, or a consistent written record of infractions of rules, regulations, directives, or orders of the Department.

(Category I, II, III)

VI. INSUBORDINATION AND/OR INTEMPERATE BEHAVIOR

Employees shall obey, in a timely manner, any lawful directive of a supervisor. This will include directives relayed from a supervisor by another employee of the same or lesser rank. Employees shall respect all other employees and respect the rank of all their superiors and address them accordingly at all times.

(Category I, II, III)

VII. CONFLICTING OR ILLEGAL DIRECTIVES

1. Employees who are given an otherwise proper directive that conflicts a previous directive, rule or regulation, shall respectfully inform the supervisor issuing the directive, if said person does not alter or retract it, the directive shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor. Employees shall obey the conflicting directive and shall not be held responsible for disobedience of the directive, rule or regulation previously issued. (Category II)
2. Employees shall not obey any directive that they know or should know would require them to commit any illegal act. If in doubt about the legality of a directive, employees shall request the issuing supervisor to clarify the directive or shall request to confer with higher authority.

(Category II, III)

VIII. TRUTHFULNESS

Employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them.

(Category III)

IX. PHYSICAL OR PSYCHOLOGICAL EXAMINATIONS

1. Upon recommendation of Chief of Police and the office performing the Human Resources function, the employee will submit and undergo either a physical or psychological examination, or both, to determine the fitness of the employee to do the required duties of the position.
2. When complying with the requirements of this section, the employee shall authorize the attending physician or psychologist to release information regarding the employee's conditions and ability to do required duties to the office performing the

Human Resources function.

(Category III)

X. USE OF POLYGRAPH, MEDICAL EXAMINATION, PHOTOGRAPHS AND LINEUPS

1. When ordered by the Chief of Police, employees shall submit to polygraph examinations by a licensed polygraph examiner. All polygraphs will be conducted in accordance with applicable law.

(Category III)

XI. FINANCIAL DISCLOSURE

Employees shall not be required to show information regarding their financial status except as required by law.

(Category III)

XII. PERSONNEL FILES

1. No document containing comments adverse to an Officer shall be entered into the Officer's personnel file unless the Officer has read and signed the document. When an Officer refuses to sign a document containing comments adverse to him, the document may be entered into an Officer's personnel file if:
 - a) The Officer's refusal to sign is noted on the document by the Supervisor;
 - b) The notation regarding the Officer's refusal to sign the document is witnessed by a third party.
2. An Officer may file a written response to any document containing adverse comments entered into their personnel file and the response shall be filed with Human Resources within thirty days after the document was entered in the Officer's personnel file. The Officer's written response shall be attached to the document.

XIII. CONSTITUTIONAL RIGHTS, NOTIFICATION

When any Officer is under administrative investigation and a determination is made to commence a criminal investigation, the Officer shall be immediately notified of the investigation, and shall be afforded all the protections set forth in the Bill of Rights of the United States and New Mexico Constitutions.

XIV. POLITICAL ACTIVITY

An officer shall not be subjected to any retaliation by the Department for engaging in any political activity when the officer is off duty, except as otherwise required by law.

(Category III)

XV. EXERCISE OF RIGHTS

An officer shall not be subjected to any retaliation by the City of Anthony due to the officer's lawful exercise of his rights under the Peace Officer's Employer-Employee Relations Act (29-14-1 to 29-14-11 NMSA 1978).

(Category III)

XVI. COMPLAINTS AGAINST SUPERVISORS AND THE CHIEF OF POLICE

Complaints against supervisors shall be made by a member of the Department in writing directly to the Chief of Police with supporting facts and circumstances. Any complaint against the Chief of Police shall be made in writing to the City Manager with supporting facts and circumstances after notifying the Chief of Police of the complaint against him/her, following grievance procedures as outlined in the City of Anthony Employee Handbook.

(Category II)

XVII. UNBECOMING CONDUCT

Employees shall conduct themselves at all times, both on and off duty, in such a manner that reflects favorably on the Department. Conduct unbecoming of an employee is that which brings the Department into disrepute or reflects discredit upon the employee as a member of the Department. Conduct unbecoming is also that which impairs the operation or efficiency of the Department or employee.

(Category III)

XVIII. NEGLIGENCE OF DUTY

Employees shall not engage in any activities or personal business that would cause them to neglect or be inattentive to duty.

(Category I)

XIX. SLEEPING ON DUTY

Employees shall remain awake while on duty. If unable to remain awake, employees shall report to their supervisor who shall decide the proper course of action.

(Category III)

XX. REPORTING FOR DUTY

1. Employees shall report for duty at the time and place required and shall be physically

and mentally fit to do their duties. They shall be properly equipped for the performance of duty so that they may immediately assume their duties. Judicial subpoenas and court notifications is an order to report for duty.

2. Upon reporting for duty, employees are responsible for information on the memo board, department e-mail as well as other sources of Departmental information relating to their job assignment.

(Category I, II, III)

XXI. UNIFORM AND PERSONAL APPEARANCE

Employees shall wear uniforms or their clothing according to established Departmental procedures and shall maintain a neat, well-groomed appearance, while on duty, court appearance, or training functions.

(Category I)

XXII. CARRYING AND USE OF WEAPONS

1. Commissioned officers shall carry firearms and other weapons according to law and Departmental procedures.
2. Officers shall not handle weapons in a careless or imprudent manner. Officers shall utilize weapons according to law and Department procedures.
3. Any Officer who discharges a firearm while performing any police function, accidentally, or intentionally shall make a written report to the Chief, giving the details of the incident. (Exception – Training functions unless injury occurs)
4. Department issued weapons may be worn out of uniform so long as the law enforcement officer is in the performance of their duties (i.e. plain clothes operations, event attire, court, firearm qualifications).

(Category II, III)

XXIII. ILLNESS OR INJURY REPORTS

- A. Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive, or attempt to deceive the Department about the condition of their health.
- B. Employees, when reporting off sick for any reason, other than an emergency, shall **verbally** notify an **on-duty** supervisor at least four hours prior to the employee's scheduled hours of duty. Notification via e-mail and/or text messages will not be considered proper notification. Any employee who becomes ill or injured while on duty shall, if possible, report the facts to their supervisor before absenting themselves from duty. The employee will immediately notify the supervisor of such illness or injury. If the employee is the only officer on duty, at no time will they abandon their post without proper relief from another employee, unless, an emergency circumstance involving injury which incapacitates the employee has occurred.

(Category II, III)

XXIV. PAYMENTS FOR LINE-OF-DUTY INJURY

Employees shall notify Human Resources and the Chief of Police regarding any settlement for line of duty injuries.

(Category II, III)

XXV. MEALS

Employees are allowed meals/breaks as established by Department procedures. Employees who are compensated for meals/breaks are subject to immediate call during such. Meal/breaks will be taken as near the middle of shift as possible.

(Category I)

XXVI. SEARCHING OF PERSONERS OR SUSPECTS

People in custody or suspects shall be searched for weapons for the officer's and prisoners/suspects safety, according to Department procedures.

(Category I, II)

XXVII. TREATMENT OF PERSONS IN CUSTODY

Employees shall not mistreat nor permit mistreatment of persons who are in their custody. Employees shall handle such persons according to law and Department policy.

(Category I, II, III)

XXVIII. USE OF FORCE

Employees shall not use more force in any situation than is necessary under the circumstances. Employees shall use force according to law and Departmental procedures.

Employees shall as soon as possible complete a Use of Force form when force is used.

(Category II, III)

XXIX. TRANSPORTATION OF PRISONERS

When transporting people in custody, they shall be handcuffed with their hands behind their backs unless the health or other physical condition of the person does not permit it. The starting and ending vehicle mileage and location will be given to the dispatcher upon transporting any prisoner of the opposite sex or minors.

(Category I, II, III)

XXX. PASSENGERS IN POLICE VEHICLES

No person other than members of the Department or person involved in police action or service shall be permitted to ride in Departmental vehicles except according to Departmental procedures. Only the Chief of Police may approve a ride-a-long as set forth by Department procedures.

(Category II)

XXXI. COURTESY

Employees shall be courteous to the public. Employees shall be tactful in the performance of their duties, control their tempers, exercise the utmost patience and discretion and not engage in argumentative discussions. In the performance of their duties, employees shall not use coarse, violent, profane or insolent language or gestures, and not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics.

(Category I, II)

XXXII. RESPONDING TO REQUESTS FOR ASSISTANCE

When any person or other agency applies for assistance or advice, or makes complaints or reports, either by telephone, in writing or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established Departmental procedures.

(Category I, II)

XXXIII. DEPARTMENTAL REPORTS

Employees shall submit all necessary report on time and according to established Departmental procedures. Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter or cause to be entered any inaccurate, false or improper information.

(Category I, II, III)

XXXIV. RADIO DISCIPLINE

Employees shall operate the police radio in accordance with Departmental procedures.

(Category I)

XXXV. ON CALL AVAILABILITY

All Officers are subject to being asked to work at any time on any duty shift as the Chief of Police deems necessary for the proper operation of the Department.

(Category II)

XXXVI. PROCESSING OF PROPERTY AND EVIDENCE

Employees shall not convert to their use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property, photographs, or other evidence concerning an investigation or other police action; or otherwise process such property or evidence except according to Departmental procedures.

(Category II, III)

XXXVII. TELEPHONE NUMBER(S) AND ADDRESS

A current address and emergency contact telephone number(s) will be given to the Police Chief, Records Clerk and Human Resources Department. If the employee's address is difficult to locate, then a detailed map shall be drawn showing directions on how to locate their address.

(Category I)

XXXVIII. CONDUCT TOWARD OTHER EMPLOYEES/SUPERIORS

Employees shall not utter any unwelcomed, disrespectful, insolent or abusive language toward any other employee or superior. Employees shall not talk about the Department or any member of the Department, to include all city employees, which would reflect negatively on the face of the City of Anthony Municipality.

(Category I, II, III)

XXXIX. CITIZEN COMPLAINTS

Employees shall properly notify their immediate supervisor of any complaint made by a citizen against any employee or the Department. Employees may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint against any employee or the Department. Employees shall follow established Departmental procedures for processing complaints.

(Category I, II)

XL. EMPLOYMENT OUTSIDE THE DEPARTMENT

A. Employees may engage in outside employment subject to the following limitations:

1. Employees shall submit a written request for outside employment to the Chief of Police whose approval must be granted before engaging in such employment.
2. Such employment shall not interfere with the employee's employment with the Department.

(Category I, II)

XLII. USE OF TOBACCO AND ELECTRONIC SMOKING DEVICES

The use of all tobacco products to include electronic smoking devices (vaping) is prohibited in any police facilities, City vehicle or while in contact with the public. The use of tobacco or electronic smoking devices is permitted during meals/breaks in designated smoking areas.

(Category II)

XLIII. ALCOHOLIC BEVERAGES AND DRUGS IN POLICE FACILITIES

Employees shall not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens except those items held incident to police duties.

(Category II, III)

XLIV. POSSESSION AND USE OF DRUGS

Employees shall not possess or use any controlled substances unless prescribed as treatment for that employee by properly authorized practitioners. Employees shall notify their supervisor when their performance may be impaired by using medications (prescription or nonprescription).

(Category III)

XLV. USE OF ALCOHOL ON DUTY OR IN UNIFORM

- A. Employees shall not consume intoxicating beverages while on duty or when required to testify in court. Employees in uniform shall not consume intoxicating beverages at any time.
- B. Employees shall not appear for scheduled duty while under the influence of intoxicants to any degree (zero tolerance) or with an odor of intoxicants on their breath.

(Category II, III)

XLVI. GIFTS, GRATUITIES, BRIBES, OR REWARDS

Employees shall not solicit or accept from any person, business, or organization any gift including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment for the benefit of the employees or the Department, if it may be implied that the person, business, or organization:

- A. Seeks to influence the action of an official nature or seeks to affect the performance or nonperformance of an official duty, or;
- B. Has an interest that may be substantially affected, directly or indirectly, by the performance or nonperformance of an official duty. Any unsolicited gifts will be forwarded to the Chief of Police, with a written explanation.
- C. For further clarification, refer to the City Employee Handbook and the Government Employee Conduct Act.

(Category III)

XLVI. ENDORSEMENTS AND REFERRALS

Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service or commercial service (such as an attorney, towing service, bondsman, mortician, etc.). In the case of a towing service, when such service is necessary and the person needing the service is unable or unwilling to obtain it, or request assistance, employees shall proceed according to established Departmental procedures.

(Category I, II)

XLVII. PUBLIC STATEMENTS AND APPEARANCES

- A. Employees shall not criticize or ridicule the Department, its policies, or other employees by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, and undermines the effectiveness of that Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
- B. Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department while representing the Department without prior approval of the Chief of Police.

(Category III)

XLVIII. ABUSE OF POSITION

- A. Use of Official Position or Identification. Employees shall not use their official position, official identifications cards or badges:
 - 1. For personal or financial gain;
 - 2. For obtaining privileges not otherwise available to them except in the performance of their duty; or
 - 3. For avoiding consequences of illegal acts.
- B. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief of Police.
- C. Use of Name, Photograph or Title: Employees shall not authorize the use of their names, photographs, or official titles that identify them as employees, concerning testimonials or advertisement of any commodity or commercial enterprise, without the approval of the Chief of Police.
- D. Employees shall not use their official position, official identification, or badges for sexual favors.

XLIX. DISSEMINATION OF INFORMATION

Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, according to established Department procedures. Employees may remove or copy official records or reports according to Departmental procedures and in performance of duty. Employees shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

(Category II, III)

L. ASSOCIATIONS

Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employee.

(Category II, III)

LI. INTERVENTION

1. Employees shall not interfere with cases being handled by other employees of the Department or by any governmental agency unless:
 1. Ordered to intervene by a supervisor, or
 2. When the intervening employee believes that manifest injustice would result from failure to take immediate action.
2. Employees shall not undertake any investigation or other official actions not part of their regular duties without obtaining permission from their supervisor unless the exigencies of the situation require immediate police action.

(Category II, III)

LII. ABUSE OF PROCESS

Employees shall not knowingly make false accusations of a criminal nature or traffic charge.

(Category III)

LIII. RESTRICTIONS WHILE ON SUSPENSION

Officers shall not exercise police authority while under suspension; nor shall the uniform be worn while the officer is under suspension.

(Category III)

LIV. PERSONAL FAMILY DISPUTES

Employees shall not attempt to exact police discipline or make arrests in their quarrels or in those between their families or in disputes arising between them and their neighbors, except under such circumstances as would justify them in using self-defense or to prevent injury to another or when a serious offense has been committed.

(Category II, III)

LV. SEXUAL HARASSMENT PROHIBITED

Sexual harassment by any employee to any other employee is prohibited. This includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature as defined by state and federal laws, even when there is no tangible effect on pay, promotion, or continued employment.

(Category III)

LVI. UNAUTHORIZED EXPENDITURES

An employee shall not incur liability chargeable to the Department or City without proper authorization. Responsibility for payment of improper or authorized debts shall rest with the employee incurring the debt, disciplinary action notwithstanding.

(Category II, III)

LVII. REFERRALS TO CITY OFFICIALS

No employee shall refer any citizen to the Mayor, or Board of Trustees, concerning police related matters without approval of the Chief of Police or City Manager.

(Category I, II)

LVIII. CONTACTING CITY OFFICIALS

No employee shall contact the Governing Body on personnel and/or police related matters, except through the chain of command. Any employee contacted by the Governing Body shall contact the Chief of Police as soon as possible for further action.

(Category I, II)

LIX. IDENTIFICATION

Officers shall furnish their name and police identification to any person requesting that information when they are on duty or while acting in an official capacity for the City, unless the withholding of information is necessary for the performance of police duties or is authorized by proper authority.

(Category II)

LX. BUSINESS CARDS

Employees may utilize business or personal cards that have been approved by the Chief of the Police.

(Category I)

LXI. USE OF DEPARTMENT EQUIPMENT

Employees shall use Department equipment only for its intended purpose, according to Department procedures, and shall not abuse, damage or negligently lose Department equipment. All Department equipment issued to employees shall be maintained in proper order. Any damaged or missing equipment shall be reported in writing.

(Category II)

LXII. OPERATING DEPARTMENT VEHICLES

Employees shall operate Department vehicles in a careful and prudent manner and shall obey all Department procedures about such operation. Loss or suspension of any driving privileges shall be reported to the Department immediately.

1. The City-owned vehicle may be used to commute from one's official station to home and back as outlined in the City of Anthony Vehicle Use Policy.
2. Any exceptions made by the Chief of Police must be documented in writing.

LXIII. COURT APPEARANCE

Attendance at any court or hearing is an official duty assignment. Permission to omit this duty must be obtained from the prosecuting attorney or other court official.

(Category I)

LXIV. TESTIFYING FOR THE DEFENDANT

Any employee subpoenaed to testify for the defense in any trial or hearing, or against the City or Department, shall notify the Chief of Police upon receipt of the subpoena.

(Category I)

LXV. CIVIL CASES

Employees, while representing themselves as members of the Department shall not testify in civil cases unless legally summoned or subpoenaed. Employees shall not serve civil processes while on duty or in uniform, except those initiated by the City.

(Category II)

LXVI. CIVIL SUITS FILED

- A. Filed by the Employee: Employees shall not initiate civil action arising out of their official duties without first notifying the Chief of Police in writing.
- Filed against the Employee: Any employee who has a damage suit filed against him, because of an act rendered by him in the line of duty, shall immediately notify the Chief of Police and furnish a copy of the complaint with an corresponding police report associated with the incident in question so that the Chief of Police may notify the City Manager of the pending suit and relevant facts.
- (Category II, III)

LXVII. INTIMATE OR ROMANTIC RELATIONSHIPS

- A. An intimate or romantic relationship is a relationship where parties engage in sexual relations with one another or when their intent is to seek the romantic affection of the other. A close friendship is not considered an intimate or romantic relationship.
- B. Intimate or romantic relationships between an employee and any other employee assigned to supervise or mentor the performance of that employee, e.g. direct supervisors, special event supervisors, FTO's, trainers, etc. are prohibited.
- C. If a prohibited or romantic relationship develops, one or both employees shall:
1. End the relationship.
 2. Not engage in certain special events or functions.
 3. Be transferred to another position based on Department need, or
 4. Resign or be terminated.
- D. Any intimate or romantic relationship which adversely affects the operations or efficiency of the Department shall be prohibited.
- (Category II, III)

LXVII. INFRACTIONS AND PUNISHMENTS

- A. Except for gross breaches of discipline, supervisors shall attempt to begin employee discipline with the least punitive measures. If these do not work, then increasingly more severe measures may be required. While this process may take some time, it is important that each employee be dealt with justly, and in a manner which clearly indicates that positive, constructive measures to change behavior or performance preceded the imposition of more negative sanctions.
- B. Officers are reminded that all appeals are governed by law, as specified under the Law Enforcement Officers' "Bill of Rights" and "Garrity". Appeals are also governed under City Rules and Regulations.
- C. Unacceptable conduct is divided into three categories according to severity of misbehavior.
1. Category I
Examples:
 - a) Excessive absences, tardiness.

- b) Abuse of duty time (too much time away from established duties; too much time for personal business).
- c) Abusive or obscene language.
- d) Inadequate or unsatisfactory job performance.
- e) Disruptive behavior.

Category I offenses are of minor severity yet require correction in the interest of maintaining a productive and well managed department. Category I offenses normally result, in the first offense, in informal measures such as counseling, or perhaps by oral reprimand/formal counseling.

Two Category I offenses in one year results in a written reprimand or suspension of up to five days. A third instance in one year shall provide grounds for longer suspension or dismissal.

2. Category II

Examples:

- a) Failures to follow supervisor's instructions, perform assigned work, or otherwise comply with policy.
- b) Violating safety rules without a threat to life.
- c) Unauthorized time away from work assignments without permission during duty hours.
- d) Failure to report to work without proper notice to a supervisor.
- e) Unauthorized use or misuse of department property.
- f) Refusal to work overtime.

Category II offenses include more severe acts and misbehavior. Category II offenses normally result, in the first instance, an issuance of a written reprimand. A subsequent infraction within two years shall result in suspension, a demotion or dismissal.

3. Category III

Examples:

- a) Absence in excess of three days without notice to a superior.
- b) Use of alcohol or unlawful possession or use of a controlled substance while on duty.
- c) Reporting to work under the influence or when ability is impaired by alcohol or the unlawful use of controlled substances.
- d) Insubordination or serious breach of discipline.
- e) Falsification of any reports such as, but not limited to, vouchers, official reports, time records, leave records, or knowingly making any false official statement.
- f) Willfully or negligently damaging or destroying City property.
- g) Theft or unauthorized removal of departmental records or City or employee property.

- h) Gambling on any Property of the City of Anthony NM.
- i) Acts of physical violence or fighting (except official police actions).
- j) Violating safety rules where there is threat to life.
- k) Sleeping on duty.
- l) Participating in any kind of work slowdown or sit down or any other concerted interference with police department operations.
- m) Unauthorized possession or use of firearms, dangerous weapons, or explosives.
- n) Threatening or coercing employees or supervisors.
- o) Criminal convictions for acts of conduct occurring on or off the job which are plainly related to job performance and consequently to continue the employee in the assigned position would constitute negligence regarding the agency's duties to the public.
- p) Failure to take physical or mental examinations as required. The Chief of Police may require mental or physical examinations of a member or employee by a designated psychiatrist, psychologist, or physician when, in the Chief's estimation, it is in the best interest of the member, employee, or the department.
- q) Using public office for private gain.
- r) Engaging in criminal conduct on or off the job.
- s) Engaging in dishonest or immoral conduct which undermines the effectiveness of the agency's activities or employee performance, whether on or off the job.
- t) Willful disobedience of a lawful command of a supervisor.
- u) Disclosure of confidential information to any person except those who may be entitled to such information.
- v) Taking any action which will impair the efficiency or reputation of the department, its members, or employees.
- w) Acceptance of any bribe, gift, token, money, or other things of value intended as an inducement to perform or refrain from performing any official act, or any action of extortion or other means of obtaining money or anything of value through his position.
- x) Manifesting cowardice, feigning illness, or otherwise attempting to shirk official duty.
- y) Involvement in any compromise between persons accused of crime and the person or persons who may have suffered from criminal acts with the purpose of allowing the accused to escape punishment.
- z) Failure to answer questions specifically directed and related to official duties or job fitness.
- aa) The use of unnecessary force during an arrest/custody procedure.
- bb) Deviation from established procedures in the disposition of summons or arrest cases.

Category III offenses include acts of such severity as to merit suspension or dismissal at a single occurrence. Category III offenses may be punished by suspension or dismissal as outlined the City's Employee Handbook.

D. Probationary Employees

Probationary employees shall be dismissed, suspended, or otherwise disciplined according to the foregoing. The only difference is that a probationary employee has no right of appeal.

1. In the case of a dismissed probationary employee, the official record will merely indicate that the person was dismissed during probationary employment.

E. Sexual Harassment and Other Discrimination

Employees found to have engaged in discrimination on the basis of race, color, religion, national origin, political affiliation, handicap, age, or sex (including sexual harassment) may be counseled or disciplined with a Category I, II, or III Offense, depending upon the specific facts and circumstances surrounding the incident.

1. Sexual harassment is defined in City Rules and Regulations, Article VI Rights Protected, 2 and Department Rules and Regulations.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: LIMITS OF AUTHORITY	NUMBER: ADM 01-07
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: July 27, 2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: ADM.02.01-02.04	NMSA:

I. POLICY:

Department members, whether on duty or off duty, are expected to conduct themselves in accordance with statutory limits and guidelines of this manual, and in such manner as would reflect favorably upon themselves and on the Department.

II. PROCEDURE

There are circumstances which an Officer will have to use his/her discretion. All Officers are instructed to follow the Standard Operating Procedures and the City Employee Handbook where applicable. If the Standard Operating Procedures and the City Employee Handbook do not apply, the Officer will use his/her best reasonable judgement.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Authority and Responsibility	NUMBER: ADM 01-08
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: July 27, 2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. STATEMENT OF PURPOSE

The purpose of this order is to designate the authority and responsibility of the Chief of Police, Police Lieutenant, and Police Sergeant.

II. CHIEF OF POLICE

- A. Is hired by the City Manager with the approval of the Governing Body and is responsible to the City Manager.
- B. Has final authority and responsibility for the management, direction and control of the operations and administration of the Department.
- C. Develops and proposes such programs and policies for the City Manager for approval of the Governing Body as necessary to maintain a modern, efficient, and effective Police Department.
- D. Develops, presents, and justifies budget estimates for Department operations.
- E. Submits a monthly report to the City Manager outlining the operations and achievements of the Police Department.
- F. Develops and provides adequate training to the employees of the Department in order to maintain professional standards and conduct.

III. LIEUTENANT

- A. Upon approval by the City Manager, the Chief of Police may designate a Lieutenant who answers directly to the Chief of Police, and as budget approved by the Governing Body.
- B. Will assist in budgetary control.
- C. Is responsible for the day-to-day internal operations of the Department.
- D. Acts on behalf of the Chief of Police in his/her absence to include assuming the Chief's duties and responsibilities in his/her absence.
- E. Is responsible for the development of planning for projected needs of manpower and equipment. This may be accomplished using a variety of internal information in conjunction with outside sources.
- F. Performs a variety of technical and administrative tasks in support of Law Enforcement services, activities, and the operations of the Police Department.

IV. SERGEANT

- A. The Chief of Police may designate a Sergeant who answers directly to the Lieutenant and Chief of Police.
- B. Will be a patrol supervisor and will supervise, assign, review and participate in the work of sworn and non-sworn staff.
- C. Will be responsible for providing patrol, traffic, investigations, crime prevention, dispatch, records, community relations, training, and/or related services and activities.
- D. Acts as a watch commander as assigned.
- E. Ensures work quality and adherence to established policies and procedures.
- F. Participates in community-based police activities and programs.
- G. Performs a variety of technical and administrative tasks in support of Law Enforcement services and activities.

ANTHONY NM POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Organizational Flow Chart</i>	NUMBER: ADM 01-09
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: July 27, 2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The Department is established by law and shall consist of a Chief of Police, such regular officers and employees as may be approved by the Board of Trustees. The Department shall be under the general supervision of the Chief of Police who shall be the Chief Executive. It shall be the responsibility of the Chief of Police to enforce the rules and regulations for the City and the policies and procedures of the Department. The Chief of Police reports directly to the City Manager. Police Officers are charged with enforcing the laws of the United States, the State of New Mexico, and the ordinances of the City of Anthony. The organization of the Department will support the effective and efficient accomplishment of Departmental responsibilities and functions.

II. ORGANIZATIONAL CHART

The Organizational Chart denotes chain of command and intradepartmental relationships. See Organizational Chart in City of Anthony Chain of Command, page two (2), of this Standard Operating Procedures.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Command Protocol	NUMBER: ADM 01-10
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: July 27, 2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Department employees should maintain open communications and cooperation with other agencies, not only within the Criminal Justice System, but also in the realm of social services.

II. POLICY

It is the policy of the Department to establish and maintain a positive working relationship with other agencies.

III. LINE OF SUCCESSION

- A. When absences of the Chief of Police, Lieutenant, or Sergeant are anticipated, the Chief of Police will designate, in writing, a supervisor to act on his/her behalf.
- B. Occasions may occur that cause the Chief of Police to be unavailable or unable to perform his/her lawful duties. It is therefore the Department's intent to establish a line of succession. The line of succession is comprised of command rank officers who act on behalf of the Chief of Police.
- C. After the Chief of Police, the line of succession is by rank and seniority in rank.

IV. RESPONSIBILITIES

- A. All employees of the Department are reminded that they work for the public and they are responsible to protect and serve in all areas of public safety.
- B. Employees often encounter people who are in need of services from one or more of the local social service agencies. Although these problems may not be of a criminal nature, employees are encouraged to make every effort to determine the needs of the individual and assist in obtaining help.
- C. Because all criminal justice and social service agencies must work together, each employee is responsible for acting in a courteous and professional manner when in contact with other criminal justice and social service agencies.

V. REFERRALS

- A. Department employees, in the course of performing their duties, often encounter people in need of a type of help best provided by another criminal justice agency or a social service agency.
- B. All officers are expected to be familiar with the application of New Mexico State Law and City Ordinances as it applies to problems arising within the community. In dealing with problems presented to the officer, the determination of whether the problem is of a criminal nature or of a social or civil nature is made by the officer.
- C. Referrals to other agencies should be based upon specific criteria:
 - 1. Nature of the problem;
 - 2. Type of help or remedy required;
 - 3. Identification of the agency best suited to provide the necessary remedy.
- D. Juvenile problems or safety concerns should normally be referred to and handled by the Children, Youth and Families Services, the Juvenile Probation Parole Office and/or the Department of Human Services.
- E. Adult criminal nature problems should be handled through either the District Attorney's Office or the determination of which office to refer to should be based on the type and degree of the crime.
- F. Problems which are determined to be of a civil nature should be referred to Magistrate Court or District Court as applicable.
- G. Issues which could be deemed a social problem should be referred to a variety of services and resources which are available in Dona Ana County. Employees should maintain a working knowledge of the available services and resources to expedite the referral process.
- H. At times, a situation may require an officer to transport individuals to a social service agency, arrange for transportation, or arrange for a representative of the agency to come to their location. In these situations, employees should cooperate fully with all social service agencies, if possible.

VI. JOINT INVESTIGATIONS

- A. At times, during the investigation of a major crime or the search for a fugitive, two or more law enforcement agencies may be involved, and employees must work together with these agencies for the benefit of all involved agencies.
- B. When a call is received requesting immediate emergency assistance by another agency operating within the City limits, the requested assistance shall be dispatched, and the appropriate supervisor notified.
- C. When calls for assistance outside the City limits are received the appropriate supervisor shall be immediately notified. The supervisor determines to what extent the Department will honor the request.

When a joint investigation is conducted with another law enforcement agency, the Investigator maintains a liaison with the outside agency. Outside agencies requesting non-emergency assistance shall be referred to the Sergeant, Lieutenant, or Chief of Police.

- D. When Department personnel and personnel from outside agencies are working together on a police operation, the highest-ranking Department supervisor(s) coordinates with the highest-ranking outside agency supervisors(s).
- E. Department personnel shall not be placed under the sole command of an outside police agency.
- F. At the scene of a major incident, the ranking Department uniformed supervisor assumes command of, and is responsible for, all uniformed Department officers. The ranking investigative supervisor assumes command of, and is responsible for, investigative personnel. If only one supervisor is present, that supervisor shall assume overall command of, and is responsible for, all officers until or unless relieved by a higher authority. When an investigator is at a crime scene, he/she assumes command of, and is responsible for all personnel.
- G. The Supervisor of each involved division shall be kept informed on the status of any joint investigation.
- H. If the joint investigation deals with a crime which occurred outside the Department jurisdiction and a Department employee needs to file a report for his/her role in the investigation, a supplemental report detailing the officers' involvement shall be completed and approved by a supervisor and submitted to that agency through the Records Division.
- I. If the joint investigation deals with a crime which occurred within the Department's jurisdiction, a Department employee shall file the appropriate criminal report.

NOTE: If a City employee is involved in any type of criminal or civil issue, an outside law enforcement agency will be called to handle the case. At no time will the Anthony Police department handle any case involving a City employee or members of the City of Anthony Governing Body.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: CONSTITUTIONAL REQUIREMENTS	NUMBER: ADM 01-11
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: July 27, 2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. POLICY

A. To ensure compliance with all applicable constitutional requirements.

1. Interviews and interrogations will be conducted in compliance with the requirements of Miranda, if applicable.
2. All persons' access to counsel will be conducted in compliance with the requirements of Miranda, when applicable.
3. All persons or property subject to search and seizure will be in compliance with the United States and State of New Mexico Constitutions.
4. Terry vs. Ohio, (Supreme Court of the United States 392 U.S. 1, 88 S.Ct. 1968) as defined by New Mexico Supreme Court, will govern all stop and frisk contacts conducted by the Anthony Police Department.
5. The Anthony Police Department will provide all safeguards in assuring that non-English speaking and hearing impaired persons are protected in a manner that is clearly understood whenever constitutional issues become apparent through the use of qualified interpreters.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Search and Seizure	NUMBER: ADM 01-12
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: July 27, 2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The Fourth Amendment of the United States Constitution affords that no person shall be subjected to unreasonable search and seizure. Unlawful searches and seizures are one of the most scrutinized aspects of police behavior.

II. POLICY

It is the policy of the Department to ensure compliance with Fourth Amendment requirements of Search and Seizure.

III. PROCEDURE

A. Search and Seizure

Definition:

1. Police action is termed a search where there is (1) prying into hidden places by the police officer, and (2) the person whose premises or person is being searched has a reasonable expectation of privacy.
2. The Fourth Amendment guarantees the right for people to be free from unreasonable searches and seizures of their homes, persons and things. The Supreme Court is continuously interpreting the Fourth Amendment as it applies to police conduct. Illegally seized items of evidence will not be admitted in court and may be cause for a lost criminal case. Additionally, an illegally conducted search invites civil suits under the Civil Rights Act. In order to ensure that Fourth Amendment rights are protected, officers will obtain search warrants upon probable cause in all appropriate criminal cases except for the following circumstances:
 - a) Consent searches;
 - b) Emergency searches;
 - c) Plain view;
 - d) Abandoned property and open fields;
 - e) Inventory searches;
 - f) Executing warrants; and
 - g) Incident to arrest.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Arrests	NUMBER: ADM 01-13
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 07-27-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Short of the application of force, an arrest is the most serious action an officer can undertake. An arrest can cause repercussions throughout a person's life, even if he or she is eventually found not guilty or never brought to trial. The most important legal question facing an officer at the moment of an arrest is the existence of probable cause. Without probable cause the arrest is illegal and the evidence of criminality that was obtained because of the arrest is inadmissible. Officers shall accordingly exercise critical judgment in making arrests. Critical judgment includes consideration for bystanders, the time, place, and location of offenses, and the use of force in making the arrests. Officers shall consider alternatives to arrest consistent with their law enforcement mission.

II. POLICY

It is the policy of the Department to define the authority of Officers to make arrests and set forth the mechanisms for making arrests with, and without a warrant.

III. PROCEDURES

A. Definitions:

1. Arrest: An arrest is a seizure of a person. An arrest is supported by probable cause. Generally, according to Fourth Amendment cases, the test of whether an arrest has taken place is whether a reasonable person under the circumstances would have felt free to leave.
2. Probable cause: According to the Supreme Court, "probable cause exists where the facts and circumstances within their [the arresting officer's] knowledge and of which they had reasonable trustworthy information are sufficient in themselves to warrant a person of reasonable caution in the belief that an offense has been or is being committed" and that the person to be arrested committed it:
 - a) An officer must have probable cause to make an arrest.
 - b) The aim of probable cause is to make a formal charge. When an officer has probable cause, he or she may undertake a complete body search; record the suspect's fingerprints; take the suspect's photograph; and arrest him or her.

B. Application:

Officers shall continuously demonstrate discretionary judgment. Discretion shall be applied reasonably and shall be guided by the oath of office, the limits of authority

as established by law, the decisions and interpretations of the courts, the written orders of our department, and the oral instruction provided by field supervisors.

- C. Officers shall not make arrests based on or affected by a person's gender, sexual orientation, race, creed, color, general attitude, ethnicity or natural origin.
- D. Officers have five forms of discretionary authority when making arrests: no arrest at all, an informal resolution of the incident or problem, issuance of a summons, a full-custody arrest, or issuance of a criminal citation.
 - 1. Informal resolutions take the form of referrals to other agencies, mediating agreements between two or more parties, or issuance of a warning. Informal resolutions are the least coercive of all enforcement measures and shall be applied when stronger enforcement methods are unnecessary, or inappropriate under the circumstances.
 - 2. Issuance of a summons may be requested of the court or decided by the judge upon review of complaint.
 - 3. Criminal Citations may be issued for violations in accordance with NMSA 31-1-6.
- E. The decision to apply one or more enforcement methods must account for the totality of the circumstances and must be consistently applied.
- F. Supervisors shall review each arrest report to ensure that proper action was taken under the circumstances.

IV. ARRESTS WITH A WARRANT

- A. Who may issue: An arrest warrant may be issued by any municipal, magistrate, or district judge, or Juvenile and Domestic Relations Court that has jurisdiction for the case.
- B. When it may issue; what to recite: Court rules provide that the person having authority to issue an arrest warrant shall first examine on oath any complainant or other witnesses and, if probable cause exists, issue the warrant. (NMRA Rules 5-208, 6-204, 8-203)
- C. What the warrant contains: a warrant commands the accused to appear before a judge or magistrate at a stated time and place. The warrant names the accused or gives a description if his or her name is not known, describes the offense and names the violation, and bears a judge's signature. The warrant contains the complaint and sworn statements from witnesses.
- D. Issuance of a summons instead of a warrant: NMRA Rule 5-208 provides for issuance of a summons instead of a warrant. Summonses impose the same requirements to appear at an appointed place and time as with a warrant.
- E. Issuance and service of summons in place of warrants in misdemeanor cases:
 - 1. Officers may request that the court issue summonses for offenses committed in their presence when the offenses violate local ordinances.
 - 2. Persons to whom summonses have been issued shall not be held in custody until after an adjudication of guilty.
 - 3. Any person refusing to give a written promise to appear under the

provisions of this section shall be taken without unnecessary delay by the arresting or other officer before a magistrate or other appropriate issuing authority.

F. Copy of process to be left with accused:

Criminal procedures require that in most circumstances the officer shall leave a copy of the criminal process with the person charged.

G. Execution of arrest warrants:

1. NMSA 31-1-4 authorizes a law enforcement officer to execute within his jurisdiction a District or Magistrate warrant, or summons issued anywhere in New Mexico. Municipal court actions may be served within the court's jurisdiction, except for DWI actions which may be served anywhere in New Mexico.
2. NMSA 31-1-5 requires an officer who arrests a person on a warrant from another jurisdiction to take the arrestee without unnecessary delay to an appropriate judicial officer serving our locality.

H. Escape, flight, and pursuit: Arrest anywhere in the state:

1. NMSA 29-1-4 allows an officer, with or without a warrant, to pursue within his jurisdiction an escapee from custody. If the officer is in close pursuit, he or she may arrest the suspect wherever he/she is found.
2. NMSA 31-2-1 authorizes a law enforcement officer from any other state or the District of Columbia to pursue a fleeing felon into New Mexico and take the suspect into custody as if the suspect had committed a felony in New Mexico. Out of state police officers shall without unnecessary delay take the arrestee to a local magistrate judge to determine the lawfulness of the arrest as required in NMSA 31-2-2.
3. NMSA 31-2-8 authorizes an Anthony Police Officer whose jurisdictional boundary while in fresh pursuit of a misdemeanor, whom he/she would otherwise have authority to arrest, shall have the authority to arrest that misdemeanor anywhere within the state, and return him to the jurisdiction in which the fresh pursuit began without further judicial process. For purposes of this section, "fresh pursuit of a misdemeanor" means the pursuit of a person who has committed a misdemeanor in the presence of the pursuing officer. Fresh pursuit shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

I. Arrest of suspect inside dwelling:

1. Officers may arrest a suspect inside his/her residence. The Officer also needs a warrant to arrest a person inside their own home. If the dwelling belongs to someone else, the officer must obtain a search warrant first.
 - a. A search warrant is not required if the officer is in fresh pursuit or the owner of a residence consents to the officer's search for the suspect.

J. Return of Warrant:

1. Upon executing the warrant, the arresting officer shall note the date of

execution on it, then return it to the court less copies given to the arrested person.

V. ARREST WITHOUT A WARRANT

A. Authority:

As noted earlier, the search and seizure provision of the Fourth Amendment protects citizens from the arbitrary and oppressive interference by law enforcement officials with regard to privacy. Further, officers must have probable cause that a crime has been committed, and that the person to be arrested has committed the crime.

B. When warrantless arrests may be made:

To summarize, an officer may make a warrantless arrest:

1. when a person commits any crime in the officer's presence;
2. when the officer has reasonable grounds or probable cause to suspect any person of having committed a felony not in his presence when exigent circumstances exists;
3. at the scene of any motor vehicle crash when the officer has reasonable grounds to believe, upon personal investigation, that a crime was committed by any person in their presence (NMSA 66-8-125);
4. at the scene of a domestic disturbance and has probable cause to believe that a crime was committed (NMSA 31-1-7);
5. at any hospital or medical facility to which any person involved in a motor vehicle crash has been transported, provided the officer has reasonable grounds to believe, based upon personal investigation, that a crime has been committed by that person (as long as within the State of New Mexico, Dona Ana County);
6. on a highway when charged with a theft of a motor vehicle (NMSA 66-8-125);
7. when any person is charged with a crime in another jurisdiction and the officer has received;
 - a. a photocopy of a warrant;
 - b. a computer or facsimile printout; or
 - c. a radio, telephone or teletype message which gives the name or a reasonably accurate description of the wanted person and the crime alleged;

Other statutes:

8. Under NMSA 31-1-7, officers may arrest without a warrant in cases of assault and battery against a family or household member, and under NMSA 40-13-6, for violations of protective orders, regardless of whether the violation occurred in the officer's presence, provided the officer has probable cause.

C. Actions upon arrest from charges filed in another jurisdiction:

1. Upon arrest based on a photocopy of the warrant, computer or facsimile printout, or teletype message, the arresting officer shall serve a copy of the document on the accused.
2. The arresting officer shall bring the accused before the magistrate for arraignment. (NMSA 35-5-1)
3. The magistrate shall conduct a bail hearing and set bail, or secure bond, if

appropriate, just as if the accused had been arrested on the warrant. The officer shall not request the issuance of any arrest process such as duplicate warrants or fugitive warrants based on the charge in the other jurisdiction within New Mexico.

4. The Mesilla Valley Regional Dispatch Authority shall contact the law enforcement officials where the charge was made and inform them that the accused has been arrested.

D. Juveniles:

Refer to OPR.02-03 concerning handling of juveniles.

E. Criminal Citations:

1. Per NMSA 31-1-6, an arresting officer may issue a citation to appear at a time and place specified in such citation whenever any person is detained by or in the custody of an arresting officer for any offense committed in the officer's presence which is a violation of any county, City ordinance, or for any petty misdemeanor offense.
2. If, after issuing a citation for the above, the suspect continues the unlawful act, then the officer shall without unnecessary delay take him or her before the appropriate judge.
3. If the officer believes that the suspect is likely to disregard a citation, or may cause harm to himself or another person, then the officer shall without unnecessary delay take him or her before the appropriate judge.
4. An NCIC check on any person to whom a citation will be issued will be completed before releasing him or her. In the event the NCIC check reveals a valid extraditable warrant the criminal citation shall not be issued and a physical arrest will be made on all charges.

VI. POST-ARREST PROCEDURES

A. Constitutional Considerations:

Refer to ADM.01.12 and ADM.01.13 for a discussion of search guidelines and searches incident to arrest.

B. Releases on citations and mandatory arrest:

If the arrested person is not released on a citation or is charged with a felony, officers shall observe the following procedures:

1. Obtain case number from the communications operator to be placed on the offense/incident report. If possible, transport the suspect to the Police Department to photograph the suspect.
2. Complete a criminal complaint and probable cause statement for each adult charge. (Multiple charges may be on same form.)
 - a. Magistrate Court requires the following paperwork:

- (1) Criminal Complaint and Probable Cause statement and/or copy of the warrant.
 - b. Municipal Court requires the following paperwork:
 - (1) Criminal Complaint and/or copy of the warrant.
 3. The officer needs to provide defendant with a copy of the criminal complaint or warrant.
 4. Transport suspect to the Dona Ana Detention Center. The Detention Center is responsible for fingerprinting the suspect and obtaining a State Tracking Number.
 5. Subject is released to the Detention Facility.
 6. The subject will be transported by Detention Center personnel to the appropriate court for arraignment in the event the subject does secure release from the detention center. Municipal arrestees who are in custody on other charges may be transported from the Detention Center to Municipal Court and return.
- C. Injury before or during arrest:
 If a person receives an injury before or during an arrest and either requests medical attention or, in the officer's judgment, medical attention is needed, officers shall transport the suspect or arrange for his or her transportation to the hospital for an examination before booking.
- D. Processing of paperwork:
1. Offense/Incident reports:
 - a. Must be completed in the Police Department's Report Management System (RMS) by the officer prior to conclusion of shift unless approved by supervisor.
 - b. Report will be reviewed and approved by supervisor. Supervisor will approve all reports in a timely manner.
 - c. Reports become a permanent record of the Anthony NM Police Department.
 2. Arrest/booking Forms:
 - a. Must be completed in the RMS by the arresting officer when the defendant is brought into the detention center. A copy is left at the jail.
 - b. Supervisor will approve and ensure case agent turns documentation into records division and/or the RMS.
 - c. Records will place a copy in the department's permanent file.
 3. Fingerprints:
 - a. Fingerprints are taken within the Detention Center. Detention Center personnel are responsible for processing fingerprints.
 4. Photographs:
 - a. Officers will make reasonable efforts to photograph the defendant.
 5. Copies of warrant:

- a. Once the defendant has been arrested and booked into the detention facility, the officer shall provide the defendant a copy of the warrant.
- b. The officer shall provide the detention facility a copy of the warrant.
- c. The officer shall turn in a copy of the warrant to the supervisor.
- d. The officer shall return the signed original warrant to the communications operator who will return it to the appropriate court.
- e. The supervisor will forward the copy of the warrant and the officer's report to the records division.
- f. The records division will place the copy of the warrant into the department permanent file.
- g. In the case of juvenile offenders, see OPR.02-03.

E. Further Processing:

- 1. If bond or other conditions of release are ordered, the magistrate completes a bond certificate or other conditions of release document which is attached to the warrant(s), and the person is allowed to leave.
- 2. If bond or other conditions of release are not allowed or cannot be made, the person is then committed to jail by the magistrate, who then completes a committal form and attaches it to the warrant whereupon the arrested person is placed in jail.
- 3. Items seized as evidence shall be tagged and turned in to the departmental evidence locker.

VII. RELEASE FROM ARREST

A. Legal Background:

- 1. Officers may encounter a circumstance where probable cause develops to arrest a person for an offense, only to find out shortly thereafter that the person under arrest did not commit a crime, or that the event was not a crime. It is imperative, then, that the officer ends the arrest process immediately to avoid becoming liable for false imprisonment.

B. Procedure:

- 1. If the arresting officer determines that probable cause no longer exists to arrest a suspect, and the officer is satisfied that the person under arrest either did not commit the crime or that the crime did not occur, then the officer shall notify his supervisor immediately.
- 2. The supervisor will report the incident to a command level supervisor.
- 3. When an officer releases a subject from arrest, the Officer shall return the person to the place of arrest if it is safe to do so. If a vehicle has been towed, the vehicle shall be returned to the operator/registered owner.
- 4. To protect him/herself and the Department, the officer shall document in an incident report all of the following:
 - a. The date and time of arrest;

- b. The person arrested (name, address, date of birth, race);
 - c. The location of arrest;
 - d. The location and time of release from arrest and whether the person was transported;
 - e. The reason or discovery of information which led the officer to release from arrest;
 - f. Any witnesses to the alleged crime, or to the fact the person arrested was allegedly involved.
5. If the officer makes an arrest based on probable cause, the arrest is lawful. Probable cause must continue to exist through the appearance of the officer and arrested person before the magistrate. If not, the defendant must be released as soon as practicable.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: ALTERNATIVES TO ARRESTS	NUMBER: ADM 01-14
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The arrest of those who have broken a law or ordinance may take up a substantial amount of an officer's time. Officers may reduce the time consumption involved with physical arrests while still taking enforcement action. In most cases, the officer will make the decision of whether a citation will be issued or a physical arrest made for the offense.

II. POLICY

It is the policy of the Department to utilize a Criminal Citation or complaint and summons in lieu of arrest whenever possible.

III. PROCEDURE

- A. Criminal citations or complaint and summons may be used for offenses which are classified petty misdemeanors.
- B. In order for the court to have the necessary information to process the complaint, the victim and witness(es) name, DOB, address and telephone number shall be listed in the offense/incident report. The criminal citation or complaint and summons must be completed properly.
- C. The officer will be sure that the correct violation and ordinance or statute number is used.
- D. Complete details of the incident should be placed in the offense/incident report.
- E. If any evidence is taken, the case number will be listed on the evidence form.
- F. If a criminal citation is issued to a person over 18 and under 21 years of age for an alcohol violation, the citation will be sent to Magistrate Court.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: IMMUNITY FROM ARRESTS	NUMBER: ADM 01-15
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Certain individuals are given immunity from being under arrest either by the New Mexico and United States Constitutions.

II. POLICY

It is the policy of the Department to follow the procedures set forth below when dealing with persons who have immunity from arrest.

III. IMMUNITY FROM ARREST

A. Legislative Immunity

1. Members of the United States Congress are exempt from arrest when Congress is in session, or when they are en route to or from congressional business, except for traffic summonses. {Article 1, Section 6, U.S. Constitution}
2. Members of the New Mexico Legislature are exempt from arrest during a legislative session except in cases of treason, a felony, or a breach of the peace. {Article IV Section 13, Constitution of New Mexico}
 - (1) The privileges and immunities clause protects state legislators only from civil arrest. Thus, a state senator or representative who violates any criminal statute, including a misdemeanor statute, commits a ‘breach of the peace’ and is not immune from arrest.

B. Diplomatic Immunity

1. Upon exhibiting proof of diplomatic immunity, persons shall be released upon being stopped for a misdemeanor traffic violation. If questions arise about this procedure, or if an arrest for a felony is necessary, call and advise the U.S. State Department Office of Security {202-673-3881 days or 202-647-2412 nights and weekends}.
2. While a person claiming diplomatic immunity may present any number of identification papers, the only one that is indicative of the level of privilege and immunity is a card issued by the U.S. State Department. The holder’s level of immunity will be indicated on the card. If a person claiming immunity does not possess this card and the incident involves a criminal offense, officers may detain the person either at the scene or at the department long enough to verify

official status.

When encountering a criminal suspect who claims diplomatic immunity, officers shall first take reasonable measures—including pat-downs or other legal searches—to ensure safety to the public or other officers. Verification of the diplomatic claim shall take place after a danger has been neutralized. Until the status of any immunity has been resolved, it is thereafter a criminal investigation shall proceed as if no valid diplomatic immunity claim has been made. Interviews, interrogations, seizures of evidence, or issuance of warrants shall proceed per departmental procedure. In a criminal investigation, the Chief shall remain in contact with the State Department.

3. **Regardless of the claim of immunity, in any case where officers arrest or detain foreign nationals, the suspects shall be advised of their right to have their consular officials notified.** In some cases, this notification is mandatory. Note: the list of countries which require mandatory notification of consular officials in the event that one of their citizens has been arrested is extensive. The State Department shall be contacted for guidance.
4. Upon detaining any foreign national with diplomatic immunity, the State Department will be notified. This includes death of a minor or adult, or a foreign national who is incompetent, or a foreign national who requires assistance.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Animal Control Officer/Records Clerk	NUMBER: ADM 01-16
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-23-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Job task analysis provides the department with the basic information necessary to develop and identify the duties of department employees. The department must have a written classification plan on behalf of the office performing the human resources function as it relates to job specifications/descriptions for each position.

II. POLICY

It is the policy of the Department to refer all employees to the office performing the human resources function to ensure all employees are aware of their basic job specifications.

III. ADDITIONAL JOB DESCRIPTIONS WITHIN THE DEPARTMENT

A. Animal Control Officer (As assigned by the City Manager):

1. Summary

If assigned to the Police Department, the Animal Control Officer will report to the Chief of Police, this position patrols, answers complaints by citizens for Animal, including but not limited to animals running at large, biting or barking and animal attacks. This position is responsible for issuing notices, citations and issuing animal licenses, and maintaining records, preparing reports and performing related tasks as assigned.

2. General Duties:

- a. Patrol the City for nuisance violations and animals running at large.
- b. Removal of deceased small animals. Deceased animals on state highways may be referred to NMDOT.
- c. Feed and water all animals in the shelter on a daily basis.
- d. Answer and respond to calls for service.
- e. Assist citizens with information on:
 - (1) Adoptions
 - (2) Surrenders
 - (3) Complaints
 - (4) Missing animals
- f. Vehicle maintenance.
- g. Maintain and generate computer reports includes:
 - (1) Record City Animal Tags
 - (2) Fee Receipts

(3) Animal Surrender Receipts.

- h. Investigate and issue criminal citations for animal violations.
- i. Testify in court.
- j. Maintain a working relationship with local veterinarians.
- k. Maintain a working relationship with Dona Ana County and other shelters in the area.
- l. Maintain necessary training.
- m. Maintain all assigned equipment.
- n. Issue or deny multiple animal permits.
- o. Work with New Mexico Game and Fish regarding protected species, when necessary.
- p. Work with New Mexico Livestock Board when necessary.

County Responses:

- q. Respond to emergency calls for service in the county with the approval of an Anthony NM Police Department supervisor.

3. Education and Experience:

Animal Control must be 18 years of age, high school graduate or equivalent, must be able to pass City drug screening and must have no felony convictions or convictions of a crime of moral turpitude and have a valid NM driver's license.

B. Records Clerk

1. Summary:

Reporting to the Chief, this position answers phones, assists with budget, orders supplies and equipment, enters data in computer, and performs related tasks as assigned.

2. General Duties:

- a. Answers phones
- b. Prepares correspondence as necessary
- c. Retrieves information for monthly, annual, and special reports
- d. Delivers and disseminates mail
- e. Orders and receives office supplies
- f. Provides documents to the courts
- g. Maintains original forms
- h. Maintains computer system (ALLY) (which includes assuring accurate documentation of police reports and citations are distributed to appropriate agencies).
- i. Must be able to complete tasks utilizing office equipment
- j. Performs other duties as may be assigned by a supervisor
- k. Maintains the telephone system
- l. Maintains administrative information for the department
- m. Release of public information
- n. Coordinate and assign department volunteers as needed

- o. Assists with property/evidence
 - p. Performs other duties as assigned by the Chief of Police.
- 3. Education and Experience:
The Police Department's records clerk must be 18 years of age, high school graduate or equivalent, must be able to pass City drug screening. No felony convictions or convictions for a crime of moral turpitude.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Crime Analysis	NUMBER: ADM 01-17
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

This written directive establishes crime analysis for public safety functions for the Department. These functions include, but are not limited to, documents from which crime analysis and crime data are extracted, and identification of potential or actual police/citizens' concerns. This will include the documentation of the temporal and geographical distribution of crime statistics and distribution of crime analysis information, feedback and evaluation program.

II. POLICY

It will be the policy of the Department to utilize crime analysis to set forth manpower requirements for staffing purposes and to staff special events.

III. PROCEDURE

- A. All Officers are required to attend an annual staff meeting. The meeting will be scheduled by the Chief of Police. During the staff meeting the Department will discuss the previous year's activities. Officers are required to report on criminal and traffic issues.
 1. The Department has available through computer software, daily statistics and shall analyze on a shift by shift basis the crime trends.
 2. They will utilize their individual and collective resources and manpower to determine the most effective tactic to combat specific crimes and trends.
 3. The Officers may meet to exchange information and develop short-term and long-term strategies. This includes the identification of potential and actual police hazards that are within the service area.
 - a. Visual reminders, such as the use of pin maps, GIS, etc., are encouraged as they provide a constant, on-going generation of information. This provides documentation of temporal and geographic distribution of selected crimes.
 4. Crime information may be provided to the community as needed.

IV. SOURCE DOCUMENTS

The following source documents may be used to collect data for crime analysis:

- A. Offense/Crime Reports
- B. Field Interview Cards
- C. Arrest Reports
- D. Supplemental Reports
- E. Other Reports of Record Within the Department
- F. Reports From Other Agencies

V. EVALUATION PROCEDURES

At the annual meeting the Chief of Police will be briefed on all ideas and methods to address recognized crime patterns and trends. During this meeting the Officers will discuss the activity which has taken place during their shifts.

- A. Goals for last year;
- B. Goals for next year;
- C. Crash Reports in relationship to citation crime;
- D. Reports in relationship to crime patterns; and Community concerns.

VI. CRIME ANALYSIS FACTORS TO CONSIDER:

- A. Frequency by type of crime;
- B. Area/Location;
- C. Date and time;
- D. Victim and target descriptions;
- E. Suspect descriptions;
- F. Suspect vehicle descriptions;
- G. Modus operandi information;
- H. Physical evidence information

THE PURPOSE OF THE ANNUAL MEETING IS TO SHARE INFORMATION AND REFER TO ADM.01.02.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Mutual Aid	NUMBER: ADM 01-18
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

It is essential that the Department maintain a good working relationship with other law enforcement agencies, both adjoining and within the Department's jurisdiction. Agreements between these agencies to provide assistance to each other in the event of natural disaster, mass disorder, or other emergency situations must be established before the need for the mutual assistance arises. The purpose of this section is to establish procedural guidelines that ensure the positive cooperative efforts of all agencies involved.

POLICY

It is the policy of the Department to provide mutual aid and support to requesting agencies in situations which are covered by Federal Law, State Statute or Local Ordinance; those covered by written Mutual Aid Agreements; and in emergency situations.

II. AGENCY JURISDICTION

- A. The boundaries and limits of the Department's jurisdiction include all areas within the corporate limits of the City of Anthony, New Mexico; however, officer's may at times assist outside of the department's jurisdiction when requested by the outside agency (i.e. Dona Ana County Sheriff's Office, New Mexico State Police) as long as the request is in close proximity to the city jurisdiction, and the Department's involvement should be kept to a minimum when outside city jurisdiction as much as possible. Officers may not assist outside the State of New Mexico.
- B. An official City map detailing the City's boundaries is maintained by the City of Anthony and communications center.

III. CONCURRENT JURISDICTION

The New Mexico Department of Public Safety and Dona Ana County Sheriff's office has concurrent jurisdiction within the City limits and as such, may from time to time, investigate activities.

IV. ASSISTANCE FROM LOCAL AGENCIES

- A. Emergency situations may require augmented law enforcement capabilities to restore order and assist victims. During this type of event, a supervisor or his/her designee has the authority to request assistance from, or provide assistance to, any law enforcement agency.
- B. There are generally three levels of mutual aid assistance as follows:
 - 1. Short duration—less than one hour where an additional show of force, traffic control or prisoner transport is required.
 - 2. Medium duration—one to three hours, where the on-duty supervisor may request from, or provide to, the neighboring agency assistance. This assistance should normally be in a showing of force, traffic control or prisoner transport.
 - 3. Long duration—more than three hours or where full scale assistance may be required. The on-duty supervisor should notify the Chief of Police through the chain of command.
- C. Any long-term support between the agencies should be coordinated in advance by the heads or the respective agencies.

V. REQUEST FOR FEDERAL LAW ENFORCEMENT ASSISTANCE

- A. In cases where the involvement of a federal law enforcement agency is mandated by law, such as a bank robbery, it will be the responsibility of the on-scene supervisor or his designee to ensure that proper notification is made.
- B. Request for federal law enforcement assistance in emergency situations is generally made through the Chief of Police who contacts the appropriate federal agency without undue delay. The Chief of Police should convey the following:
 - 1. The type of problem or circumstance requiring federal assistance;
 - 2. Details pertinent to the problem or circumstance; and
 - 3. The types of assistance or resources required and, if known, the length of time it is anticipated the assistance will be needed.
- C. Requests for federal law enforcement assistance in situations other than an emergency shall be made in writing under authority of the Chief of Police. The Chief should convey in writing the following:
 - 1. The type of problem or circumstance requiring federal assistance;
 - 2. Details pertinent to the problem or circumstance; and
 - The types of assistance or resources required and, if known, the length of time it is anticipated the assistance will be needed.

VI. REQUEST FOR NATIONAL GUARD ASSISTANCE

- A. Requests for State or Federal assistance, including activation of the New Mexico National Guard or other military forces, shall be made by the Mayor and communicated to the governing body and City Manager.

- B. The request for assistance should include the following:
1. The nature of the emergency or disaster;
 2. That a state of emergency has been declared by the Mayor;
 3. That the available resources for the City of Anthony NM are insufficient to handle the emergency; and
 4. The types of assistance needed from the state and Federal agencies and the length of time it is anticipated the assistance will be needed.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Liaison with other Agencies</i>	NUMBER: ADM 01-19
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

It is essential that the Department maintain a good working relationship with other agencies, both adjoining and within the Department's jurisdiction. Agreements between these agencies to provide assistance to each other in the event of natural disaster, mass disorder, or other emergency situations must be established before the need for the mutual assistance arises. The purpose of this section is to establish procedural guidelines that ensure the positive cooperative efforts of all agencies.

II. POLICY

It is the policy of the Department to establish and maintain a positive working relationship with other agencies. The guidelines set out herein should assist employees in maintaining open communication and cooperation with other agencies not only within the Criminal Justice System, but also in the realm of social services.

III. RESPONSIBILITIES

- a. All employees of the Department are reminded that they work for the public and they are responsible to protect and serve in all areas of public safety.
- b. Employees often encounter people who are in need of services from one or more of the local social service agencies. Although these problems may not be of a criminal nature, employees are encouraged to make every effort to determine the needs of the individual and assist in obtaining help.
- c. Because all criminal justice and social service agencies must work together, each employee is responsible for acting in a courteous and professional manner when in contact with other criminal justice and social service agencies.

IV. REFERRALS

- d. Department employees, in the course of performing their duties, often encounter people in need of a type of help best provided by another criminal justice agency or a social service agency.
- e. All officers are expected to be familiar with the application of New Mexico State Law as it applies to problems arising within the community. In dealing with problems presented to the officer, the determination of whether the problem is of a criminal, social or civil nature is made by the officer.

- f. Referrals to other agencies should be based upon specific criteria:
 - i. Nature of the problem;
 - ii. Type of help or remedy required;
 - iii. Identification of the agency best suited to provide the necessary remedy.
- g. Juvenile problems should normally be referred to and handled by either, Children, Youth and Families, the Juvenile Probation and Parole Office, or the Department of Human Services.
- h. Adult criminal nature problems should be handled through either the District Attorney's Office or Adult Probation Office. The determination which office is to be referred to should be based on the type and degree of the crime.
- i. Problems which are determined to be of a civil nature should be referred to either the Dona Ana County Sheriff's Office or Dona Ana County Magistrate Court.
- j. Issues which could be deemed a social problem should be referred to a variety of services and resources which are available in Dona Ana County. Employees should maintain a working knowledge of the available services and resources in order to expedite the referral process.
- k. At times, a situation may require an officer to transport individuals to a social service agency, arrange for transportation or arrange for a representative of the agency to come to their location. In these situations, employees should cooperate fully with all social service agencies, if possible.
- l. The Department may also have situations which may require officers to make referrals to other law enforcement and fire rescue agencies, Adult Probation and Parole, Juvenile Probation and Parole, Human Services, local emergency medical care and any other agency deemed necessary to resolve the situation at hand.
- m. If an outside agency (i.e.: District Attorney's Office, JPO, APO etc.) is requesting service of legal documents by this department, they are to be directed to the Dona Ana County Sheriff's Office or the Dona Ana Magistrate Court for service of those documents. In certain circumstances that involve possibly a dangerous situation, officers may assist the agency wanting to serve these legal documents.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Fiscal Management	NUMBER: ADM 01-20
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The ability to maintain current and accurate fiscal records is important in the administration of the Department. Procedures are necessary to control the fiscal process in order to make it more effective and efficient. The following guidelines have been established to assist employees and ensure adherence to the City of Anthony Procurement policy.

II. POLICY

It is the policy of the Department to follow standardized procedures for budget and fiscal management of the Department as directed by the City and in accordance with the law.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Property and Evidence Control</i>	NUMBER: ADM 01-21
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS: ADM.17.01-17-06	NMSA:

I.PURPOSE

All items of an evidentiary nature, lost/found, safekeeping, recovered property, contraband or any other property controlled by the Department which is not agency owned are placed in the Evidence Room. Accountability is established for all property received by the Department. This order provides procedures for the management of property held by the Department Evidence/Property Section.

II.POLICY

It shall be the policy of the Department to establish a set of thorough procedures and guidelines to be followed by all employees responsible for crime scene security and the collection of evidence.

III.GOALS AND OBJECTIVES

It is the duty and obligation of all employees involved in the property and evidence handling to care for, control and correctly process all property and evidence coming into their possession, and to properly document and inventory all such items.

In order to meet these goals, access to the Evidence/Property Section is strictly controlled by Evidence Technicians. Only authorized personnel shall have access to secured storage areas and anyone entering the secure areas of the Evidence/Property Section will be required to sign in and out and state their purpose.

IV.EVIDENCE/PROPERTY/FOUND ITEM ACCOUNTABILITY

- A. Officers collecting evidence, property, or found items are responsible for the proper preservation and safeguarding of these items until they have been secured in evidence lockers or released to the Evidence Technician.
 1. Officers will ensure that all items have been properly marked prior to being placed into evidence.
 2. No evidence or property will be left unattended, unsecured or turned into anyone other than the Evidence/Property section. If an officer collects

- evidence which needs to be processed, it will be noted on the evidence sheet that the evidence needs to be taken to the lab.
3. Any evidence or property will be placed into evidence prior to the end of the officers' tour of duty.
 4. For evidence/property which is oversized, has an inordinately high value, or which cannot/should not be placed in a temporary storage locker will require that an Evidence Technician be contacted.
- B. The Evidence Technician is responsible for the preservation, safeguarding and disposition of all property once it is in the custody of evidence.
The Evidence Technician is not responsible for any evidence/property which is not placed into the Evidence/Property Section or which is returned to the owner/victim or another agency without correct paperwork.
- C. No one other than the Evidence Technicians will schedule appointments for citizens for the purpose of releasing or viewing items. Citizens should be told to contact the Property Section during the normal scheduled hours to make arrangements concerning property.
- D. The duties of the Evidence Technician are:
1. Maintaining all evidence and property in a secure location designated as the property room.
 2. Ensuring all evidence is correctly marked and packaged prior to placement in storage.
 3. Recording all submitted evidence and property as soon as possible.
 4. Regularly inspecting and emptying the temporary storage lockers.
 5. Maintaining a sign-in log at the entrance to the secured storage areas and be responsible for obtaining a signature for any/all persons entering the secure area.
 6. Disposing of all property in accordance with standard operating procedures, all applicable laws and ordinances.
 7. Ensuring that the Property Management Record System is updated.
 8. Maintaining a computerized log of all items submitted for evidence or safekeeping. The log shall be maintained in accordance with the Property Section Standard Operating Procedures and shall contain the information documented by the submitting officer on the evidence sheet. The logs will be available at any time for the purpose of an audit/inspection.
- E. The keys for the temporary storage lockers are kept in a secure location.
- F. The Chief of Police shall inspect the property room and files, at least quarterly, to ensure that all procedures are being followed, and to ensure that proper accountability procedures are being maintained. If this inspection is unsatisfactory and cannot be corrected, the Chief of Police may require the Evidence Section to be closed while a complete inventory is done.
- G. An annual audit will be conducted by the Chief of Police. The Chief of Police may authorize an unannounced inspection at any time.

- H. In conjunction with the annual audit, the release and/or disposal of evidence/property will be pursued in accordance with all municipal ordinances, state statutes and court requirements.
- I. If anyone assigned as an evidence custodian leaves that position there will be an inventory of all property being held in evidence. This inventory will be performed by the newly designated evidence custodian and a designee of the Chief of Police.
- J. There will be unannounced inspections of property storage areas. These inspections will be conducted at the discretion of the Chief of Police.

V.CHAIN OF CUSTODY

- A. The necessary documentary information found on the property form shall be completed prior to the submission of property or evidence into the temporary storage lockers or the Property/Evidence Room.
- B. All property and evidence is labeled with:
 - 1. Case number
 - 2. Time/date
 - 3. Offense/place of occurrence
 - 4. Owner/Victim with known information
 - 5. Offender arrested with known information
 - 6. Article with complete description
 - 7. Type of property (Evidence/Found Property/Other)
 - 8. Officer's signature, date, and time
- C. The evidence technician has the right to refuse any item that does not conform to proper packaging, may have no report, is illegible or have other deficiencies. Any such items will be placed into a trouble locker if the officer is not on duty. The officer will be notified to correct the deficiency and resubmit the evidence by the next work day. If the deficiency is not corrected as directed, the Sergeant will be contacted by the Evidence Technician.

VI.PROCEDURES

All Property/Evidence shall be properly packaged in an approved container prior to storage. Certain items require specific packaging to provide for storage needs in special storage areas.

- A. Approved containers are:
 - 1. Evidence bags,
 - 2. Manila envelopes,
 - 3. Standard brown paper bags,
 - 4. Syringe/blade container,
 - 5. Cardboard boxes.
- B. Each piece of property shall have a completed property form either directly attached to the property, or firmly attached to the storage container.

The property form will contain the following information:

1. Date: MM/DD/YY.
2. Time: The actual time the item(s) were taken.
3. Case Number: When an item is placed into property for any reason, a CAD number must be generated.
4. Offense: Write out the appropriate title for the type of report made. (i.e., Auto/Residential Burglary, Assault/Battery, Suicide, etc.).
5. Place of Occurrence: The Physical address from where the item(s) were taken. When applicable, this should include the exact location at that address (i.e., 406 E. Texas, bedroom closet).
6. Owner/Victim, D.O.B., Address, Telephone: When a final case disposition has been received, item(s) placed into property may be released to the owner. The owner may also be the suspect and should be listed as the owner when applicable. When the owner cannot be identified these blanks should be marked "UNKNOWN".
7. Arrested, D.O.B., Address, File #: If the suspect/arrested is also the owner, mark this blank "SAME." If the suspect's identity is not known, mark this blank "UNKNOWN".
8. Description of Property: This area will normally be used for single item entries with the exception of small items being logged together if it meets criteria for packaging of specific items. When more than one item is tagged and packaged together each item will be listed on the evidence form. (Single entries ex.: Car Stereo, TV, VCR, Cash, Alcohol, Guns, etc.)
 - a. Article: The common name of the item should be entered here.
 - b. Brand: ex. Smith & Wesson Sears, etc.
 - c. Model #: ex. MD23357I.
 - d. Serial #: If not available, enter NONE; if unreadable, so state; otherwise, enter the complete serial number whenever possible.
 - e. Color.
 - f. Size: ex. 20" bike, 10 speed, 357 mag., 22 cal.
9. Other Property Description: Any descriptive information that aids in identifying item(s) listed on card. (i.e., Owner applied identification, SOC.)
10. Holding Area: Leave this area blank, it is used by the Evidence Technician only
Evidence/Found Property/Other: Check the box that best describes the type of property that you are logging in. If you check other, then write a brief explanation. (i.e., Safekeeping, Return to Owner.)
11. Officer's Signature/ID #: Sign your name legibly, date and time.
12. Received by (Evidence Officer)/Date: For use by the evidence Technician only.
13. Final Disposition: This is where the disposition will be entered when known, also when property is released, the person receiving the property should sign here.

14. Evidence Form:

- a. Case Number: your case number is written on the property form.
- b. Chain of Custody: Chain of custody will be utilized when the property is removed from the custody of the Evidence Technician. (i.e., court, sent to Crime Lab, photo copies, etc.)

The Chain of Custody will be filled out as follows: Ex. DATE/TIME, FROM/TO/PURPOSE.

When the evidence is checked out for court and later returned, the disposition for that day, the appropriate court and the date should be noted on the evidence turn in sheet which is attached to the property.

C. Property taken for safekeeping from a crash scene.

- 1. Evidence sheet properly filled out, except for case number, a copy of the crash report and a copy of the tow sheet will be attached to all items.

VII.PACKAGING

A. Plastic Bags

- 1. These may be used when appropriate; however, nothing wet, bloody or sharp shall be put in plastic bags. Drugs will be placed in paper bags.
- 2. The property form shall be firmly and securely attached to the package.

B. Paper Bags

- 1. These may be used when otherwise appropriate, but shall be used for all bloody or damp clothing after it has been dried.
- 2. The property form shall be stapled to the top of the paper bag once it has been folded over to seal the top.

C. Cardboard Boxes

- 1. Cardboard boxes are not readily available, however when cardboard boxes are used, the most appropriate size box shall be used.
- 2. The property form will be taped to the box.

D. Manila Envelopes

- 1. These shall be used for paperwork and small items that are flat.
- 2. The property form shall be attached to the back of the manila envelope.

E. Blade Containers

- 1. This is a small plastic tube which designed for knives/blades.
- 2. The Evidence/Property Section has a supply available for use with knives and blades.
- 3. Syringes may be submitted as evidence. The contents of the syringe may be transferred to a glass or plastic vial and submitted in that manner. If the syringe has fingerprints or DNA, the syringe may be submitted into evidence.
- 4. The property form shall be firmly and securely attached to the package.

VIII. TEMPORARY STORAGE

Since the Evidence/Property Section is only available during specified hours, temporary storage areas have been designated to allow an officer to secure property when needed.

- A. Temporary storage lockers which are located by the evidence room of the Department.
- B. All items which are too large to be stored in temporary lockers; the evidence technician or alternate evidence technician will be contacted. If the alternate evidence technician is available on shift, he/she will place the item(s) into the evidence room. If the alternate technician is not available, the items will be stored in the sergeants' office until the evidence technician arrives for duty.

IX. STORAGE PROCEDURES

A. Firearms

Due to the hazards involved with the handling of firearms, the following procedures will be used when submitting a firearm to Property:

- 1. All firearms will be unloaded outside the police building. If an officer is unsure of safe unloading procedures for a particular weapon, a firearms instructor or a supervisor shall be contacted for assistance.
- 2. If a weapon is seized and will need to be processed for prints it shall be packaged in the proper manner and have a notation on the outside of the package in large bold lettering "Do Not Touch Needs to be processed". The notations FA and LP will be marked on the container (box).
- 3. If there is dried blood on a handgun, it should be placed in a paper bag with "bio-hazard" placed on it. FA will also be noted on the bag.
- 4. Cartridge casings and unfired ammunition removed from the firearm, including magazines, and will be tagged separately. Empty magazines may be tagged with the firearm.
- 5. All firearms being placed into evidence must have the action open and clear and secured with plastic ties.

B. Knives:

Due to the extreme biological hazards associated with these items, special attention and care must be used in collecting, packing, and submitting them

- 1. Folding knives shall be closed and placed in their sheaths unless doing so could possibly destroy physical evidence.
- 2. Knives with exposed blades will be placed between two pieces of cardboard and will be secured to prevent the cardboard from being accidentally removed from the blade.
- 3. Caution should be used when handling bloody knives. Protective rubber gloves shall be worn as protective measures.

C. Clothing

When it is necessary to dry evidence which is wet with body fluids prior to being packaged, the following procedures will be followed:

1. The evidence will be placed in paper containers as they are collected. Any paper bag or container used to package wet or bloody items will be saved and used to repackage those items when they are fully dried.
2. Any wet or bloody items will be handled by the evidence technician who will ensure proper drying procedures and bio-hazard precautions are adhered to.
 - a. Once placed in the locker, it will be locked and only the Evidence technicians will have access to it. The locker log will be started.
 - b. An evidence sheet will be completed and placed into the locker. The chain of custody on the back of the sheet shall be completed to indicate the location of the item(s). This ensures the Evidence Technicians are aware that the evidence is in custody. A copy of the sheet will be placed on the door of the appropriate bio-hazard locker.
3. Each item will be packaged separately so that no cross contamination occurs or physical evidence is destroyed. Each package should display the red bio-hazard label.
4. Once any evidence has been removed and appropriately packaged, the locker will be cleaned with an acceptable disinfectant. No locker shall be reused **until** this occurs. The locker log will also be completed.
5. No bloody clothing should be left in any temporary storage except lockers specially designed for that purpose.
6. Once the locker log page is filled, it will be maintained in a folder by the Evidence Technician until all evidence pertaining to any listed case has been disposed of.

D. Items of Exceptional Value

These items include but are not limited to money, jewelry, and furs.

1. Money
 - a. All money shall be counted and inventoried using the "two person rule" to insure the integrity of both the officers and the Property Section.
 - b. Once the determination has been made to take money into custody the officer shall count the money in front of the person from whom it is being taken, if possible.
 - c. The submitting officer will count the money again in the presence of a second officer or Department employee. At that time the money will be placed in an envelope with the following information written on the outside of the envelope:
 - (1) aa. Offense/Incident Number;
 - (2) bb. Date;
 - (3) cc. Dollar amount;
 - (4) dd. Signature of the submitting officer;

- (5) ee. Signature of the witnessing officer or employee.
 - d. The envelope shall have a property sheet attached to it and placed in a temporary, storage locker or turned over directly to an Evidence Technician. Money should always be tagged and logged in separately from any other evidence.
 - e. When money in excess of \$500 is being placed into evidence, an Evidence Technician will be contacted to take immediate possession of it, bypassing the temporary storage.
 - f. When the Evidence Technician completes their daily retrieval, the 'two person rule' will be used again. The envelope will be sealed and both persons will initial the outside of the envelope and evidence card verifying the amount inside.
 - g. Once all verification has been made of the total amount, the money will be receipted and deposited at a local bank.
 - h. If there is a discrepancy in the money, it will be returned to a temporary storage locker, the officers will be contacted so the discrepancy can be resolved.
 - i. No money will be released for forfeiture without a District Court Order or Federal Court Order. The Evidence Technician must have written verification before a release will be executed.
2. Jewelry
- a. Jewelry shall be packaged in manila envelopes when appropriate and always separate from all other property.
 - b. Stones should never be referred to as a diamond, sapphire, etc. but as clear stone, blue stone, etc.
 - c. Metal jewelry should never be referred to as gold, silver, etc. but as gold-colored, silver-colored, etc.
3. Furs
- a. Since furs require careful storage, which the Department is not equipped to handle, this type of item will be handled on a case-by-case basis.
 - b. When tagging for submission to evidence, furs should be placed in a paper bag and the property tag attached to the bag.
- E. Alcoholic Beverages
- 1. Each container shall be photographed, appropriately identified, and then disposed of. This description will include Brand, Size, full/empty, and a total count.
- F. Narcotics, Drugs, Paraphernalia
- 1. All Narcotics shall be bagged separately from all other property, including paraphernalia.

2. Narcotics should be sealed in a paper sack. If the amount seized is considerable, the evidence technician or alternate evidence technician should be called to assist in packaging.
3. Paper bags containing narcotics shall be sealed completely. The officer will then attach the property tag to the bag.
4. On the front of the paper bag the officer shall write the Offense/Incident number, Date, Defendants name and officer's name.
5. Paraphernalia shall be packaged securely so that small items do not fall through openings.
6. Any officer who conducts a field test on a drug investigation shall document the results of the field test in their police report and evidence sheet. The officer shall initial, time and date on the original evidence container if possible.

G. Bicycles

1. Each bicycle shall have a separate property sheet. The description shall be as thorough as possible, including Make, Model, Serial number, Color, Style, Size and any other description.
2. Bicycles shall be stored in the outside storage shed.
3. The property tag shall be attached to the bicycle when it is placed in the bike property room.

H. Flammable and Hazardous Materials

1. Flammable liquids shall be placed in appropriate containers. All flammable materials are tagged separately and identified as such. This may include items with gasoline powered engines, etc.
2. Flammable materials shall not be stored in the Property Section. These items are stored in an outside storage area.
3. When the handling of any property presents a direct or potential safety hazard, officers shall contact a supervisor to determine what form of special assistance is needed.
4. Hazardous/caustic materials, i.e. acids and acetones, shall not be placed in the temporary storage lockers. An Evidence Technician shall be called out to take custody of any of these types of materials.
Any Bio-Hazardous material which is not flammable shall be packaged properly and may be placed in one of the bottom temporary storage lockers.

I. Evidentiary Photographs/Checks/Misc. Papers

1. Photographs and paperwork are placed in an appropriate manila envelope. The envelope is labeled with the case number, offense and date. Each envelope shall have an evidence sheet attached.
2. These items are stored sequentially in a designated file cabinet in a secure area.

J. Perishables and Blood

1. Perishables include fresh blood, meat, produce, candy, cookies, plants (other than contraband), dairy products or any other item subject to rapid deterioration. Any items which have a limited shelf life should be refrigerated.
2. All perishables shall be immediately photographed. All photographs and copies shall then be entered into evidence according to procedures listed above.

K. Video/CD Recordings

1. If only one case is associated to the recording, it should be cued to the beginning of a particular traffic stop or incident. If multiple cases are on the recording, it should be cued to the first incident. This is the responsibility of the officer.
2. Video Recordings will be packaged the same. Each officer will maintain recordings for court purposes and reuse them as needed.
3. These items are stored in a designated, secure area (i.e., evidence locker).
4. Duplication may be done at the request of the assigned investigating officer. Any requests by officers for duplication should be made in advance.
5. If a defense attorney needs a copy of the incident from the tape, they must provide a blank tape for duplication. They must also provide a copy of the Order of Appearance to ensure that they are the attorney of record.

L. Computer Equipment

Computer equipment can be severely damaged or data lost due to improper shutdown procedures. The following guidelines should be used when seizing computer equipment as evidence:

1. If the computer is in operation at the time of seizure, steps will be taken to ensure the computer is shut-down properly. If the officer is unsure, he/she should contact one of the designated supervisors.
2. During transport of the computer and/or equipment steps should be taken to ensure it is not dropped, turned upside down or on its side.
3. Any computer equipment should be placed into plastic bags to protect it from dust, etc. and tagged accordingly.
4. Due to potential for damage to the printer, the printer cartridge should be removed and stored in a separate plastic bag, if the removal does not hamper an on-going investigation. This removal should be done by the investigating officer.
5. Any floppy disks if still being used should be stored in an area which has a controlled environment, as extreme temperature changes could damage the disk. Disk(s) will be placed into a small manila envelope and tagged accordingly. This may require they are packaged separately from other evidence.

6. Scanners should be treated carefully and prior to transport determine if there is a locking mechanism to engage.
7. All computer equipment should be examined by a person skilled in computer operation, prior to start up.

X.TEMPORARY RELEASE

A. Authorized Release

1. Property/Evidence may be temporarily checked out of the Property Section by employees when authorized. This authorization may be for court, processing or identification purposes.
2. Property may be checked out when necessary for court appearance, transportation to a crime analysis lab or by an investigating officer.
3. If the officer assigned to the case has left the employment of the Department, for whatever reason, and no other officers were assigned to the case, the Evidence Technician will be required to produce the evidence in court.

B. Check Out Procedures

1. The requesting officer furnishes the case number 24 hours in advance for the property in question. The Evidence Technician then retrieves the property from the storage bin.
2. The appropriate chain-of-custody information is completed on the evidence sheet.
3. A periodic check on the status of the property is completed. If the property has been checked out for more than one week, the Evidence Technician determines its location and assures that its continued check out is necessary.

C. Property Return

1. Checked out property shall be returned by the employee who signed it out. This may be accomplished by either turning it over directly to the Evidence Technician or placing it in a temporary storage locker.
2. Before the Evidence Technician acknowledges receipt of the property back into the Property Section, it will be inventoried. If there is a discrepancy, the Evidence Technician will not continue. An attempt will be made to correct the discrepancy, if none can be made; the Evidence Technician will note the discrepancy on the evidence tag, notify the officers' immediate supervisor and complete a supplemental report.
3. The property will be returned to the originally assigned bin or storage location by the Evidence Technician.

D. Court Retention of Property

1. If the property is retained by the court, the employee shall notify the Evidence Technician in a timely manner. A receipt from the court must be obtained.
2. If the court retains only a portion of the property the employee shall return the remainder of the property and notify the Evidence Technician of exactly which items were held.

3. The Evidence Technician makes a notation on the property tag and the computer property list of any such retention.
- E. Laboratory Submission
1. The chain-of-custody on the property tag shall be completed when property is checked out to be sent to a laboratory for analysis. The requesting employee shall fill out a laboratory submittal form along with a request for written laboratory results and package the property that is to be sent.
 2. The determination of the method of transfer will be made jointly by the investigator and the Evidence Technician.
 3. Property returned from a laboratory is handled in the same way as other property being returned with the exception that a complete inventory may not be possible because any evidence seals will not be tampered with. The property shall have the original case number and evidence sheet attached and is returned to its original location in the Property/Evidence Room.

XI.DISPOSITION OF PROPERTY

All items will be released to the rightful owner or will be disposed of by the Evidence Technician in accordance with municipal ordinances, state statutes, or court order. Property unclaimed by the owner, that is no longer required for evidentiary purposes, is not needed for any public purpose, or has been left in the possession of the Department for more than 90 days shall be reverted to City use, or destroyed. Cash money is receipted and deposited in a local bank. Destruct orders will be obtained every 6 months.

- A. Evidence
The Department becomes the custodian of the property until a disposition is received.
- B. Found Property
Prior to placing any found property into evidence, officers will attempt to identify the owner and return the property. If contact with the owner cannot be made during an officer's tour of duty, the item will be tagged into Evidence as found property.
1. Officers shall obtain pertinent information from the finding party including name, address, and phone number. Information concerning the finding party should be reflected on the evidence tag. If contact is made after the item has been tagged into Evidence, the owner will be provided the case number to assist in the return of the property.
 2. Whenever any found property has remained unclaimed for more than 90 days, Evidence Technician(s) will dispose of it in an appropriate manner.
- C. Safekeeping Property
1. Property may be tagged into the Evidence Unit for safekeeping when:
 - a. The officer has exhausted all other possibilities of disposing of the property.
 2. The submitting officer will notify the owner that the property is being held by the Property Section and must pick up the property within 30 days.

- a. The date, time, and method of notification will be noted on the evidence sheet.
- b. The officer should notify the owner of the operational hours of the Property Section.
- c. If the property is not claimed by the owner or an authorized representative within 30 days, it will be disposed of in accordance with state law.
- d. No contraband will be accepted for safekeeping.
- e. Objects or articles of a non-evidentiary nature should be left with the next of kin or secured at the scene at the time of the preliminary investigation. Property that is taken into police custody shall be tagged and logged into the Property Section for safekeeping. This property shall not be released to anyone other than the court or a person authorized to receive them by either a court order or the Property Section supervisor.

Prescription drugs belonging to the deceased and seized as part of the preliminary investigation will not be released to a next of kin. Upon completion of the investigation, the drugs will be destroyed in accordance with Evidence Unit procedures.

D. Homicides/Sexual Assaults

- 1. Evidence from any Homicide case will maintained as long as determined by the District Attorney's Office.
- 2. Sexual Assault Kits from any Sexual Assault case will be maintained as long as determined by the District Attorney's Office.

XII.DELINQUENT NOTICE

- A. If an item has been authorized for release and the owner has been notified, but has not taken possession of the item within a reasonable time, the Evidence Technician shall send a delinquent notice by mail to the owner to remind the owner to take possession of the item(s).
- B. The owner will have 10 working days to pick up the property. After this time, if the property has not been picked up by the owner, it will be disposed of in an appropriate manner.
- C. The Evidence Technician shall make every possible effort to contact the owner of the property.

XIII.EVIDENCE SUBMITTED TO OUTSIDE AGENCIES

- A. Evidence that is transferred from a scene or an officer's custody directly to an outside facility, bypassing the Department's Property Section, must still be cataloged by the Evidence Technician. This will be done from a completed evidence sheet that shows the full chain-of-custody on it.

1. An inventory list or a receipt for evidence submitted to a facility other than the Department's Property Section should be submitted to the Evidence Technician.
 2. The information will be maintained so that the location and status of the evidence can be tracked.
- B. If this Department recovers stolen property for another agency, that agency or owner must provide verification prior to the release of any property.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Property, Department Stored</i>	NUMBER: ADM 01-22
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

All stored agency property will be in a state of operational readiness at all times.

II.PATROL

- A. IR8000
- B. Excess patrol equipment
 - 1. Extra portable radios and radio accessories;
 - 2. Spare flashlights;
 - 3. Extra OC; and
 - 4. Extra miscellaneous equipment.

III.ADMINISTRATION

- A. Maintenance of fleet vehicle files.
- B. Maintenance of computer system (ALLY).
- C. Maintenance of police communications.
- D. Maintenance of phone system.
- E. The Lieutenant and Chief will be the only personnel authorized access to the armory/property room. The Sergeant's may also be appointed by the Lieutenant or Chief to assist in the armory/property room.
- F. Armory has additional weapons and ammunition on hand if needed
- G. All weapons including sensitive items such as extra tasers will be kept in the property safe. The safe will remain locked/closed at all times when no access is needed.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Inventory Control</i>	NUMBER: ADM 01-23
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The Department requires a system in which City property is properly received and inventoried. This system will ensure accurate accountability for items assigned to the Department.

II. POLICY

It is the policy of the Department to properly purchase and maintain inventory on all Department property.

III. PROCEDURE

- A. Inventory controls are set by the Department and City Purchasing Guidelines.
- B. The Chief of Police is responsible for the completion of a yearly inventory of departmental assets.
- C. In order to maintain current and accurate fiscal records, the Chief is the central purchasing agent for the Department.
- D. Any purchases made from the Department budget will be routed through the requestor's Chain of Command to the Chief.
- E. Any shipments received to/from the Department budget will be routed through the Chief who will then distribute them accordingly.
- F. When a newly acquired piece of equipment is received, the Chief will make an addition to the inventory. An inventory number may be issued to assist in keeping complete and accurate records.
- G. In order to assist in keeping complete and accurate inventory records, any time a member of the Department participates in an inter-departmental or inter-City exchange of equipment or property, the transaction will be coordinated with the Chief.
- H. No city property can be given away or thrown away, even if broken and unusable, without the proper authorization. The Chief will coordinate the proper disposal of Department property.

IV. INVENTORY CONTROL

- A. Inventory controls are set by the City of Anthony and are also provided for in the Department Purchasing Guidelines.

- B. The Chief of Police will assign a member of the department to maintain a current list of inventory and will be responsible for the completion of a yearly inventory of departmental assets.
- C. In order to maintain current and accurate fiscal records, the Chief of Police is the central purchasing agent for the Department.
- D. Any purchases made from the Department budget, will be routed through the requestor's Chain of Command to the Chief of Police or his designee.
- E. Any inventory/shipments received by the Department budget, with the exception of those noted above, will be routed accordingly and be distributed.
- F. When a newly acquired piece of equipment is received (capital assets over \$5000); the Chief of Police, Administrative Assistant (Records Clerk), or other responsible City official will make an addition to the inventory list. It will be issued an inventory number, which aids in keeping complete and accurate records. Non-capital assets under \$5000 may also be inventoried to ensure proper assignment and use of that equipment.
- G. In order to assist in keeping complete and accurate inventory records, any time a member of the Department participates in an inter- departmental or inter-city exchange of equipment or property, the transaction will be coordinated through the Chief of Police.
- H. City property cannot be given away or thrown away, even if broken and unusable, without the proper authorization which must be received through the chain of command.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Internal Affairs/Citizen Complaints	NUMBER: ADM 01-24
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: ADM.19.01-19.09	NMSA:

I. PURPOSE

The Department takes all complaints against its members seriously. In providing these services, the Department employee must be free to exercise his/her best judgment and to initiate action in a reasonable, lawful and impartial manner, without fear of reprisal. While the mutual rights of the public and the police officer are normally respected, situations may arise when these rights are reported to be violated. To protect the rights of the public and the Department employee, it is necessary that allegations of misconduct be thoroughly investigated.

II. POLICY

It is the policy of the Department to maintain internal discipline, open lines of communication with the general public, and to encourage citizens to freely express concerns or complaints of misconduct, malfeasance, or other inappropriate conduct by members of the Department. All members of the department are responsible for ensuring departmental integrity and assisting in the expeditious response to citizen complaints in a fair and impartial manner.

III. DEFINITIONS

- A. Investigation: Investigations can be initiated and investigated by any supervisor and shall be conducted under the guidance of the Chief of Police in a manner the Chief deems reasonable and appropriate under the circumstances.

IV. CITIZEN COMPLAINTS

- A. The receiving supervisor should handle complaints as promptly as possible.
- B. When a complaint is received, the complaint will be investigated. All complaints will be logged by the Chief of Police.
- C. Complaining parties wishing to lodge a complaint concerning an employee should be advised of the procedure for filing the complaint. This information is available in written form.
- D. At their request the complaining party will be given a Complaint Form to complete.
- E. After completing the form, the complainant should be asked to sign it. The signature will be witnessed by the receiving supervisor. If the complainant refuses to sign the

complaint, it should be noted on the form “Refused to Sign” and initialed by the receiving supervisor.

- F. The complainant will be given a copy of the form and the original shall be maintained by the Department.
- G. The complaint will be forwarded to the employees’ supervisor within 24 hours after the complaint is received.
- H. Upon receipt of the complaint, the supervisor may notify the involved officer of the complaint. The officer may be requested to submit a response to the Investigating supervisor detailing the incident.
- I. Any statements taken by the investigating supervisor should be recorded. It is the responsibility of the investigator to transcribe statements as needed.
- J. At the conclusion of the investigation the investigating supervisor should submit a report as soon as possible but within 30 days and the report should include the following:
 - 1. Summary of allegation;
 - 2. Statements of parties involved and witnesses;
 - 3. Findings—if specific violation in policy or statute has been violated these will be listed;
 - 4. Corrective Action/Disciplinary Recommendation (if applicable);
 - 5. Audio/Video recorded statement (if applicable);
 - 6. Transcription;
 - 7. Any associated reports, activity logs, dispatch records or other documents pertaining to the investigation.
- K. The original copy of the complaint and the investigative report will be forwarded to the Chief of Police.
- L. The investigating supervisor shall keep the complainant informed concerning the status of the complaint and shall notify the complainant that the complaint was properly addressed.
- M. An Internal Affairs Investigation can be conducted at the discretion of the Chief of Police.

V. UNSIGNED AND ANONYMOUS COMPLAINTS

Unsigned and anonymous complaints should be investigated.

- A. If a citizen calls the police department or comes to the station to complain about an employee, the complaint shall be documented even if the citizen does not want to complete a Citizen Complaint.
- B. The receiving supervisor will complete a Citizen Complaint Form and forward the information to the Chief of Police.

VI. ACTIONS TAKEN ON COMPLAINTS

The Department encourages the resolution of complaints. In order to facilitate this goal, the following methods may be used:

- A. Mediation: A meeting among the accused officer, the complainant and the officer's supervisor.
- B. Corrective Action/Disciplinary recommendation: Following Department policy, the investigating supervisor shall make a recommendation for corrective action or discipline. Additional training can be considered corrective action.

VII. MAINTENANCE OF RECORDS

The Chief of Police will maintain all completed Citizen Complaint Investigations and investigative reports. These records will be secured and maintained separate from other department records. These records will be maintained for a period of three (3) calendar years.

Prior to destroying the complaint files the Chief of Police will review the complaints and prepare a summary of the complaints. This summary can include:

- A. The number of complaints received in a calendar year;
- B. The types of complaints received;
- C. Names of officers involved in the complaints; and
- D. The findings of the complaints (i.e. allegations sustained, not sustained, unfounded, exonerated, policy/training deficiency, not involved, suspended, withdrawn.).

VIII. STATEMENT OF EMPLOYEE'S RIGHTS

All employees are entitled to all protections under applicable law.

IX. STATEMENTS

In the event an employee is the subject of an investigation which could result in administrative sanctions, the following guidelines will be followed:

- A. Any investigations will follow requirements as set forth in Chapter 29-Article 14, NMSA 1978 Peace Officer's Employer-Employee Relations.
- B. The employee will be given a target letter outlining the provisions of Garrity v. New Jersey, advising him/her that he/she is under investigated for violation of policy.
- C. The interview may be postponed for a reasonable time from the time the officer is informed of the interview and the general subject matter thereof.
- D. This section shall not apply to questions from a supervisor in the course of performing normal day-to-day supervisory duties or a request for the preparation of detailed reports.

X. DISCIPLINARY ACTIONS

When an employee is required to appear before a supervisor for disciplinary action the employee shall have the following rights:

- A. When two or more supervisors are involved in administering a disciplinary action to an employee, either may request that a recording be made of the proceedings.

In all cases of disciplinary action it shall be the responsibility of the ranking supervisor administering the disciplinary action to refer the employee to the Grievance procedures and the City Personnel Rules and Regulations for appeal procedures.

XI. CONSTITUTIONAL RIGHTS

When an employee is the subject of a complaint which is criminal in nature, the employee shall be afforded all rights entitled by the Constitutions of the United States and State of New Mexico.

XII. INVESTIGATIONS BY OTHER AGENCIES

- A. All Department personnel, upon becoming aware that they or another employee are the subject of or witness in an investigation by an outside law enforcement agency, will notify their immediate supervisor before making any statements to representatives of the outside agency as soon as possible.
- B. This procedure will ensure that all personnel are fully informed of their applicable legal rights, which may include, but not be limited to:
 - 1. Talking with an attorney of their choice, if the employee is the subject of a criminal investigation.
 - 2. Being fully advised of their rights.
 - 3. Having a recorder present during the interview.
- C. This requirement may be waived if the officer involved shooting protocol is invoked.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Inspection Services</i>	NUMBER: ADM 01-25
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

The purpose of this policy is to establish guidelines for maintaining organizational control within the Department through line inspections. Each supervisory level within the Department is required to exercise supervisory control through frequent and routine inspections.

II.POLICY

It is the policy of the Department to conduct frequent inspections of facilities, equipment, personnel and operational guidelines to ensure the proper, effective and efficient operation of the Department.

III.DEFINITIONS

Line inspection is defined as an objective and purposeful observation and evaluation of an activity, event, equipment or personnel within the direct chain of command of the inspecting supervisor.

Staff inspection is a review of agency policy and procedure, facilities, property, equipment, personnel, and administrative/operational activities outside the normal chain of command.

IV.RESPONSIBILITIES

- A. The Sergeant and/or Lieutenant shall:
 1. Make personal inspection of personnel and areas under his/her command both at frequent and irregular intervals;
 2. Insure that briefings are held, if applicable, and that orders and necessary information are communicated;
 3. Encourage punctuality and professional appearance of subordinate personnel.
 4. Make, at a minimum, monthly documented inspections of their subordinates to insure they are properly uniformed, equipped, and fitted for duty;
 5. Conduct monthly inspections of property, equipment, activities, and personnel;
 6. Monitor the activities of subordinates to determine if duties, services to the public, orders, and instructions are being properly, efficiently and effectively performed.

- B. Training Officers shall conduct daily, documented inspections of recruits whom they are training to insure the recruits are being properly instructed in the use, care, and maintenance of equipment and uniforms.

V.LINE INSPECTIONS

- A. Routine line inspections are used to ascertain compliance with department policy regulating dress code, weapons ammunition, equipment and vehicles. Supervisory personnel shall use the appropriate approved forms when conducting a line inspection. The following forms are approved for line inspections:
 - 1. Personnel Inspection
 - 2. Field Training Daily Observation Report
 - 3. Vehicle Inspection/Inventory
- B. Completed inspection sheets shall be forwarded to the Sergeant for review.
- C. Deficiencies that cannot be immediately corrected are subject to re-inspection within seven (7) days. Upon re-inspection, if the deficiencies still exist, the inspecting supervisor shall submit a memorandum to his/her immediate supervisor.

VI.STAFF INSPECTIONS

- A. Staff inspections are not an inspection of the staff members themselves, but an inspection of areas under their control and provided as a management tool. Staff inspections may be conducted by an outside entity.

VII.AUTHORITY FOR STAFF INSPECTIONS

- A. Personnel are assigned by the Chief of Police and have full authority to discharge the duties necessary to conduct staff inspections.
- B. Officers assigned to conduct staff inspections shall be given access, for the purpose of inspection, to appropriate Department facilities, equipment, evidence room and records.
- C. Personnel shall cooperate with and assist officers assigned to conduct staff inspections, recognizing that staff inspections are conducted under the authority of the Chief of Police.
- D. The Chief of Police may assign a specialist or an advisor to assist in the inspection, when its scope is technical in nature.

VIII.FUNCTIONS AND PURPOSE OF STAFF INSPECTIONS

- A. The primary focus of staff inspections is upon policies and procedures and only incidentally on personnel.
 - 1. Primary concern is to determine if established policies/procedures are being followed and compliance with applicable accreditation standards is being maintained, not that a particular person may be performing improperly.

2. Training, direction and discipline are the responsibility of the appropriate supervisor.
- B. Staff inspections are conducted through the Department on a routine basis or as directed by the Chief of Police.
- C. The Chief of Police may request inspections and studies of the various areas of operation within the Department for the following purposes:
 1. to provide a primary means of exercising administrative control over delegated actions or activities through observations, determining if orders and instructions have been carried out in an effective and satisfactory manner;
 2. to insure that policies and procedures of the Department are understood and adhered to, and that policies and procedures are adequate and effective in achieving organizational goals and objectives;
 3. to provide information concerning the quality of service delivered and the effectiveness of the service;
 4. to provide observation and evaluation of the conduct, appearance and proficiency of Department personnel;
 5. to inform the Chief of Police if resources are being used properly and to the fullest extent;
 6. to provide determinations of whether resources are adequate for achieving the goals and objectives of the Department;
 7. to inform the Chief of Police of deficiencies in personnel, integrity, training, morale, supervision or policy;
 8. to reveal the existence of a specific need or requirement for change.

IX.FREQUENCY OF REQUIRED INSPECTIONS

- A. A staff inspection is conducted at least once a year. This inspection will include an analysis of workload and distribution of personnel.
- B. An annual inventory of found, recovered, evidentiary, and agency-owned property is conducted to ensure the integrity of the property control system.
- C. An annual staff inspection of formal grievances is conducted to serve as a management tool in determining office problems which must be addressed.
- D. An annual staff inspection of the written performance evaluation system is conducted.
- E. An unannounced semi-annual inspection of evidence and property storage areas is conducted.
- F. Quarterly, random inspections of impounded narcotics are conducted to ensure seals are in place and do not show signs of tampering.
- G. An annual review of specialized assignments to determine whether they should be continued. This review will include a list of specialized assignments, a statement of purpose for each assignment, and an evaluation of the initial problem/condition which required the implementation of the specialized assignment.

X.INSPECTION PROCEDURE

- A. Origination
 - 1. Inspections are justified to, and approved by, the Chief of Police.
 - 2. An inspection may be suggested or requested by any member of the Department upon submission of a memorandum via the chain of command to the Chief of Police, briefly stating the reasons for the requested inspection(s).
- B. Pre-Inspection Notification
 - 1. A written notice of a formal inspection shall be provided to the affected unit i.e. Firearms Instructor, not less than five (5) days prior to the inspection.
 - 2. The memorandum indicates the nature of the inspection and may include a specific request for desired action, questions to be answered, and documents to be produced, or other action necessary to complete the inspection.
- C. Spot Check Inspection
 - 1. Spot check inspections are conducted continuously on an unscheduled basis, requiring no advance notification.
 - 2. If a spot check inspection reveals the need for a more comprehensive inspection, the pre-inspection notification shall be initiated prior to a formal inspection.
- D. Post Inspection Activity
 - 1. The officers conducting a formal staff inspection are responsible for the completion of a constructive report at the conclusion.
 - 2. Credit or recognition should be given to the inspected division or organizational component and its personnel when found to be exemplary.
 - 3. Recommendations for improvement may be made to the component's commanding officer in cases where it is within the authority of the commanding officer to effect the change.
 - 4. When possible, reports should be discussed with the affected Division Commander prior to finalization.
 - 5. The completed report is submitted to the Chief of Police and other distribution is at the discretion of the Chief.
- E. Follow-Up Inspections

At prescribed time intervals following the initial inspection, inspectors may be directed by the Chief of Police to conduct follow-up inspections and report on the progress of the implementation of recommended changes.
- F. Types of inspections which may be conducted
 - 1. Personnel
 - a. Appearance
 - b. Job performance
 - 2. Operations
 - a. Facilities and equipment condition

- b. Investigative techniques
- c. Communications discipline
- d. Incident response time
- e. Quality of service
- f. Report preparation and records
- g. Briefings
- h. Court appearance and presentation
- i. Selectivity of enforcement
- j. Manpower scheduling and deployment
- 3. Administration
 - a. Cooperation with other components or agencies
 - b. Manpower utilization
 - c. Control of overtime
 - d. Compliance with established procedures, accreditation standards, and law.
- 4. The Chief of Police may order other inspections and/or officers assigned to conduct staff inspections to conduct spot check inspections of an organizational component, procedure or condition which does not appear to be functioning properly.

XI. RESPONSE TO INSPECTION FINDINGS

- A. Staff Inspection Reports are thoroughly reviewed and appraised by the Chief of Police as a matter of policy.
- B. The report is forwarded through to the concerned unit for review and response.
- C. The responsible person of the affected division prepares a response to each of the recommendations contained in the report.
 - 1. The response is completed and returned to the Chief within 30 days of receipt of the report.
 - 2. A copy of the response is provided to the concerned Sergeant.
- D. Contested issues regarding inspection findings or recommendations should be resolved by the affected unit personnel and the Sergeant. Issues that cannot be resolved shall be resolved by the Chief of Police.
- E. The affected unit personnel are responsible for ensuring implementation of approved recommendations.
- F. The completed inspection report, including the response and any follow-up reports are maintained on file in the office of the Chief of Police.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Community Relations/Crime Prevention	NUMBER: ADM 01-26
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

Community involvement is essential to the operation of any police department. The citizens are the eyes and ears of the police. Without the assistance and acceptance of the community, a police force cannot function effectively. All avenues must be utilized in promoting the respect and cooperation of the public with the police. The Department is committed to the prevention of crime through education.

II.POLICY

It is the policy of the Department to involve all Department personnel in a City-wide community relations effort. This includes working to establish an attitude that the police are an integral part of the community. Citizen participation and interaction with the police is necessary to achieve a condition within the community where the normal application of law enforcement may prevail. Community relations and community education is a shared effort of each and every employee.

III.GOALS AND OBJECTIVES

- A. To create and maintain liaison with community groups and organizations.
 1. This includes exchanging information, identifying police service needs of the community, promoting police/citizen contacts, acquainting each other with mutual problems and encouraging action aimed at solving these problems.
 2. Information obtained in these meetings may be used to provide direction in development or modification of Department policies, procedures, and programs.
- B. To educate citizens about the functions and operations of the department.
- C. The Department strives to provide, through established programs and the media crime awareness information and crime prevention procedures. The intent is to assist the public in reducing its victimization rate and its fear of crime.
- D. To inform the public that crime prevention is a cooperative effort between the Department and the citizens of Anthony, New Mexico.

- E. To assist in organizing crime prevention groups in residential areas through the Neighborhood Watch Program.
 - 1. Initial organizing efforts may be made by the Police Department, or by concerned citizens.
 - 2. Through group development, the citizens should become better educated on how his or her involvement is vital to community crime prevention.
- F. To present crime prevention programs and maintain liaison with diverse Community groups including, but not limited to:
 - 1. The business community
 - 2. Local citizens groups
 - 3. Local civic associations
 - 4. Church groups
 - 5. Schools
 - 6. Concerned citizens
- G. To participate in social service and criminal justice diversion programs through a variety of crime prevention programs. In addition, the Department works with the Mental Health Resources and those persons who meet established criteria.
- H. Interaction with the youth of the City of Anthony NM is strongly encouraged. Officers should stop and talk to juveniles while they are patrolling and establish a positive rapport with them whenever possible.

IV.RESponsibilities

- A. Department Personnel
 - 1. No one can do more to foster good police community relations than the employee who is in contact with the public on a day to day basis. Each employee is encouraged to cultivate the respect and cooperation of the public in these day to day contacts. Employees must realize that every contact with a citizen has an impact on police community relations.
 - 2. It is the responsibility of all Department personnel to promote good community relations by recognizing that their actions and demeanor in dealing with the general public has a significant effect on the image of the Department. This ultimately influences the Department's overall effectiveness and level of acceptance within the City.
 - 3. The Department is committed to correcting actions, practices, and attitudes which may contribute to community tensions and grievances.
 - 4. It is the responsibility of all officers of the Department to provide basic crime awareness and prevention information to citizens when answering calls for service or through informational contact.
- B. Community Relations/Crime Prevention
 - 1. All employees are responsible for Community Relations/Crime Prevention.

C. Reporting Requirements

1. When a member of this Department makes a presentation to a community organization, that member will submit a brief report to their Supervisor. This report will include, at a minimum, the following:
 - a. Program/presentation topic;
 - b. Number of participants;
 - c. Any concerns expressed by participants; and
 - d. Potential problems which have a bearing on law enforcement activities within the community.
2. In order to provide the best continuing community education, at the end of each community presentation, the member will make available to participants, a survey designed to determine the effectiveness of the program. These surveys will be attached to the above report.

V.PROGRAMS

- A. Crime Prevention Programs include, but are not limited to:
 1. Neighborhood Watch Program
 2. Home and Business Security Surveys
 3. Programs of interest to business owners (ex. Shoplifting Awareness, Worthless Check procedure, Fraud information, etc.)
 4. Drug and Alcohol Information
 5. Elementary School programs
 - a. Pedestrian Safety;
 - b. Drug and alcohol abuse;
 - c. Vandalism;
 - d. Bicycle Safety;
 - e. Emergencies;
 - f. Seat belts;
 - g. Personal character (ex. Self-discipline, Respect for Authority, stealing, etc.);
 - h. Bullying; and
 - i. Other programs requested and deemed appropriate.
- B. Crime Prevention Programs may be presented by any officer in the Department having expertise in the area of concern. It will be the responsibility of that officer to notify their supervisor to ensure that no scheduling conflicts occur.
- C. The officer may also utilize individuals from the community to assist in presentation of programs.

VI.REPORTS

The department will prepare a report on an annual basis of citizens concerns, potential problems and recommendations.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Public Information	NUMBER: ADM 01-27
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

Positive press relations are an integral part of the operation of any public service agency; the Department is no exception. Most citizens have little contact with law enforcement officers, and their opinion of the police is often formed by the mass media's portrayal of its functions. The maintenance of good press relations is therefore a crucial element of public relations. Officers and employees must maintain good rapport with the media and deal with them in a courteous and impartial manner. It must be remembered that the media has a legitimate function in our society, and the public trust of the police can be enhanced through proper dealings with the media.

II.POLICY

It is the policy of the Department to support the fundamental principles of the First Amendment to the Constitution of the United States as it pertains to the rights of the news media and the public. The department is committed to, and recognizes the right of the public and news media to be fully and accurately informed on matters concerning public safety. All members of this department will strive to maintain a relationship of trust, cooperation, mutual respect and free flow of information with the public and news media without partially.

III.PUBLIC INFORMATION OFFICER

- A. The designated Public Information Officer for the Department is the Chief of Police.
- B. The Public Information Officer is responsible for:
 - 1. coordinating and authorizing the release of information;
 - 2. being available for on-call responses to the media;
 - 3. preparing and distributing department news releases;
 - 4. responding to requests for scheduled news conferences and interviews;
 - 5. assisting in crisis situations within the agency.
- C. In the absence of the Public Information Officer, the responsibility will fall to the next highest ranking official (See Organizational Chart).

IV.NEWS MEDIA REQUIREMENTS AND PRIVILEGES

- A. Members of the media may not resist, obstruct or otherwise interfere with an officer in the lawful execution of the officer's duty. The mere presence of a member of the

media, the taking of pictures or the asking of questions does not constitute interference.

- B. Officers shall not restrict the movement of members of the media, unless their actions clearly and directly interfere with police functions or investigations.
 - 1. Still photographs or film footage may be taken in or from any area which media members have been given access. Officers may restrict the use of flash, strobe or high intensity lighting when such illumination might hinder a police operation.
- C. Department personnel shall not compel prisoners to pose for photographs or film footage. However, officers are not to interfere with photographers or cameramen photographing or filming prisoners from public access areas.
- D. No member of the media shall have any property confiscated, nor be threatened with confiscation, without due process of law. This includes camera, film, notes, etc.
- E. Any employee who experiences difficulties in dealing with individual member of the media at the scenes of incidents or during telephone contact should report such by memorandum to the next person in the chain of command.

V.CRIME SCENE

The fact that a person is a member of the media does not give them special privileges when responding to, or reporting from, a crime scene. Crime scene integrity must be maintained.

VI.RELEASE OF INFORMATION

- A. In cases of a death, the name of the deceased shall not be released by department personnel until next of kin has been notified.
- B. Release of information will be in compliance with the Department access to Police Records policy.
- C. All employees shall familiarize themselves with the 'Access to Police Records' policy to ensure any release of information meets those guidelines.
- D. If any questions arise concerning the release of certain information, the Chief of Police shall be contacted.

VII.MUTUAL OPERATIONS

- A. Any request for information on incidents involving actions initiated by another agency is referred to that agency.
- B. Incidents initiated by the Department with assistance from another agency are handled under the provisions of this policy.

VIII.CHANGES IN NEWS MEDIA POLICY

The Chief of Police may meet with members of the news media to discuss any changes in policy and to request input.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Victim/Witness Services	NUMBER: ADM 01-28
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: ADM.01.24-24.02	NMSA:

I.PURPOSE

Victims deserve support and fair treatment. Since the officer may be the initial source of protection for a victim, the manner in which they are treated affects their willingness to assist in prosecution, and their immediate and long-term ability to cope with crime. Because we are dependent upon the aid of victims and witnesses to hold the criminal accountable, we must ensure that they receive professional handling consistent with their important role.

II.POLICY

It shall be the policy of the Department to promote the public health, welfare and safety of the citizens of the town by complying with the Crime Victims Reparation Act, NMSA, 31-22 where applicable.

III.ANNUAL ANALYSIS

- A. The Department shall have on hand a list of Dona Ana County Resources. This is a listing of available services in Dona Ana County which may meet the needs of victims/witnesses with whom we come into contact.
- B. On an annual basis, the Department will be responsible for conducting a survey to determine whether additional services have been added and whether the Department has the capability to add any additional services.

IV.TRAINING

- A. It is the responsibility of the Field Training Officer to ensure that newly hired employees receive training to include the specific rights of victims, as well as our response to them.
- B. Additional, on-going training shall be provided to first responders. This training may cover existing laws with annual updates and information included in the list of Resources.

V.VICTIMS RIGHTS

- A. It will be the responsibility of the assigned officer to re-contact the victim/witnesses (as defined in the Crime Victims Act) to schedule line-ups and interviews at the convenience of the victim/witness when applicable.

- B. It will also be the responsibility of the assigned officer to determine whether any property taken is needed for evidentiary purposes so that it may be returned to the victim/witness as soon as practical.
- C. In the event an arrest is made in a case (as defined in the Victims of Crime Act), the assigned officer will be responsible for contacting the victim to notify them an arrest has been made.
- D. The Department realizes that a victim's willingness to cooperate may be thwarted by threats and intimidation. The Department will provide appropriate assistance based on available resources to victims/witnesses whom have been threatened or intimidated, including filing of additional charges, if applicable, against the offending party.

VI.VICTIM-WITNESS INFORMATION

- A. As part of a preliminary investigation, members of the Department will provide information regarding applicable services and advising the victim on the procedure to follow if they are threatened or intimidated.
- B. The officer is required to provide victims/witnesses with a business card which contains officer's name, call number and follow-up phone numbers.
- C. The officer will provide victims/witnesses information on obtaining emergency protective orders if necessary. The emergency protective order is valid for 72 hours the officer must obtain a written statement from victim and prepare a police report before contacting the Judge. The officer will contact the District Court Judge or Domestic Violence Special Commissioner. Both the officer and the victim will be required under oath to disclose information in both the police report and the victim's statement. At this time the District Court Judge or Special Commissioner will make a ruling as to whether the emergency protective order is issued. The emergency protective order is designed to protect human life.
- D. Officers who are responding to victims/witnesses will make arrangements for victims/witnesses to go to safe places and/or medical facilities.

VII.POLICE VICTIM ASSISTANCE

- A. Safety and Security
 - 1. Officers are responsible for security of the crime or incident scene to protect lives and ensure safety.
 - 2. Officers shall render emergency aid to individuals who have suffered physical injuries, and shall, as soon as possible, summon any necessary medical assistance.
 - 3. Where physical injuries are not apparent, victims shall be asked if they are injured and whether medical attention is required.
 - 4. In order to reduce fright and promote victim communication, victim should be informed as soon as appropriate that they are no longer in immediate danger.

5. Recognizing that victims often suffer physical and/or emotional shock, officers shall assist them in making decisions and keep them informed of law enforcement actions and requirements.
 6. Whenever possible, law enforcement officers should not leave a distraught victim alone. Arrangements should be made to have a relative, friend, family or personnel from the Domestic Violence Shelter join the victim for emotional support and comfort, or arrange for transportation of the victim to a friend, family member or other appropriate service provider.
- B. Providing emotional support in order to calm and assist the victim in regaining composure, officers shall:
1. Allow the victim a reasonable period of time in which to express feelings and emotions while describing what happened during the incident.
 2. Express empathy for the victim and recognition and understanding for emotional reactions.
 3. Provide reassurance that the victim's feelings are normal and understandable.
 4. Not be overtly judgmental of the victim's feelings and emotions or the apparent lack thereof, or of victim judgments or actions related to the incident.
 5. Help redirect any self-blame and responsibility for the criminal act from the victim to the perpetrator; and
 6. Emphasize your commitment and that of the department to assist and work with the victim.
- C. Information and Referral
- Before leaving the scene, it is important that officers take the steps necessary to meet victim's needs for support and information. These include:
1. providing a brief overview of what actions will be taken shortly thereafter, and answering such questions as, "Will a criminal investigator contact the victim?", "Will evidence technicians be used at the scene?", "Will lineups or show ups be held?", and "What other law enforcement actions will be taken?";
 2. providing information on victim service agencies available in the community; and
 3. leaving names and telephone numbers where the victim can reach the officer or the criminal investigator at the department, and encouraging the victim to use the number to report additional information about the incident or to request information or assistance.
- D. Follow-up
- Lack of information about case status is one of the greatest sources of dissatisfaction among victims of crime and victims' survivors. Therefore, officers assigned to criminal investigations shall make routine victim call-backs in order to determine whether the victim has new information concerning the case, to ascertain whether the victim is in need of assistance from outside sources or the department, and to relay information relating to such matters as:

1. the status of stolen, recovered or removed property;
2. the arrest and detention of suspects, and their pretrial release status;
3. the victim's possible eligibility for victim compensation;
4. court restraining orders;
5. court proceedings and schedules; and
6. the operations of the department and the criminal justice system.

VIII.DEATH/INJURY TO A MEMBER OF THE DEPARTMENT

The Department believes it is their responsibility to provide liaison assistance to the immediate survivors of a member who dies in the line-of-duty, whether feloniously or accidentally, while an active member of the department and to family members of those who are injured while in the line-of-duty. This includes prompt notification, the clarification and comprehensive study of survivor benefits, and to provide tangible and intangible emotional support during this traumatic period of re-adjustment for the surviving family.

A. Notification

1. The name of the deceased or injured officer should not be released to the media before immediate survivors and the Chief of Police are notified.
2. Notification shall be made in person by the Chief of Police or his designee along with a police chaplain. If a police chaplain is unavailable, an on-call chaplain from the Fire Department will be requested.
3. If young children are known to live at home, arrangements should be made for their care by the informing officer.
4. A ranking officer should make reasonable efforts to be present with the family at the hospital.

B. Data Sheets

1. In order to assist members of this department with notifications, each member will complete a Data Sheet in conjunction with their Performance Evaluation.
 - a. This form allows officers to provide information which may be essential in the event of a line-of-duty death or serious injury.
 - b. The form will be reviewed by the officer in conjunction with the Annual Performance Evaluation and any revisions made. It may be updated at any other time as deemed necessary by the officer.

C. Liaison

The form will be reviewed by the officer in conjunction with the Annual Performance Evaluation and any revisions made. It may be updated at any other time as deemed necessary by the officer.

1. At the earliest possible time, the Chief of Police shall appoint a liaison from the department.
2. The liaison is not a decision-making position, but a facilitator between the family and the Department.

3. This liaison's responsibilities will include the following:
 - a. ensure that the needs of the family come before the wishes of the department;
 - b. the needs of the family are met;
 - c. assist with handling funeral arrangements and any available benefits;
 - d. be provided with updates regarding any investigations to provide information to the family and be available to the family throughout this time. This information shall be provided prior to any press releases.
 4. The liaison is responsible for keeping the family informed of all new developments if a criminal investigation surrounds the death, prior to any news release.
- D. Debriefing
1. A Critical Incident Debriefing shall be held after the death.
 2. One debriefing will be held for those individuals who may have been directly involved in the incident.
 3. A second debriefing shall be held for those members of the department who wish to participate.
- E. Media Relations
1. Under no circumstances should the family be placed in the position of responding to questions from the media.
 2. Questions from the media will be handled by the Chief of Police.
 3. In the event that the family should decide to accept an interview, the Chief of Police should attend and 'screen' all questions presented to the family so as to not jeopardize upcoming legal proceedings.

IX. CHAPLAIN TO THE DEPARTMENT

- A. The Department has found it helpful to have trained local clergy designated as volunteer chaplains to the Department. This service is not only for members of the Department and their families, but also to be used when appropriate, to assist employees in their duties.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Records Department</i>	NUMBER: ADM 01-29
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

It is the intent of this policy to establish and maintain a system for the orderly maintenance, preservation and release of records regularly maintained by the Records Section of the Department as part of normal department operations.

II.POLICY

It shall be the policy of the Department to follow the procedures of this directive to ensure proper maintenance, preservation, and release of record information.

III.DEFINITIONS

A record is defined as any report, paperwork, associated document or file generated by members of the Department during the course of their duties and normally maintained in or by the Records Section, or documents generated by other criminal justice agencies when the original of such documents is maintained physically in or by the Department Records Section, including, but not limited to:

- A. Case File: A file maintained in numerical sequence and consisting of a Criminal Incident Report, an Intelligence Report or a Crash Report.
- B. Confidential Record: A record which has been reviewed by a supervisor and determined to contain information that reveals confidential sources, methods or information, (as described in State Law) and has been marked Confidential by that supervisor.
- C. Criminal Incident Report (CIR): A report prepared when a prima facie showing of a violation of State or Municipal law occurring within the jurisdiction of the Department is presented.
- D. Intelligence Report: A report prepared when the circumstances of an event:
 - 1. constitute a violation of criminal law occurring outside the jurisdiction of the Department;
 - 2. violation of Federal Law;
 - 3. any other event requiring more documentation than is provided by a Record Of Call; and
 - 4. any other event where this type of report is specified by policy or directive.

- E. Arrest Report (AR): A report prepared when a person is arrested for a violation of criminal law or pursuant to a valid arrest warrant.
- F. Arrest Record/File: Arrest records are maintained with the original arrest report.
- G. Protective Custody Report: A report prepared when a person is detained for a reason not amounting to a violation of criminal law, pursuant to valid authority (e.g. Mental Evaluation).
- H. Supplement: A report prepared subsequent to, or in addition to, the original report (by the same officer or other officers) that presents data not contained in the original report or case status updates.
- I. Crash Reports: State mandated or Private Property reports documenting the collision or other involvement of motor vehicles as required by law.
- J. Traffic Citations (UTC for moving violations, for DWI violations): A document issued to motorists for the violation of a traffic or related law.
- K. Non-traffic Citation: A document issued in lieu of physical arrest for violations of certain petty misdemeanor criminal laws, as provided by law.
- L. Field Interview Card (FI): A report prepared to document officer/citizen contact that does not warrant another type of report.
- M. Warrants: Court issued documents authorizing the physical arrest of particular persons for specific violations and search warrants.
- N. Adjunct Records: Reports and records generated internally by the Police Department, but under the control of the Communication Center, including, but not limited to: logs of radio, teletype and telephone transactions maintained for varying periods of time (includes audio tapes). NOTE: Requests for copies, review or other disclosure are governed under Subsection XIV.

Laws of the state of New Mexico provide for the release of information maintained by Computer Aided Dispatch (CAD). CAD information shall be available for inspection by representatives of the news media or the public pursuant to practice and applicable laws. For the purposes of this policy, the CAD is defined as: A report generated by the communication operator once a call for service is received. The communication operator will obtain the following information:

1. Name;
2. Address;
3. Phone number;
4. Type of call;
5. Times;
6. Dates; and
7. Short narrative of the call for service.

The operator will then dispatch an officer to the call. Once the officer takes action for the call for service, a case number is obtained if police report is taken.

The Department is a member of the Mesilla Valley Regional Authority. The MVRDA will coordinate the release of information requested above.

IV. ALLY RECORDS MANAGEMENT SYSTEM

- A. The ALLY records management system is compatible with the New Mexico Department of Public Safety criminal records system for Uniform Crime Reports.
- B. Officers have 24 hour access to computerized Department Records system.
- C. ALLY maintains an alphabetical master name index which cross references all documents in which a person has been named.
- D. ALLY will maintain the following:
 - 1. Incidents by type;
 - 2. Incidents by location (supplemented by name);
 - 3. Stolen, found, recovered, and evidentiary property files;
 - 4. Record of call file;
 - 5. Arrest files/automatic numbering system;
 - 6. Addresses/locations;
 - 7. Crashes/automatic numbering system;
 - 8. Citations;
 - 9. Personnel data sheets; and
 - 10. Incident files/automatic numbering system.

V.FIELD REPORTING REQUIREMENTS

- A. Officers are required to submit the following reports:
 - 1. Offense reports;
 - 2. Supplemental(s);
 - 3. Traffic Crash(es);
 - 4. Arrests;
 - 5. Evidence forms;
 - 6. Intelligence reports;
 - 7. Protective custody;
 - 8. Animal bite reports;
 - 9. Towed vehicle; and
 - 10. ACO enforcement reports;
- B. All field reports will be typed into ALLY and will be approved by a supervisor and submitted as a record.
- C. All traffic crash reports will be completed by the officer, a printed copy will be submitted to a supervisor for approval by the end of the shift. The Records Section will submit a copy of the crash report to the NM Traffic Safety Division.

VI.RECORDING ARREST INFORMATION

- A. Each arrest will be submitted into ALLY under the appropriate case number.

- B. Each arrestee will be photographed on all felonies, misdemeanor and on all warrants where the original charge is a felony or misdemeanor.

VII. MAINTAINING A WARRANT AND WANTED PERSONS FILE AT (MVRDA)

- A. Warrants are obtained from the following:
 - 1. Federal Court;
 - 2. District Court;
 - 3. Magistrate Court; and
 - 4. Municipal Court.
- B. Communications Operator will stamp the warrant with “Received” stamp and fill in with date and name of person receiving warrant.
- C. Communications Operator will fill out Warrant Notification/Cancellation form.
- D. Communications Operator will enter the warrant into NCIC or NMCIC or both.
- E. Communications Operator will obtain a Triple I.
- F. All warrants will be entered into NCIC and will remain in the system until served or cancelled.
- G. The warrants and the above information will be placed in a file folder and filed alphabetically in Communications Center.
- H. Information received from other jurisdictions on warrants will be verified by teletype. Upon service of warrant, a faxed copy will be received from originating jurisdiction.
- I. The notification/cancellation form will be signed by the arresting officer or communications operator. The communications operator will remove the warrant from NCIC.
- J. When the Communications Operator receives information from a law enforcement officer, they will verify all identifiers available before an arrest is made.
- K. Officers have 24-hour access to the warrant list (via communications), and NCIC information.

VIII. RECORDS RETENTION SCHEDULE

The Department will follow the legal requirements as applicable by State and Federal law.

IX. RECORDS CONSIDERED PUBLIC RECORDS

- A. All records contained in case files maintained by the Records Section are considered public records by law and may be inspected by any person, or copies obtained pursuant to law, except as noted in the section “RECORDS CLOSED TO THE PUBLIC”. Arrest records/files are covered later in a specific section. Records defined as “ADJUNCT RECORDS” will be screened by the Chief of Police or his designee prior to release to insure that legally defined confidential material is not included in the release.

X. RECORDS CLOSED TO THE PUBLIC

Laws of the State of New Mexico provide that certain records are closed to public access and review. Records will be made available to the public in accordance with State Statute 14-2-1 NMSA, Inspection of Public Records Act.

XI. SEALED RECORDS POLICY

It is the intent of this policy to establish procedures for the court ordered sealing of records on current or prior offenders which are maintained by the Records Section of the Department.

A. Definitions

1. Arrest Records/Files: The numerical file assigned to an individual upon their first arrest, containing at a minimum, the original Arrest Report (or the intake), a copy of the criminal complaint (if any) and other associated documents related to the arrest(s).
2. Sealing of Records: Action taken by the Department Records personnel to prevent the inadvertent or intentional disclosure of criminal information ordered sealed by a court. Sealing does not mean the expungement or destruction of such information.
3. Department records that are sealed are not destroyed.

B. Procedures

1. The individual requesting a record/file be sealed must have the case evaluated by District Court or other court having jurisdiction.
2. Once a copy of the original District Court order has been received the following steps will be taken:
 - a. All paperwork specified by the court order is placed in a manila envelope along with a copy of the court order. Any copies of the arrest paperwork that have been placed in the criminal incident report are also placed in the manila envelope.
 - b. The criminal incident report associated to the arrest being sealed is stamped "confidential" and a copy of the District Court Order is placed in the criminal incident report folder.
 - c. A notation is marked in the computer indicating the record/file has been sealed. The original arrest charge(s) is replaced to reflect the charge(s) "Sealed by District Court Order". The original statute number(s) is replaced to reflect 88-88-88, indicating sealed.
 - d. Department Records will send a letter to District Court within thirty (30) days stating all records/files have been sealed in compliance with the court order. A copy of the letter is sealed in the manila envelope along with the original records.
 - e. A notation will be made on the outside of the manila envelope "DO NOT OPEN PER COURT ORDER".
 - f. The copy of the court order is taped to the front of the manila envelope containing the sealed documents.

- g. The sealed record/file is maintained by Records Section separately from all other arrest files. This file will remain sealed without public access until the “sealed order” is removed by an authorized individual.
- C. The same procedures are followed for Adult and Juvenile records/files. The record/file is only sealed by an order for a District Court or other court having jurisdiction.
- D. Sealing the fingerprints and criminal histories:
 - 1. Once the order has been received and the record/file has been sealed, the State of New Mexico and FBI must be notified to have the record removed from the individual’s criminal history (rap sheet).
 - 2. A letter is sent to the Department of Public Safety in Santa Fe and the FBI/CJIS in Clarksburg, West Virginia stating an order has been received to have a record/file sealed. The letter is to contain the name, date of birth, social security number, arrest date, arrest charge(s), of the individual whose record/file has been sealed and a copy of the court order.
- E. If there are any specific instructions regarding the sealing of the record or file outlined in the court order, the instructions in the court order will supersede our policy and will be followed.

XII.OPENING “CONFIDENTIAL” RECORDS

The Department recognizes that certain “confidential” records may lose their statutory protection as the record ages or other events occur.

- A. If a file marked “confidential” is requested, the person receiving the request shall have the report reviewed by the Chief of Police.

XIII.ACCESS TO RECORDS BY OTHER AGENCIES

- A. Records Available to Certain Agencies for Criminal Justice Purposes
Records maintained by the Records Section of the Department shall be provided, upon request or by policy, to other law enforcement agencies, criminal justice agencies or other lawfully authorized agencies for criminal justice purposes. If a Records Section employee has any reason to doubt that such requests are legitimate (such as for personal use or in other jobs like bill collecting) the requestor shall be asked to submit their request, in writing, to the Records Administrator. Note: Children, Youth and Families (CYFD) is not considered Law Enforcement.
- B. Telephone and Fax Requests
Telephone requests by other agencies will not be honored. FAX requests on letterhead stationary of the agency will be honored.

XIV.RECORDS SECURITY

- A. Statement of Policy
The Department declares that an orderly system for the release of records requires that employees release record information only in accordance with specific policy. Information contained in records maintained in the Records Section shall only be

released to persons outside this department in accordance with the specific provisions of this policy. Therefore, no employee shall divulge the contents of any police record except as provided herein.

EXCEPTION: Records Section personnel may release information contained on the CAD to the news media. Requests for more information than what is contained in the CAD shall be directed to the Chief of Police.

- B. **Removal of Original Records from the Records Section**
The original of all records shall remain in the custody of the Records Section. When personnel need reports for court or other purposes, copies will be provided by Records Personnel through the authorized procedure. Records released to the public under these sections will similarly be done by copy. Specific approval of the Custodian of Records must be obtained before originals may be removed from the Records Section (Records Section supervisors are authorized to check out case files for officers' use in court when the case file is lengthy and would require extensive copying).
- C. In order to maintain the integrity of the computerized records, only authorized employees have access through the use of usernames and passwords. Usernames and passwords shall not be disclosed to other personnel.

XV. INSPECTION OF/OBTAINING COPIES OF PUBLIC RECORDS

- A. **Public Records Open Inspection**
All records designated as "Public Records" are open for inspection by the public during posted business hours of the Records Section. Copies of "Public Records" may be purchased by the public pursuant to the posted fee schedule. Prior to records being inspected or copies being purchased, a "Request to Inspect" form will be completed. After completion of the form, it will be placed in the report folder during posted business hours of the Records Section.
- B. **Inspection Process**
Based on the legal significance of police records and to preserve the integrity of the record(s), original records will not be removed from the Records Section. Persons wishing to inspect Public Records may do so either in the presence of a Records Section Clerk or by purchasing copies.
- C. **Purchase of Copies of Public Records**
Copies of Public Records may be purchased from the Records Section during posted business hours.
- D. **Copies to be Stamped**
All copies of records released pursuant to this policy shall be stamped with one of two Stamps maintained in the Records Section. NOTE: NCIC III returns shall not be released to the public; all arrest record reports shall be stamped with the stamp designated for that purpose (see RELEASE OF ARREST RECORD

INFORMATION section for exceptions); and all other copies of reports shall be stamped with the stamp reading:

“This is a copy of a document maintained by The Records Section of The Anthony NM Police Department and released in accordance with specific Records Release policy. Use of this information may be restricted or limited by law and the holder assumes responsibility for compliance with such laws.”

- E. The records clerk is the official Inspection of Public Records Act custodian.

XVI.RELEASE OF ARREST RECORD INFORMATION

A. Statement of Policy & Content, Arrest Record Information

Arrest Records Files maintained by the Department Records Section are the original record of all arrests made by Department Police Personnel, and certain other agencies. Copies of records from other agencies (dispositions from courts, reports from other agencies, etc.) are often obtained and included in Arrest Records Files. The original of those documents are retained by the originating agency. Therefore, it is the practice of the Department not to release any documents or reports originating from any other agency.

B. Written Request/Authorization Required

A standard form for requesting arrest record information will be maintained in the Records Section and will be available to persons requesting such information. Requests on forms other than EPD forms will be honored as long as they meet the content requirements set forth elsewhere in this section.

C. Release of Arrest Record Information

Arrest record/file information contained in the Department Arrest files may be released under the following conditions:

1. Criminal Justice Agencies:

Arrest record information may be provided pursuant to requests from legitimate criminal justice agencies (law enforcement, military, courts, prosecutors, probation/parole, etc.) in accordance with the above section dealing with “ACCESS TO RECORDS BY OTHER AGENCIES”. Public and private defenders are not authorized, except as indicated below and should be directed to contact the District Attorney to obtain the records, Children, Youth and Families is not considered a law enforcement agency.

2. Individuals:

Arrest records may be examined and copies obtained by the person named in the particular record, or by their counselor or their agent, provided:

- a. the person produces verification of identity by one or more of the following:
 - (1) government issued picture I.D.;

- (2) comparison of arrest file identifiers with the person (fingerprints, handwriting, photos, identifying marks, etc.);
 - (3) by providing to a Notary Public such proof of identity as the notary may require to issue a notarized statement attesting to the person's identity; or
 - (4) personal knowledge of the person by Records Section or other police personnel.
 - b. provides to their counselor agent a written and notarized authorization for counsel or agent to obtain arrest records and the authorization contains the full name, date of birth and any other numbers that may be necessary to establish positive identification (SSN, Driver's License, etc.); or
 - c. by mail, provided the requestor submits notarized proof of identity as specified in (1) and/or notarized authorization for release to attorney/agent as specified in (2).
- D. Information Supplied on Request
Persons submitting valid requests for arrest record information will be provided with arrest information contained in Department files concerning arrests where they were arrested by the Department and our Records Section maintains the original reports of the event. Note: NCIC Interstate Identification Index (III) or other records from other agencies shall not be provided to anyone or any agency.
- E. Official Copies to be Stamped
All copies of arrest records or any other document containing arrest record information, other than the standard request form that is provided by the police department, shall be marked with a stamp which reads "This record complies with the NM Arrest Record Information Act, NMSA 1978, 29-10-1-8." This information is also incorporated on the standard request form. Copies of Arrest Records or printouts that do not have the Arrest Records Information Act Stamp affixed or statement included are declared to be illegal copies obtained outside the provisions of this policy.
- F. Psychological Records Handled Separately
Mental Evaluation detentions and will not be included with Arrest Record reports. Persons wishing to obtain records of these types of detentions must apply specifically, in writing to the Records Administrator, for these records and must meet all of the above identification requirements
- G. Computer Records Used
Unless copies of the arrest record are specifically requested, a synopsis of the record showing the date of arrest(s), charge(s) and disposition (if contained in Department records) will be given to the person requesting. If copies are requested, the standard copy charge will apply.
- H. Challenges to Contents of Arrest Records/Files

Persons believing their arrest record contains incomplete or inaccurate information shall be directed to contact the Records Administrator to initiate a challenge to the content of the record as provided by law (29-10-8, NMSA 1978).

XVII. NCIC AND OTHER TELETYPE CRIMINAL HISTORIES (Refer to CJIS Control Policy also)

A. Dissemination Limited

The dissemination of NCIC Interstate Identification Index (III) records is limited by law to criminal justice agencies only.

XVIII. OTHER TELETYPE RECORDS CONFIDENTIAL (Refer to CJIS Control Policy)

Information and records obtained via the police teletype system are confidential and shall not be disclosed to anyone outside criminal justice agencies without the approval of a Supervisor or higher (excludes all NCIC, which is covered above). For the purposes of this section, teletype records include, but are not limited to: vehicle registration checks, driver's license checks, informational teletypes, etc.

XIX. ACCESS TO ADJUNCT RECORDS (as defined in Subsection IIN)

These records are an indispensable source for criminal and internal investigations and training. Audio recordings of radio and telephone transmissions are maintained per the adopted retention schedule. These recordings are maintained in the Communications Center. Only Communications Personnel have access to these recordings.

- A. Should department personnel receive requests from an outside agency or entity, for the above type of information, the requestor will be provided with the contact information to MVR.

XX. ACCESS TO POLICE RECORDS POLICY REFERENCES

- A. New Mexico Statutes, Annotated, 1978 Comp.
1. Inspection of Public Records Act, 14-2-1 TO 14-2-12. (2011 Revision)
 2. Arrest Record Information Act, 29-10-1 TO 29-10-8
 3. Mental Health Act. 43-1-19
- B. National Crime Information Center (NCIC) Operating Manual
1. "System Security", Intro., Section 1.6
 2. "Interstate Identification Index", Part 10
 3. "Who May Access System", Section 2, Para. III
- C. New Mexico Law Enforcement Telecommunications System (NMLETS) Operating Manual "System Security" Section.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Harassment/Sexual Harassment	NUMBER: ADM 01-30
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Refer to the City of Anthony Employee handbook and applicable state and federal laws.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Gratuities, Rewards and Witness Fees	NUMBER: ADM-01-31
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA: 10-16-3

I.PURPOSE

Employees shall not solicit or accept rewards, presents, gratuities, or compensation other than that paid by the City, or as provided for by City Ordinance or Department Policy, and pursuant to the Governmental Conduct Act, NMSA §10-16-3 for services performed in the line of duty.

II.POLICY

It is the policy of the Department to educate and ensure officers do not solicit or accept rewards, gratuities, or other compensation for services performed as a police officer.

III.PROCEDURE

- A. Any reward, gratuity, present, or unauthorized compensation received by any Officer, shall immediately be submitted to the Chief of Police, accompanied by an incident report describing all circumstances related to the incident.
- B. No employee shall use his/her badge, uniform, identification card, or Official position to solicit special privileges for him or herself or others such as:
 1. Admission to places of amusement;
 2. Sporting events;
 3. Discount on purchases;
 4. Other favors, except as expressly permitted by Department policy.
- C. Employees shall not solicit witness fees for responding to a legally constituted subpoena and testimony in criminal or civil courts if on duty. If unsolicited witness fees are paid to an Officer, an incident report will be made identifying the case, case number, the court of jurisdiction, the amount of the fee, and the identification of the person paying the fee.
- D. Some business people extend their appreciation to the Police or actually want the visibility of the Police presence at their businesses by offering Police Officers free cup of coffee, soda, or discounted meals as an example. Accepting these items as an example, should not be considered as a reward or gratuity unless the Officer solicits the service by use of his/her Official position or is doing special favors for the business people in question as a result of their offer.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Emergency Contact Information	NUMBER: ADM 01-32
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

In the event of a major emergency involving an Officer in the performance of his/her duties and/or a matter involving reporting for duty, it will become necessary to notify off duty personnel who will be required to report for duty at that time. For the purpose of emergency notification, all Department employees shall, upon employment, submit their current residence address, telephone number(s), and next of kin contact information to their immediate supervisor who will forward this information to the Chief of Police.

II.PROCEDURE

If the employee's residence is difficult to locate, accurate directions will be given to locate their current residence. The following information should be provided:

- A. Employee's home telephone and/or cellular phone number.
- B. Employee's current address.
- C. Next of kin contact information to include name, phone number, relationship, and address.
- D. Any change in residence location or telephone numbers will be submitted to an immediate supervisor who will forward this information to the Chief of Police within twenty-four (24) hours of the change.
- E. The Chief of Police will then forward any changes received to the office performing the human resource function to be placed in personnel file.
- F. There are no exceptions to this policy.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Cards: Official-Personal	NUMBER: ADM 01-33
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

Business cards which refer to this agency shall be used by officers and administrative personnel only in connection with the performance of official duties.

II.POLICY

It is the policy of the Department to ensure business cards, which are used for official business, are only those approved by the Chief of Police.

III.PROCEDURE

All cards used must conform to the approved Departmental format and may be obtained only by permission of the Chief of Police. The Administrative Assistant to the Chief of Police is responsible for ordering and disseminating official business cards. Personal business cards are not authorized for department use.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Computer Use	NUMBER: ADM 01-34
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I.PURPOSE

To remain cost effective, better serve our customers and provide our employees with the best tools to do their jobs, the City makes available to our workforce access to one or more forms of electronic media and services, including computers, e-mail, telephones, cellular/smart telephones, voicemail, fax machines, external electronic bulletin boards, wire services, online services, intranet, and the Internet including the World Wide Web.

The City encourages the use of these media and associated services because they can make communication more efficient and effective, and because they are valuable sources of information about vendors, customers, technology, and new products and services. However, all employees should remember that electronic media and services provided by the City are public property, and their purpose is to facilitate and support City business. All employees have the responsibility to use these resources in a professional, ethical, and lawful manner.

II.POLICY

It is the policy of the Department to ensure that access to the City and Department's Information Technology resources are adequately controlled and monitored.

III.PROHIBITED COMMUNICATIONS

Electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is:

- A. Discriminatory or harassing;
- B. Derogatory to any individual or group;
- C. Obscene sexually explicit, or pornographic;
- D. Defamatory or threatening;
- E. In violation of any license governing the use of software; or
Engaged in for any purpose that is illegal or contrary to City policy or business interests.

IV.PERSONAL USE

The computers, electronic media, and services provided by City employees are primarily for business use to assist employees in the performance of their jobs. Limited, occasional, or

incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for their business purposes. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

V.ACCESS TO EMPLOYEE COMMUNICATIONS

- A. Generally, electronic information created and/or communicated by an employee using e-mail, word processing, utility programs, spreadsheets, voicemail, telephones, internet, bulletin board system access, and similar electronic media is not reviewed by the City.
The City does routinely gather logs for most electronic activities or monitor employee communications directly, e.g., telephone numbers dialed, sites accessed, call length, and time at which calls are made, for the following purposes:
 - 1. Cost analysis;
 - 2. Resource allocation;
 - 3. Optimum technical management of information resources; and
 - 4. Detecting patterns of use that indicate employees are violating City policies or engaging in illegal activity.
- B. The City reserves the right, at its discretion, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy and other City policies.
- C. Employees should not assume electronic communications are completely private. Accordingly, if they have sensitive information to transmit, they should use other means.

VI.SOFTWARE

To prevent computer viruses from being transmitted through the City's computer system, unauthorized downloading of any unauthorized software is strictly prohibited. Only software registered through the City may be downloaded. Employees should contact the system administrator if they have any questions.

VII.SECURITY/APPROPRIATE USE

- A. Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by City management, employees are prohibited from engaging in, or attempting to engage in:
 - 1. Monitoring or intercepting the files or electronic communications of other employees or third parties;
 - 2. Hacking or obtaining access to systems or accounts they are not authorized to use;
 - 3. Using other people's log-ins or passwords; and
 - 4. Breaching, testing, or monitoring computer or network security measures.

- B. No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.
- C. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

VIII. ENCRYPTION

Employees may use encryption software supplied to them by the systems administrator for purposes of safeguarding sensitive or confidential business information. Employees who use encryption on files stored on a City computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

IX. PARTICIPATION IN ONLINE FORUMS

- A. Employees should remember that any messages or information sent on City provided systems to one or more individuals via an electronic network—for example; Internet mailing lists, bulletin boards, and online services—are statements identifiable and attributable to the City.
- B. The City recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a news group devoted to the technical area.

X. VIOLATIONS

Any employee who abuses the privilege of their access to e-mail or the Internet in violation of this policy will be subject to disciplinary action, including possible termination of employment, legal action, and criminal liability.

XI. EMPLOYEE AGREEMENT ON USE OF E-MAIL AND THE INTERNET

By signing for the Employee Handbook, the employee understands, and agrees to comply with the foregoing policies, rules, and conditions governing the use of the City's computer and telecommunications equipment and services. The employee understands that he/she have no expectation of privacy when they use any of the telecommunication equipment or services. Employees are aware that violations of these guidelines on appropriate use of the e-mail and Internet systems may subject them to disciplinary action, including termination from employment, legal action and criminal liability. Employees further understand that their use of the e-mail and Internet may reflect on the image of the City to our citizens, customers and suppliers and that they have responsibility to maintain a positive representation of the City. The employee understands that if they use their personal e-mail for business use, these e-mails will become public record and may be subpoenaed into court. Furthermore, employees understand that this policy can be amended at any time.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Body Worn Cameras</i>	NUMBER: ADM 01-35
EFFECTIVE DATE: 08-21-2023	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES: 08-01-2017 Version of ADM 01-35	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA: Senate Bill 8 (2020); 29-1-18 NMSA 1978; 32A-2-14 NMSA 1978; Inspection of Public Records Act (IPRA) Section 14 Article 2 NMSA 1978; 1.19.8 NMAC (New Mexico Administrative Code); General Order 203 Domestic Family Disturbance

I. PURPOSE

This policy statement and the procedures thereunder are intended for department use only. The policies, procedures, and regulations are for internal agency administrative purposes and are not intended to create any higher legal standard of care or liability in evidentiary sense than is created by law. Violations of internal agency policies, procedures, regulations, or rules form the basis for disciplinary action by the agency. Violations of law form the basis for civil and/or criminal sanctions to be determined in the proper judicial setting, not through the administrative procedures of the agency.

II. POLICY

It is the policy of Anthony Police Department (“APD”) that officers who routinely interact with the public shall be equipped with body worn cameras, which shall be utilized to capture interactions with the public consistent with State law. This policy does not govern the use of surreptitious recording devices used in undercover operations. This policy does not apply to personnel actively working in undercover operations.

III. DEFINITIONS

Body-worn cameras (BWC) are electronic devices worn on a person's body that record both audio and video data. Body-worn cameras do not include dashboard-mounted cameras or cameras intended to record clandestine investigation activities. Law enforcement or investigative encounter means an enforcement stop, a dispatched call, a field interrogation or interview, a use of force incident, an execution of a warrant, a traffic stop (to include a traffic violation or stranded motorist assistance), any crime interdiction stop, or any other contact that becomes adversarial after an initial contact, and in a situation that would not otherwise require recording.

IV. PROCEDURES

A. Wearing of BWC

1. All APD officers who routinely interact with the public will wear an APD-issued BWC while on duty or performing law enforcement functions and will comply with this policy.
2. Only the BWC provided by APD will be worn while on duty.
3. The BWC shall be positioned forward facing, in a position and manner consistent with the manufacturer's recommendations (e.g., chest, lapel, etc.) and shall be clearly visible to the person being recorded.

B. Use of BWC

1. BWCs will be activated whenever an officer is responding to a call for service or at the initiation of any other law enforcement or investigative encounter between an officer and a member of the public. When possible, the officer will activate the BWC once she or he has been dispatched, or prior to any law enforcement or investigative encounter.
2. If the immediate activation of the BWC is not feasible, due to immediate risk to the safety of an officer or others, the officer will activate the BWC at the first available opportunity. This should be as soon as the immediate threat has dissipated, and it is safe to do so. In such situations, the officer will document in detail, in a memorandum to his/her supervisor, why the immediate risk prevented the activation.
3. Whenever possible, officers should inform individuals they are being recorded as part of their initial contact.
4. No person in public has a right to object to being recorded. The decision to cease recording will be at the sole discretion of the officer.
5. Public citizens shall not be allowed to view recordings at the scene, unless doing so is necessary to further an investigation.

C. BWC Deactivation

1. The BWC shall remain activated until the conclusion of the law enforcement or investigative encounter, in order to ensure the integrity of the recording. The recording's conclusion will depend on the type of incident and specific circumstances. Typically, the incident has concluded when contact with the individual terminates, or the scene has been cleared.
2. All cessation of recording must be prefaced with a statement by the officer indicating why the recording was stopped.
3. In order to conserve battery life and storage space, personnel who are not directly interacting with witnesses, victims, or suspects, and who are performing duties such

as scene security, guard duty, holding a perimeter, etc., shall not be required to record these long periods of inactivity.

a. Officers shall announce into the BWC that the cameras operation is ending due to scene security, guard duty, traffic control, etc. prior to turning off BWC.

b. Should an event occur which requires reactivation of the BWC while on post, the officer shall do so immediately.

D. Restrictions

Recording devices shall not be used to record any of the following:

1. Encounters with undercover personnel or confidential informants.
2. Any court proceedings.
3. Personal activities or private conversations of APD personnel that do not involve a law enforcement or investigative encounter.
4. Daily briefings or conversations between APD personnel that involve intelligence dissemination, case strategy, or tactics.

E. Training

1. All personnel who are required to use BWCs must complete mandatory training to familiarize themselves with the devices and APD procedures, prior to their use.
2. Recordings may be used for training purposes. If the involved personnel object to the showing of a recording, the objection(s) will be submitted to the Chief to determine whether the training value outweighs the objection(s).

F. Viewing and Accessing Recordings

1. Personnel will be assigned access to the digital storage application, appropriate to their rank and/or duties.
2. Personnel may review their own BWC recordings to use them for quality and accuracy in their reports and investigatory interviews.
3. Personnel may view and share BWC recordings only for legitimate law enforcement purposes and for authorized administrative review purposes.
4. Accessing, copying, or releasing BWC recordings for non-law enforcement purposes is strictly prohibited, unless authorized by law, the Chief, the OIS team, or by the City Attorney.

G. Management of Recordings

1. All recordings must be properly identified by date, time, BWC identifier, and assigned personnel. Upon completion of recording an event, personnel shall properly categorize the video, prior to downloading it to the server. See Attachment B for video categories.
2. BWC and ICC shall be downloaded at the end of each duty day. Any equipment malfunctions which prohibit the downloading of videos must be immediately reported to the City Information Technology Department and to the officer's first line supervisor.

3. The management and retrieval of videos from electronic storage for use by APD personnel are the responsibility of the Records division.

H. Officer Responsibilities

Officers are responsible for the following actions:

1. Officers will ensure that the BWC assigned to them is functioning properly at the beginning and end of each shift, according to the instructions of the system's manufacturer. The officer will immediately report any malfunctioning equipment to a supervisor. Officers shall not be responsible for verified equipment failure during an incident, if the BWC had no signs of malfunction prior to the incident.
2. In the event the BWC malfunctions or otherwise becomes inoperable, the officer's supervisor will be notified immediately.
3. Officers will explain to their supervisors, in writing, their reasons for failing to activate their BWC, failing to record the entire contact, or interrupting required recordings.

I. Redaction, Retention, and Release

1. APD will comply with all existing laws and regulations governing retention and disclosure of public information.
2. Recordings will be stored on a dedicated media storage system for a period of no less than 120 days. See Attachment A for retention times.
3. A recording may be redacted pursuant to applicable laws. Redaction should be narrowly tailored to the appropriate legal exemption from disclosure. Only the redacted recording shall be produced to the requesting party. There may be instances where the un-redacted recording shall be provided in criminal or civil proceedings. Personnel assigned to handle Inspection of Public Records Act (IPRA) requests will consult with the City Attorney's office prior to redacting or exempting recordings from public inspection.

J. Intentional Manipulation

Officers will not tamper, alter, or manipulate any BWC recordings. This includes intentionally positioning or obscuring the BWC so that the law enforcement encounter is not captured by the camera.

K. Policy Violations

Any officer who violates this policy will be subject to discipline up to, and including, termination.

Attachment A: Retention Periods for Camera Videos

Category	Duration (Days)
Traffic Stops	120
DWI Arrest	120
Crash	120
All Other Misdemeanors	365
3rd or 4th Degree Felonies	365
2nd Degree Felonies	365
1st Degree Felonies	365
Possible Complaint	120
Officer Involved Shooting	365
Suspicious vehicle/behavior	120
Delete/Test	30
Death	365
Arrest	120
Injury	120
Interview	120
Unknown	120

Attachment B: Video Categories

Category	Definition
Traffic Stops	Any traffic stop
DWI	Any traffic stop/crash resulting in DWI Investigation
Crash	Any vehicle crash (Department or Public)
All Other Misdemeanors	Any Misdemeanor Investigation/call for service
3 rd or 4 th Degree Felonies	Any 3 rd or 4 th degree felony investigation, arrest or call for service
2 nd Degree Felonies	Any 2 nd degree felony investigation, arrest or call for service
1 st Degree Felonies	Any 1 st degree felony investigation, arrest or call for service
Possible Complaint	Complaint from public on government actions
Officer Involved Shooting	Incident, Investigation or arrest involved in an officer involved shooting event
Suspicious vehicle/behavior	Any call for service or police initiated contact with suspicious person or vehicle
Delete/Test	Testing of equipment or accidental activation of camera systems
Death	Any Death investigation that is not criminal
Arrest	Any arrest resulting from warrant
Injury	Any employee's actions that resulted in an employee injured
Interview	Interview of suspect or witness in a police matter

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Sex Offender Registration	NUMBER: ADM 01-36
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: ADM.27.01	NMSA:

The Sex Offender Registration and Notification Act, NMSA 29-11A-1 through 29-11A-8, requires all sex offenders register with the local Sheriff, and requires the State of New Mexico Department of Public Safety to maintain a statewide data base. There are no requirements for Municipal agencies for registration or maintain a data base.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Officer Involved Shootings	NUMBER: ADM 01-37
EFFECTIVE DATE: 08-21-2023	REVIEW DATE: 08-21-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: ADM.19.01-19.09	NMSA:

I. PURPOSE

The purpose of this is to establish fair and impartial procedures for the investigation of officer involved shootings. It also outlines the assignment of a liaison officer to assist involved officer(s) through administrative and emotional support.

II. POLICY

The City of Anthony Police Department will illicit the support of an outside agency to investigate all on-duty or off-duty officer involved shootings. The Department will also assign an internal liaison officer available to any involved officer to assist with administrative and emotional support.

III. APPLICABILITY

This policy applies to all commissioned employees and supersedes all previous versions.

IV. REFERENCES

CALEA 1.3

NMML ADM. 05.04

PEACE OFFICER'S EMPLOYER-EMPLOYEE RELATIONS ACT

V. TYPES OF INVESTIGATIONS

Officer involved shootings require two separate investigations. They are:

- A. A criminal investigation of the incident by the Officer Involved Task Force (OITF) or other agency with jurisdiction.
- B. An administrative investigation will be conducted by the Chief of Police's designee to determine if there were any violations of General Orders, SOP, or any other rules and regulations.

VI. SUPERVISOR RESPONSIBILITIES

- A. Upon arrival at the scene of an officer involved shooting, the first uninvolved supervisor shall:
 1. Take all reasonable steps to obtain emergency medical aid for all injured persons.
 2. Take incident command and secure the scene of the incident with additional personnel until relieved by proper authority.
 3. Obtain an overview and/or public safety interview of the situation from any officer(s) who did not discharge their firearm.

- B. If only the officer who discharged his/her firearm is available, the supervisor may ask for a voluntary statement concerning public safety information necessary to secure the scene and pursue suspects. If necessary, the supervisor may administratively order any Anthony Police Department officer to immediately provide public safety information necessary to secure the scene and protect the public. Public safety information shall be limited to:
 - 1) Outstanding suspects
 - 2) Suspect(s) descriptions
 - 3) Number and direction of shots fired
 - 4) Perimeters of the scene
 - 5) Identity of any known witness
 - 6) Other information necessary to safeguard the public

- C. The first responding supervisor shall not order or compel a statement from any officer involved other than to provide public safety information.

- D. Make all necessary notifications of the incident as outlined in section VII (Notifications).

- E. Arrange for the officers who discharged a firearm to be transported to the Anthony PD station for further direction once the lead investigator has released the involved officers from the scene. If more than one officer is involved, each officer should be transported separately to protect the accuracy of each officer's statement.

Involved officer(s) shall not discuss the incident with other involved officers pending direction from a supervisor. Involved officers may discuss the incident with their attorney, union association representative, and psychological counselor.

- A. Preserve the integrity of any physical evidence present or equipment, clothing, or the involved officer(s) until investigators can properly retrieve it.
- B. Secure the involved officer's firearm as evidence.

- C. When an officer is required to surrender his/her firearm as evidence, the officer may be provided with a comparable replacement firearm or immediately transported to the Anthony Police Department station by another commissioned officer.

VII. NOTIFICATIONS

The incident commander shall ensure the following personnel are notified as soon as practical:

1. Chief of Police
2. Patrol Lieutenant (as available)
3. CID Supervisor who will activate the OITF
4. Union President or designee for represented employees
5. Psychological/Peer support personnel
6. City Risk Management

VIII. INVESTIGATION PROCEDURES

- A) The OITF shall investigate officer involved shootings. The OITF shall conduct a criminal investigation into the circumstances of an officer involved shooting, whether or not the intended target was struck or anyone was injured. The CID supervisor shall assign personnel to the OITF as prescribed in the OITF Joint Powers Agreement. Statements given by involved personnel to the OITF will serve as their official department report of the incident and be included in the incident case file when OITF completes their investigation.

Once public safety issues have been addressed, the OITF will begin its investigation of the officer involved shooting. The OITF will have full access to the scene, evidence, and reports. The OITF shall interview and/or interrogate, victims, suspects, witnesses, and any officers involved in the incident.

- 1) Any involved officer may request and be afforded the opportunity to consult with an attorney of his/her choosing prior to speaking with a criminal investigator.
- 2) Voluntary statements provided by officers will be made available for inclusion in the administrative and/or other related investigations.
- 3) Administratively compelled statements shall not be provided to any criminal investigators unless the officers' consent or the release is authorized by law.

IX. INVOLVED OFFICERS

- A) Investigations shall make reasonable accommodations to the involved officer's physical and emotional needs.
- B) Any officer who discharges a firearm at a person shall be placed on administrative leave with pay for at least three (3) days. When an officer discharges his/her firearm at an animal the officer may be placed on administrative leave with pay at the discretion of the Chief of Police. This is intended to provide time for the involved officers to recover from the physical, mental, and emotional stress of the incident.
- C) Administrative leave may be extended based the totality of the circumstances, the best interests of the investigation, and the best interests of the involved officer.

- D) Should a large number of officers be involved in a shooting incident and placing them all on administrative leave prove to be impractical, the Chief of Police may allow the officers back to duty after each has met with a mental health professional. The Chief of Police may also temporarily reassign employees as needed to ensure proper staffing levels throughout the department.
- E) Involved officers shall not discuss the incident with other involved officers or coworkers and may receive further guidance from the OITF, supervisor, or internal affairs. Involved officers should be cognizant that not all conversations are considered privileged, and comments may be used against the officer.
- F) Employees shall not discuss or post comments concerning the incident on social media or social networks.
- G) A mental health professional shall be provided by the department to each involved officer or any officer upon request.
- H) Interviews and conversations with a licensed medical health professional are privileged and will not be disclosed except to the extent that the officer is or is not fit to return to duty.

X. ADMINISTRATIVE INVESTIGATION

In addition to the criminal investigation, the Anthony Police Department shall conduct an administrative investigation to determine any policy violations, policy weaknesses, and/or training needs. Administrative investigations shall be conducted by the Chief of Police or his/her designee. Administrative investigations shall commence at the conclusion of the criminal investigation to avoid contaminating the criminal investigation with protected disclosures made by involved officers.

- A) Any officer involved in an officer involved shooting shall be administratively compelled to submit to drug and/or alcohol screening in accordance with the City's Drug Use Policy immediately after the incident.
- B) The Chief of Police designee investigator shall review the criminal investigation in its entirety before proceeding with administrative investigation and any interviews of those involved.
- C) All interviews conducted by the Chief of Police designee investigator shall conform to the guidelines set forth in the Peace Officer's Employer-Employee Relations Act.
- D) The Chief of Police or the Chief of Police designee investigator may request the assistance of appropriate subject matter experts to assist with the investigation and/or interviews.
- E) The Chief of Police designee investigator shall compile all relevant information, reports, and findings for the Chief to determine compliance with policies and any other rules and regulations.

XI. MEDIA RELATIONS

A media release shall be prepared regarding the Anthony Police Department officer involved shooting in a reasonable time. Information released shall be approved by the Chief of Police,

the OITF Commander, and the Public Information Office (PIO). The Chief of Police may also call a press conference to communicate the nature of the incident and ongoing investigative procedures.

XII. REPORTING

- A) In the event that a suspect(s) remains outstanding or subject to prosecution for related offenses, the department shall retain the authority to require the involved officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.
- B) Initial reports shall be completed by investigators who shall interview involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution of suspects, statements of involved officers should focus on evidence to establish the elements of any crime charged.
- C) All Use of Force reports shall be completed by the OITF with the assistance of the Anthony Police Department Detective/Lieutenant assigned and/or the Chief of Police designee investigator.
- D) Reports of employee injury shall be completed by the involved officer's supervisor.

XIII. OFFICER INVOLVED SHOOTING LIAISON OFFICER

- A) The department shall make available a liaison officer to assist the officers involved in an officer involved shooting. The liaison officer shall be:
 - 1. A commissioned officer in good standing with the department.
 - 2. An officer chosen with the assistance of the involved officer.
- B) The liaison officer shall be assigned as soon as practical by the Chief of Police or requested by the involved officer to assist and act as a secondary point of contact for the involved officer. Liaison officers may be temporarily reassigned from their regular duties at the discretion of the Chief of Police.
- C) After being assigned as a liaison officer, the liaison officer shall:
 - 1. Attend a briefing about the incident by the Chief of Police or his/her designee.
 - 2. Make reasonable attempts to contact and inform the involved officer of the assignment as liaison officer. The involved officer may waive the need for a liaison officer. The liaison officer shall inform the Chief of Police of the involved officer's refusal of a liaison officer, and resume his/her normal duties.
 - 3. If the involved officer chooses to accept the assistance of a liaison officer, the liaison officer shall:
 - a. Assist the involved officer in contacting legal representation.
 - b. Keep daily contact with the involved officer in order to check the welfare of the involved officer and his/her family.

c. Give regular feedback to the Chief of Police or designee as to the status of the involved officer. d. Provide transportation to the involved officer for:

1. Interviews
2. EAP meetings or other physical and/or mental health services
3. Victims Assistance meetings
4. Any other official business as needed
5. Ensure regular communication between the involved officer(s) and the Chief of Police or his/her designee as to the status of the investigation
6. The liaison officer shall not discuss the investigation, other than general status, with the involved officer. Conversations between the involved officer(s) and the liaison officer are not privileged communications.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: The Wrap Restraint	NUMBER: ADM 01-38
EFFECTIVE DATE: 08-22-2023	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The Wrap provides a safe and quick method of controlling and immobilizing a violent or potentially violent/combatative subject who has been taken into custody. This policy is intended to familiarize Department personnel with the Wrap and procedural guidelines for its use.

II. POLICY

It is Department policy to use objectively reasonable force and authority when making an arrest, preventing an escape of the offender or overcoming resistance. The Department has approved the use of the Wrap within the guidelines provided.

III. DESCRIPTION

The Wrap, manufactured by Safe Restraints, Inc., was designed as a temporary restraining device. Used properly it can increase officer safety and reduce risk of liability due to injuries and in-custody deaths. The Wrap immobilizes the body and restricts a subject's ability to kick or do harm to oneself and others. The Wrap minimizes the time required to secure a person safely, restrains the subject in an upright position, and has the subject prepared for transport or movement.

IV. FIELD USE

The Wrap can be used prior to or after a violent or potentially violent/combatative subject is controlled using approved departmental methods. Like any restraint device, do not assume the Wrap is escape-proof. Once applied, THE SUBJECT SHOULD NOT BE LEFT UNATTENDED.

The Wrap should be considered for use under the following situations:

- A. Whenever you anticipate possible violent/combatative behavior.
- B. To immobilize a violent/combatative subject.

- C. To limit violent/combative subjects from causing injury to themselves or others.
- D. To prevent violent/combative subjects from causing property damage by kicking.
- E. To restrain subjects after a chemical spray or stunning device is used.
- F. When conventional methods of restraint are not effective.
- G. In transportation of violent/combative subjects.
- H. To assist with cell extraction of violent/combative subjects.

Once the subject is properly restrained in the Wrap, they can be placed on their side or in a sitting position. This will increase the oxygen recovery rate and reduce the incidence of respiratory fatigue or positional asphyxia often caused by a subject being restrained in the prone position.

V. APPLICATION

The Wrap can be applied by one person if the subject is passive, but for violent/combative subjects, three or more people should be used. Only qualified personnel who have received training in the use of the Wrap should use this restraining device. Refer to the training manual for application guidelines.

VI. TRANSPORTATION

Movement of the subject can be accomplished in two ways depending on their cooperation. The subject can either be carried or allowed to stand and shuffle step to the destination.

1. To carry the subject, it is recommended that between 2 to 4 personnel be used depending on the size and weight of the subject. Lift the subject by the arms and the ankles. A “log lift” carrying technique may be used when moving the subject. Proper lifting techniques should be followed to prevent unnecessary injury.
2. As an option to lifting, the subject may be moved by means of a shuffle. If the subject has calmed down and is cooperative, the lower Wrap leg band can be loosened to allow some leg movement below the knees without compromising security or safety concerns. By loosening the tether to the shoulder harness, the subject can be brought to a standing position with the help of officers and then allowed to shuffle to or from a vehicle or holding cell. If this method is used, appropriate support must be given to the subject to prevent possible injury.

Prior to vehicle transportation, re-check all belts to ensure that they are securely fastened. The use of a seat belt is recommended to limit movement and reduce the risk of injury to the subject. Whenever possible, one person should ride as an observer with the subject to ensure all straps remain tight and the subject has no medical problems. Re-checking the security of the Wrap and keeping the subject under constant observation should apply to any movement of the subject.

VII. PRECAUTIONS

- A. The shoulder harness should never be tightened to the point that it interferes with the subject's ability to breathe.
- B. The leg bands and shoulder harness must be checked frequently for tightness and retightened or loosened as necessary until the Wrap is removed.
- C. If the restrained subject complains of or show signs of breathing distress (shortness of breath, sudden calmness, a change in facial color, etc.), medical attention should be provided immediately.
- D. THE SUBJECT SHOULD NEVER BE LEFT UNATTENDED.
- E. Subjects should be placed in an upright sitting position or on their side as soon as possible to allow for respiratory recovery.
- F. The Wrap is a temporary restraining device and is not escape-proof.
- G. The Wrap is to be used by "trained personnel only".

VIII. TRAINING

Only qualified personnel who have successfully completed the Departments' training in the use of the Wrap should use this restraining device.

VIII. CARE AND MAINTAINENCE

The Wrap should be inspected after each use for signs of wear or damage. If any damage is discovered, forward the Wrap to appropriate personnel for repair or replacement.

If cleaning is necessary after use, use a mild soapy solution or disinfectant approved for use on vinyl and nylon materials. If blood is absorbed into any part of the Wrap that part should be replaced. Thoroughly rinse all disinfectant from the unit prior to drying. After cleaning the Wrap, allow it to thoroughly air dry before being returned to its carrying bag.

X. STORE AND PREPARATION FOR RE-USE

It is important that the Wrap is immediately ready for use and prepared for storage in a way that prevents the loop fastening material on the bands from becoming dirty or entangled. This allows the Wrap to be quickly laid out next to the subject and applied without the confusion of having to untangle the bands. To properly prepare the Wrap for storage in the carrying bag;

1. Lay the Wrap on a flat surface with the leg band side up and detach the shoulder harness. Extend each of the leg bands out flat.
2. Individually fold each of the leg bands back onto itself so that the fold of the band protrudes an inch or two from the edge of the Wrap body.
3. Be sure the retaining “D” ring on the body of the Wrap and harness is open and ready for use.
4. Keeping the bands inside, roll the Wrap tightly towards the buckle and secure with the ankle strap and place in carrying bag.
5. Fully extend the harness buckles and tether. Attach buckles to its counterpart and roll the harness up and place it in the carrying bag compartment.

Remember, like all tools of the trade, training is essential, and the Wrap must be kept in good condition. It is also critical to have the Wrap available for use when needed to minimize the time the subject is restrained in a prone position.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Patrol	NUMBER: OPR 02-01
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: OPR.01.01-01.10	NMSA:

I. PURPOSE

The purpose of this directive is to provide policy and procedure for patrol functions within the Department.

II. POLICY

It is the policy of the Department to ensure patrol functions are run as efficiently and effectively as possible.

III. PROCEDURE

A. Preliminary Investigations

The preliminary investigation begins when an Officer becomes aware of or is assigned the responsibility of responding to a crime or other call for service.

The preliminary investigation continues until such time as the initially assigned officer reaches a successful conclusion, or the postponement or transfer of responsibility will not jeopardize the successful conclusion of the investigation.

Preliminary Investigation usually includes:

1. Providing aid or summoning aid to the injured;
2. Processing the crime scene;
3. Determining if an offense had actually occurred and if so, the exact nature of the offense;
4. Determining the identity of the suspect(s) and effecting an arrest if it can be accomplished at the scene or through immediate pursuit;
5. Furnishing other field units with descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles;
6. Identifying witnesses;
7. Obtaining preliminary information from witnesses;
8. Ascertaining and reconstructing circumstances surrounding the incident;
9. Arranging for collection of evidence;
10. Obtaining written statements from victims, witnesses and suspects;
11. Accurately and completely recording all pertinent information in proper form.

12. In ALL instances where first aid is required prior to the ambulance's arrival, the officer shall perform ONLY that level of aid for which he/she has been trained and certified in.
13. If CPR is necessary, the officer will perform CPR as needed.
14. Assigned officers will do an Offense/Incident Report or a supplemental report, reporting the incident fully and accurately.
15. ALL police personnel, regardless of rank, who enter a crime scene and/or have had any official involvement with the investigation, are required to submit a detailed supplemental report.

Officers shall write reports of their involvement in significant events, such as automobile crashes, assisting other agencies, and similar incidents.

In unusually serious or complex crimes, the preliminary investigation may be conducted by specialists, i.e., investigators or outside agencies. These cases include, but are not limited to:

1. Homicides;
2. Fatal motor vehicle accidents; and
3. At the discretion and/or direction of the supervisor.

In all felony cases, the assigned patrol officer may be responsible for preparing a crime scene sketch, when directed to do so by the Supervisor. The sketch should include the following:

1. Dimensions;
2. Relation of the crime scene to other buildings, geographical features and/or roads;
3. Address, floor and/or room number as appropriate;
4. Location of victim;
5. Date and time of preparation;
6. Names of the person(s) preparing the sketch;
7. Direction of North; and
8. Location of items of physical evidence collected.

NOTE: A rough sketch should be made at the scene, so that a final drawing to scale can be made at a later time and/or date.

Officers shall comply with all constitutional requirements during criminal investigations. Special attention should be paid to the following:

1. Coercion or involuntary nature of any confession and/or admission. The use of threats, force, unconstitutional searches, promises, etc., is not permitted to obtain any information from a suspect.

IV.

IV. PROHIBITED ACTIVITIES AT A CRIME SCENE

- A. DO NOT touch, move or alter anything at the scene, unless absolutely necessary. If you do, RECORD ITS LOCATION AND CONDITION before touching, moving, or altering, and record the fact that something was touched, moved or altered. Photograph first if possible.
- B. DO NOT use tobacco products within the secured crime scene area.
- C. DO NOT litter or add anything into the crime scene area.
- D. DO NOT flush toilets or run tap water in the sinks and/or bathtubs. If it has been done, RECORD IT.
- E. DO NOT release any information to anyone outside the department. This includes all media and newspaper inquiries. For further information, refer to the Directive entitled "Police Press Relations."
- F. DO NOT allow the News Media/Press to enter the secured crime scene area or to interfere with law enforcement operations at the crime scene.
NOTE: News Media representatives and their photographers are to be given access to situations which require their presence, such as scenes of major fires, natural disasters, or other such catastrophic events, and the perimeters of crime scenes. Media will be provided with adequate vantage points and accurate information for the proper reporting of the incident, provided they do not interfere with the law enforcement operations at the scene of the incident. Cooperation and coordination between the media and the police should assure fair and impartial reporting to the public.
- G. DO NOT move about within the secured crime scene area or allow other persons to do so, unless it is absolutely necessary.
NOTE: IF YOU ARE NOT SURE if a particular activity is allowed or prohibited, ASK the On-Duty Supervisor.

A. Homicide

- 1. Preliminary Investigation Procedures
 - a. Record date, type of call, case number and time call was dispatched.
 - b. If first notification is received in person, detain this person for investigators, if the person is willing. If the person is unwilling to remain for some reason, obtain sufficient identification and information for the follow-up investigator. Notify communications of the call and the call's location.
 - c. Proceed immediately to the assigned call's location and obtain back up.
 - d. While enroute to the call, observe any pertinent information that may be related to the call, i.e., vehicles, suspects, witnesses and other possible victims.
 - e. Upon arrival, record time and notify communications that you are at the scene.
 - f. Enter the immediate crime scene area to view the victim.

NOTE: ONLY ONE OFFICER should enter the scene, using one path for entry and exit, unless there is some indication the suspect(s) is/are still present. In that case, the officers entering must try not to disturb the scene while the focus must be on officer safety.

- g. Determine if the victim is dead or dying.
- h. If there is possibility of the loss of human life, summon an ambulance and administer appropriate first aid procedures. Record time ambulance was requested.
- i. If circumstances indicate the victim is near death or dying, attempt to obtain a Dying Declaration using the following procedure:
 - Ask the victim:
 - 1) Do you believe you are about to die?
 - 2) Do you have any hope of recovery?
 - 3) Who injured you?
 - 4) How did it happen?
 - 5) What is your name?
 - 6) Where do you live?
- j. ONLY in those instances where the answer to question 1) is “YES” and to question 2) is “NO” (or the equivalent) will the declaration be admissible.

NOTE: Whenever practical, the Dying Declaration should be audio/video-recorded.
- k. The backup officer will accompany the victim in the ambulance to the hospital to obtain a possible Dying Declaration of any statements made by the victim. This officer will also maintain control of the victim’s clothing and property as evidence. The backup officer’s patrol unit will remain at the scene and secured prior to leaving with EMS.
- l. Notify the On-Duty Supervisor of the situation, if not already present.
- m. Detain the suspect, if present.
- n. If the EMS crew was present before your arrival, determine if the crew or anyone else moved the victim or any items within the crime scene. If there were any items moved, record the following:
 - 1) What alterations were made?
 - 2) When the alterations were made?
 - 3) Purpose of the movement?
 - 4) Person who made the alternation?
- o. Record the names of the EMS crew present at the scene.
- p. Exclude ALL persons, including police personnel who DO NOT have an official function at THE SCENE.
 - 1) Be careful not to chase off witnesses or the suspect, who may still be present.

- 2) If it is NECESSARY for a Doctor or Clergyman to enter the scene, they are to be escorted by an officer, in and out of the scene, and cautioned about touching or moving anything.
- q. If the suspect has fled the scene, initiate an "Attempt to Locate".
- r. Attempt to identify the entire crime scene, including paths of entry and exit and areas that may include evidence.
- s. Secure and protect the scene, by establishing a perimeter using isolation and physical barriers such as ropes, cones, crime scene tape and other equipment as necessary. A video recording of persons present at the scene should be made as soon as practicable if the equipment is available.
 - 1) Request additional officers if needed to protect the crime scene.
- t. Locate, identify and isolate any witnesses at the scene for investigators, to prevent witnesses from talking to each other.
- u. Record any alternations to the crime scene that were made as a matter of investigative necessity. For example:
 - 1) Lights turned ON or OFF.
 - 2) Doors opened or closed, locked or unlocked.
 - 3) Victim moved.
 - 4) Windows opened or closed, locked or unlocked.
 - 5) Furniture moved or anything touched.
 - 6) Gas or heat/air conditioning turn OFF, appliances turned OFF, motor of vehicle turned ON or OFF.
- v. Record names, addresses, dates of birth and telephone numbers, etc. of all persons (except police and medical personnel) present at the crime scene.
- w. Attempt to obtain the victim's name and personal information.
- x. Initiate and maintain a chronological log, recording the names and agencies of ALL persons entering the crime scene. In addition, record the names, addresses, etc. of ALL civilians who may HAVE to enter the crime scene.
 - 1) This log shall reflect the time of entry and exit for each person.
- y. Establish a path for entry and exit into the crime scene.
 - 1) The path shall be a route that causes the least amount of contamination to the scene.
- z. Stand by for a Supervisor.
- aa. Upon arrival of the Supervisor, brief him/her of all information and what has occurred to this point.
- bb. With the approval of the On-Duty Supervisor, assist as necessary.

C. Criminal Sexual Penetration

1. Preliminary investigation

- a. If the ambulance crew was present before your arrival, determine if the crew or anyone else moved the victim or any items within the crime scene. If there were any items moved, record the following:
 - (1) What alterations were made;
 - (2) When the alterations were made;
 - (3) Purpose of the movement; and
 - (4) Person who made the alteration.
- b. Obtain the victim's clothing as evidence, if available, and package separately in paper bags.
 - (1) If the victim is still wearing the clothing, advise her/him to bring another change of clothing and obtain the victim's clothing from the hospital.
- c. If the victim is not to be transported by ambulance, take the victim (if victim consents) to the SANE office or arrange transport so the victim can be examined and a Sexual Assault Exam Kit administered.
 - (1) All juvenile victims shall be taken to Memorial Medical Center, unless the parent(s) or guardian(s) refuse consent. If parents or guardians are not available, the Children, Youth and Families Department (CYFD) of the Social Services Division can refuse consent.
 - (2) Upon arrival at Memorial Medical Center, if the victim is a juvenile, contact shall be made with the juvenile's parent(s), guardian(s) or CYFD.
- d. The assigned Officers will attempt to locate, identify and isolate witnesses, if any. If witnesses are found, the assigned Officers shall obtain handwritten statements from each witness.
- e. The following information will be noted:
 - (1) Lights turned ON or OFF;
 - (2) Doors opened or closed, locked or unlocked;
 - (3) Victim moved;
 - (4) Windows opened or closed, locked or unlocked;
 - (5) Furniture moved or anything touched; and
 - (6) Gas or heat/air conditioning turned OFF, appliances turned OFF, motor of vehicle turned ON or OFF.
- f. The assigned Officer shall initiate and maintain a chronological log, recording the names and agencies of all persons entering the crime scene. In addition, record the names, addresses, etc. of all civilians who may have to enter the crime scene.
 - (1) This log shall reflect the time of entry and exit for each person.

- g. The assigned Officer shall provide any assistance requested by the Officer in processing the crime scene.
- h. The assigned Officer shall obtain a recorded statement from the victim, detailing the incident.
 - (1) If the victim appears to be or states that he/she is uncomfortable with an officer of the opposite sex, the On-Duty Supervisor shall be notified and the On-Duty Supervisor will attempt to provide an officer of the victim's same sex, so a statement can be obtained.
- i. Officers will obtain photographs of all visible injuries.
 - (1) If photographs are to be taken at the hospital, the officer shall obtain a 'Consent to Photograph' form from the person being photographed. If the person is being treated by the hospital, attempt to obtain a 'Release of Medical Information' form from the person for follow-up investigation.
- j. Take physical custody of the completed Sexual Assault Exam Kit performed on the victim. Record the name of the doctor who administered the Sexual Assault Exam Kit, the date and the time you received the Sexual Assault Exam Kit. The Sexual Assault Exam Kit should be taken to evidence and record chain of custody.

D. Robbery

1. Preliminary Investigation

- a. The assigned Officers shall:
 - (1) Exclude all persons, including police personnel who do not have an official function at the scene.
NOTE: Be careful not to chase off witnesses or the suspect, who may still be present.
 - (2) Secure and protect the scene by establishing a perimeter using isolation and physical barriers such as ropes, cones, crime scene tape and other equipment as necessary.
 - (3) Request additional officers if needed to protect the crime scene.
 - (4) Locate, identify and isolate witnesses, if any. If witnesses are found, obtain a handwritten statement from them.
 - (5) Obtain a verbal and handwritten statement from the victim(s).
NOTE: If the victim is a juvenile, an attempt shall be made to contact the juvenile's parent(s) or guardian(s) and notify them of the incident.
- b. The assigned Officer will process the crime scene by doing the following, if needed:
 - (1) Photograph the crime scene.
 - (2) Determine whether a deadly weapon was used.
 - (3) Photograph physical evidence in place, prior to collection.

- (4) Sketch the crime scene, to include measurements.
- (5) Collect, package, label and retain all physical evidence.
- (6) Dust for latent fingerprints.
- c. In the event of a bank robbery, the Officer will ensure that the FBI is notified of the incident. Upon the arrival of FBI personnel, the investigation will be turned over to them and the officer will assist as necessary to support the FBI's investigation.

E. Aggravated Battery

1. Preliminary Investigation

- a. The assigned Officer shall exclude all persons, including police personnel who do not have an official function at the scene.
- b. The assigned Officer will secure and protect the scene, by establishing a perimeter using isolation and physical barriers such as ropes, cones, crime scene tape and other equipment as necessary.
- c. Request additional officers if needed to protect the crime scene.
- d. The assigned Officer will attempt to locate, identify and isolate witnesses, if any.
- e. If witnesses are found, the Officer shall obtain handwritten statements from each witness and from the victim, unless the victim's injuries or circumstances prohibit doing so, in which case a recorded statement will be taken.
 - (1) If the victim is taken to the hospital, the statement will be obtained there.
 - (2) If the victim is a juvenile, an attempt shall be made to contact the juvenile's parent(s) or guardian(s) and notify them of the incident.
- f. Obtain photographs of all visible injuries.
 - (1) If the person is being treated by the hospital, attempt to obtain a 'Release of Medical Information' form from the person for follow-up investigation.
- g. Obtain victim's/suspect's clothing as evidence, if needed.
- h. The assigned Officer will process the crime scene by doing the following, if needed:
 - (1) Determine the reason for the aggravated charge, and if a weapon was used.
 - (2) Photograph the crime scene.
 - (3) Photograph physical evidence in place, prior to collection.
 - (4) Sketch the crime scene, to include measurements.
 - (5) Collect, package, label and retain all physical evidence.
 - (6) Dust for latent fingerprints.

F. Aggravated Assault

1. Preliminary Investigation

- a. The assigned Officer shall exclude all persons, including police personnel who do not have an official function at the scene.
- b. Determine the method of aggravation and if any weapons, threat or coercion were involved.
- c. Obtain a verbal and handwritten statement from the victim(s). If the victim is a juvenile, an attempt shall be made to contact the juvenile's parent(s) or guardian(s) and notify them of the incident.
- d. The assigned Officer will attempt to locate, identify and isolate witnesses, if any. If witnesses are found, the Officer shall obtain handwritten statements from each witness.
- e. Collect, package, label and retain all physical evidence.
- f. Prepare a complete, accurate and detailed report of all observations and actions by you.

G. Kidnapping

1. Preliminary Investigation

- a. Suspect and Victim information shall be broadcast to all available units and provided to area law enforcement agencies as soon as practicable.
- b. Record date, type of call, case number and time call was dispatched.
- c. If the crime occurred at the location where the complainant and/or victim were contacted, determine if the scene requires processing.
- d. If the crime occurred elsewhere, an Officer will be assigned to proceed and locate the scene, if possible. The officer will determine if the scene requires processing. If the scene cannot be located, he/she shall immediately notify the On-Duty Supervisor.
- e. If the scene requires processing, the Officer will exclude all persons, including police personnel who do not have an official function at the scene.
- f. The assigned Officer will attempt to identify the entire crime scene, including paths of entry and exit, and areas that may include evidence.
NOTE: Remember the possibility of multiple crime scenes.
- g. The Officer will secure and protect the scene by establishing a perimeter using isolation and physical barriers such as ropes, cones, crime scene tape and other equipment as necessary and request additional officers if needed to protect the crime scene.
- h. Locate, identify and isolate any witnesses at the scene for investigators, to prevent witnesses from talking to each other.
- i. The Officer will record any alterations to the crime scene that were made as a matter of investigative necessity. For example:
 - (1) Lights turned ON or OFF.
 - (2) Doors opened or closed, locked or unlocked.
 - (3) Victim moved.
 - (4) Windows opened or closed, locked or unlocked.

- (5) Furniture moved or anything touched.
- (6) Gas or heat/air conditioning turned OFF, appliances turned OFF, motor of vehicle turned ON or OFF.
- (7) An Officer will be assigned to initiate and maintain a chronological log, recording the names and agencies of all persons entering the crime scene. This log shall reflect the time of entry and exit for each person.
- (8) The Officer will establish a path for entry and exit into the crime scene. The path shall be a route that causes the least amount of contamination to the scene.
- (9) Upon arrival of the Supervisor, brief him/her of all information and what has occurred to this point.
- (10) With the approval of the On-Duty Supervisor, assist as necessary.
- (11) Prepare a complete, accurate and detailed report of all observations and actions by you.

H. Burglary/Breaking and Entering

1. Preliminary Investigation

- a. If the victim and/or responsible party cannot be located, assess the scene, taking into account all presently available information and the condition of the scene, and determine if a reasonable person would believe that a burglary or breaking and entering has been committed.
- b. If it has been determined that a burglary or breaking and entering has been or may have been committed, the scene will be processed as follows, as needed.
 - (1) Obtain constitutional entrance to the property (i.e. consent, warrant).
 - (2) Attempt to locate point of entry and/or exit.
 - (3) Photograph crime scene.
 - (4) Sketch crime scene, to include measurements.
 - (5) Collect, package, label and retain all physical evidence.
 - (6) Photograph physical evidence in place, prior to collection.
 - (7) Dust for latent fingerprints.
- c. Obtain all information on property taken, to include:
 - (1) Make/brand names,
 - (2) Model numbers,
 - (3) Serial numbers,
 - (4) Identifying marks, features or inscriptions,
 - (5) Color,
 - (6) Size,
 - (7) Material (cloth, leather, vinyl, metal, plastic, etc.)
- d. If a gun (handgun, rifle, etc.) was stolen and make, model, serial number and caliber is available, the gun shall be entered into NCIC.

- e. If the victim and/or responsible party were not contacted, the scene will remain secured until a warrant or permission from victim and/or responsible party is obtained.
- f. In all cases, leave a business card with the handling officer's name and case number.
- g. Attempt to locate and identify witnesses, if any. If witnesses are found, a handwritten or recorded statement shall be obtained from each witness.
- h. Prepare a complete, accurate and detailed report of all observations and actions by you.

I. Larceny

1. Preliminary Investigation

- a. Obtain all information on property taken to include:
 - (1) Make/brand names,
 - (2) Model numbers,
 - (3) Serial numbers,
 - (4) Identifying marks, features or inscriptions,
 - (5) Color,
 - (6) Size,
 - (7) Material (cloth, leather, vinyl, metal, plastic, etc.).
 - (8) If a gun (handgun, rifle, etc.) was stolen and make, model, serial number and caliber is available, the gun shall be entered into NCIC.
 - (9) Collect, package, label and retain all physical evidence.
 - (10) Officers are responsible for filing a criminal complaint if a suspect has been identified. This applies to all cases except when the officer witnesses the crime or shoplifting cases.
 - (11) Attempt to locate and identify witnesses, if any. If witnesses are found, a handwritten or recorded statement shall be obtained from each witness.
 - (12) Prepare a complete, accurate and detailed report of all observations and actions by you.

J. Unlawful Taking of a Motor Vehicle/Attempt to Locate Motor Vehicles

1. Preliminary Investigation

- a. Contact the owner and/or the responsible party.
NOTE: Whoever is in legal possession of the vehicle may report a stolen or embezzled vehicle.
- b. Obtain the following information:
 - (1) Owner's and/or responsible party's name, if not the same, and personal information.
 - (2) Location of incident.
 - (3) Date and time of incident.
 - (4) Complete information on stolen vehicle.
 - (5) Suspect information and/or description.

- (6) Suspect's present location and/or location of stole vehicle, if known.
 - (7) Suspect's vehicle description, if any.
 - (8) Description of incident.
 - c. The Stolen Vehicle Declaration shall be completed and shall be signed by the owner and/or the responsible party.
 - d. If the owner and/or responsible party is not available to sign a Stolen Vehicle Declaration or the vehicle information is not available, initiate an 'Attempt to Locate' for said vehicle.
 - e. Detain the suspect, if present.
 - f. Initiate an "Be on the Look Out" (BOLO) for the stolen vehicle, to include suspect information, if available.
 - g. Collect, package, label and retain all physical evidence.
 - h. In all cases, leave a business card with the handling officer's name and case number.
 - i. Attempt to locate and identify witnesses, if any. If witnesses are found, a handwritten or recorded statement shall be obtained from each witness.
 - j. The stolen vehicle shall be entered into NCIC.
 - k. Prepare a complete accurate and detailed report of all observations and actions by you.
- K. Receiving/Possession/Recovery of Stolen Property/Motor Vehicle
 - 1. Preliminary Investigation
 - a. Take possession of the property. If the property is not present, proceed to the property's location, if possible, and take possession of the property with consent or by obtaining a warrant.
 - b. Record the information from the property or vehicle, to include:
 - (1) Make/brand names.
 - (2) Model numbers/name.
 - (3) Serial numbers/VIN number.
 - (4) Identifying marks, features or inscriptions.
 - (5) Color.
 - (6) Size, if applicable.
 - c. Determine if the property/vehicle is stolen. This may include, but is not limited to the following checks or actions:
 - (1) NCIC
 - (2) Police records, reports and hot sheets.
 - (3) Contact the owner, if known.
 - d. If it cannot be determined that the property is stolen and it was received from a person claiming to be the property's owner, return said property to the person. Obtain this person's name and personal information.

NOTE: The property will be returned to the person that the property was taken from, unless a third party claiming ownership has documented proof of ownership.

- e. If it cannot be determined that the property is stolen and no owner can be established, the property will be taken into safekeeping, with the exception of abandoned vehicles.
- f. If the property is determined to be stolen, the following shall be done:
 - (1) Property shall be taken as evidence or photographed and documented in the report and released.
- g. If a vehicle:
 - (1) Ensure prompt notification of the recovery to:
 - (a) The owner,
 - (b) The reporting agency,
 - (c) Other appropriate persons.
- h. The vehicle and its contents are processed for any items of evidentiary value.
- i. The chain of evidence is maintained.
- j. The vehicle shall be released to the owner or his/her designee.
- k. If the owner or his/her designee is not available, the vehicle shall be impounded.
- l. If the property was determined to be stolen and was obtained from a person other than the complainant, and this person knows said property is stolen or has reason to believe said property to be stolen, detain him/her.
- m. Attempt to locate and identify witnesses, if any. If witnesses are found, a handwritten or recorded statement shall be obtained from each witness.
- n. If the property/vehicle was in NCIC, remove the property/vehicle from NCIC via dispatch.
- o. Prepare a complete, accurate and detailed report of all observations and action by you.

L. Arson/Fire Call

- 1. Preliminary Investigation
 - a. Ensure the Fire Department has been notified.
 - b. If the Fire Department is not present, determine if any person(s) are in the immediate area of the fire and remove them to safety, if possible.
 - c. Determine if anyone is injured. If someone is injured and an ambulance is not present ensure an ambulance is in route. Administer appropriate first aid procedures, as needed.
 - d. The assigned officer should utilize, yet is not limited to: more police personnel; physical barriers; traffic cones; crime scene tape; the police vehicle to block the streets and intersections to re-route traffic and pedestrians

away from the immediate area. The officer should coordinate his/her efforts with the needs and requirements of the Fire Department personnel and the public's safety at the scene.

- e. Locate and contact the owner and/or the responsible party, if possible. If the owner and/or responsible party is found, obtain his/her name and personal information for the Fire Department.
- f. Assist Fire Department personnel as needed.
 - (1) Ascertain if arson was committed based upon the Fire department's determination. If so, the On-Duty Supervisor shall be notified.
 - (a) A written report is required if the Fire Department Arson Investigator indicates that arson is suspected.

M. Forgery

1. Preliminary Investigation

- a. The original Forgery Affidavit(s) shall be taken as evidence.
- b. The original forged check(s) shall be taken as evidence, if available. Check(s) shall be packaged, labeled and retained accordingly.
NOTE: Handle the check(s) prior to packaging them in a manner as not to destroy any latent fingerprint evidence.
- c. Detain the suspect, if present.
- d. If video tape/still frames of the suspect(s) were obtained, collect if readily available. If not, advise the victim and/or complainant to retain them for investigators.
- e. Collect, package, label and retain all physical evidence.
- f. Attempt to locate, identify and identify witnesses, if any. If witnesses are found, a verbal and/or handwritten statement shall be obtained from each witness.
- g. In all cases, leave a business card with the handling officer's name and case number.
- h. Prepare a complete, accurate and detailed report of all observations and actions by you.

N. Fraud

1. Preliminary Investigation

- a. Collect, package, label and retain all physical evidence.
- b. Officers are responsible for filing a criminal complaint if the suspect has been identified. This applies to all cases except when the officer witnesses the crime.
- c. Attempt to locate, identify and identify witnesses, if any. If witnesses are found, a verbal and/or handwritten statement shall be obtained from each witness.
- d. Prepare a complete accurate and detailed report of all observations and actions by you.

- e.
- O. Fraudulent Use of a Credit Card/ATM Card
 - 1. Preliminary Investigation
 - a. Verify that the credit card(s)/ATM card(s) are stolen with the credit card company/bank. If the card(s) have not been reported stolen to the credit card company/bank, an attempt will be made to contact the victim from the information obtained from the credit card company/bank, if possible.
 - b. Collect, package, label and retain all physical evidence.
 - c. If video tape/still frames of the suspect(s) were obtained, collect if readily available. If not, advise the victim and/or complainant to retain them for investigators.
 - d. Attempt to locate, identify and identify witnesses, if any. If witnesses are found, a verbal and/or handwritten statement shall be obtained from each witness.
 - e. In all cases, leave a business card with the handling officer's name and case number.
 - f. Prepare a complete, accurate and detailed report of all observations and actions by you.
- P. Embezzlement
 - 1. Preliminary Investigation
 - a. Collect, package, label examine and retain all physical evidence.
 - b. Officers are responsible for filing a criminal complaint if the suspect has been identified. This applies to all cases except when the officer witnesses the crime.
 - c. If the suspect(s) are present, read the suspect(s) their Miranda Warnings and have the suspect(s) sign and initial the "Advise/Waiver of Constitutional Rights" form.
NOTE: If at ANY time the suspect(s) exercise the constitutional rights to an attorney, or to remain silent, ALL questions regarding the crime will STOP. For further direction, refer to the directive entitled "Constitutional Requirements" ADM. 02-02.
 - d. Attempt to obtain a statement from the suspect(s) (verbal, written or recorded).
 - e. Attempt to locate and identify witnesses, if any. If witnesses are found, a verbal and/or handwritten statement shall be obtained from each witness.
 - f. Prepare a complete, accurate and detailed report of all observations and actions by you.

Q. Worthless Checks

1. Preliminary Investigation

- a. Obtain all pertinent information to identify and locate possible suspects.
- b. Officers are responsible for filing a criminal complaint if a suspect has been identified.
- c. In all cases, leave a business card with the handling officer's name and case number.

R. False Imprisonment

1. Preliminary Investigation

- a. If the crime occurred at the location where the complainant and/or victim were contacted, determine if the scene requires processing.
- b. If the crime occurred elsewhere, the BACKUP OFFICER will proceed and locate the scene, if possible. The Officer will determine if the scene requires processing. If the scene cannot be located, the Officer shall immediately notify the On-Duty Supervisor.
- c. If the scene requires processing, the assigned Officer will exclude all persons, including police personnel who do not have an official function at the scene.
- d. If the crime scene requires processing, the assigned Officer will process the crime scene.
- e. A verbal and handwritten statement will be obtained from the victim(s).
NOTE: If the victim is a juvenile, an attempt shall be made to contact the juvenile's parent(s) or guardian(s) and notify them of the incident.
- f. Attempt to locate and identify witnesses, if any. If witnesses are found, a verbal and/or handwritten statement shall be obtained from each witness.
- g. Prepare a complete, accurate and detailed report of all observations and actions by you.

S. Criminal Damage to Property/Graffiti

1. Preliminary Investigation

- a. If the victim and/or responsible party cannot be located, assess the scene, taking into account all presently available information and the condition of the scene, and determine if a reasonable person would believe that a criminal damage to property has been committed.
- b. Obtain all information on property damaged, to include:
 - (1) Make/brand names,
 - (2) Model and serial numbers,
 - (3) If a vehicle, all pertinent vehicle information.
- c. Collect, package, label and retain all physical evidence.

- d. Officers are responsible for filing a criminal complaint, if the suspect has been identified. This applies to all cases except when the officer witnesses the crime.
- e. In all cases, leave a business card with the handling officer's name and case number.
- f. Attempt to locate and identify witnesses, if any. If witnesses are found, a handwritten or taped statement shall be obtained from each witness.
- g. Prepare a complete, accurate and detailed report of all observations and actions by you.

T. Narcotics/Controlled Substances Violations

1. Preliminary Investigation

- a. This Procedure shall be used ONLY after a suspected controlled substance has been located, regardless of the initial situation or assigned call.
- b. If a felony arrest is to be made, prior to making the arrest, an attempt to field test the substance(s) shall be made.
- c. Request additional officers, if needed. A minimum of one (1) backup officer shall be requested, if one is not already present.
- d. "Terry" search and detain the suspect(s) and all other person(s) with the suspect(s).
- e. Identify all person(s) being detained to include names and personal information.
- f. The BACKUP OFFICER(S) will be responsible for controlling and observing all detained person(s).
- g. All suspected controlled substances and/or drug paraphernalia shall be collected and noted as to where each item(s) was located, and should be photographed in place prior to collection.
- h. For further direction, refer to the Department Directives entitled "Evidence, Collection".
- i. All reasonable attempts will be made to identify the suspected controlled substance and the amount of the suspected controlled substance. (i.e., Field Test Kit, personal knowledge and observations, suspect(s) statements, etc.)
- j. If the substance(s) cannot be identified, all detained person(s) will be released only if there are NO other pending criminal charges or Wants and Warrants for them.
- k. IN ALL CASES, with the exception of misdemeanor possession of marijuana, the substance(s) shall be submitted to the New Mexico Department of Public Safety Crime Laboratory for analysis.
- l. Prepare a complete, accurate and detailed report of all observations and actions by you.

U. Criminal Sexual Contact

1. Preliminary Investigation

- a. Contact the victim and ascertain if medical attention and/or assistance are necessary. If so, summon an ambulance and administer appropriate first aid procedures. Record the time the ambulance was requested.
- b. Ascertain if the victim bathed, urinated or changed clothing since the incident occurred.
- c. If sexual penetration was achieved, refer to the Criminal Sexual Penetration Procedure.
- d. Record the names and ambulance number of the ambulance crew present at the scene.
- e. Obtain the victim's clothing as evidence if available.
- f. All juvenile victims shall be taken to the hospital, unless the parent(s), guardian(s) or the Juvenile Probation Officer (if either parent(s) or guardian(s) are not available) refuse consent.
- g. Upon arrival at the hospital, if the victim is a juvenile, contact shall be made with the juvenile's parent(s), guardian(s), or Juvenile Probation Officer, if neither parent(s) nor guardian(s) are available and contact has not already been made.
- h. The BACKUP OFFICER will attempt to locate, identify and isolate witnesses, if any. If witnesses are found, the Officer shall obtain handwritten statements from each witness.
- i. The BACKUP OFFICER shall collect, package, label and retain all physical evidence, if any.
- j. The assigned Officer shall obtain a recorded statement from the victim, detailing the incident.
 - (1) If the victim appears to be or states that he/she is uncomfortable with an officer of the opposite sex, the On-Duty Supervisor will attempt to provide an officer of the victim's same sex, so a statement can be obtained.
- k. The assigned Officer shall obtain photographs of all visible injuries.
 - (1) If the person is being treated by the hospital, attempt to obtain a 'Release of Medical Information' form from the person for follow-up investigation.
- l. If the criminal sexual contact is a misdemeanor offense, the Officer shall file a criminal complaint at Magistrate Court, if the suspect(s) have been identified.
- m. In all cases, leave a business card with the handling officer's name and case number.
- n. Prepare a complete, accurate and detailed report of all observations and actions by you.

V. Weapons Infractions

Officers are reminded that New Mexico is an open carry state making it legal to carry a firearm in plain view. New Mexico also allows the carrying of a concealed firearm;

see “Chapter 29, Article 19: Concealed Handgun Carry NMSA 1978”, for requirements. There are exceptions to open carry and concealed handgun carry e.g. no firearms allowed on school premises, liquor establishments, or in violation of other state or federal law such as felon in possession. When an officer determines there may be reasonable circumstances to warrant investigation, the following steps should be taken:

1. Preliminary Investigation
 - a. Detain the suspect(s) and all other person(s) with the suspect(s).
 - (1) Conduct a Terry search for weapons.
 - b. Identify all person(s) being detained, including names and personal information.
 - c. The BACKUP OFFICER(s) will be responsible for controlling and observing all detained person(s).
 - d. All weapons shall be collected and noted as to where each weapon(s) was located.
 - e. All weapons will be checked through NCIC.
 - f. A check through NCIC shall be made on all weapon(s) found and on all person(s) being detained.
 - g. If no arrest is to be made, the weapon(s) will be returned to the person(s) from whom they were received.
 - h. Prepare a complete, accurate and detailed report of all observations by you.

W. Hostage Situations/Barricaded Subjects

1. Preliminary Investigation
 - a. Request additional officers.
 - (1) A minimum of one backup officer shall be requested, if one is not already present.
 - b. The safety of the police, the hostage(s) and the public are the most important considerations in any hostage situation.
 - c. Approach the scene with caution.
 - d. Be aware of sniper fire and DO NOT use your siren when approaching the scene.
 - e. The On-Duty Supervisor shall be immediately notified.
 - f. Establish an inner perimeter to contain the suspect and location. Containment is the primary consideration at the onset of any tactical operation. Responsibility of the containment team is to assure the suspect is not allowed movement, which would compromise efforts to take the suspect into custody.
 - g. Notification of a local (NMSP or DASO) Special Weapons and Tactics (SWAT) Team will be the responsibility of the on-duty supervisor after consulting with the Lieutenant and/or the Chief of Police. Information on avenues of ingress and location of Command Post and/or Staging Area

should be provided upon initial contact, thereby reducing the amount of over the air radio transmissions.

- h. Establish an outer perimeter to assist in the redirection of traffic entering the target area. This is to include both vehicular and pedestrian traffic, to include members of the Media.
- i. Officers assigned to the outer perimeter will be required to place their vehicles in a manner which would prohibit vehicular traffic from entering the secure area. Placement of the vehicles in this fashion would also serve as a deterrent to exiting the area should the target subject obtain a vehicle.
- j. Identification of an arrest team assigned to take control of the suspect should he/she suddenly surrender.
- k. Establish a Command Post, which is not in view of the target area, but remaining in close proximity.
 - (1) Considerations in selecting a Command Post should include the availability of phones, restroom facilities, food and water.
 - (2) The Command Post should accommodate personnel assigned to assist in the tactical operation, including but limited to SWAT Team members, Fire and ambulance personnel, hostage negotiators. All Administrative staff will remain at the Command Post and will communicate with SWAT personnel only through the SWAT Team Commander.
- l. Designation of an Officer assigned to the initial case for the purpose of maintaining a chronological log of all activities occurring at the scene, gathering of intelligence and coordinating radio communications prior to the arrival of the SWAT.
- m. Notification of Fire and Ambulance/Rescue personnel and confirmation of their estimated time of arrival to the Command Post.
- n. Notification of agencies sharing a common jurisdictional boundary with the Town.
- o. Identification of buildings surrounding the target which may require evacuation.

X. Child Abuse/Neglect/Exploitation/Elder Abuse

- 1. Preliminary Investigation
 - a. Separate the victim(s) from the possible suspect(s).
 - b. If the victim has a complaint of an injury and/or any visible injuries, the victim shall be taken to the hospital.

NOTE: Parental consent is NOT required for the victim to be medically treated, for photographs to be taken, or to obtain any statements.
 - c. If the victim was not taken to the hospital, the victim shall be taken to the police station.

- d. It shall be the assigned officer's responsibility to notify CYFD and/or Adult Protective Services of the situation and the actions taken by the Officer immediately after.
NOTE: Record the date, time and the person's name that was contacted.
- e. The BACKUP OFFICER shall exclude all persons, including police personnel who do not have an official function at the scene.
- f. If the crime occurred at the location where the complainant and/or victim were contacted, determine if the scene requires processing.
- g. If the crime occurred elsewhere, the BACKUP OFFICER will proceed and locate the scene, if possible. The Officer will determine if the scene requires processing.
- h. If it has been determined that the scene requires processing and no Crime Scene Technician is available, the BACKUP OFFICER will process the crime scene by doing the following, if needed:
 - (1) Photograph the crime scene.
 - (2) Photograph physical evidence in place, prior to collection.
 - (3) Sketch the crime scene, to include measurements.
 - (4) Collect, package, label and retain all physical evidence.
 - (5) Dust for latent fingerprints.
- i. An Officer will be assigned to attempt to locate, identify and isolate witnesses, if any. If witnesses are found, the Officer shall obtain handwritten statements from each witness.
- j. The CYFD shall be contacted and advised of the situation if the child is NOT removed, yet a suspicion exists that harm has or may occur. Notification SHALL be made within 24 hours to the CYFD.
 - (1) Record the date, time and the person's name that was contacted.
- k. Obtain a recorded statement from the victim, unless the victim's injuries or circumstances prohibit doing so.
- l. Obtain photographs of all visible injuries.
 - (1) If the person is being treated by the hospital, attempt to obtain a 'Release of Medical Information' for from the person for follow-up investigation.
- m. Obtain victim's/suspect's clothing as evidence, if needed.
- n. Prepare a complete, accurate and detailed report of all observations and actions by you.

Y. Fraudulent Refusal to Return Rental/Leased Property

- 1. Preliminary Investigation
 - a. Determine if the victim and/or the responsible party has sent a certified letter to the suspect(s) at the address listed on the rental/lease agreement and if it has been at least 72 hours since it was mailed. If a certified letter has not been mailed, recommend he/she do so.

- b. Officers will file a criminal complaint, if the suspect(s) have been identified.
- c. Attempt to locate, identify and identify witnesses, if any. If witnesses are found, a verbal and/or handwritten statement shall be obtained from each witness.
- d. Prepare a complete, accurate and detailed report of all observations and actions by you.

Z. Custodial Interference

1. Preliminary Investigation

- a. Obtain a copy of the legal document granting the right of custody to the victim and/or complainant. If a copy is not available, obtain the original document so that a copy may be made and then return the document.
- b. Obtain the child's name, personal information and a current photograph of the child, if available.
- c. Obtain the child's present location, if known.
- d. If the child is present, determine if there is reason to believe that any person may attempt to take the child away from the person who has the right to custody of that child. If so, the child will be taken into temporary custody and the On-Duty Supervisor shall be notified, if not already present.
- e. If the child is not present, proceed to the child's location, if local and known.
- f. If the child is located, check on the child's welfare. Determine if any person will flee with the child without good cause and with the intent to deprive any person having the right of custody of that child, permanently, or for an extended period of time. If so, the child will be taken into temporary custody and the On-Duty Supervisor shall be notified, if not already present.
- g. If the child's location is not local, contact the agency which has jurisdiction (FBI, State, or Municipal) in that area and request they perform the above.
- h. If the child is not located, the child shall be entered into NCIC as missing, including any suspect information and/or suspect vehicle information.
- i. If the child is taken into temporary custody, determine if the child is or has been a victim of child abuse, child neglect, and/or exploitation:
 - (1) If so, the officer shall take the child into custody and notify the CYFD.
 - (2) If not, the child shall be placed with the person whose right of custody is being enforced, if available. If they are not available,

the officer shall take the child into custody and notify the CYFD.

If the CYFD is notified, record the date, time, and the person's name that was contacted.

- j. In all cases when the child is located, obtain a recorded statement from the child, unless the child's injuries or circumstances prohibit doing so.
- k. Prepare a complete, accurate, and detailed report of all observations and actions by you.

AA. Misdemeanor Battery

- 1. Preliminary Investigation
 - a. Obtain a handwritten statement from the victim, less the victim's injuries or circumstances prohibit doing so, in which case, a recorded statement will be taken.
 - (1) If the victim is taken to the hospital, the statement will be obtained there.
 - b. If the victim is a juvenile, an attempt shall be made to contact the juvenile's parent(s) or guardian(s) and notify them of the incident.
 - c. Obtain photographs of all visible injuries.
 - (1) If the person is being treated by the hospital, attempt to obtain a 'Release of Medical Information' form from the person for follow-up investigation.
 - d. Obtain victim's/suspect's clothing as evidence, if needed.
 - e. Officers will file a criminal complaint if the suspect(s) have been identified.
 - f. Prepare a complete, accurate, and detailed report of all observations and actions by you.

BB. Misdemeanor Assault

- 1. Preliminary Investigation
 - a. Obtain a verbal and/or handwritten statement from the victim.
 - (1) If the victim is a juvenile, an attempt shall be made to contact the juvenile's parent(s) or guardian(s) and notify them of the incident.
 - b. Officers will file a criminal complaint if the suspect(s) have been identified.
 - c. Prepare a complete, accurate, and detailed report of all observations and actions by you.

CC. Shoplifting/Falsely Services

- 1. Preliminary Investigation
 - a. Obtain all information on property taken, to include:
 - (1) Make/brand names.
 - (2) Model numbers.
 - (3) Serial numbers.

- (4) Color.
 - (5) Value.
- b. Obtain a copy of the “Store Theft/Loss Prevention Report”.
 - (1) Non-departmental forms, i.e., store reports, trespass statements, etc., SHALL NEVER be signed by the officer, with the exception of a receipt for property taken as evidence if applicable.
- c. Photograph and document all stolen property and release to the owner or responsible party if feasible.
- d. You have the following options:
 - (1) Issue the suspect(s) a Uniform Non-Traffic (Misdemeanor) Citation.
 - (2) Arrest the suspect(s).
- e. If the suspect(s) are juveniles, you shall have the following options:
 - (1) Release and/or refer the juvenile(s) to the Juvenile Probation Office (JPO).
 - (2) Arrest the juvenile suspect(s) based on approval by JPO.
- f. In all cases the property will be photographed and documented and released to the owner or responsible party.
- g. In all cases, leave a business card with the handling officer’s name and case number.
- h. Prepare a complete, accurate and detailed report of all observations and actions by you.

DD. Unattended Deaths/Suicides

- 1. Preliminary Investigation
 - a. Enter the immediate scene to view the victim.
 - (1) ONLY ONE OFFICER should enter the scene, using one path of entry and exit.
 - b. Determine if the victim is dead or dying.
 - c. If there is possibility of life, summon an ambulance and administer appropriate first aid procedures. Record time ambulance was requested.
 - d. Notify the On-Duty Supervisor of the situation, if not already present.
 - e. Record the names and ambulance number of the ambulance crew present at the scene.
 - f. Determine, using all current and available information, if the incident is a homicide, suicide, or unattended death.
 - g. IN ALL CASES where there is any doubt as to the cause of death (homicide, suicide or unattended death), IMMEDIATELY STOP, secure the scene and notify a Supervisor. The Supervisor will then make the determination of the resources needed.
 - h. If a homicide, refer to the “Homicide” Procedure.

- i. If an unattended death, obtain the following information:
 - (1) Victim's name and personal information.
 - (2) Victim's Doctor's information.
 - (3) Possible cause of death.
 - (4) Date and time victim was found dead.
 - (5) Name and personal information of the person who first discovered the victim.
 - (6) Next of Kin's name and person information, if available.
 - (7) Description of the incident.
- j. If a suicide, obtain the following information:
 - (1) Victim's name and personal information
 - (2) Apparent cause of death, i.e., self-inflicted gunshot wound drug overdose, etc.
 - (3) Date and time victim was found dead.
 - (4) Name and personal information of the person who first discovered the victim.
 - (5) Date and time victim was last seen or heard from alive.
 - (6) Name and personal information of the person who last saw or heard from the victim alive, if available.
 - (7) Mental state of the victim prior to the incident, i.e., depressed, angry, etc., if known.
 - (8) Take possession of the suicide note, if any and if possible.
 - (9) Next of Kin's name and personal information, if available.
 - (10) Description of incident.
- k. If a suicide, the assigned officer shall photograph the victim, the scene, and any and all possible evidence.
- l. IN ALL CASES, notify the Office of the Medical Investigator (OMI). Record the time he/she was notified.
- m. If a suicide, the BACKUP OFFICER will attempt to locate, identify and isolate witnesses, if any. If witnesses are found, the Officer shall obtain handwritten or recorded statements from each witness.
- n. Upon the OMI's arrival, brief him/her of all information and what has occurred to this point. Record the OMI's name and time of arrival.
- o. Assist the OMI, as needed.

NOTE: The OMI has custody/control of the victim's body and all physical evidence in or on the body.
- p. The assigned Officer will process the crime scene by doing the following, if needed:
- q. Prepare a complete, accurate, and detailed report of all observations and actions by you.

NOTE: In all cases described above, the Chief of Police will be notified.

EE. Gang Activity

1. Preliminary Investigation

- a. This procedure shall be used when there is gang related activity and probable cause or reasonable suspicion that a crime has been committed or about to be committed. These suspicions or the probable cause must be explained in your report.
- b. Identify all involved persons, including their names and personal information.
- c. Identify any vehicle(s) involved, including all pertinent vehicle information, i.e., make, model, color, license plate number, etc.
- d. A check through NCIC shall be made on all persons and/or vehicles identified above, for any Wants and/or Warrants.
- e. Complete the "Gang Information Form".
- f. If a report is made "Gang Related Incidents" shall be listed as the secondary offense on the report form.

FF. Residential/Commercial Alarms

1. Preliminary Investigation

- a. Stand by for the arrival of a backup officer, if available.
- b. Upon the arrival of the backup officer, check the premises for any open doors/windows and/or signs of forcible entry.
- c. If the premise appears secure, advise communications and return to service. Responding Officers are required to leave a card on the premises showing the date and time of response.
- d. If there are signs of forced entry or open doors or windows, follow burglary procedures.

GG. Ambulance/EMS Assist

1. Preliminary Investigation

- a. Assist ambulance EMS personnel as needed.

HH. Open Doors/Windows

1. Preliminary Investigation

- a. Determine if entry can be gained into the premises through the open door and/or window.
- b. Check for signs of damage and/or forcible entry.
- c. An attempt shall be made to contact the responsible party.
- d. If it is determined there is a legal right to be there, entry can be gained, and a check of the interior of the premises will be made.
- e. If no responsible party can be located, a reasonable attempt will be made to secure the premises. A business card shall be left with the officer's name and actions taken by you.

- f. The information shall be passed on to the oncoming shift, which will be responsible for maintaining a 'Close Patrol' and attempting to notify the responsible party.

II. Loud Party/Music

1. Preliminary Investigation

- a. Contact the responsible person at the party's location or where the music is coming from.
- b. Obtain the responsible person's name and personal information.
- c. Inform the responsible person of the complaint.
- d. If this is the first complaint received regarding the loud party and/or music, request the responsible person to lower the noise level and/or control his/her guests.
- e. If this is a second or subsequent complaint, appropriate enforcement action will be taken.

NOTE: Nothing in this policy prevents the officer from taking the appropriate enforcement action on the first complaint regarding the loud party and/or music, depending upon the circumstances.

JJ. Civil Standby

1. Preliminary Investigation

NOTE: This Procedure DOES NOT apply to any repossessions or civil disputes. It only applies to domestics disputes.

- a. ONLY necessary items (i.e., clothing, medication, baby food, children's clothing, etc.) will be taken from the premises by the person in need of their items.
- b. Inform the complainant that any items where ownership is in dispute shall remain on the premises.
- c. Inform ALL parties involved that your ONLY purpose for being present is to maintain order and keep the peace.
- d. Prior to leaving the premises refer ALL parties involved to the Dona Ana County Sheriff's Office for any further assistance.

KK. Welfare Check

1. Preliminary Investigation

- a. Proceed to the location of the welfare check.
- b. Attempt to make contact with the person whose welfare is to be checked.
- c. If no one is contacted, check for signs of foul play and/or unusual circumstances, i.e., broken or open windows, unusual odors, blood, etc.
- d. Check the location for any vehicles that may belong to the person whose welfare is being checked. Also check with any neighbors for any additional information.

- e. If entry is determined to be necessary, based on information provided and with the approval of the On-Duty Supervisor, the following steps will be taken:
 - (1) Attempt to obtain a key to the residence from the responsible part - the landlord, a relative, etc.
 - (2) Look for any open windows, unlocked doors, etc.
 - (3) The last resort is to break into the residence, causing as little damage as possible, i.e., a small door window, bathroom window, etc.
- f. If forced entry was necessary and no one is found inside the residence, every effort will be made to re-secure the residence as best as can be done. Photographs of the damage SHALL be taken and all damage noted in the police report. An Offense/Incident Report shall be mandatory if this action is necessary.
- g. The complainant will be notified of your findings.
- LL. Suspicious Person/Vehicle/Activity
 - 1. Preliminary Investigation
 - a. Check the area for the suspicious person/vehicle activity.
 - b. If a person(s) is/are located, follow the procedures for a field interview stop.
 - c. If a report is not written, record the person(s) and/or vehicle information on a Field Contact Card.
 - d. Reports may be required in areas where similar cases are occurring regularly.
- MM. Disorderly Conduct and Other Municipal Law Violations
 - 1. Preliminary Investigation
 - a. If the offense was witnessed by the officer, the officer shall take whatever enforcement action he/she deems necessary and/or appropriate.
 - b. If the offense was not witnessed by the officer, the Officer will file a criminal complaint if required.
 - c. In all cases, leave a business card with the handling officer's name and case number.
 - d. Prepare a complete, accurate, and detailed report of all observations and actions by you.
- NN. Mental Hold
 - 1. Preliminary Investigation
 - a. After a determination has been made by the officer that the subject(s) needs to be seen by a physician or a mental health care specialist, the officer may detain the person and request EMS to the person for emergency mental health evaluation and care in the absence of a legally valid order from the court only if:

- (1) The person is otherwise subject to lawful arrest;
 - (2) The officer has reasonable grounds to believe the person has just attempted suicide;
 - (3) The officer, based upon his own observation and investigation has reasonable grounds to believe that the person, as a result of a mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm. Immediately upon arrival at the evaluation facility, the officer shall be interviewed by the admitting physician or his designee.
- b. In the case of a licensed physician, or a certified psychologist requesting the pickup of a person, the physician or psychologist must certify that the person, as a result of a mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm. Such certification shall constitute authority to detail and have the person transported to the proper facility.
 - c. The subject(s) should be transported by EMS or an ambulance, if possible.
 - d. Prepare a complete, accurate, and detailed report of all observations and actions by you.

OO. Unlawful Use of the Telephone

- 1. Preliminary Investigation
 - a. In all cases, refer the victim and/or the responsible party to their phone service provider for further assistance. The victim may also be able to trace a call by pressing *57 immediately after hanging up from the call and the telephone number of the line used by that caller be forwarded to the appropriate telephone security center.
 - b. In all cases, leave a business card with the handling officer's name and case number.
 - c. If the suspect(s) have been identified, the Officer will file a criminal complaint. This applies to all cases except when the officer witnesses the crime.

V.MAJOR CRIME SCENES

Such scenes include, but are not limited to: All major felonies; incidents of a volatile nature that may escalate into larger scale disturbances; any incident involving suspects believed to possess diplomatic immunity; all scenes involving government officials which may cause attention to be directed at the Police Department; all scenes in which officers are accused of excessive force; all scenes in which the use of force has injured an officer; all scenes in which an officer has injured a citizen.

- A. Upon receiving notification of a major felony offense, the On-Duty Supervisor will immediately proceed to the assigned call's location.
- B. Assess the situation and determine the immediate manpower and equipment needs.
- C. Delegate manpower and equipment to assure compliance with departmental procedures.
- D. Make the following notifications - either by telephone, in person, police radio, or the On-Call list, as needed:
 - 1. Contact the Chief of Police and inform him/her of the need.
 - 2. On-Call Assistant District Attorney.
 - 3. On-Call Juvenile Probation Officer.
 - 4. On-Call Anthony PD Detective
 - 5. Office of the Medical Investigator.
 - a. This office shall be notified any time there is a homicide, unattended death, suicide, etc. Notification may be made by the officer on the scene or radio communications personnel, at the discretion of the On-Duty Supervisor.
 - 6. Crime Scene Technician.
 - a. If a Crime Scene Technician is available (other agency) is called out, the Supervisor will notify the Chief of Police at the first reasonable opportunity and inform him/her of the call out.
 - 7. Police Chaplain.
 - a. Any time there is an incident requiring the notification of the immediate family of a victim(s), whether an accident, death, etc., the Police Chaplain may be utilized, at the discretion of the On-Duty Supervisor.
 - 8. Rape Crisis.
 - 9. Ensure notification has been made to Next-of-Kin.
 - 10. Other agencies/departments.
 - 11. Press Information Officer or designee.
 - 12. News Media/Press.
 - a. Notification of the news media shall fall under the guidelines of the Directive entitled "Public Information", ADM 01-31.
 - 13. Local area Special weapons and Tactics (SWAT) Team.
 - 14. Local area Bomb Technician.
- E. Brief/debrief police personnel at the crime scene, as needed.
- F. Ensure all required reports/supplemental reports are submitted by patrol personnel.

VI. FACILITIES

The On-Duty Supervisor shall be responsible for reporting in writing to the Chief of Police any unsafe working conditions in the work area. The patrol officers are responsible for reporting unsafe working conditions in the workplace to their immediate supervisor. E-mails are acceptable for such notifications.

The On-Duty Supervisor shall ensure the security of all areas that are restricted and that the doors leading to those areas are closed and locked properly.

VII. FOLLOW-UP INVESTIGATIONS

Where practicable, the Officers shall follow-up the investigation until all leads are exhausted.

Supplemental reports will be submitted detailing the progress of the investigation until the case is solved or inactivated.

In certain instances, the follow-up responsibility may be assigned to another Officer, such as:

- When the initial investigation is conducted by an officer out of his/her normally assigned area/district, the Officer who is responsible for the area will be responsible for the follow-up investigation;
- When the follow-up investigation would require the Officer to travel an excessive distance from his/her assigned area and remain for extended period;
- When an investigator or superior responds to the scene and assumes investigative responsibility.

VIII. ARRESTS

Arrested subjects shall be handcuffed and searched in accordance Directive OPR.2-07 Prisoner/Patient Transport.

Arrested subjects who are not processed into Dona Ana County Detention Center shall be released in accordance with Directive ADM.01-07 Limits of Authority.

Arrested subjects shall be read their Miranda Rights when needed and a response indicating they understood them elicited prior to any questioning concerning any criminal offense in which the arrested subject is suspect.

When the arrested subject is to be processed into the Dona Ana County Detention Center:

- A complaint affidavit shall be completed and delivered to the County Jail with the arrested subject.

IX. FIELD INTERVIEW AND FI CARDS (FIC)

Field interviews are intended to deprive actual and potential offenders of some of their initiative in selecting the time, place, and circumstances for the commission of their crimes. A valid field interview situation should follow the below criteria to prevent misuse and to avoid adverse citizen reactions. All field interviews should be documented on the departmental field interview cards and, when circumstances dictate, an offense/incident report shall be completed.

- D. A valid field interview stop should be based on a reasonable suspicion that a suspect has committed, is committing, or is about to commit a crime. This reasonable suspicion must be based upon rational and articulate facts, which may be less than probable

cause, but must be more than just a feeling or hunch. The Department recommends that several of the following factors be present when justifying a stop:

1. Presence in an area which is usually not frequented at that time of day.
 2. High crime area.
 3. Presence in an area that does not fit routine activity in the area.
 4. Nervousness.
 5. Flighty manner of movements.
 6. Known drug-trafficking area.
 7. Hand movement (as if attempting to conceal an item(s)).
 8. Eyewitness information.
 9. Information received from a concerned citizen.
 10. CI information.
 11. Co-defendant information.
 12. Personal knowledge of the defendant's drug use.
 13. Defendant's statement.
 14. Other suspicions (must be listed on FI card).
- E. On a field interview stop, the officer may request the suspect's name, address and an explanation of his/her actions. The suspect may be detained for a reasonable amount of time. A detention on less than probable cause should be brief. You may detain a person only so long as you are diligently pursuing a means of investigation that is likely to confirm or dispel your suspicion quickly. You may not detain a person longer than is necessary to accomplish the legitimate purpose of the stop. If the suspect won't say anything, or tells you he/she won't give you any information, the officer may not force or otherwise compel the person to divulge the requested information. There must be articulate reasons to distinguish the suspect from someone else who may just happened to have been in that location.
- NOTE: An anonymous tip by itself is not sufficient to establish reasonable suspicion, nor is simply being present in a high crime area.**
- F. Whenever a field interview card has been completed, the card shall be turned over to Investigations as a reference.

X. CLOSE PATROL

Close patrols consist of the assigned area unit periodically monitoring the location in an effort to identify activity believed to be other than normal at the specified location. Close patrols shall only be assigned when urgently required, and are subject to officer availability. Close patrols should not to be done at regular intervals.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Motor Vehicle Pursuits	NUMBER: OPR 02-02
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA: NM Safe Pursuit Act

I. PURPOSE

The purpose of this directive is to provide guidelines and delineate responsibilities governing pursuit of motor vehicles and emergency driving.

II. POLICY

It is the policy of the Department to pursue motor vehicles when circumstances allow, and to document the conditions when the officer or supervisor shall terminate a high speed pursuit. All emergency vehicle operations shall be conducted in strict accordance with existing statutes. Officers engaged in emergency vehicle operations shall utilize both audible and visual (emergency lights) emergency warning equipment when engaged in a pursuit. Departmental personnel will be held strictly accountable for the consequences of their reckless disregard for the safety of others.

III. DEFINITIONS

A. Definitions

The following definitions apply for the purpose expressed in this policy:

1. Pursuit

An active attempt by one or more police officers to apprehend a suspect operating a motor vehicle while the suspect is trying to avoid capture by using high speed driving or other evasive tactics such as driving off a highway, making sudden or unexpected movements, or maintaining legal speed but willfully failing to yield to the officer's signal to stop. Police vehicles which do not meet the statutory requirements (NMSA 66-7-6 1978) for an authorized emergency vehicle shall not initiate or join a pursuit in progress.

2. Violent Felony

A felony that involves an actual or threatened attack which the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury (e.g., aggravated assault, aggravated battery, rape, armed robbery, murder).

3. Deterrent: Any method of restriction, or show of force which would likely discourage further vehicular pursuit. Allowing a passage of escape.

4. Roadblock
Any method, restricting, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a highway in order to affect the apprehension of an actual or suspected violator in a motor vehicle.
5. Primary Pursuing Unit
The police unit that initiates a pursuit or any unit that assumes control of the pursuit.

IV. PROCEDURES

1. Pursuit is justified only when:
 - a. The officer knows or has reasonable grounds to believe the suspect presents a clear and immediate threat to the safety of other motorists and/or pedestrians. The officer must have knowledge of immediate threat to the safety of others that is ongoing and that existed **prior** to the high- speed pursuit.
 - b. Has committed or is attempting to commit a violent felony.
 - c. When the necessity of immediate apprehension outweighs the level of danger create by the pursuit, as in the case of a serious traffic violation such as a DWI.
2. Initiating/Primary Officer Responsibilities:
 - a. The responsibility for the decision to initiate hot pursuit rests with the individual officer. Officers shall only purse person(s) on reasonable grounds that the fleeing person(s) have committed a violent felony or the suspect presents a clear and immediate threat to the safety of the motorists and/or pedestrians. The officer's primary responsibility in a pursuit is the safe operation of the vehicle. The officer initiating a pursuit shall, in all cases, notify the Communications Center as soon as reasonably possible that a pursuit is underway and provide the following information, if known:
 - (1) Police unit identification;
 - (2) Location, speed, and direction of travel;
 - (3) Vehicle description and license number;
 - (4) The specific reason for the pursuit, including known laws violated;
 - (5) Number of occupants;
 - (6) Traffic and weather conditions.
 - b. Failure to provide the above information may be cause for the patrol supervisor to order termination of the pursuit.
 - c. The initiating or primary unit shall be in field command and bears operational responsibilities for the pursuit unless relieved by a supervisor.

- d. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the patrol supervisor.
 - e. The primary unit may maintain pursuit as long as it is safe to do so, or until directed to terminate the pursuit by a supervisor, or the suspect is stopped.
 - f. The decision to abandon pursuit may be the most prudent course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit. A pursuit shall be terminated under any of the following circumstances:
 - (1) If, in the opinion of the pursuing officer or the patrol supervisor there is a clear and unreasonable danger to the officer and other users of the highway created by the pursuit that outweighs the necessity for immediate apprehension.
 - (2) The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
 - (3) The prevailing traffic, roadway and environmental conditions indicate the futility of continued hot pursuit.
 - (4) The pursued vehicle's location is no longer known.
 - (5) The termination of a pursuit does not prohibit the following of a vehicle at the posted speed limit or remaining in an area to reinitiate pursuit, if the opportunity and conditions permit.
3. Communications Center Responsibilities:
- a. Receive and record all incoming information on the pursuit and the pursued vehicle.
 - b. Immediately notify all on-duty supervisors when a pursuit is initiated. (Notify the Police Chief as soon as practical.)
 - c. Clear radio channel of any unnecessary traffic.
 - d. Perform relevant record and motor vehicle checks.
 - e. Control all radio communications during the pursuit.
 - f. Coordinate assistance under the direction of the patrol supervisor.
 - g. Continue to monitor the pursuit until it has been terminated.
4. Supervisor Responsibilities:
- a. The on-duty patrol supervisor shall monitor the pursuit and respond to the location of the stopped suspect. **The supervisor may end the pursuit at any time that he or she feels circumstances warrant.**
 - b. The on-duty supervisor shall monitor the pursuit by ensuring compliance with department policy, directing officers to join or abandon pursuit, of re-designating primary and support pursuing

- vehicles if necessary, approving or ordering pursuit tactics, and terminating the pursuit.
 - c. No more than two police vehicles may pursue a fleeing suspect without the specific authorization of the on-duty supervisor. In authorizing additional police vehicles to pursue, the supervisor shall consider:
 - (1) the nature of the offense;
 - (2) the number of suspects;
 - (3) the number of officers currently participating as primary or support vehicles;
 - (4) any injuries or property damage already sustained as a result of the pursuit; or
 - (5) any other clear, articulated facts that would justify the assignment of additional police vehicles.
 - d. The supervisor shall critique the pursuit with all of the officer's involved and direct participants to submit reports timely.
 - e. The on-duty supervisor at the time the pursuit was begun will retain authority over the pursuing officers of the department for the duration of the pursuit.
 - f. The supervisor may direct the use of tire-deflation devices, as appropriate (if available).
5. Supporting officers' responsibilities:
- a. Assistance will be coordinated by the Communications Center under the direction of the on-duty supervisor. The on-duty supervisor and primary unit will be advised of the identity and location of backup units who can assist.
 - b. The active pursuit will normally involve not more than two units:
 - (1) The primary unit; and
 - (2) One backup unit
 - c. Normally the first back-up unit to respond shall help the primary officer in pursuing the suspect and making the arrest. The secondary pursuing officer is responsible for broadcasting the progress of the pursuit and controlling the pursuit tactics. The primary officer must also be alert to other officers of the probable route of travel. By having the secondary pursuing officer handling these communications responsibilities, the primary officer can focus attention on the pursuit driving.
 - d. Tire-deflation devices may be deemed appropriate (if available) to stop a pursuit and may be set up by supporting officers. These devices shall be used only by officers trained in their use **and** only under the direct authorization of the on-duty supervisor.

- e. Tire deflation devices will be assigned and stored in the trunk of marked patrol cars. The “stop stick” will be pre-loaded in the black nylon sleeve with the cord reel stored in the storage position. Stingers will be stored in the hard box.
- f. Tire deflation devices will only be used on cars or trucks and are not to be used to stop motorcycles or all-terrain vehicles or semi trucks.
- g. Tire deflation devices shall only be used in conjunction with a stationary roadblock.
- h. The decision to deploy the tire deflation devices during a pursuit will be made by the on-duty supervisor only after considering the following:
 - 1. The safety of the officers;
 - 2. The risk of physical injury to the occupants of the pursued vehicle; and
 - 3. The protection of the citizens and their property.
- i. It is imperative that all officers involved in the pursuit are aware of the exact location of the deployed tire deflation device, so they can slow in time to allow removal of the device after the suspect vehicle has crossed it. Measures should be taken to divert other traffic from the area to prevent unnecessary damage to other vehicles.
- j. The officer who deploys the tire deflation device should remove it immediately after the suspect vehicle crosses it. The suspect vehicle will be slowing rapidly and the pursuing officers should be prepared to take evasive action to avoid contact with the suspect’s vehicle.

6. Rules of pursuits

- a. Officers shall not use their vehicles to ram, bump, or collide with a suspect vehicle, to force a vehicle off the road or in a ditch. Nor shall officers pull alongside such vehicles in an attempt to force them off the road or into an obstacle.
- b. Boxing-in shall be performed **only** with the direct authorization of the on-duty supervisor and then **only** if the participating officers have been trained in the technique.
- c. Caravanning is prohibited
- d. Officers should not fire their weapons from a moving police vehicle. Department policy on the Use of Deadly Force shall be adhered to during the pursuit.
- e. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing vehicle.

- f. There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer received specific permission from the on-duty supervisor.
- g. No more than two police vehicles will become actively involved in a pursuit, unless specifically directed otherwise by the patrol supervisor. Other officers should be alert to the pursuit progress and location.
- h. Officers operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in hot pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle will withdraw from active pursuit and serve in a support role.
- i. Should the person(s) attempting to avoid apprehension stop the fleeing vehicle and proceed on foot, the officer shall stop, give his or her location, and continue efforts to apprehend on foot. Support police vehicles shall be dispatched in proximity to offer assistance.
- j. If the on-duty supervisor orders the pursuit to end, then the primary and supporting pursuing officers shall cease immediately. Also, the pursuing officer(s) shall end the pursuit if at any time during the course of the pursuit he or she loses sight of the fleeing vehicle for more than a few seconds.
- k. Officer shall not pursue suspects the wrong way on divided roadways unless specifically authorized by the on-duty supervisor.
- l. The use of a stationary roadblock shall be authorized only by the Chief of Police. Generally, a roadblock will be employed only as a last resort. The decision to erect a roadblock must consider:
 - (1) the safety of officers;
 - (2) the risk of physical injury to the occupants of the pursued vehicle; and
 - (3) the protection of citizens and their property.
- m. Roadblocks must be clearly visible at a distance sufficient to enable approaching vehicles to stop safely. The roadway shall not be completely blocked unless the use of deadly force would be authorized. The officer in charge of the roadblock shall notify Communications of its precise location. All participating officers must be aware of the roadblock and have acknowledged this awareness before it is constructed. Further, no personnel shall remain in blocking vehicles and an avenue of escape shall be provided.
- n. Officers, when accompanied by civilian passengers, shall not pursue. If a civilian is in the police vehicle at the beginning of a pursuit, that

officer shall turn the pursuit over to another officer or deposit the civilian at an appropriate safe location.

- o. When two vehicles are involved in pursuit, each unit shall maintain a safe distance especially when passing through intersections. Each unit involved in the pursuit shall use a different siren-sound selection, if circumstances and safety permit. The use of different siren sound combinations can help the primary and secondary vehicles hear one another and alert motorists and bystanders that two vehicles are operating under emergency conditions.
- p. In case of pursuit, should the suspect drive in a direction opposite to the flow of traffic, the pursuing officer shall not follow the suspect but instead transmit via radio detailed observations about the suspect vehicle's location, speed, and direction of travel.
- q. Extreme caution must be used whenever officers disregard traffic signs or signals, even though statutes specifically permit such conduct. Officers shall make use of all available warning devices to alert other motorists and pedestrians.

7. Inter-jurisdictional Pursuits

- a. The Communications Center, with the approval of the patrol supervisor, will notify outside agencies if this Department is in pursuit in their jurisdiction.
- b. Officers shall not become involved in another agency's pursuit unless specifically authorized by the patrol supervisor or it is clearly demonstrated that a unit from an outside agency is unable to request assistance, or the emergency nature of the situation dictates the need for assistance. In these instances, all departmental pursuit policies are in effect.

8. Overtaking/Pursuit of violators

The responsibility for the decision to overtake rests with the individual officer. In arriving at this decision he/she must carefully consider all factors involved, including the seriousness of the offense, the possible consequences and most importantly, the safety of the general public. In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle should, when practical, be within a close proximity to the vehicle prior to activating the emergency lights and siren.

During the course of enforcement activities, specific incidents may escalate from routine overtaking situations if the suspect attempts to evade apprehension. If this occurs, applicable pursuit policy and procedures apply.

9. Crashes during pursuits

- a. Generally, if an officer is involved in a traffic crash during the course of a pursuit, the officer will terminate his/her part in the pursuit.
- b. The on-duty supervisor will make the determination, as to whether the pursuit is terminated or continued with the backup officer moving up to primary officer.
- c. The on-duty supervisor will ensure that the crash involving the primary unit is investigated.

10. Pursuits outside City limits

- a. No pursuits shall be continued outside the City limits, unless authorized by the on- duty patrol supervisor and if approved, shall be conducted according to this order. Communications shall notify the appropriate jurisdiction of the pursuit and request help.
- b. Once the pursuit has entered another jurisdiction, if officers from it enter the pursuit, department officers shall cease their emergency driving, turn off emergency equipment, and follow the pursuit while observing all posted speed limits and traffic control devices.
- c. If officers from another jurisdiction pursue a suspect into our jurisdiction, department officers shall enter the pursuit **only** if the other agency specifically requests help **and** the pursuit is for a violent felony **and** the on-duty supervisor approves our participation. Any non-pursuit assistance (including apprehension of a stopped suspect) may be provided as the circumstances dictate.

11. Terminating Pursuits

- a. This policy has noted the necessity for a pursuing officer to continuously evaluate the risks and goal of a pursuit. Under some conditions, abandoning a pursuit may prove the most intelligent decision the officer can make.
 - (1) In continuously evaluating the pursuit, the pursuing officers shall consider whether the suspect has been identified and can be safely apprehended at another time or under other circumstances and the prevailing traffic, roadway, and environmental conditions. Officers shall also consider their own mental and physical state and the mechanical condition of their pursuit vehicle.
 - (2) Discontinuing a pursuit does not mean that the officer cannot follow the vehicle at the posted speed limit, or remain in the area ready to resume the pursuit if the opportunity presents and circumstances warrant. Officers, when pursuing, shall resist the

temptation to follow the suspect too closely and instead follow the violator and allow him or her to make the driving mistakes. **No officer can be disciplined for discontinuing a pursuit.**

- b. Officers **shall discontinue** a pursuit when:
 - (1) the on-duty supervisor orders it;
 - (2) the pursuing vehicle experiences an equipment or mechanical failure that renders the vehicle unsafe for emergency driving;
 - (3) the pursued vehicle has outdistanced the pursuing officer such that its location is not known;
 - (4) a person has been injured during the pursuit and no medical or police personnel are able to provide help; or
 - (5) the pursuing officer perceives a clear, unreasonable danger to officers, the fleeing suspect, or the public, and the danger created by continuing the pursuit outweighs the value of apprehending the suspect at the time.

12. Follow-up Requirements:

- a. The on-duty supervisor shall ensure that all participating officers document their involvement in the pursuit. The supervisor shall prepare a summary report which includes:
 - (1) the names of participating officers;
 - (2) a narrative description of where the pursuit began and under what circumstances, where it ended and under what circumstances, and the duration of the pursuit;
 - (3) a description of the tactics used to stop the suspect's vehicle and an evaluation of their effectiveness;
 - (4) any observations on the behavior or actions of the fleeing driver that may support additional criminal charges;
 - (5) a description of how the suspect was apprehended, and the force-measures employed;
 - (6) a description of any property damaged, an account of injuries or any death sustained during the pursuit, and if the use of deadly force was initiated. All involved officers will submit applicable reports to the Chief of Police through the chain of command;
 - (7) the offenses for which the suspect was charged; and
 - (8) a review of any pursuit will be conducted by the shift supervisor as soon as possible.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Juvenile Operations</i>	NUMBER: OPR 02-03
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA: NMSA 1978, § 32A-2-1 to -33

I. PURPOSE

The purpose of this policy is to define departmental procedure and provide guidance to officers when interacting with juveniles. Law enforcement interaction with juveniles differs from that of adults. While juveniles are afforded equal protection under the law, as are adults, there are differences in how juveniles are to be handled under current New Mexico law. When dealing with juveniles, officers will use the least coercive of reasonable alternatives. However, violations of the law are not to be ignored and any interventions by the Department shall be documented.

The Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. The Department does not identify any one person or position to oversee juvenile operations, therefore it is the responsibility for all agency personnel and components to participate - in and support the juvenile operations.

II. DEFINITIONS

Child: A person under 18 years of age

Delinquent Act: An act committed by a child which would be designated as a crime under the law if committed by an adult.

Delinquent Child: A child who has committed a delinquent act.

Juvenile Probation and Parole Office/Officer Child Protective Services (JPPO): Those offenses which are not considered a delinquent act (i.e., truancy, runaway,) are referred to JPPO.

III. TAKING INTO CUSTODY

- A. Delinquent Child - If a child is taken into custody, after arriving at the facility, the on-duty or on-call JPPO will be notified as soon as possible by the arresting officer. The officer will advise the dispatcher of the name, and other pertinent information and the dispatcher. At that time, the JPPO will authorize either release or detention.

If the JPPO authorizes release, the appropriate paperwork will be completed and the juvenile released to a parent or guardian. The detaining officer will document the time, date and person the juvenile is released to.

If the JPPO authorizes the detention of the juvenile, the arresting officer will complete a 'Probable Cause Detention' which will be attached to the arrest report.

- A. Detoxification - Juvenile may be detained for detoxification purposes only by this Department. If an officer comes into contact with a juvenile who is intoxicated and poses a danger to him/herself or others, the juvenile will be transported to the emergency room, and every effort will be made to notify the parents or guardians. If a parent or guardian is not available Children Youth and Families Department (CYFD) will be contacted.

IV. PROTECTION OF RIGHTS

To ensure that the constitutional rights of the child are protected, once a juvenile has been taken into custody, the following guidelines will be met.

- A. The child will be brought to the Anthony Police Department without delay, unless the child is in need of emergency medical treatment. The officer will make every attempt to contact parents or legal guardian and advise them that the child is in need of medical services. If no family member can be contacted, CYFD will be notified. A child will not be placed in a holding cell, but instead will be placed in the interview room where they will be constantly observed.
 - 1. JPPO will be contacted as soon as possible and the procedure outlined in the above section followed; the arresting officer will complete an 'Arrest Report and/or Class III Citation'; the child will be given a copy of the 'Advise of Rights' to read and sign. The copy will be attached to the arrest report. If the child is being detained, a 'Probable Cause Determination' will be completed detailing the events of the crime and the reason for taking the child into custody without a warrant.
- B. If the child is taken into custody, a complete copy of the report will be forwarded to JPPO.
- C. Physical forms of identification (i.e., hair, blood, urine, handwriting samples) with regard to juveniles cannot be obtained without a search warrant.

V. PARENT NOTIFICATION/RELEASE

- A. The parents/guardians of the child will be contacted and advised the child has been taken into custody, the reason, and whether they are being released or detained;
- B. When the child is released from the Anthony Police Department, whether to a parent/guardian, or being transported to a detention facility, it will be noted on the incident report.

VI. CUSTODIAL INTERROGATION

The guidelines of the Children's Code, NMSA 1978, §32A-2-14, do not prohibit the officer from interviewing and taking statements from victims or witnesses of any age. While the

presence of the parents/guardians is not mandatory during the interrogation of a juvenile, prior to taking this action, the officer(s) will confer with the parents/guardians.

The interrogation shall be limited to no more than two (2) officers being present. The questioning will not last longer than two hours and there must be a thirty minute break before resuming interrogations. No child will be interrogated or questioned without first being advised of his constitutional rights and a waiver is secured from the child.

Statements, confessions or admissions made by children under the age of thirteen (13) cannot be used against them. There is a rebuttable presumption that any confessions, statements or admissions made by a child thirteen (13) or fourteen (14) years old to a person in a position of authority are inadmissible. During the course of the interrogation, the officer will explain to the juvenile the department's procedure and the role of the juvenile justice system in investigations.

VII. CRIMINAL CITATIONS

The Juvenile Citation Program is an alternative program to juvenile offenders who commit a misdemeanor, petty misdemeanor, or status offenses listed on the Juvenile Class III Citation. Citations will be issued by the officer and referred to the JPPO for further review.

VIII. TRAFFIC CITATIONS

All Municipal and Magistrate courts shall deal with traffic offenders under the age of eighteen (18) years, except as provided in the Children's Code. No Municipal or Magistrate court shall incarcerate a child found guilty of any of the provisions of the Motor Vehicle Code or Municipal Traffic Code without first securing approval of the Children's Court. If the Children's Court acquires jurisdiction over a child, pursuant to any of the Motor Vehicle Code violations, it shall have jurisdiction over all traffic offenses alleged to have been committed by the child arising out of the same occurrence.

IX. HANDLING JUVENILE OFFENDERS

- A. When investigating offenses or incidents involving juvenile offenders, officers will use the most appropriate alternative. These alternatives may include:
 - 1. release with no further action;
 - 2. referral to Teen Court, or JPPO whichever is applicable
 - 3. Issued a Class III Citation
 - 4. Custodial arrest with referral to juvenile authorities.
- B. Based on the nature of the investigation, when an officer determines that a juvenile will not be arrested, he/she will be encouraged to contact the parent/guardian while at the scene with the child, in order to notify them of the investigation.

X. RUNAWAYS/ENDANGERED CHILD

- A. All runaway reports must be completed as soon as possible and the appropriate paper work faxed and mailed to New Mexico Vital Record and Health Statistics.

- B. The Juvenile Probation and Parole Office must be notified in the event a runaway from another state is located, since they are responsible for seeing that the child is returned to his/her home state.
- C. CYFD hotline must be called for the purpose of emergency placement of an endangered child. The dispatcher should notify the call taker that an officer needs a caseworker for an emergency placement of an endangered child.
- D. If time becomes a critical issue and it is feasible to relocate the child to the police department, have the caseworker respond to the department. In any case, the child is the responsibility of the responding officer until he/she has been turned over to CYFD.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Emergency Management/ Unusual Occurrences	NUMBER: OPR 02-04
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

In the event of a natural or man-made disaster, the Department has established the following guidelines and procedures to provide for coordination of law enforcement activities to ensure the safety of life and protection of property.

II. POLICY

It is the policy of the Department to assist and coordinate its law enforcement resources during disasters and other unusual occurrences.

III. AUTHORITY

- A. Authority for the implementation of the Departments emergency disaster plan lies with the Chief of Police or his designee. The Chief of Police directs emergency operations from the Emergency Command Center in coordination with other responding agency representatives.
- B. The Lieutenant may be designated and responsible for the planning and response to disasters and unusual occurrences. The Lieutenant may be the principle advisor to the Chief of Police and act as a liaison with Emergency Management authorities and other agencies. He/she may also be responsible for the annual review and update of the Department Emergency Disaster Plan.
- C. The Police Chief is responsible for the coordination of communications and coordinating with other City Department Public Information Officers for the release of accurate and updated information.

IV. MANMADE DISASTERS

Manmade disasters can take a multitude of forms however in general it means an occurrence or imminent threat which is the result of a manmade act affecting any number of citizens through widespread or severe damage, injury, or loss of life or property.

- A. Scene Commander
 1. The first supervisor on the scene immediately assumes command and is designated as Scene Commander until, or unless, relieved by a higher authority. It is the responsibility, of the Scene Commander to:

- a. Make a rapid survey of the scene and assess the seriousness of the situation.
 - b. Notify the Chief of Police of the current status of the situation to include the following:
 - (1) Manpower needs;
 - (2) Routes open to the scene;
 - (3) Location of a suitable staging area and parking area.
 - c. Establish a field command post; and
 - (1) Notify the Communications Center and the supervisor of the location;
 - (2) Determine any communications available;
 - (3) Determine the specific equipment needed.
 - d. Supervise operations and maintain communications with the Communications Center.
- B. Explosions
- 1. The first officer on the scene shall immediately notify the Communications Center of the following:
 - a. Exact location;
 - b. Extent of injuries and number injured, if possible;
 - c. Extent of damage, if accessible;
 - d. Manpower and resources needs assessment, including utilities and EMS/Fire.

V. TRANSPORTATION

Transportation resources:

- A. School buses (Gadsden ISD);
- B. City of Anthony NM;
- C. National Guard

VI. EVACUATION OF THE POLICE DEPARTMENT

- A. In the event that an emergency situation occurs in which evacuation of the Police Department is required, the ranking on-duty patrol supervisor will determine to what degree the Police Department will be evacuated. The supervisor will ensure that staff notification has been made. This can be done through the Communications Center.
 - 1. Evacuation

The supervisor will direct the communication of warnings within the building.

 - a. Department personnel will be notified by use of paging, call down list, within the department or telephone.
 - b. The on-duty supervisor will advise whether a complete or partial evacuation is required. In the event of a partial evacuation, the on-duty supervisor will specify the extent of the evacuation.

- c. Evacuation of the building will be made at the direction of the supervisor.
 - d. Each employee should ensure that all files and doors in their areas are locked, if possible.
- B. Duties after Evacuation

After evacuation, all personnel will report to the Command Center for assignment. These assignments may include, but are not limited to:

 - 1. Building security,
 - 2. Perimeter control,
 - 3. Traffic control,
 - 4. Liaison with the Communications Center,
 - 5. Assignment to resource center, or
 - 6. Other duties as deemed necessary by the event.
- C. Duties at Completion of the Emergency Situation

At the conclusion of the emergency, personnel shall report to the Command Center for further instructions.

VII. DE-ESCALATION PROCEDURES

- A. Recovery begins when the emergency assistance arrives and the emergency is stabilized. While recovery can take place quickly in some areas, other affected areas may require an extended period of time to recover from a disaster.
- B. Once the emergency stabilizes and begins to de-escalate, the commander will prepare for returning to daily police operations. This preparation shall include, but not be limited to the following considerations:
 - 1. Release of other agency personnel from emergency duty.
 - 2. Release of agency personnel from emergency duty. Agency personnel will be the final group released from emergency duty.
 - 3. A minimum recovery period of twelve (12) hours is needed before re-instituting daily police operations. This will provide relief for officers who would normally be reporting for duty at the next scheduled shift.

VIII. AFTERMATH DUTIES

- A. As the disaster situation is contained, the Chief of Police or Scene Commander issues the order to secure all posts associated with the operation and calls a debriefing for all involved personnel at the Police Department.
- B. Post-disaster personnel may remain in the field at posts designated by the Scene Commander.
- C. Within 48 hours after the incident, the scene commander shall submit a written report detailing the events, any casualties and any revisions which need to be made to the emergency operations plans.
- D. Within 72 hours a Critical Incident Stress Debriefing may be provided for public safety personnel, when appropriate.

IX. COORDINATION WITH CITY-WIDE DISASTER PLAN

During periods of emergency, when the City of Anthony NM Emergency Disaster Plan has been implemented and the Emergency Command Center is operational, the Department coordinates its efforts with Fire/EMS operations. The Chief of Police or his designee directs the activities of the Department from the Emergency Command Center.

X. GENERAL

A. Police Services Division

1. Emergency Operation Commander
 - a. The Emergency Operations Commander will determine manpower needs based on 12-hour shifts.
 - b. Ensure that both on-duty and off-duty personnel have been notified and mobilized as necessary.
 - c. Locate and review any maps which could assist in the operation.
 - d. Assemble and brief personnel in the designated location as needed for assignments and equipment issuance.
 - e. Evacuate and/or set up perimeter as necessary.
 - f. Establish a field command post if necessary.
 - g. Provide casualty information to the staff as available.
 - h. The Department's Public Information Officer (Chief of Police) shall be kept up to date and informed as often as possible by the Scene Commander as to current conditions and progress of the operation.
 - i. Supervise post-disaster, de-escalation and resumption of normal activities.
 - j. Submit after-action reports to the Chief of Police.

B. Officers

1. Report promptly to the police department or assigned assembly area to receive assignment and equipment.
2. Be prepared to work 12-hour shifts.
3. Perform assigned functions as directed, including emergency protective measures for the protection of life and property, traffic control and direction, crowd control, evacuation and containment of the disaster area.
4. Available Department personnel may be assigned to key areas of the incident/operation, including but not limited to:
 - a. Perimeter control;
 - b. Traffic direction and control;
 - c. Temporary morgue/casualty information;
 - d. Property recovery and disposition;
 - e. Evacuation;
 - f. Public facility security; and
 - g. Arrest/transportation needs.

5. Traffic direction and control is the primary responsibility of the Police Department.
 - a. An outer perimeter should be established to secure the area. The purpose of the outer perimeter is to keep the number of people exposed to any hazard to a minimum. Access to a disaster area will be limited to residents, emergency services and utilities. Officers should remove any unauthorized personnel from the area for safety reasons being very cognizant of the potential for thefts.
 - b. Maintain open emergency lanes to provide for the free flow of emergency vehicles and equipment. Officers will report streets which are accessible to emergency vehicles as well as streets that are clear through the disaster area. If needed, street cleaning equipment may be requested through the Command Center.
 6. Assist with the care and removal of the injured, as well as the removal and identification of any casualties.
 7. Maintain conspicuous police patrols for the protection of life and property, as well as preventive measures.
 8. Prepare reports as required or necessary.
 9. Officers should be cognizant of the City and local shelter areas and direct people accordingly.
 - a. Victims in need of first aid will be directed to the staging area where medical aid and transportation will be located.
 - b. If the victim is not movable, their location will be relayed to EMS personnel and a route will be provided for transportation.
 - c. People who are unable to locate a relative should be directed to the centralized shelter where a list and disposition of victims will be kept.
- C. Communications
1. Communications play a critical role in emergency operations. The patrol supervisor should identify the nature and extent of the problem promptly communicating this information to the dispatcher.
 2. An inter-jurisdictional communications network, consisting of telephone, teletype, and radio facilities, serves to perform the basic communication needs for emergency operations will be coordinated through the MRVDA.
- D. Chain of Command
1. The established Department chain of command shall be strictly adhered to during emergency operations unless otherwise directed by the Chief of Police.
 2. Outside law enforcement agencies aiding with the emergency shall report to the emergency operations commander for assignment. Personnel from other

law enforcement agencies shall adhere to the Operation's Chain of Command.

XI. NATURAL DISASTER

Natural Disasters can take many forms from ice and wind to floods to tornadoes. It is considered any natural phenomenon which has the potential of widespread or severe damage, injury, or loss of life or property.

A. Supervisors

1. Upon observation of a tornado, it will be the responsibility of the on-duty field supervisor to assign an officer in an area southwest of the tornado, if possible, and attempt to follow and report the path and destruction. The Communication Center will be notified as soon as practical of the boundaries and extent of destruction.
2. The Office of Emergency Management will also be contacted for additional resources.

XII. LABOR DISPUTES

Labor disputes and strikes require more diplomacy on the part of police than many other police matters. Police may show no partiality in a situation so delicately balanced. Certain legal rights are offered each side and law enforcement must ensure that these rights are protected by enforcement when necessary. The Chief of Police or his designee will make the determination as to whether or not officers will remain present at the scene of a strike or whether a close patrol will be maintained.

A. General Policy

The police will not take sides in a strike; they will enforce the laws impartially and be ever conscious of their personal conduct, courtesy and bearing. The officer protects both parties from personal injury, property damage or the disturbance of public peace, and insures free passage of all citizens on the sidewalk and street.

Pickers enjoy the right of free speech and expression. They may carry banners and voice what they wish so long as they do not violate the rights of others, violate state statute or City ordinance.

Management has an obligation not to incite riots by outward provocation of the striking crowd.

B. Close Patrol

If it is determined that a close patrol will be kept of the area, the area officer will:

1. Monitor the crowd and activities on a regular basis and keep the on duty supervisor apprised of the situation.
2. If the situation appears to be getting out of control or a large crowd begins gathering it will be the on duty supervisor's responsibility to assign an officer(s) to remain at the scene.

C. On Scene

When assigned to the scene of a strike the officer(s) should abide by the following:

1. As long as the picketing is orderly, the inspection of the strike area will be made from across the street, or a short distance away;
2. If information is to be conveyed to the picket line then the officer will convey this information by speaking with the person in command;
3. If information is to be conveyed to management then the information should be relayed by speaking to the person in charge; and
4. When it is determined that the situation may get out of control the on duty supervisor will assign officers to the picket line.

D. Arrests

1. If an officer witnesses a misdemeanor or felony he/she will take the appropriate action as in any other situation. When an arrest is made the officer making the arrest will contact a unit to transport the prisoner to the detention facility.
 - a. The arresting officer will remain at the scene until a replacement arrives at the scene.
 - b. Once a replacement officer arrives, the arresting officer will respond to the jail and complete the appropriate arrest paper work and will then report back to the scene, if needed.
2. Reported violations that did not occur in the officer's presence will be handled as in any other situation.

E. Reporting Requirements

Officer(s) working strike duty will submit a combined report summarizing the activities during their tour of duty and forward this to the supervisor on duty.

XIII. RIOTS/CIVIL UNREST

Once a civil disturbance has been identified, the area should be quickly sealed off and contained until the disturbance has been resolved. An unlawful assembly should be dispersed in a safe manner, if possible. Once removed, people should not be allowed to return. If applicable, officers are instructed to arrest violators who refuse to comply with lawful orders to disperse from the scene.

The on-duty supervisor will request assistance from the State Police, Dona Ana County Sheriff's Department, and if necessary mobilize off-duty officers, with consent of the Chief of Police.

A. Communications

1. During an emergency, the Department's primary radio channel shall be designated for emergency traffic only until completion of the operation.

2. If required, the Emergency Command Post will be activated and communications established from that facility.
- B. Situation Maps
1. Situation Maps shall be maintained in the Communications Center to be used during emergency situations to visually plot the emergency area.
 2. City maps or building blueprints of schools or public buildings shall be obtained and made available at the command post.
- C. Scene Commander
- The first supervisor on the scene immediately assumes command and is designated as Scene Commander until, or unless, relieved by a higher authority. It is the responsibility of the Scene Commander to:
1. Make a rapid survey of the scene and assess the seriousness of the situation.
 2. Notify the staff through the Chain of Command of the current status of the situation to include the following:
 - a. Manpower needs;
 - b. Routes open to the scene; and
 - c. Location of a suitable staging area and parking area.
 3. Establish a field command post and
 - a. notify the Communication Center and the staff of the location;
 - b. determine any communications available; and
 - c. determine the specific equipment needed.
 4. Supervise operations and maintain communications with the Communication Center.
- D. Chain of Command
1. During emergency situations, the established chain of command shall be strictly adhered to.
 2. Other law enforcement agencies responding to aid the Department shall adhere to our established chain of command, unless otherwise directed by the Chief of Police.
- E. Community Relations/Public Information
1. The purpose of effective community relations/public information is to maintain public confidence, while keeping the public informed concerning any threatening emergency situation.
 2. The Department Public Information Officer (Chief of Police) is responsible to establish effective collection, control and dissemination of emergency public information, to minimize confusion, misinformation and for rumor control.
 3. If the emergency is strictly a law enforcement problem, the Public Information Officer shall keep the media briefed of the emergency situation as it progresses, without jeopardizing security objectives.
- F. Court/Prosecutorial Liaison

In the event a civil disturbance involves mass arrests, the Chief of Police will, maintain liaison with the appropriate prosecutor and courts, seeking legal advice and direction, as necessary.

G. Other Law Enforcement Agency Support

1. The Scene Commander may request mutual aid from other surrounding law enforcement agencies.
2. Responding law enforcement officers shall be directed where to report for briefing and assignments.

H. Military Support

The Chief of Police may request for the Mayor to seek additional support through the New Mexico National Guard, consistent with the City's Emergency Operations Plan.

I. Traffic Control

1. During a civil disturbance within the City, the Department is responsible to provide traffic direction and control, including barricading off designated streets.
2. The Scene Commander is responsible to establish perimeters, sealing off the affected area, while routing traffic away from the location.

J. Equipment

1. Uniformed officers are issued equipment which should be utilized during civil unrest. These may include the following:
 - a. Helmet;
 - b. ASP baton;
 - c. OC Spray; and
 - d. Flashlights.
2. In a state of emergency, the Chief of Police is authorized to acquire additional equipment, as needed.

K. Mass Arrests

During a civil disturbance, the possibility of mass arrests certainly exists. Mass arrests must be handled quickly and efficiently, providing for transportation to jail, release on summons, and adherence to the arrestee's constitutional rights

1. Arrest
 - a. Before taking any immediate action, the Scene Commander shall determine how much assistance is needed to effectively execute the agency's plan.
 - b. Once the order to disperse has been given, it shall be repeated and a reasonable time limit encouraging people to leave freely.
 - c. Officers responding to a civil disturbance shall respond as an organized tactical team under the direction of a supervisor, not as individual police units.
 - d. When incidents involving mass arrests are anticipated, the DACDC will be contacted ahead of time so the jail personnel can be prepared.

- e. If mass arrests are made, Department vehicles should be used to transport prisoners to the DACDC.
 - (1) The Dona Ana County Sheriff's Department and State Police may be utilized to transport prisoners.
 - (2) If larger capacity transportation is needed the on duty supervisor should contact one of the following to arrange for buses:
 - (a) City of Anthony NM;
 - (b) Gadsden School District; or
 - (c) Other local transportation entities.
 - f. Prisoners will be promptly arrested and removed from the scene to the DONA ANA DETENTION CENTER or other designated facility.
 - g. Even during a civil disturbance officers are authorized to use only the degree of force necessary to effect a lawful arrest, in compliance with the Department Use of Force policy.
 - h. Officers should remember that civil disturbances are highly publicized events, whereby police actions are rigidly scrutinized by the public.
2. Booking
- a. Officers shall adhere to standard operating procedures in the booking process.
 - b. Since this type of activity may cause confusion, all venues will be utilized to ensure the identity of the individual prisoner is correct. Photographs and fingerprints shall be taken of all arrested for follow-up investigative and identification purposes.
 - c. If juveniles are involved, the JPPO will be contacted and asked to respond to the DONA ANA DETENTION CENTER in order to quickly assess and recommend disposition.
 - d. Confinement of adult prisoners will be in accordance with standard operating procedures unless otherwise directed by the Chief of Police of his designee.
Prisoners remaining in department custody will be provided with the necessary needs, such as food, water and sanitation.
3. Medical Treatment
- a. The on duty supervisor will request an ambulance standby at a safe location.
 - b. Prisoners requiring medical attention will be treated prior to being confined in jail.

XIV. COMMUNICATIONS

During periods of emergencies, the Mesilla Valley Regional Authority (MRVDA) on-duty supervisor will coordinate the activities of assigning and coordinating sufficient personnel to ensure proper communications are in effect.

XV. PUBLIC FACILITY SECURITY

- A. As many officers as necessary will be assigned to secure City of Anthony NM facilities, to include the Police Department, City Hall, water/waste water treatment plant, and Municipal Court.
In cases of a major civil disturbance officers will be provided for security of strategic support facilities such as public utility buildings, medical facilities, etc.

XVI. POST OCCURRENCE

- A. The Scene Commander shall direct personnel to perform such necessary duties as required to resume daily police operations, such as:
 - 1. Emergency notification of next-of-kin concerns injuries or deaths.
 - 2. Follow-up supervision concerning workman compensation re: officer on- duty injuries.
 - 3. The Chief of Police will be responsible for any repairs or replacement of damaged or loss equipment/supplies.
 - 4. Any evidence will be collected in accordance with procedural guidelines.
 - 5. Reassignment of patrol personnel to regular schedule patrol shifts.
- B. A debriefing will be held at the conclusion of the incident and a post incident report will be written to the Chief of Police by a designated supervisor involved in the incident, reviewing the operation and recommending any procedural changes, if necessary.
- C. Within 72 hours a Critical Incident Stress Debriefing shall be provided by the Department for those public safety personnel involved.

XVII. SPECIAL EVENTS

Special events may include but are not limited to local fiestas, sporting events, parades, gatherings, marches, and concerts.

- A. Procedures
 - 1. The Chief of Police or his designee is responsible for coordinating the number of officers present at the function and their duties.
 - 2. It is the responsibility of the individual coordinating the event to develop a written plan (special order) which establishes at a minimum:
 - a. use of special operations personnel, if needed;
 - b. necessary equipment available;
 - c. designation of a single person or position as supervisor and coordinator for the coverage of a given event;
 - d. written estimate of traffic, crowd control and crime problems expected for any given event;

- e. logistical requirements;
- f. coordination inside and outside the agency; and
- g. contingency plan for traffic direction and control, which should include, if applicable:
 - (1) entry and exit of vehicular and pedestrian traffic;
 - (2) adequate parking facilities;
 - (3) spectator control;
 - (4) public transportation;
 - (5) relief of officer assigned to point traffic control;
 - (6) emergency vehicle access;
 - (7) alternate routes for through traffic;
 - (8) use of temporary traffic control devices;
 - (9) news media access.
- 3. A copy of the plan should be distributed in the following manner:
 - a. a copy will be posted in the department along with the assignment sheet;
 - b. a copy will be submitted through the chain of command.
 - c. the plan will cancel out once the event is terminated.
- B. After-event report
 - 1. The supervisor coordinating the event will complete an after-event report, which should detail any problems encountered during the event and resolutions or changes that should be considered before the next event.
 - 2. A copy of the after-event report should be forwarded through the chain of command.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <u>Missing Persons</u>	NUMBER: OPR 02-05
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: <u>Vanessa Ordonez</u> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The purpose of this directive is to establish procedures and guidelines for the handling of reported missing or lost person(s)/juvenile(s), and child abduction investigations.

II. POLICY

It is the policy of the Department to investigate and document all missing person(s)/juvenile(s), and child abduction reports.

III. PROCEDURE

A. Juvenile/Missing

Patrol personnel will normally be responsible for initial reports on missing and runaway juveniles. Proper investigation of these reports requires that the following steps be taken.

1. Interview the parents/guardians making the report.
2. Obtain a description and recent photograph of the child.
3. Advise dispatch of the information received, including the last known location and have this information broadcast on all radio frequencies.
4. An offense/incident report shall be completed and all pertinent information will be entered into the mandatory sections of the form. In addition, the following information must be included:
 - a. Place of birth;
 - b. Mothers' maiden name; and
 - c. Parent(s) address(es) if different from the juvenile's.
5. The Chief of Police will be notified and a recent photograph will be provided to facilitate dissemination of the information.
6. The juvenile will be entered into NCIC and copy of the entry will be attached to the officer's report.
7. The investigating officer shall attach a recent photograph (if available) to the daily log.
8. Notify the Missing Persons Clearing House with appropriate forms within 2 hours.

B. After an investigation, if the juvenile is not located, the Chief of Police shall be contacted and advised of the situation in the following cases:

1. In the event that the missing juvenile is less than thirteen years of age.
2. In the event that it appears suspicious circumstances exist surrounding the juvenile's disappearance.

IV. MISSING CHILD/CHILD ABDUCTION INVESTIGATIONS

- A. Missing Child/Child Abduction Investigations apply when:
 1. The child is younger than 18 years of age, and
 2. Whose whereabouts are unknown to a parent, guardian or, responsible party.

- B. Factors that should be considered when investigating a missing child/child abduction report include, but are not limited to:
 1. If the child is 13 years of age or younger.
 2. If the child is out of the zone of safety for his/her age and development stage.
 3. If the mental capacity of the child is diminished.
 4. If the child is on prescribed medication and/or is drug dependent of illegal substances.
 5. If the child is a potential victim of foul play or sexual exploitation.
 6. If the situation can be considered life threatening in any way.
 7. If the incident occurred near a truck stop, motel, school, or busy thoroughfare.
 8. The length of time since the child was last seen.
 9. If the child is believed to be with adults who could endanger his or her welfare.
 10. If the child is absent under circumstances inconsistent with established patterns of behavior.
 11. If the child's disappearance involves circumstances which would cause a reasonable person to believe the child should be at risk.

- C. Resources which can be utilized for Missing Child/Child Abduction investigations include, but are not limited to:
 1. Amber Alert-Law Enforcement Emergency Alert System.
 2. National Center for Missing and Exploited Children.
 3. New Mexico State Police.
 4. New Mexico State Police Search and Rescue (K-9).
 5. Surrounding County Sheriff's Departments.
 6. Federal Bureau of Investigation.

V. PROCEDURES FOR HANDLING CHILD/CHILD ABDUCTION CASES

- A. The responding officer shall:

1. Determine if circumstances of the report meet the requirements of a missing child, as set forth in IV A. above.
 2. Notify the on-duty field supervisor.
 3. Ensure dispatch transmits the appropriate information.
 4. Have dispatch search radio/dispatch records for prior cases involving the child.
 5. Safeguard all pertinent records such as hand written notes and dispatch logs.
- B. Upon arriving at the scene, the responding officer shall:
1. Interview the parents/guardians making the report.
 2. Obtain a description and current photograph of the child.
 3. Advise dispatch of the pertinent information received, including the description and last known location and have this information broadcast on all radio frequencies.
 4. Request additional officers to secure any scene(s) which may be of evidentiary value if the location is other than the home or location the officer was dispatched to.
 5. Interview potential witnesses including children and initiate a search of the neighborhood.
 6. Ensure the on-scene supervisor is apprised of pertinent information.
 7. Stay on the scene to ensure the integrity of all potential evidence, and obtain any new information when available.
 8. Initiate an offense incident report as soon as practical.
 9. If an audio recorder is used, ensure the recording is tagged into evidence, along with any other items of evidentiary value.
 10. All available officer's should respond to assist if a child is reported missing until otherwise advised by supervisor.
- C. The on-scene Supervisor shall:
1. Obtain a briefing from the investigating officer.
 2. Determine if additional personnel and resources are needed.
 3. Organize and coordinate an immediate search of the area surrounding the missing child's home and /or place where the child was last seen.
 4. Determine if an Amber Alert Broadcast is appropriate.
 5. Ensure a designated officer has been established as the victim family liaison.
 6. Notify the Chief of Police.
 7. Establish a command post if needed.
 8. Contact the Investigations Supervisor and brief him/her of the incident and request their presence if the case is verified as a child abduction.

9. Ensure NCIC is notified as soon as possible with the child's information.
10. Monitor media relations (incoming and outgoing information).
11. Ensure all responding personnel write supplemental reports.

D. The Chief of Police will respond if the case is verified as a child abduction, and shall:

1. After being briefed, assess the investigation.
2. Determine level of response.
3. If the situation warrants, assign Investigation Division case responsibility.
4. Assure reasonable requests from the Officer(s) are carried out to their completion.
5. Be responsible for command post operations if implemented.
6. Act as liaison between investigators and other police personnel.
7. Request additional assistance as needed.

E. On Duty officer(s) shall:

1. Obtain briefing from personnel at the scene.
2. Verify the accuracy of all descriptive information.
3. Ensure proper personnel are in place to carry out a proper and thorough investigation.
4. Immediately assign a record keeper who will keep accurate records of all investigative steps taken.
5. Immediately assign personnel to begin a search of the neighborhood documenting all contacts.
6. Obtain a brief history of family dynamics.
7. Assign personnel to interview other family members, friends, and associates.
8. Obtain records from Children, Youth and Families (CYFD) where possible.
9. Evaluate the need for additional resources and specialized services.
10. Update descriptive information.
11. Conduct follow-up interviews with reporting parent/guardian and all possible witnesses and suspects.
12. Prepare necessary reports and complete appropriate forms.
13. Assume responsibility for all phases of the investigation to include processing the scene and the collection of evidence.
14. Notify the FBI if deemed appropriate.

- F. Assisting Officer(s) shall:
 - 1. Take preliminary photographs of the scene and search for evidence as appropriate.
 - 2. Be responsible for collecting evidence at the scene and tagging it into evidence.

- G. Use of Volunteers
 - 1. Volunteers will be used only when absolutely necessary.
 - 2. If volunteers are used, they must be under direct supervision of police personnel.
 - 3. No person will be allowed to volunteer without first being identified and checked for wants and warrants.
 - 4. The person's information will be recorded and given to the record keeper.

VI. ACTIVATION OF AMBER ALERT (NMSA 1978, § 29-15A-4)

- A. Criteria for Amber Alert activation:
 - 1. There must be evidence of non-familial or custodial abduction.
 - 2. The child must be under 17 years of age.
 - 3. There must be specific information concerning the abductor and/or child, which would prove useful to the public in hopes of recovering the child.
 - 4. There must be reason to believe the child is in imminent danger or serious bodily harm or death.
 - 5. There must be specific, detailed description of the child, the abductor, and/or the abductor's vehicle.
- B. Authorized Requestors:
 - 1. On-scene Supervisor;
 - 2. Chief of Police.

VII. PROCEDURES FOR ACTIVATING AMBER ALERT

- A. In all AMBER Alerts, NMSP dispatch is to be notified as quickly as possible so that they can start the Amber Alert notification.
- B. Officers on scene should obtain a photo of the child, descriptors of the child, vehicle information, and suspect information.
- C. The alert will be authorized only if the requestor's identity is verified by code, and if the information provided meets the criteria listed in VI A. above.
- D. No one other than authorized requestors may activate the Amber Alert.
- E. Upon completion of a child abduction investigation, the Chief of Police may direct that either a debriefing be held or an After Action Report be prepared for an administrative review.

VIII. ADULT MISSING PERSON REPORTS

This section applies to persons who are declared emancipated as defined by State Statute and does not apply to juveniles.

A. While conducting preliminary or follow-up investigations regarding missing persons, personnel may encounter several situations which would require the missing adult to be entered into NCIC. For entry of a missing person into NCIC, there must be reasonable grounds to believe the disappearance was not voluntary, that the person's physical safety is in danger, that the person has a physical disability, or the person the person has a mental disability. The investigating officer shall be responsible for properly documenting and submitting any information with his/her written report in accordance with the following guidelines.

1. When evidence suggests that a missing person's physical safety is in danger or the person's disappearance is not voluntary, a written statement from a parent, legal guardian, next of kin, or other authoritative source is required. The documentation must include the circumstances relating to the person's disappearance.
2. If the missing person has a physical and/or mental disability, a written statement verifying the missing person's condition is required from a physician or other authoritative source, e.g., parent, next of kin, etc.

IX. INVESTIGATION OF ADULT MISSING PERSONS

- A. The Responding Officer is responsible for the investigation of cases involving individuals who are defined as "adults" by State Statute.
- B. When a field patrol officer takes an adult missing person's report, it will be the responsibility of the initiating officer to properly determine the circumstances (voluntary/involuntary, etc.) under which the person is missing and to include all pertinent facts surrounding the case.
- C. If the report necessitates an NCIC entry or an "attempt to locate" broadcast, the guidelines set forth above under section VIII above will be followed to include a Silver Alert.
- D. If the missing adult is not located by the end of the officer's shift, the officer will forward a copy of the report to the Chief of Police/designee for follow-up investigation.

The investigating officer shall prepare a hot sheet, if possible, to include a recent photograph of the missing person, and dispatch will be requested to BOLO the information to other local law enforcement agencies

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Traffic	NUMBER: OPR 02-06
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

In order to ensure that traffic law enforcement actions are in accordance with applicable laws and that they take into account the degree and severity of the violation, guidelines have been established to govern enforcement activities. The primary objective of traffic law enforcement is the promotion of traffic safety. All officers are expected to have a working knowledge of traffic laws and their proper application. All officers share the responsibility of traffic law enforcement.

It is the intended purpose of the Department to insure compliance with regulations set forth by the New Mexico traffic code. This policy is intended to assist officers in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter the police.

II. POLICY

It is the policy of this department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or about to commit, an infraction of the law.

III. PROCEDURE

- A. As a general rule, the first responding officer should take charge of the scene until relieved of such duties.
- B. Officers responding to the scene of a reported crash have the following responsibilities:
 1. Determine the need, if any, for EMS response;
 2. Identify potential or actual fire hazards or dangerous conditions so that appropriate action can be taken;
 3. Determine the need for additional assistance;
 4. Protect the scene;
 5. Establish safe movement of traffic around the crash scene;

6. Collect the necessary information to complete a thorough investigation and file a report.
- C. It is the intent of the Department to expedite the removal of debris and vehicles from the roadway. A towed vehicle report will be completed and the vehicle removed as soon as practical. While, under normal circumstances, a diagram of the crash scene is standard procedure and the preferred response, exigent circumstances may require the involved vehicle be moved without completion of a diagram. If this occurs, such action should be documented in the narrative of the report. Exigent circumstances may include, but not be limited to:
 1. Severe weather;
 2. When public safety outweighs the need for a diagram;
 3. If the crash does not involve injury.
 - D. If fire and/or hazardous materials are discovered to play an important role which could hamper the investigation, section XXIV of this policy covering hazardous material response will be followed. The crash investigation will become a secondary issue.

IV. CRASH REPORTS

- A. The Department utilizes three traffic crash reports to investigate all motor vehicle crashes which occur within the City limits of Anthony NM.
 1. State Uniform Crash Report;
 2. State Uniform Truck and Bus Supplement; and
 3. Private Property/Financial Responsibility form.
- B. Officers are required to locate witnesses and record their statements on all crash reports. Officers are also encouraged to obtain driver statements and record their statements on all crash reports.
- C. Items such as purses, wallets, jewelry, firearms, prescription drugs, and large sums of cash, shall be removed and placed into evidence for safe keeping (in accordance the evidence policy). If large sums of money are removed from the vehicle the two person rule will be in effect. The officer will attempt to have all personal property delivered back to the owner in a timely manner. If the officer has trouble contacting the owner the officer can request assistance from the evidence custodian. All other property will be noted on the tow sheet.
- D. Vehicles which are disabled due to the traffic crash will be towed as authorized by the officer, the driver or registered owner. If authorized by the officer a completed towed vehicle report will be attached to the crash report and a copy will be given to the towing service.

V. CRASHES INVOLVING DAMAGE OVER \$500.00 OR INJURY

- A. Upon arriving at the scene of a crash if the investigating officer determines that the damage to the vehicles is over \$500.00 or an injury is reported, a State Crash Report will be completed.

- B. If both vehicles are still in their final resting positions upon officer(s) arrival, measurements of the crash scene will be taken and included in the crash report narrative. A diagram will be completed for all injury crashes and/or court cases.
 - 1. Included in this diagram will be:
 - a. the final resting positions of the vehicle(s) involved;
 - b. any fixed objects involved in the crash;
 - c. final resting positions of any pedestrians or bicyclists involved;
 - d. any other vehicles or fixed objects that might have contributed to the crash;
 - e. any physical evidence left on the roadway (skid marks, gouges, scratches, yawes, debris, etc.); and
 - f. anything that might assist in a thorough and complete investigation of the crash.

VI. CRASHES INVOLVING UNINSURED MOTORISTS

- A. If, during the investigation, the officer determines that an involved vehicle does not have proof of liability insurance and the vehicle is registered in New Mexico the following procedure should be followed:
 - 1. A citation will be issued to the driver for "Insurance Required".
- B. If during the investigation the officer determines that an involved vehicle does not have proof of liability insurance, but the vehicle is registered in another state, enforcement action will be taken, however the license plate will not be removed.

VII. PRIVATE PROPERTY CRASHES

- A. An investigation and report will be made on crashes occurring on private property in the following cases only; otherwise a Private Property Report will be utilized.
 - 1. If there is injury as a result of the crash;
 - 2. If the motor vehicle collides with and damages a building; or
 - 3. When enforcement action is taken due to the fact a person was driving under the influence of intoxicants or reckless driving.
- B. If both parties are present at the crash scene, the private party report form will be completed. Each party involved is given a copy of the report. The parties involved will be advised that the Police Department does not investigate crashes that occur on private property. A CAD # will be requested from dispatch and given to the parties involved.
- C. Hit and run crashes on private property will be handled in the following manner:
 - 1. A State Crash Report will be completed.
- D. Nothing in this section applies to the investigation of motor vehicle crashes which originate on public roadways and come to final position within the bounds of private property. Crashes of this nature will be handled as any on the road type crash.

VIII. FATAL CRASH INVESTIGATION

- A. Once an officer arrives at the scene and it is determined that the crash is a fatal, the on duty supervisor will be notified along with the Chief of Police. The on-duty supervisor will supervise all activities at the scene of a fatal crash. The on-duty supervisor will assign officers to perform tasks relating to the crash.
- B. New Mexico State Police and/or DASO will be called to investigate fatal crash due to insufficient resources from the department.
 - 1. Once an officer arrives at the scene and it is determined that the crash is a fatal, the scene will be secured and notify the New Mexico State Police or Dona Ana County Sheriff's Office for assistance.
 - 2. Upon arrival, the crash will be a joint investigation with NMSP or DASO.
 - 3. Upon arrival of supervisors, all information that has been obtained prior to their arrival will be relayed to them.
 - a. If an officer has witness information this information will be given to the supervisor.
 - b. If possible, all witnesses will be held at the scene until they can be interviewed by the investigating officer(s).
 - c. If the witness has been allowed to leave, the officer receiving the information and statement from the witness will complete a supplement with the witness' statement.
 - 4. The on-duty supervisor or his appointee will ensure that there are enough units present at the scene to provide adequate crowd and traffic control. The scene will remain secure until released by the investigating officers.
 - 5. The Patrol Supervisor or his appointee will ensure that only necessary personnel are allowed into the scene.
 - 6. The Patrol Supervisor will be responsible for ensuring that the proper paper work has been completed.
- C. The on-duty supervisor has the authority to call out additional units on any crash (with or without injury) if they feel additional units are needed.
 - 1. The on-duty supervisor will ensure the NMSP is notified if closure of the interstate is required.

IX. COMMERCIAL TRUCK AND BUS SUPPLEMENTAL REPORTS

Truck and Bus Supplement will be completed with a state report if the following conditions are met: The crash must have involved:

- A. A truck with at least 2 axles or 6 tires;
- B. A vehicle with Hazmat placarding; or
- C. A bus with seats for more than 15 people (including the driver) and at least one of the following occurred:
 - 1. Person(s) fatally injured;
 - 2. Injured person(s) taken from the scene for medical attention; or
 - 3. Vehicle(s) towed from the scene.

X. CRASHES INVOLVING CITY VEHICLES

Crashes involving City vehicles, other than police vehicles, will be investigated as previously mentioned in sections covering crashes involving damage over \$500.00 or injury.

- A. If either the City employee or the other party involved in the crash is issued a citation, they will be cited into Court for the next court date.
- B. The City employee will be responsible for completing the Damage to City Property Report on their department vehicle.
- C. The on-duty Patrol Supervisor will be immediately advised of the crash, as well as the supervisor of the City employee involved and Human Resources.
- D. The City employee may be required to submit to a drug test as outlined the City of Anthony Vehicle Use Policy.
- E. The Uniform State Crash report will be completed and a copy forwarded to the City Safety Director.

XI. CRASHES ON CITY PROPERTY

- A. A State Crash Report will be completed on all crashes that occur on City property.
- B. Before enforcement action is taken, the investigating officer will ensure that the statute/ordinance covers City owned property; remembering that some violations can only occur on a street, highway, or alley.

XII. FOLLOW UP INVESTIGATIONS

- A. If a follow-up investigation is required for a reported crash, it is the responsibility of the original investigating officer. If information is obtained by a secondary officer, that officer will complete a supplemental report and ensure that a copy is forwarded to the original investigating officer. Any supplemental information should be documented as soon as the information becomes known.
- B. The exception to this policy is for hit and run reports. Any follow-up investigation completed as a result of a hit and run crash shall be documented within five (5) working days. If no further information is developed during that time period, a supplemental report will be filed providing that information.

XIII. TRAFFIC ENGINEERING

The Department realizes the City of Anthony has access to a state Traffic Engineer for state roads which pass through the City. This person can play an important role toward reducing traffic crashes in the City.

XIV. DISTURBANCES BETWEEN INVOLVED PARTIES

Occasionally responding officers may find involved parties of a crash engaged in a dispute. The resolution of this dispute should take precedence over the crash investigation. If necessary, additional officers should be requested in order to complete the investigation and resolve the disturbance as quickly as possible.

XV. MANUAL TRAFFIC CONTROL

In furtherance of public safety, it may be necessary for an officer to manually regulate the flow of traffic around crash scenes, fire scenes, and other hazards on or near the roadway or during special events. The purpose of manual traffic control is to insure an orderly flow of traffic, prevent congestion, and insure the safety of motorists and pedestrians.

XVI. TRAFFIC DIRECTION PROCEDURES

A. General Provisions

1. Manual traffic direction is performed in emergency situations and at areas determined to be problem areas.
2. Officers actively involved in manual traffic direction shall wear authorized issued reflective vests.
3. Uniform hand signals shall be utilized and whistle techniques may be used by officers to communicate understandable messages and directions to any driver or pedestrian on the roadway coming into or close to an area where an emergency situation, or any circumstance where officers are using manual traffic direction techniques.
 - a. Officers using manual traffic direction use open hand, stiff arm techniques for stopping traffic flow and continued traffic flow.
 - b. Officers may indicate traffic signals with whistles along with hand gestures using the following method: If whistle techniques are used, a long continuous blast is used to stop approaching traffic. Two short blasts in rapid succession are used to precipitate the beginning of movement, the continuation of movement, or to indicate a turning movement.

B. Special Events

1. As supervisors become aware of special events such as parades, sporting events, etc., a contingency plan is prepared for traffic direction.
2. Contingency plans address the following factors:
 - a. Entry and exit of vehicular traffic;
 - b. Parking facilities;
 - c. Spectator control; and
 - d. Use of temporary traffic control devices.

C. Fire Scenes

1. Expedite or direct traffic flow;
2. Safeguard pedestrians and motorists; and
3. Safeguard emergency personnel, emergency operations and equipment.

D. Adverse Roads and Weather Conditions

1. During periods of adverse weather and road conditions, officers provide traffic direction or assistance on an emergency basis, as needed.
2. If assistance is required from other City departments or agencies, on-call personnel for these departments are notified as soon as possible. A call list for

these departments is maintained in the Communications Center allowing for 24 hours access. Officers maintain manual traffic direction until the roadway is safe for travel.

XVII. TEMPORARY TRAFFIC CONTROL DEVICES

- A. Temporary traffic control devices such as portable stop signs, barricades, or traffic cones may be used at locations where traffic control is required. Responsibility for requesting these devices rests with the person in charge of the scene.
- B. The Department has authority to place and maintain temporary traffic control devices when necessary for regulating, warning, or guiding traffic on any public roadway. In the case of state roads passing through the City, coordination must be made with NMDOT.

XVIII. EMERGENCY ESCORTS

- A. Officers of this Department will not escort any vehicles, including ambulances, on an emergency Code 3.
- B. Officers will not block intersections for any vehicles, including ambulances, traveling Code 3.
- C. Officers will not transport any victims of sickness or injury in a police unit unless authorized by the shift supervisor in consideration of existing conditions, gravity of the situation, and nature of the emergency. Ambulance/EMS service will be called for persons in need of medical treatment.

XIX. FUNERAL ESCORTS

The Department offers this service to the citizens of the City of Anthony (upon request) free of charge, to the local cemetery. Due to the nature of funeral escorts, however, caution must be used to decrease the potential for crashes or mistakes.

- A. Upon arrival at the funeral, contact the director or agent to confirm which cemetery is being used. **Note:** Escorts for cemeteries located outside of the City require special circumstances and special authorization and coordination with the local law enforcement agency where the cemetery is located. This is generally done at some time in advance of the funeral. However, it is also discouraged due to manpower constraints of the departments involved.
- B. Upon contact with the agent remind them if they approach an unprotected controlled intersection to stop and wait for the police escort.
- C. When the casket is moved from the building to the hearse, officers will stand at parade rest.
- D. Two methods of escorts are approved prior to leaving the funeral home/church; officers should decide which one will be utilized:
 - 1. Relief: A unit holds an intersection until the following unit catches up and relieves him. The first unit then moves on to the next intersection.

- 2. Leapfrog: A unit holds an intersection and remains there while secondary units come by them going to the next intersection. This requires that the unit allow room for the secondary units to pass.
- E. No officer of the Department shall exceed the posted speed limit while escorting a funeral.
- F. No officer shall drive in any manner so as to endanger the public while on escort duty.
- G. No officer shall leave any intersection which is controlled by a stop sign or traffic signal unprotected.

XX. GENERAL ASSISTANCE

This order has been established to provide guidelines for providing general assistance to all persons utilizing highways and public thoroughfares. This includes giving information and direction, assisting motorists with stranded vehicles, taking action on highway hazards and dealing with hazardous materials. The intent of this order is to assist in providing for the safe and efficient flow of traffic and to ensure the public safety.

XXI. MOTORIST ASSISTANCE

- A. The Department does not respond to calls for motorist assists if the complaint is that keys are locked in vehicles or they can't start them. The only exception to this is if exigent circumstances exist (i.e., small child locked inside). Motorists will be advised they should seek assistance through other means (i.e., private company, family, etc.).
- B. The Department will contact a towing service for a stranded motorist. The motorists need to be told that this service will be paid for by them, the City does not pay the cost. The officer needs to request this assistance, along with the name of the requestor, and Communications will contact and dispatch a tow truck to the scene. The towing service utilized should be at the choice of the requestor. If the vehicle is a traffic hazard, the officer should stand by until arrival of the towing service.

XXII. HIGHWAY HAZARDS

At any time when one of the below hazards exists, the officer shall request Communications personnel to notify the proper agency. Officers need to advise Communications personnel whether this hazard needs to be taken care of immediately or can wait until the beginning of the next business day. After hours, call-out of City of Anthony NM personnel must be approved by a supervisor prior to call-out.

- A. Traffic light in need of repair (this includes light out or not working properly);
- B. Traffic control device down (i.e., stop sign, yield sign, school crossing, etc.);
- C. Electrical power lines;
- D. Large debris in roadway (if after hours, try to remove to side of road if possible);
- E. Breaks in water, gas or other utility mains;
- F. Snow/ice on roadway (to determine the need for some type of service);
- G. Fire hazards needing attention;
- H. Defects in the roadway;

- I. Street light(s) out; and
- J. Dead animals/injured animals.
- K. Massive Floods

XXIII. EMERGENCY ASSISTANCE

- A. First Aid
 - 1. In emergency medical situations, department personnel shall normally render only that degree of care necessary to sustain life, prevent or control shock, and/or prevent further harm based on each officer's level of training and abilities.
 - 2. If first aid is necessary, the officer should radio for EMS to respond while rendering first aid.
- B. Fires
 - 1. The primary responsibility of the Department in responding to a fire call is the protection of life, traffic control and crowd control. In responding to a fire call, officers should be cognizant of where the fire is in relation to intersections, potential use of fire hydrants and fires lines in the roadway and should park accordingly.
 - 2. Members of the Department have not been trained in firefighting and do not carry the necessary equipment, aside from a small chemical extinguisher. Before attempting to fight a fire, officers should consider the safety hazards and potential for injury.

XXIV. HAZARDOUS MATERIALS

Hazardous Materials are defined as those substances, which in quantity or form, constitute an unreasonable risk to the health and welfare of the public. They fall into the categories of gases, liquids, explosives, oxidizers, solids, corrosives, poisons, and radioactive materials. Officers should have in their possession a copy of the Emergency Response Guidebook which may assist in determining the specifics of the hazardous materials.

The primary responsibility of the Department at the scene of a Hazardous Material spill is containment, evacuation and/or crowd control.

Duties of Dispatched Officer:

- A. From a safe distance, assess the situation, and then request Communications personnel contact the Dona Ana County Fire Department. They, in turn, will contact any other appropriate personnel.
- B. Notify the on-duty supervisor of the situation.
- C. Establish a safe perimeter around the scene using additional units as necessary.

Duties of Shift Supervisor:

- A. Confer with the appropriate Fire Department personnel regarding evacuation of the area and establishment of a safe perimeter.
- B. Notify the Chief of Police.
- C. Ensure that involvement of police personnel within a contaminated area is minimized.

XXV. DRIVING WHILE UNDER THE INFLUENCE

The Department encourages officers to enforce Driving While Under the Influence of Intoxicating Liquor or Drug statutes in order to remove persons suspected of driving under the influence of alcohol, or other substances, from public places. The procedures are intended to serve as guidelines in D.W.I. Enforcement.

XXVI. ARREST

Officers suspecting that the driver of a motor vehicle is under the influence of alcohol or other substance may take the following actions:

- A. Routine Traffic
 - 1. Observe the suspect's driving behavior for a safe distance to determine reasonable suspicion or probable cause to stop the vehicle.
 - 2. Stop the vehicle at a safe location for the protection of the suspect, officer, and any vehicular traffic.
 - 3. Observe the suspect to determine if he might be under the influence. Once this is determined, request that the suspect take sobriety tests, which are described in the next section.
 - 4. When it is determined that the person may be intoxicated, the suspect should be placed under arrest.
 - 5. The suspect's vehicle shall be towed, following the department policy. The vehicle may be released to a responsible person at the officer's discretion.
 - 6. Transport the suspect to the Police Department for processing and a breath test. If the person has indicated that he will submit to a breath test and the arresting officer is not certified to perform the breath test, a certified operator will be requested to perform the test.
 - 7. Advise the suspect of the Implied Consent Act, and request him/her to give a sample of his breath, blood, or both. If the suspect refuses, inform him of the consequences of refusing. If a substance other than alcohol is suspected, a blood test should be requested.
 - 8. If a blood test is requested, the person will be transported to the Department, or a Medical Facility. The officer will ensure the process of withdrawing blood will be conducted in accordance with New Mexico statutes. A blood kit approved by the New Mexico Department of Health shall be used.
- B. Crash Investigations

If there is probable cause that a driver involved in a crash is intoxicated, the same procedures apply as above with the following exceptions:

1. If injuries sustained in the crash are fatal, life-threatening or may result in great bodily harm, the Chief of Police and the Assistant District Attorney on call will be contacted via telephone prior to any charges being filed.
2. If the driver sustained injuries which require hospitalization, the subject will be placed under arrest, if possible, a blood kit will be requested, any associated paperwork completed and arrangements made to release the subject; or
3. If the driver left the scene of a crash and is later located, no arrest should be made without giving consideration to the time lapse, witnesses and the suspect's location.

XXVII. SOBRIETY TEST

Standard Field Sobriety Tests (SFSTs) shall be administered unless medical/age impairment exists. Alternative sobriety tests will be administered if SFST's are not appropriate.

XXVIII. REQUIRED PAPERWORK FOR DWI ARRESTS

- A. Report: A report will be completed on each DWI arrest. The narrative section of the report should provide in detail the series of events that lead to the subject's arrest for DWI.
- B. DWI Citation: A DWI Citation and Officer's Statement, on a form approved by the State, will be completed on each DWI arrest.
- C. Criminal Complaint: A Criminal Complaint with the Municipal/Magistrate will be completed on each DWI arrest. If this is a second or subsequent arrest, it must be annotated on the Criminal Complaint.
- D. Intoxilyzer Report: A copy is given to the suspect, a copy is attached to the MVD paperwork and a copy is attached to the arrest report and forwarded to Records division.
- E. Blood Kit Report: A Blood Kit Report, on a form approved by the State, will be completed on any DWI arrest where a sample of blood is drawn in addition to, or instead of, a breath sample.
- F. If the subject has a valid, current New Mexico Driver's License in their possession, and the BAC was over .08 for drivers 21 years of age or older (.02 for drivers under the age of 21), or if the test is refused, the driver's license will be confiscated. The 'Notice of Revocation' will be provided to the offender.

XXIX. BREATH TESTING INSTRUMENT OPERATION

- A. Only officers that are certified to operate the breath testing instrument will perform any tests on subject(s) arrested for DWI.
- B. The subject(s) will be informed of the Implied Consent Act Advisory and a 20 minute deprivation period will be observed with no substances in their mouth.

- C. After the deprivation period time has expired, the subject will be requested to provide a sample of his breath, blood, or both. If the subject refuses, he will be advised of the consequences for refusing to submit to chemical testing of his breath, blood or both.
- D. If the subject agrees to provide a breath sample, the certified operator of the breath testing instrument will conduct the test in accordance with the rules and regulations established by the New Mexico Department of Health.
- E. After testing is completed, the subject will be provided with a copy of his results as soon as they are available to the officer.
- F. Officers will ensure that the required information is recorded in the Intoxilyzer Log Book.

XXX. BLOOD TESTING

- A. The breath test is the most efficient and preferred manner of testing a subject's B.A.C., however, there are times when a blood test is preferred.
- B. If a subjects B.A.C. is low, and in the officer's opinion is not consistent with his/her apparent level of intoxication, the officer may choose to complete a blood test also to test for drugs.
- C. If the subject sustained injuries as a result of the crash and in all likelihood will not be able to perform a breath test, a blood test will be requested.
- D. If a blood test is requested, see XXVI. 8. of this policy.
- E. When a blood test is used, the Notice of Revocation will not be forwarded to MVD but will be maintained in the approved location until the results are returned from the blood test. Once they have been received, the arresting officer should place a copy of the Notice of Revocation and the original test results in the Record's basket to be filed in the subject's arrest file.
- F. Once the subject has submitted to a test(s) of our choosing, they may request a test of their own for independent testing. If a blood test is requested, the following procedures will be used:
 - 1. The subject will be allowed to contact a physician or nurse of his/her choosing by phone to make arrangements to meet to draw the blood.
 - 2. A standard blood kit approved by the state will be used regardless of who draws the blood.
 - 3. Once the blood is collected, the arresting officer will complete evidence form and a letter to the independent laboratory (kept in the same location as blood kits) attach them to the blood sample and place it in an evidence locker.
 - 4. The arresting officer will complete and provide the suspect a copy of the evidence form as a receipt for the blood. The officer will advise the subject of their responsibility to advise the Department which independent laboratory they wish the sample to be sent to.
 - 5. The blood sample will be maintained in evidence at the Department for a minimum of 90 days. At the conclusion of that 90 day period, the arresting officer will obtain a disposition on the case.

- a. If there has been a conviction and sentence has been imposed, the blood sample will be maintained for another 30 days following the sentencing date. Following this 30 day period, if an appeal has not been filed the blood sample will be destroyed. If an appeal has been filed, the sample will be maintained until a final disposition is determined.
- b. If no disposition is available after the 90 day period the sample will be maintained until a final disposition is determined.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Prisoner/Patient Transport	NUMBER: OPR 02-07
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

In all instances involving the transfer of persons in custody of the Department, there are concerns that should be kept in mind for the safety and rights of prisoners. At the same time the Department must ensure that these people do not escape and that they are not permitted to injure citizens or police personnel. This order establishes guidelines for all officers in the safe transportation of prisoners.

II. POLICY

It is the policy of the department to follow this directive to ensure officer safety, prisoner safety, and to prevent escapes.

III. VEHICLES

- A. All patrol vehicles, unless otherwise designated, are equipped for transporting prisoners.
- B. Units with cages are the primary transporting units in order to insure the safety of prisoners and officers.
- C. Vehicles used for transporting prisoners are equipped and modified to minimize possibilities of prisoner exit from the rear compartment.
- D. Vehicles used for transporting are equipped and modified in the following manner:
 1. Protective screen;
 2. Rear door release is operated from either the front compartment or from the outside of the vehicle; and
 3. Rear compartment window movement has been made inoperable.

IV. PHYSICAL SEARCH OF PRISONERS/VEHICLES

- A. When making an arrest, an officer shall conduct a thorough, systematic search of the prisoner. This search is intended to uncover any weapons, contraband or other articles on the prisoner that could cause injury to the officer or facilitate an escape. The officer shall take possession of all weapons and evidence prior to placing the prisoner in the police vehicle. If practical, this search should be conducted by an officer of the same sex.

- B. In the event the prisoner is turned over to another officer for transportation or is being transported from a holding facility to court, etc., the prisoner shall be searched by the transporting officer before being placed into a unit.
- C. Each time a prisoner is to be transported, the transporting vehicle should be examined to ensure that no contraband or similar items are present. Because police vehicles are not ordinarily under constant observation, a search is made to assure that no contraband, weapon or other harmful item has been placed or left in the vehicle. This is to include a thorough examination of the rear seat compartment.

V. TRANSPORT OPERATIONS

- A. Prisoners transported in a police vehicle equipped with a protective screen will be placed in the rear seat.
- B. No more than three (3) prisoners will be transported at one time in the same vehicle. However, if possible, they should be separated if from the same incident for safety and/or investigative reasons.
- C. Use of restraints to secure prisoner is limited to the following department approved restraining devices:
 - 1. Double locking handcuffs;
 - 2. Belly chain;
 - 3. Leg restraints;
 - 4. The Wrap Safe Restraint; and
 - 5. Double locking leg shackles.
- D. All prisoners will be handcuffed behind their backs, if possible, and remain so restrained while being transported to a detention facility. Restraining a prisoner through a procedure commonly known as **'hog-tying'** shall not be utilized.
- E. Prisoners should be seat belted for safety and to prevent movement within the vehicle.
- F. Exceptions may be made for the elderly, invalids, ill or injured individuals, or other persons with physical handicaps which require the use of either modified procedures or no handcuffs.
- G. If a prisoner is transported from the detention facility to another location, the officer will employ the use of restraints.
- H. If the prisoner poses a flight risk or increased danger to the officer, the additional use of a belly chain, leg restraint or leg shackles may be utilized if available.
- I. Prisoners will not be allowed to contact an attorney, family members, or friends while they are being transported to the detention facility. The prisoner will be advised that unless otherwise prohibited, they will be allowed to communicate with their attorney and/or family member once they have been booked into the detention facility.
- J. If the prisoner is being transported to court, medical facility, etc., extra care should be taken in this regard to limit access to telephone, etc. Unless otherwise authorized by a supervisor, the prisoner will not be allowed to have contact with family members while there. If their attorney wishes to speak to them at court, they will be allowed.

- K. While the transporting officer has custody of the prisoner, the officer will keep the prisoner under observation at all times.
- L. When transporting a prisoner, the officer will notify the dispatcher of the location and, beginning mileage, and destination. Upon arrival at the destination, the officer will notify the dispatcher of the ending mileage.

VI. RESPONSE TO EMERGENCIES DURING TRANSFERS

- A. Officers involved in transporting prisoners do not ordinarily respond to calls for law enforcement service. Exceptions to this policy include:
 - 1. Life threatening circumstances;
 - 2. Serious injury to any person is likely; or
 - 3. Request for emergency assistance from another officer.
- B. All other situations encountered by the transporting officer requiring police response shall be reported via police radio.

VII. ESCAPE OF PRISONER IN TRANSPORT

- A. Should a prisoner escape during transport, the transporting officer shall:
 - 1. Immediately notify dispatch of the escape and request assistance in the search and apprehension of the escapee.
 - 2. Notify the appropriate law enforcement agencies for assistance if the escape takes place outside the City limits of Anthony NM, the officer shall cooperate with local authorities in completing any necessary reports.
 - 3. Notify an immediate supervisor as soon as practical.
- B. The transporting officer shall submit a complete report on the escape as soon as practical. If the escape occurred outside our jurisdiction a memo will be submitted detailing the incident through the chain-of-command.
- C. If the prisoner is recaptured within a reasonable time period, the prisoner may additionally be charged with any applicable crimes. If the prisoner is recaptured outside a reasonable time period, they are still considered under arrest on the original charge. Any additional charges may be sought through the issuance of a warrant.
- D. If the prisoner is not recaptured, the officer shall prepare the necessary paperwork to obtain a warrant.

VIII. SPECIAL TRANSPORT SITUATIONS

- A. Transporting prisoners with handicaps:
 - 1. Due care should be taken when transporting handicapped individuals. Careful evaluation and discretion must be utilized by officers in determining when exceptions to restraints should apply. The nature of an individual's illness, injury, or physical handicap must be weighed against the threat the individual poses to the officer or citizens. Partial restraint is preferable to no restraint at all.

2. Consideration should be given to see that necessary handicap aids (i.e., crutches, wheelchairs, etc.) as well as prescription medicines are transported and made available to the prisoner at the appropriate time. These items must be turned over to the detention facility staff.
 3. The officer should use discretion when using restraining devices on handicapped prisoners; however, it should not be automatically assumed that a handicapped prisoner poses no flight risk or danger to the officer.
- B. Transporting sick/injured prisoners:
1. If a subject has been injured prior to being arrested (i.e., bar fight, etc.) or while the arrest is being effected and has any visibly obvious injuries which require medical attention (more than first aid), they will not be accepted into Dona Ana County Detention Center (DACDC) and should first be transported to a medical facility for treatment. This transportation will be done in an ambulance or EMS vehicle with appropriate police presence if necessary. If the prisoner refuses medical treatment, he will not be transported, at the discretion of EMS personnel, and the details will be documented in the associated reports of the incident.
 2. If a prisoner needs to be transported to a medical facility for a non- emergency complaint, the prisoner will be transported in a police unit.
 3. If a prisoner needs to be transported to a medical facility for an emergency complaint or is not mobile, an ambulance or EMS will respond.
 4. Officers should restrain sick or injured prisoners in the approved method, being cognizant that they may still pose a flight risk or danger to the officer.
 5. If a prisoner is transported to a medical facility, he/she should be restrained as much as possible. The use of handcuffs and seat belt is recommended to discourage and inhibit movement. The prisoner should remain under constant supervision of the officer.
 6. If the prisoner needs to be admitted to the medical facility, the officer will immediately contact a supervisor to make arrangements either for a release, a hold or additional security measures.
 7. Once the arrestee is medically cleared, the arrestee will be transported to the DACDC for booking.
- C. Transporting Mentally Disturbed Individuals.
1. Officers may be called to transport a mental patient who presents a likelihood of causing serious harm to themselves or others to either the DACDC or a hospital for evaluation and/or admission. Before transporting, officers should confirm that the necessary arrangements have been made for admission to a facility.
 2. Prisoners known or suspected of being mentally disturbed should be restrained securely through the use of approved restraints.

3. The transporting officer shall be notified prior to leaving the detention facility if the prisoner poses either an escape risk has a suicide potential or illness.
- D. Special situations
If a prisoner is to be transported in a special situation, such as a funeral or visiting a critically ill person, special caution should be used. The prisoner should be handcuffed, while limiting contact with others. The decision to allow a prisoner this privilege will be made by the Chief of Police and the respective judge.

IX. SECURITY UPON ARRIVAL AT DESTINATION

- A. Upon arrival at the DACDC, the officer will secure their firearms in the authorized lock boxes or within the trunk of their vehicle. The key to the lock box or the trunk of the vehicle will be placed in a location to prevent access by the prisoner. The prisoner will then be removed from the vehicle and released to the custody of the correction officers.
- B. If the subject is unruly and violent, he/she will be taken directly to a cell and the use of any restraints at that time will comply with regulations set forth by the DACDC.
- C. If the prisoner is being transported to the DACDC or another detention facility, the same procedures should be followed if no designated lock boxes are available, the officers will secure their weapon(s) in the trunk of their unit.
- D. In the event a prisoner presents a security hazard to the court, the respective judge shall be notified prior to arraignment so that other arrangements or additional restraints may be utilized.

X. DOCUMENTATION

- A. Any prisoner being transported from a detention facility must be positively identified as the person who is to be moved. This should be done by checking booking records assigned to the prisoner. The prisoner should not be transported, except in case of emergency, until positive identification is confirmed.
- B. If a prisoner is being transported to a local court, the paperwork should have already been transferred. If the prisoner is being transported to a court in another jurisdiction, copies of the arrest record, complaint, and related reports must accompany them.
- C. If the prisoner is being transported to another facility, copies of their arrest record, court papers and personal property should accompany them.
- D. Transfer documentation must include information that specifically alerts receiving officers to potential security problems. This information may include the prisoner's suicide or escape potential and unusual illnesses.
- E. When a prisoner is transported to another detention facility, upon arrival the transporting officer will ensure that the receiving officer acknowledges the transfer by signing in the appropriate place on the Inmate Release Form. This form will then be returned to Records where it will be placed in the file with the arrest report.

XI. ARRESTEES OR PRISONERS UTILIZING INTERVIEW ROOM

- A. No officer will allow an arrestee or prisoner to be left alone while at the Department.
- B. No arrestee or prisoner will be handcuffed to any type of fixed object.
- C. Personnel should remain in close proximity of the room available to intervene on behalf of the arrestee/prisoner or the officer.
- D. All arrestees or prisoners will be searched prior to the interview process.
- E. The interview room shall be searched prior to the arrestee or prisoner being brought in.
- F. Officers will use their training and experience to decide whether or not to be armed during the interview.
- G. All interviews will be conducted in the department interview room if possible.

XII. ARRESTEES OR PRISONERS

- A. DWI arrestees or prisoners will be taken to the Department for initial processing (IR-8000). All others will be transported directly to the DACDC for processing.
- B. When juveniles are arrested by the Department, the officers will notify the juvenile probation office to determine if detention is required. If detention is required and authorized by the JPPO, the JPPO will advise the officers as to which detention center the juvenile will be detained at. AT NO TIME WILL A JUVENILE BE PLACED IN THE ADULT DONA ANA COUNTY DETENTION CENTER.
- C. All required paperwork will be completed before the juvenile is transported to a detention facility.
- D. All officers will adhere to the transporting and handling of arrested juveniles according to this policy.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Domestic Violence	NUMBER: OPR 02-08
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

This policy established procedures and guidelines to be used in investigating reports of family violence. Family Violence is a serious danger and threat to society and its members. Victims of family violence are entitled to the maximum protection from harm or abuse as is permitted by law without regard to the relationship between the alleged offender and victim. The primary objectives in responding to a domestic abuse call are to de-escalate violent situations, to render assistance to the victim, to enforce the law against violators, determine the predominant aggressor and to facilitate prosecution, where applicable.

II. POLICY

It is the policy of the Department to reduce the incidence and severity of domestic abuse; protect victims of domestic abuse and provide them with support through a combination of law enforcement and community services; and to promote officer safety by ensuring officers are fully prepared to respond to and effectively deal with domestic abuse calls for service.

III. DEFINITIONS

“Domestic Abuse” means any incident by a household member against another household member (**see note**) resulting in:

- A. Physical harm;
- B. Severe emotional distress;
- C. Bodily injury or assault;
- D. A threat causing imminent fear of bodily injury by any household member;
- E. Criminal trespass;
- F. Criminal damage to property;
- G. Repeatedly driving by a residence or work place;
- H. Telephone harassment;
- I. Harassment; or
- J. Harm or threatened harm to children.

Note: “Household Member” as defined in the Crimes Against Household Members Act, (NMSA 1978, 30-3-11).

PLEASE NOTE THAT IN THE CRIMES AGAINST HOUSEHOLD MEMBERS ACT, A *CHILD* IS NOT INCLUDED AS A HOUSEHOLD MEMBER.

Consequently, if the victim of “domestic” call is a minor child of the suspect/offender, the call will not be handled under the Crimes Against Household Member Act but will be handled as either parental discipline or abuse/neglect of a child, depending on the force used. If the victim is 18 years of age or over and the suspect/offender is a parent, the call will be handled as a battery. If the suspect/offender is the child of the victim or sibling of the victim, the domestic charge could be brought under either the Crimes Against Household Members or the Family Violence Protection Act, whichever is more appropriate.

“Co-Parent” means persons who have a child in common, regardless of whether they have been married or have lived together at any time.

“Order of Protection” means an order issued by and State District Court Judge pursuant to the Family Violence Protection Act granted for the protection of victims of domestic abuse with a specific expiration date. Violation of an Order of Protection is a criminal offense.

IV. DUTIES OF POLICE OFFICERS

- A. A police officer responding to the request for assistance shall be required to identify the primary aggressor by evaluating offensive and defensive wounds, past contacts and known information by the police and take whatever steps are reasonably necessary to protect the victim from further domestic abuse.
- B. Upon request of the victim of domestic abuse, arranging for transportation by private means or ambulance to a medical facility.
- C. Upon request of the victim of domestic abuse, accompanying the victim to the victim’s residence to remove property i.e. clothing and personal effects required for immediate needs and the clothing and personal effects of any children in the care of the victim.
- D. Advising the victim of the remedies available under the Family Violence Act/Order of Protection, filing of appropriate crime reports, procedure for obtaining a warrant and the availability of domestic violence shelters, medical care and counseling. A victim of domestic violence will be given a domestic violence packet stating the victim’s rights in both English and Spanish. This will be accomplished by the officer at the scene.
- E. Officers may arrest a person without a warrant when the officer is at the scene of a domestic abuse call and has probable cause to believe that the person has committed an assault or a battery upon a household member as defined above. When an arrest is made, officers shall charge the offender under the appropriate statute for battery and/or assault as authorized by 3 1-1-7, NMSA 1978. These laws can be used even when no Order of Protection exists.
- F. In keeping with the intent of the Family Violence Laws, if an officer determines that a prisoner is intoxicated or under the influence of narcotics to such an extent that it

would be dangerous to permit them to remain at large; or if they reasonably believe that their release might further endanger the victim, a Magistrate or District Judge will be contacted and the arresting officer will request the offender to be detained.

- G. The Dona Ana County Detention Center will make a reasonable attempt to contact and advise the victim when the offending party is released from the detention facility. In order to expedite the process, prior to leaving the facility after booking a prisoner for Domestic Violence, the arresting officer will leave the name and phone number of the person that needs to be contacted with the on-duty detention officer. Any attempts will be logged in the Detention Facility Daily Log book.
- H. Officers will enforce the provisions of valid Orders of Protection.
- I. Officers shall enforce the provisions of custody as set forth in a valid court order which may include removing children from the non-custodial parent or guardian.

V. POLICE OFFICERS AS VICTIMS/ABUSING PARTIES

The following procedures have been developed to ensure that department policy is applied fairly and impartially to all members of the community.

- A. When a police officer responds to a call of domestic abuse and finds that the offender or victim is another member of the Anthony NM Police Department, the responding officer will call the Chief of Police. In most cases it will be requested that Dona Ana County Sheriff's Office or New Mexico State Police will be requested to assume the case.
- B. Should the victim/offender officer be of equal or higher rank than that of the responding supervisor, the responding supervisor will then contact someone of higher rank than that of the offender/victim.
- C. The supervisor will then become responsible for taking into custody the abusing party when appropriate.

VI. ORDER OF PROTECTION

A victim of domestic abuse may petition the District Court under the Family Violence Protection Act for an Order of Protection. The Department is required to keep petition forms for distribution of domestic abuse. These forms will be available at the Department and officers shall familiarize themselves with these forms and their implication in order to instruct victims of domestic abuse seeking such relief. These forms are available in the office and records. The officers or police employees shall provide the public upon request a Domestic Violence packet. **NO OFFICER OR POLICE EMPLOYEE WILL ASSIST THE PUBLIC IN FILLING OUT THESE FORMS.**

- A. Court orders may include, but are not limited to the following:
 - 1. Awarding temporary custody of the children and allowing for visitation rights and support;
 - 2. Ordering that respondent not initiate contact with petitioner;
 - 3. Restraining parties from disposing of personal property other than in the course of business, as directed by the Court Order;

4. Enforcing other injunctive relief as the Court deems necessary, including orders to law enforcement agencies;
 5. Granting sole possession of the household to petitioner during the period the Order is effective or ordering the respondent to provide temporary suitable alternative housing for petitioner and any children to whom the respondent owes a legal obligation of support.
- B. A police officer shall arrest without a warrant and taken into custody a person whom the police officer has probable cause to believe has violated any clauses as set forth in a valid Order or Protection. Prior to any arrests for violation of the Order of Protection, the officer will verify whether or not the respondent has been served with a copy of the Order. Refer to 40-13-6 NMSA for guidance on full faith and credit for protection orders issued by other jurisdictions.
 - C. Any abusing party arrested for violation of the Order of Protection will be charged under NMSA 1978, 40-13-6 (D), "Violation of Order of Protection" in Magistrate Court. A criminal complaint will be completed detailing the violations. A copy of the Order of Protection should accompany the paperwork to Magistrate Court. In addition, any additional criminal charges will be filed.
 - D. If the alleged abusing party is not arrested, a report shall be filed detailing the allegations. A copy of the valid Order of Protection will be attached to the report.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Bias-Based Profiling	NUMBER: OPR 02-09
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: OPR.04.01	NMSA:

I. PURPOSE

The purpose of this directive is to prevent and prohibit the practice of bias based profiling and other discriminatory practices by any member of the Department. It is the intent of the Department to respect and protect the constitutional rights of individuals during law enforcement contacts and/or enforcement actions.

II. POLICY

It is the policy of this Department to investigate suspicious persons, incidents and other activities with reliance on reported or observed descriptions and/or reasonable suspicion and not based on biased profiling or discrimination. To that end, we will comply with the Prohibition of Profiling Practices Act. (NMSA 1978, § 29-21-1)

III. PROCEDURE

Definition - Bias based profiling by an officer is the reliance on an individual's race, ethnicity, color, national origin, language, gender identity, sexual orientation, political affiliation, religion, physical or mental condition, age, economic status, or cultural group of individuals in initiating, conducting, or determining the scope of an investigatory or enforcement activity, including, but not limited to detentions, traffic stops, pedestrian stops, interviews, frisks, and other searches, except to the extent that credible information, relevant to the location or time frame, links a person with those identifying characteristics to a reported or observed criminal incident or suspected criminal activity.

- A. Biased-based profiling of individuals is strictly prohibited by members of the Department.
- B. The detention or investigation of an individual which is not based on a suspected violation of Federal Law, New Mexico State Statutes, City Ordinances, or any combination thereof, is prohibited.
 1. Asset seizure and forfeiture efforts and procedures shall be based on violations of Federal Law, New Mexico State Statutes, City Ordinances, or any combination thereof, and shall not be motivated by those factors listed in the Bias Based Profiling definition.

2. Officers shall not ask for or request the immigration status of persons except in the interest of consular notification when they have already been arrested for a criminal offence.

IV. TRAINING

All Officers will receive training during orientation, and at least every two years thereafter, on the harms of bias based profiling and discrimination, including legal aspects and a review of this directive.

V. DUTIES OF DEPARTMENT MEMBERS

- A. Any Officer who witnesses or becomes aware of any possible violation of this Order will immediately contact and inform his/her immediate supervisor and/or the Internal Affairs Unit without delay.
- B. Officers shall not discourage the filing of any complaints and will avoid actions that could be interpreted to constitute intimidation, coercion, or threatened retaliation against complainants to discourage or prevent them from filing complaints.

VI. INVESTIGATION OF COMPLAINTS

- A. Complaints of Bias-Based Profiling will be accepted from any source or manner and must be made within 90 days from the commission of the alleged violation.
- B. All complaints of bias-based profiling or discriminatory practices will be investigated in accordance with the established Internal Affairs procedures (see ADM.01-28).
- C. Each supervisor will be responsible for continually monitoring and examining all members under their direct supervision to ensure that member's actions and activities adhere to this directive and to discover any indications of racial profiling or discriminatory practices.

VII. ATTORNEY GENERAL SUBMITTAL

In accordance with the 2009 Prohibition of Profiling Practices Act, a copy of Bias-Based Profiling complaints shall be submitted to the Attorney General's Office along with the finding. Complaints shall not disclose personal identifying information of the complainant or the Officer.

- A. Persons who express desire to file a complaint of bias-based profiling shall be given a biased-based profiling complaint form.

VIII. DISCIPLINARY PROCEDURES

- A. Appropriate discipline will be implemented for non-compliance with this directive.
- B. Failure to report any observed or known violations of this Order by any member of the Department will result in disciplinary action.

IX. ADMINISTRATIVE REVIEW

- A. There will be an annual review of this Order and Department practices conducted by the Chief of Police, or his/her designee.
- B. The review will include concerns expressed by citizens.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Towed Vehicles	NUMBER: OPR 02-10
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The procedures outlined in this order are intended to guide officers in making decisions of when to tow vehicles.

II. POLICY

It is the policy of the department to tow vehicles when authorized by State Statute and or City Ordinance.

III. WRECKER SERVICE

Requests for wrecker service by any member of this department acting in an official capacity shall be restricted to the wrecker on call in accordance with the wrecker rotation schedule unless the owner or operator of the vehicle to be towed requests a wrecker from a specific company. This also applies to members of automobile clubs.

IV. WHEN VEHICLES MAY BE TOWED

The responding officer shall have the authority to remove any vehicle from any location within the City, when:

- A. Such vehicle has been found to be in violation of any State Law or City ordinance, which requires the towing and removal of such vehicle.
- B. The driver of the vehicle has been found to be incapacitated by the use of alcohol or drugs and the driver is arrested, vehicle will then be towed. Or upon any other arrest and the vehicle cannot be released to a responsible party who has a valid driver's license. If the vehicle cannot be released properly, the vehicle will be towed. Vehicles will not be locked and left at any location unless the vehicle was not part of the initial contact.
- C. The vehicle is abandoned, wrecked, or vandalized, or it is parked in such a manner as to cause a traffic hazard.

Note: Officers should be aware there is no State Law which authorizes the towing of a vehicle when the owner or driver cannot produce valid insurance documents. Additionally, the City does not have an ordinance which allows for the towing of vehicles when valid insurance documents cannot be produced.

V. OWNER/OPERATOR OPTIONS

The owner/operator of a vehicle may select a wrecker of his/her choice.

VI. TOWING REQUIREMENTS

- A. Members or employees will not request wrecker service for vehicles abandoned on private property unless such vehicle is needed for evidence purposes involving a CRIMINAL offense.
- B. The officer who authorizes the towing of a vehicle for any reason will complete a towing report and include the towing information in the offense report, which must be written to describe the incident precipitating the towing.
- C. The towing information required in the offense report is:
 - 1. Reason for towing.
 - 2. If a hold had been placed on vehicle and for what reason.
 - 3. Name, address, and telephone number of the person the vehicle was released to if the vehicle is not towed or parked.
- D. Wrecker will be cancelled only under extreme circumstances including, but not limited to, the following:
 - 1. Wrecker does not arrive within 30 minutes.
 - 2. The wrecker is not properly equipped for the job.

VII. INVENTORY UPON IMPOUND

An inventory will be made of the property in a vehicle to be towed. Only the ignition key will be left in the vehicle. All other keys will be removed and be given to the driver, or placed in his/her property.

VIII. VEHICLES INVOLVED IN CRASHES

Vehicles involved in crashes will be towed when:

- A. The driver/owner has been taken from the scene due to injuries or illness and the vehicle cannot be released to a qualified driver.
- B. The vehicle is causing a traffic obstruction and cannot be driven from the scene because of damage, or it is inoperable.
- C. The driver/owner requests a wrecker.
- D. The vehicle is needed for evidence of a crime.
- E. The driver has been arrested for Driving While Intoxicated.
- F. If the owner of a recovered stolen vehicle cannot be contacted.
- G. The vehicle requires further examination as a result of a fatal or serious injury accident.

IX. VEHICLES TOWED FOR EVIDENTIARY PURPOSES

- A. Vehicles will not be towed to the police station to be processed for evidence unless requested by a supervisor.

- B. Vehicles towed, as evidence, will have a hold placed on them by the towing officer.
- C. Vehicles belonging to the victims of crime which need to be processed for evidentiary purposes:
 - 1. Shall be processed at the scene whenever practical;
 - 2. Shall be towed, if necessary by requested wrecker whenever possible;
 - 3. The Department shall not withstand expenses incurred in towing any vehicle needed for evidentiary purposes to the police station as the same wrecker will tow the vehicle from the police station to the wrecker yard upon completion of evidentiary processing.

X. VEHICLES BELIEVED TO BE ABANDONED

Upon observing a possible abandoned vehicle:

- A. Make stolen vehicle inquiry.
- B. Check if vehicle is violating parking restrictions.
- C. Obtain a license plate reading and attempt to contact the owner and have the owner remove the vehicle.
- D. If the owner cannot be contacted or refuses to move the vehicle, a police report will be made.
- E. If the vehicle is not obstructing traffic, an Unattended or abandoned Vehicle Check form will be completed and attached to the most conspicuous window for future determination of violation of the Traffic Code.
- F. If the vehicle is towed subsequent to the attachment of a 72-hour Unattended Vehicle check Form, the date, time and officer's name on the form will be included in the report.
- G. The officer requesting the wrecker will be responsible for attempting to contact the owner of the vehicle prior to the tow.
- H. Motorcycles with altered, mutilated or no vehicle identification numbers are to be towed in the same manner as other motor vehicles.

XI. VEHICLE HOLDS

Officers will only place holds on vehicles under the following circumstances:

- A. The vehicle has been impounded lawfully and the owner or operator cannot produce satisfactory proof of ownership. In this case, the impounding officer will write on the impound form "Hold for proof of ownership." The officer will authorize the wrecker service to release the vehicle upon production of satisfactory proof of ownership.
- B. The vehicle has been impounded for evidentiary purposes and the officer anticipates obtaining a warrant for the vehicle. In this case, a search warrant must be obtained in a timely manner. After execution of the warrant, the officer shall release the vehicle if it is no longer needed as evidence.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <u>USE OF FORCE</u>	NUMBER: OPR 02-11
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: <u>Vanessa Ordonez</u> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. POLICY

The Department will establish guidelines governing the use of force and its limitations, and to describe prohibitive activities. All officers will be trained and issued copies on the Department's Use of Force Policy before being authorized to carry a firearm.

II. DEFINITIONS

A. DEADLY FORCE

1. The firing of a firearm, even though no intent exists to kill or inflict serious physical injury.
2. Any force applied in any manner by any means that could reasonably be expected to cause death or serious physical injury.

B. LESS-LETHAL FORCE

Any use of force other than that which is considered deadly force.

C. FIREARMS

Any weapon from which a projectile is forcibly ejected by an explosive.

D. REASONABLE BELIEF

When facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

E. SERIOUS PHYSICAL INJURY

A physical injury, which creates a substantial, risk of death, or which causes death or serious and protracted disfigurement, or impairment of the function of any bodily organ or limb.

F. EXCESSIVE FORCE

1. Force is excessive when its application is inappropriate to the circumstances, resulting in injury to a suspect. In determining whether force has been excessively applied, the primary concern is whether the on-scene

officer reasonably believes that its application was necessary and appropriate. Based on the reasonableness standard, excessive force may be determined based on:

- a) the severity of the crime;
 - b) the nature and extent of the threat posed by the suspect;
 - c) the degree to which the suspect resists arrest or detention; and
 - d) any attempts by the suspect to evade arrest by flight.
2. In evaluating the reasonable application of force, officers must consider their own age, size, strength, skill level with department weapons, state of health, and the number of officers opposing the number of suspects.

III. RULES AND PROCEDURES

- A. Officers confronted often with situations requiring the use of force to affect an arrest or ensure public safety. The degree of force used depends on what the officer perceives as reasonable and necessary under the circumstances at the time he or she decides to use force. Except for deadly force, the application of any degree of force is justified only when the officer reasonably believes that it is necessary
 - 1. to prevent the escape from custody, make an arrest or an investigative detention of a person the officer believes has committed a crime; or
 - 2. to defend himself or herself or another from what the officer believes is the use of force while trying to arrest another, prevent his or her escape, or otherwise lawfully take the person into custody.
- B. Facts or circumstances unknown to the officer shall not be considered in later determining whether the force was justified. The department expects officers to observe the following three guidelines in all applications of force:
 - 1. Employ the minimum force reasonably necessary to accomplish a legal purpose.
 - 2. Officers may resort to more severe methods of force to overcome either increasing resistance or an increasingly dangerous threat to public safety.
 - 3. When a confrontation escalates suddenly, officers may use any means or device at hand for self-defense provided that the use of force is reasonable.
- C. The escalation in the use of force typically follows a pattern: verbal control, compliance techniques (control holds), chemical weapons, electronic control devices (ECDs), defensive tactics (e.g., baton), and finally deadly force. Officers must understand how to recognize increasing or decreasing levels of threat and respond appropriately.
- D. When applying deadly force, the officer's objective shall be to use the amount of force necessary to stop the aggression or threat of aggression. The objective of the use of any force is to overcome the suspect's resistance to an officer's lawful purpose. Officers shall avoid unnecessary or excessive applications of force.
- E. Officers shall not unreasonably or unnecessarily endanger themselves or the public when applying this policy.

IV. PROCEDURES – NON-DEADLY FORCE:

This Department does not enforce the use of force “continuum” (Reactive Control Module) which is taught at the NMLEA, but rather uses the REASONABLENESS STANDARD. Most instances in which force is applied are non-deadly. Officers shall assess the incident to determine which technique will best bring the situation under control. **Following the application of any method of force, once the situation is contained, officers shall provide or arrange to provide medical help.**

A. Verbal Control

Verbal control refers to the manner in which the officer speaks to a person, which alone can manage a situation. Verbal control includes advice, persuasion, admonitions, or orders. The volume and tone of the officer’s speech may also contribute to control without having to resort to another method of force. The department urges the use of verbal commands without the use of profanity or disrespectful or argumentative behavior.

B. Compliance Techniques

At times, uncooperative people who refuse to be taken into custody may only respond to a combination of strength, leverage, take-downs, control holds, or come-alongs with sufficient force to make the lawful arrest without aggravating a suspect's combativeness. The object of this level of force is to gain control and enforce the suspect's compliance while minimizing the risk of injury to officers, bystanders, or the person being placed in custody.

C. Chemical Agents

The use of chemical agents is restricted to situations where higher levels of force are unnecessary and lesser levels are inappropriate or ineffective. The only chemical weapon authorized for patrol personnel is the oleoresin capsicum (OC) or "pepper spray." Chemical agents shall be used only to the extent necessary to overcome the resistance of the suspect within training standards. Specialized chemical agents such as concussion grenades or tear gas shall be used only by personnel trained in their application, and then only under direct orders of the on-scene supervisor upon consultation with the Chief.

1. Use of chemical spray

- a) Chemical sprays shall not be used to threaten, to elicit information, or persuade people to comply with orders, nor will they be used on people who are handcuffed, secured, and properly in custody.
- b) Keep the application to the absolute minimum required to effectively control the subject.
- c) Chemical spray is target specific and should result in the officer’s ability to gain control of the suspect.
- d) The target area will consist of the face.

2. Decontamination

- a) Decontamination begins after the suspect has been restrained with handcuffs or by other means and the suspect’s resistance has ceased.
- b) Decontamination should begin in a reasonable time frame and officer safety concerns should be taken into consideration.
- c) Medical personnel will be notified to perform a cursory check of the suspect, to remove contact lenses if necessary.

V. DEFENSIVE TACTICS

A. Baton/Asp

The department authorizes the carrying and use of the (baton, asp) as the only striking weapon for officers: all other forms of striking or punching weapons are prohibited for carrying or use, including but not limited to saps, blackjacks, slapjacks, nunchaku and similar sticks, and brass knuckles. Officers who carry the (baton) shall be certified in its use. The weapon may be used in quelling confrontations involving physical violence where higher levels of force are unnecessary or inappropriate and lesser levels are inappropriate or ineffective.

1. The (baton) shall not be used to strike handcuffed individuals.
2. The (baton) is mainly useful as an instrument to manage various control holds, not as a club or prod. Officers shall not raise the (baton) above the head to strike a blow.

B. Electronic Control Device

1. In order to determine which technique or weapon will safely resolve the incident and bring it under control safely, officers should assess the situations where force is warranted. The officer should only use that force which is objectively reasonable to affect lawful objectives.
2. This policy is intended to provide general guidelines for the Electronic Control Devices (ECD), commonly referred to as a TASER. Hereinafter, ECD's shall be referred to as ECD and TASER shall refer to the X-26P and/or TASER 7 TASER, manufactured by TASER/AXON International.
3. A departmental use of force review will be held following the deployment of an ECD. Each application of the ECD will be evaluated as an individual and separate use of force incident.
4. The ECD is an additional law enforcement tool and is not intended to replace firearms or replace other equipment, tools or techniques. The ECD should only be used when it is appropriate for the situation. The utilization of the ECD is considered a use of force and as such must comply with the departmental use of force guidelines. Any use of an ECD that is deemed unreasonable shall subject the officer to disciplinary action.
5. Officers will only use the ECD after receiving training and certification in its proper use, and in accordance with departmental and manufacturer training guidelines.
6. The ECD will be carried fully armed with an air cartridge installed and in the "safe" position in preparation for immediate use when authorized.
7. If practical, a warning should be given to a person prior to deploying the ECD to inform other personnel involved that a less-lethal weapon is being deployed.
8. The use of an ECD is authorized:
 - a) At the discretion of the officer where actions of a suspect places the suspect, citizen, and/or officers at risk of injury and/or where physical contact with the suspect would increase the likelihood of injury to the suspect, citizen, or officers.
 - i. In all instances, the officer will only use the reasonable number or cycles/applications of the ECD necessary to affect the arrest of the suspect or to control the situation.
 - ii. When using the ECD, the officer should normally use it for one standard cycle and stop to evaluate the situation and behavior of the suspect, unless it is not safe to do so.

- b) To stop a suspect who is resisting custody by making aggressive movements, and/or escalating resistive force.
 - c) To stop potentially dangerous behavior.
 - d) To protect a person or officer from injury or death.
 - e) To protect a suspect from injuring him/herself.
 - f) To maintain order within a facility.
 - g) In situations that require gaining/maintaining control of a subject or situation.
 - h) Civil disturbances such as fights or riots.
 - i) Armed suicidal persons.
 - j) Mentally ill or emotionally disturbed persons.
 - k) Attempting to evade or flight from custody when an officer has a reasonable suspicion to believe a subject has committed a felony.
 - l) In situations where a supervisor deems the use of the ECD to safely resolve a situation/incident.
9. Nothing in this policy should limit the officer to use of the ECD in place of other force option.
10. The use of the ECD is a highly effective option to control a situation. However, no officer should place him/herself in unnecessary danger. When practical, the ECD should be used with lethal cover from another officer.
11. When a suspect is armed with an ECD and attacks or threatens to attack an officer, the officer may defend him/herself to avoid becoming incapacitated and risking the possibility that the suspect could gain control of the officers' firearm. When possible, officers should attempt to place intermediate barriers between themselves and the ECD, and seek cover, as well as request backup officers to mitigate the danger.
12. Due to elevated risk factors for injury, special consideration should be given to the use of an ECD on:
- a) Obviously pregnant females.
 - b) Persons with apparent debilitation illnesses or the elderly.
 - c) Children or persons under eighty (80) pounds.
13. The use of an ECD is not authorized:
- a) To be used as a punishment or out of anger.
 - b) To be used on a handcuffed person(s) unless they are actively resisting, exhibiting active aggression, or attempting to harm themselves or others.
 - c) To be used when a suspect is in a location (Such as in a large amount of water or elevated structure) where a fall may cause substantial injury or death, unless deadly force would otherwise be authorized. An example of this would be a suspect on a balcony, riding a motorcycle/bicycle/moving vehicle or operating machinery, or standing in or near a swimming pool.
14. Extreme caution should be used upon deployment of the ECD in areas where there is potential for fire hazard such as flammable vapors, gasses, or electric spark hazard such as those encountered at filling stations and clandestine drug labs. The officer will follow the guidelines as established in departmental training.
15. In preparation for firing, the ECD shall be pointed in a safe direction, taken off of safe mode, and then aimed at the suspect. Center mass of the suspect's back should be the primary target where reasonably possible. Below center mass of the suspect's chest or any place on the subjects arms or legs are the secondary targets. The head and face should not be targeted unless the appropriate level of force can be justified.

16. The ECD should be left in the fire position until the suspect is safely in custody and under control. This allows for another cycle to be applied to the suspect in the event the non-cooperative or combative behavior continues.
17. After deployment of the ECD and the suspect is safely in custody and under control, the officer should evaluate the situation and assess the suspect prior to TASER probe removal.
 - a) After deployment of the ECD, the probes may be removed by the deploying officer in accordance with manufacturer's training. Medical treatment shall be immediately provided to the suspect at the scene. Follow-up medical treatment at an appropriate medical facility will be provided, if needed. When booking a subject that has received a Probe deployment, officers will advise Medical Personnel at the corrections facility that the prisoner has received a Probe Deployment.
 - b) Only officers who have completed the ECD TASER Training program will remove the probes unless the probes have penetrated a sensitive area such as throat, face, eye, breast or groin area. In this case, the officer will carefully cut the conductive wire leads connected to the probes and the probes will remain intact. The TASER probes will then be removed by medical staff at a hospital.
 - c) Since the probes will most likely have blood on them (biohazard) the officer should wear protective gloves when handling. The wires shall be wound around the cartridge. The cartridge, wires and any RFD tags located shall be placed into evidence. The probes shall be placed into a sharps container.
 - d) The officer should inspect the probes after removal to ensure that the entire probe and barb has been removed. In the event that the probe or barb has broken off, the suspect should be provided with appropriate medical attention to facilitate the removal of the object.
18. The ECD may also be used in certain circumstances in a "drive stun" mode. This involves removing the air cartridge and pressing the ECD against an appropriate area of the body as described in training. It is important to note that when the device is used in this manner, it is:
 - a) Primarily a pain compliance tool due to the lack of TASER probe spread.
 - b) Less effective compared to deployment of an air cartridge and achieving Neuro-muscular Incapacitation. (NMI).
 - c) Likely to leave small burn marks on the suspects skin.
 - d) Subject to the same deployment guidelines and restrictions as those of the ECD in air cartridge deployments.
19. In all instances where an ECD is used on a suspect, the officer will:
 - a) Complete a Supervisory Use of Force report. A copy of this report will be forwarded through the chain of command in accordance with the Use of Force Policy.
 - b) Officers shall specifically articulate the rationale in their use of force report for any instances in which:
 - i. An ECD is deployed more than three times.
 - ii. More than one ECD is used against a suspect in any given incident.
 - iii. Ensure that photographs are taken of the probe impact sites and any other related injuries, both before (if practical under the circumstances) and after removal of the probes. If the drive stun technique is used, photograph any applicable marks.

In some instances, photographs may not be taken, such as in cases of juveniles or when the probes impact the genitals, female's breasts, etc. It is important to preserve evidence of ECD use; however, it is also important not to violate any medical, HIPAA, or privacy statutes or other legal restrictions.

- iv. Turn over the ECD to the TASER Instructor for downloading of event data to designated computer as soon as practicable following the use of the ECD. The TASER instructor will also issue a replacement cartridge to the officer.
20. Upon completion of training, each officer will be issued one (1) ECD, one (1) extended Digital Power Magazine (XDPM), one (1) holster designated for support, and two (2) department-issued air cartridges. Each officer will sign for equipment acknowledging receipt. If any problems occur with any of the issued equipment, notifications should be made to the officer's immediate supervisor and/or TASER Instructor.
- A weekly "Spark test" will be conducted by the officer to ensure the ECD is functioning properly and to ensure the SDPM has battery power above twenty percent (20%). The spark test will be performed in a safe manner consistent with training.
21. When the SDPM reaches twenty percent (20%) battery life, the officer shall notify the TASER instructor so a replacement can be obtained. The XDPM will then be recycled or used for training purposes.
- a) The EDC is designated for weak side carry. It is the policy of this agency that the ECD be carried on the side of the body opposite the firearm. This is to help prevent the accidental drawing and/or firing of an officer's sidearm.
 - b) The spare air cartridge will be carried in a manner consistent with training.
22. Misuse of the ECD by an officer will be reported to the immediate supervisor of that officer for disciplinary action. Misuse consists of, but is not limited to; unjustified deployment, excessive "Spark Tests", and the use of the ECD for activities not associated with the use of force situations and/or law enforcement.

VI. DEADLY FORCE

A. Firearms-General

Firearms may be used:

1. In defense of the officer or others from what is reasonably believed to be an immediate threat of death or serious bodily harm; or
2. To prevent the escape of a fleeing felon whom the officer has probable cause to believe will pose a significant threat to human life should escape occur. No other reasonable means of capture must be available to the officer in this case without endangering the officer's life or the life of another person.
3. In evaluating a "significant threat," the officer must reasonably believe that the person has either used deadly force in the commission of a crime or may inflict death or serious harm to the officer or others if apprehension is delayed.
4. Where feasible, officers shall identify themselves and give a VERBAL warning before shooting.
5. *Officers may utilize deadly force to safely destroy an animal that represents a threat to public safety, as a humanitarian measure where the animal is seriously injured and other alternatives have been exhausted. A supervisor's approval should be sought when possible.*
6. In routine firearm training or practice at an approved range.

B. Limitations On Force

The following acts associated with the use of force are **PROHIBITED**.

1. Firing into crowds.
2. Firing a warning shot.
3. Firing at or from a moving vehicle, except where the officer reasonably believes:
 - a) an occupant of the other vehicle is using, or threatening to use, deadly force by a means other than the vehicle; or
 - b) a vehicle is operated in a manner deliberately intended to strike an officer or a citizen and all other reasonable means of defense have been exhausted (or are not present), including moving out of the path of the vehicle, and the safety of innocent persons would not be unduly jeopardized by the officer's action.
 - c) Officers shall not fire at or in the direction of a vehicle that no longer poses an immediate threat.
4. Firing into a building or through doors when the person fired at is not clearly visible unless officers are being fired upon from such building or through such door.
5. Firing at a suspect when lesser force could be used and the officer believes that the suspect can be apprehended reasonably soon thereafter without the use of deadly force, or when there is any substantial danger to innocent bystanders.
6. Application of choke hold or carotid control holds, except when the officer reasonably believes such holds are the only means of protecting him/herself or another person from an imminent threat of serious physical injury or death.
7. Use of flashlights as batons. A officer may use a flashlight or other object designed for a use other than as a weapon **only** to defend himself or herself or another from imminent serious physical injury or death and then **only** if departmentally sanctioned methods are not available or are impractical.
8. Carrying or use of a second back-up firearm unless authorized by the Chief.
9. The carrying or use of saps, blackjacks, slapjacks.
10. Use of deadly force against unarmed, non-dangerous fleeing felons, fleeing misdemeanants, or traffic offenders.
11. Any use of force not reasonably necessary in the light of the circumstances confronting the officer.
12. Any forcible enforcement action when off duty except in circumstances which seriously threatens life, valuable property, or public order.

C. Reporting Use Of Force

1. Officers shall document any application of force except for those arising in training or departmental demonstrations.

2. If officers have employed chemical weapons or any higher degree of force, they shall:
 - a) Immediately notify the on-duty supervisor or the Lieutenant and/or Chief (if the on-duty supervisor is unavailable) of any use of physical force. If an officer is unable to write the report, the Lieutenant or supervisor will ensure the necessary reports are properly prepared and forwarded.
 - b) A Use of Force Form will be completed for each officer that utilizes or displays force on a subject.
 - c) Submit an offense/incident report to include the Use of Force Form before the end of the shift describing the incident and any medical aid rendered, and shall substantiate the force used. Supervisors will ensure all reports/supplements are completed with copy to the Chief.

D. Departmental Response

1. Pending administrative review, any officer who has taken the life of another person shall be removed from line-duty assignment for a minimum of three days. This action protects both the officer's and the community's interests until the situation are resolved.
2. The Chief shall review all reported uses of force to determine whether:
 - a) Departmental orders were violated;
 - b) Relevant departmental policy was clearly understandable and effective to cover the situation; and
 - c) Departmental training was adequate.
3. The Chief may direct an internal investigation to examine an incident in which force was applied. The internal investigation may also examine training and policy needs.

VII. DUTY TO INTERVENE

If any member of this department witnesses another law enforcement officer utilizing force that is violation of the law, he or she will immediately intervene to stop the unlawful application of force. Additionally, it is that individual's duty to report to his/her immediate supervisor any acts that he or she witness that would constitute an unlawful application of force by any law enforcement officer.

VIII. INTERNAL INVESTIGATIONS

Internal investigations of serious applications of force (usually of compliance techniques and more severe methods) shall be of two types conducted simultaneously; first, an administrative investigation to determine whether department standards were followed; second, a criminal one to detect lawbreaking. A criminal investigation shall be discontinued whenever the department is satisfied that no misconduct occurred.

IX. PSYCHOLOGICAL SERVICES

Following a shooting resulting in injury or death, the officer shall not return to duty until a psychological evaluation has been conducted, and the officer has received counseling.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Weapons/Firearms	NUMBER: OPR 02-12
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 08-22-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The purpose of this directive is to establish policies and procedures regarding training, approved weapons, and related equipment. Officers are encouraged not to routinely switch back and forth between different handguns and types of handguns. During a shooting incident, it is imperative that an officer be able to instinctively operate an assigned or authorized weapon proficiently. Routinely switching weapons puts an officer at a distinct disadvantage which could be fatal.

A police officer's firearm is perhaps the most commonly perceived symbol of the officer's authority and role. In the interest of public safety and police professionalism, the Department sets herein high standards of performance for its personnel who use weapons. The Department's policy ensures that members are properly trained not only in the use of appropriate firearms, but also in their maintenance. In addition, the Department believes that off-duty use of weapons, plus the selection and wearing of on-and off-duty holsters, must follow standards enforced by supervisors and the Department firearms instructors.

II. POLICY

It is the policy of the Department that no officer shall be permitted to carry a weapon until proper training has been received and the officer has qualified with the weapon. Each officer will be provided with a copy of the Department's Use of Force policy prior to being allowed to carry a weapon. All officers, while on duty must have a Department authorized handgun immediately accessible. Uniformed officers must carry authorized handguns while on duty. Non-uniformed off duty officers driving a Department vehicle will be armed.

III. PRIMARY HANDGUN

- A. The Department shall inspect and approve each commissioned officers handgun.
 1. Officers may carry a Department issued firearm. A list of Department issued or authorized handguns are maintained by Chief of Police or firearms instructor.
 2. Officers may also carry personally owned weapons providing they are authorized in writing by the firearms instructor and the Chief of Police.
 3. Animal Control Officers are not authorized to carry any type of handguns.
- B. Any modifications must be approved by the firearms instructor and Chief of Police.

- C. All Department issued firearms will be inspected twice a year by a firearms instructor. Unsafe weapons will be removed from service until repaired.
- D. All weapons issued will be recorded with the weapon type, serial number, date of issue and officer it was issued to. This also pertains to personally owned weapons. This information will be maintained by the firearms instructor and Police Chief.

IV. OFF-DUTY HANDGUN

- A. Officers may carry their Department issued or personally owned firearm while off duty. Officers who carry a weapon other than a Department issued weapon are required to purchase their own ammunition. If an off duty weapon is carried in plain view the officer shall display his badge of office.

Exceptions:

Off-duty officers shall not carry a firearm into an establishment whose primary business is licensed to dispense alcoholic beverages.

- 1. Off-duty weapons shall be carried safely.
- B. Officers may carry a firearm other than their issued duty weapon, off-duty, if it meets the following guidelines:
 - 1. Firearms must be authorized by the firearms instructor and Chief of Police.
 - 2. Weapon will be at least a five or six shot semiautomatic or revolver in a minimum caliber of .32, but not to exceed .45 caliber.
 - 3. CONCEALABILITY is one of the reasons for going to a different type of off-duty weapon.
- C. Holsters, extra magazines or speed loaders are not required for qualification or when the weapon is being carried off-duty. The weapon must be carried in a manner where it is safe and secure.
- D. Officers wanting to change weapons must qualify with the new weapon only at regular qualifications or if time permits, when scheduled by the firearms instructor.
- E. All firearms will be inspected and approved by the firearms instructor.

V. BACK-UP HANDGUN

Officers are authorized to carry back-up firearms which meet the same guidelines as stated in Off-Duty Weapons listed above under section B. Back-up firearms are to be used as a last resort weapon when the primary weapon has been exhausted or is inaccessible.

VI. SHOTGUNS/RIFLES

- A. Shotgun
 - 1. Officers may carry a Department issued or personally owned shotgun upon passing the shotgun qualification course. The firearms instructor will maintain a list of authorized or approved shotguns.
 - 2. The qualification course shall include:

- a. Knowing how to load and unload it combat style.
- b. Firing at least 10 shots, some from different positions.

B. Patrol Rifle

- 1. Officers may carry a Department issued or personally owned Patrol Rifle equipped with approved magazines and accessories. A list of Department issued or authorized Patrol Rifles is maintained by the firearms instructor. Officers will not modify or add to the Patrol Rifle unless modifications are approved by the firearms instructor and the Chief of Police.
- 2. Prior to carrying a Patrol rifle, officers will pass a training program with the rifle and will qualify with the rifle. The qualification course will be a course recognized by the NM Law Enforcement Academy e.g. NMSP Rifle Course.
- 3. After the initial training course and qualification, officers will be required to qualify once a year during day shoots.
- 4. Ammunition shall be only Department issued ammunition. If an officer wishes to carry only 28 rounds in a thirty round magazine and 18 rounds in twenty round magazine the magazines will be marked so indicating.
- 5. At the range, Patrol Rifles shall remain unloaded with the magazine removed and the chamber shall be left empty until instructed by the Range Master or a firearms instructor to load or check the weapon.
- 6. Patrol rifles will not be handled on the range except on command of the Range Master or a firearms instructor.

C. Classroom Instruction

All police Department personnel shall, if duties require carrying firearms, receive classroom familiarization with their firearms before obtaining permission from the firearms instructor to enter the firing range.

VII. AMMUNITION

A. Duty Weapon

- 1. Only approved ammunition will be carried.
- 2. Officers shall inspect all rounds prior to loading their weapon and make periodic inspections for damaged rounds.
- 3. Department issued ammunition will be used and replaced on an annual basis.
- 4. Ammunition used for firearms training and qualifications will be provided by the Department except for calibers different from what is on the list of approved or authorized firearms.

B. Off-Duty/Back-up Weapon

- 1. The Department may supply ammunition if it is available and financially feasible, with approval of the Chief of Police. Otherwise, Officers must supply their own ammunition which must be approved by the firearms instructor.
- 2. No armor piercing, incendiary, Glazier safety slug, or remanufactured ammunition will be authorized.
- 3. Ammunition must be replaced at least annually if the ammunition is exposed to

outdoor elements.

- C. Other Authorized Departmental Issued Weapons
 - 1. Officers will only carry Department issued shotgun rounds in the Department issued shotgun.
 - 2. Officers will only carry Department issued rifle rounds in the Department issued rifles.
 - 3. Officers authorized to carry other Department issued firearms will carry it loaded with Department issued ammunition.

VIII. HANDLING OF FIREARMS

- A. The authority to bear firearms carries with it an obligation and responsibility to exercise discipline, restraint, and good judgment in their use. The officer must keep in mind that when firing a weapon, there always exists a danger to innocent parties.
- B. As a general rule, when in presence of the public, a handgun should be drawn only when the officer or his/her superior has sufficient cause to expect it will be used and the officer is preparing for its use. Shoulder weapons (long arms) may be displayed as their use may require.
- C. If possible, some warning should be given before engaging in the use of deadly force.
- D. A handgun, rifle or shotgun muzzle shall not be held in direct contact with an individual, except as a last resort or tactically feasible.
- E. Firearms shall be secured as soon as practicable after determining that the use of deadly force is not necessary.
- F. An officer's weapon may be removed from his holster to be placed in a secure area or during a weapons inspection, training, or cleaning.

IX. DISCHARGE OF FIREARMS

- A. Officers may discharge a firearm under the following circumstances:
 - 1. In defensive of a human life, including the officer's life, or in defense of any person in immediate danger or serious bodily injury.
 - 2. To safely destroy an animal that represents a threat to public safety; as a humanitarian measure where the animal is seriously injured and other alternatives have been exhausted;
 - 3. During range practice or competitive sporting events;
- B. Firing a weapon should be for the intent of rendering the person at whom the weapon is discharged incapable of continuing the activity prompting the officer to shoot.
- C. Warning shots are prohibited.
- D. Firing a weapon at, or from a moving vehicle, should not be considered except as the ultimate measure of self-defense or defense of another when the suspect is using deadly force. **Under no circumstances will an officer fire at a moving motor vehicle with the intent of rendering the motor vehicle incapable of being operated.** However, an officer may, under extreme circumstances, discharge his weapon at a suspect inside a moving motor vehicle with intent to stop the suspect's action(s).
- E. Firing at a fleeing person will not be considered justified unless the officer reasonably believes that the person he/she is considering shooting poses an imminent threat to human life.
- F. When an officer discharges a firearm accidentally or in the line of duty, except at

firearms qualifications, his immediate supervisor will be notified as soon as possible, but never later than the conclusion of his tour-of-duty.

- G. When a duty firearm is discharged, on or off duty, with the exception of training, the officer shall file a written Use of Force Report of the incident through established channels to the Chief of Police. If an officer is unable to write the report, the duty supervisor will ensure the necessary reports are properly prepared and forwarded.
- H. The firearms instructor shall review reports of discharge of firearms with the assistance of the supervisor in charge. The Supervisor will investigate the facts and will submit a report of his findings and recommendations. The report will be forwarded to the Chief of Police.

X. CARE OF WEAPONS

- A. All officers are responsible for maintaining assigned and approved weapons and keeping them clean.
- B. Willful or negligent damage to a Department approved weapon by an employee shall not be tolerated. Incorrect or negligent use of a weapon is prohibited.
- C. All officers shall, by every practical means, secure all weapons from unauthorized access. Department approved firearms shall not be left in unsecured vehicles while on-duty or off-duty or when the vehicle is unattended for extended periods of time. Weapons shall be removed from an officer's assigned vehicle and secured during his regular days off and extended vacations. Department vehicles which are garaged may have the weapons left inside the vehicle. Furthermore, officers will assure that weapons are not left unsecured or unattended during workout or personal times while at the police station.
- D. Officers are responsible for inspecting their approved weapons for safety and maintenance needs and ensuring that the weapon is safe and functional at all times. Weapons shall be subject to random and monthly inspections by a supervisor for proper lubrication and cleanliness.
- E. All repairs on Department issued weapons shall be performed by the Department firearms instructor (based on training for a particular model), or a certified gun smith as coordinated through the firearms instructor. The firearms instructor will issue another weapon for during the repair period.

XI. FIREARMS QUALIFICATIONS

- A. Firearms qualification courses are mandatory for all officers, and courses will be scheduled as needed. The firearms instructor will post the dates and times for officers to qualify:

Firearms qualifications will include a minimum of two (2) handgun qualifications for all officers. There will be one (1) off-duty qualification for officers authorized to carry off - duty weapons other than their duty weapon. If available, firearms instructors may schedule additional qualifications. There will be one (1) qualification for the rifle which will be a day time course. If it is necessary for an officer to miss a qualification, approval is required by the Firearms instructor. Officers who have missed a scheduled qualification during the year will be scheduled for makeup shoot ASAP.

- B. Every commissioned officer must maintain a minimum shooting score as stipulated by the New Mexico Law Enforcement Academy. Officers must shoot approved

courses with their issued and/or approved personal duty weapons and approved off-duty weapons.

- C. If an officer is unable to qualify, completion of a remedial training course will be required. This remedial training will be conducted in lieu of normally scheduled assigned duties until the officer successfully completes remedial training and qualifications. If after a reasonable time, the firearms instructor determines that an officer cannot qualify, a detailed report shall be submitted to the Chief of Police. The officer shall be placed on Administrative Leave pending a determination of the officer's employment status.
- D. If an officer fails to qualify with the back-up handgun or off-duty handgun, the officer shall not carry that weapon until qualification requirements are met. Notification of the officers' immediate supervisor will be made.
- E. Because this training (firearms) is mandatory, any unauthorized absence of commissioned officers at this training is subject to disciplinary action.
- F. Certain circumstances may excuse an officer from scheduled qualifications (illness, injury, pregnancy). The officer is required to qualify immediately upon returning to full status capacity.
- G. All firearms training will be conducted by certified firearm instructors.
- H. All training and proficiency demonstrations will be documented and maintained at the Department. The firearms instructor will inspect all firearms records once every four months.

XII. FIRING RANGE PROCEDURES

It is the officer's responsibility to conduct themselves in a mature manner and use common sense in safe handling procedures with handguns, shotguns, and rifles. The following range rules and firearms safety standards will be followed by everyone engaged in firearms training. Infractions of, or disregard for, firearms safety will be dealt with promptly and firmly by the firearm's staff and may be subject to disciplinary action:

- A. Safety Rules and Regulations
 - 1. Each time a weapon is picked up for any purpose, point the weapon in a safe direction, open the action and make a visual and physical inspection to ensure that it is unloaded. Never trust your memory, and consider every weapon as loaded until you have personally proven otherwise. Never turn in or accept a weapon unless the action is open.
 - 2. Do not leave a loaded weapon unattended. Un-holstered weapons will have actions open at all times when not being fired. Shotguns will have the action bar to the rear, port side up and rifles will have the bolt locked to the rear, ejection port up with safety selector switch in the safe position.
 - a. Semiautomatics - When not holstered, a semiautomatic will be carried with the magazine removed, the slide locked to the rear, the muzzle pointed down, with the strong hand, holding it by the grip.
 - b. Shotgun/Rifle – When transporting a shotgun/rifle, the weapon will be carried muzzle down with the action open and the safety on.
 - 3. Do not place your finger within the trigger guard until you are pointing the weapon at the target. This is especially important when drawing the weapon from the holster.
 - 4. Do not load until the command is given. NEVER anticipate a command. All range commands will be given by the firearms instructor.

5. The muzzles of all weapons will be pointed downrange at all times when not holstered, but at no time will point over the top of the backstop.
6. Do not handle a weapon on the firing line while there is someone downrange. Dry firing is allowed only on the firing line under the supervision of a firearms instructor.
7. No conversations are allowed between participants while on the firing line.
8. If you drop a weapon accidentally, report this fact to a firearms instructor who will immediately inspect your weapon to ensure that it will function.
9. Holstered weapons will be snapped in at all times except while in the process of being drawn.
10. The actions of all weapons will be open when being carried to and from the range, or the weapon will be holstered.
11. Never bend over to retrieve dropped ammunition during loading or unloading procedures. You will be permitted to do so after the line has been declared safe. You will also be instructed when to pick up magazines or other dropped equipment.
12. Do not remove any live ammunition from the range. All unfired rounds will be returned to an instructor after the day's firing has been completed.
13. Do not fire at a target that is turned to the side (edge) position.
14. Anytime you observe an unsafe act that endangers someone, you have the responsibility to shout, "Cease Fire", raise your non-shooting hand and report the incident to a firearms instructor.
15. Any injury sustained during firearms training will be reported immediately to an instructor.
16. For your protection, it is mandatory that all officers wear ear protection while engaged in live fire on all ranges. Eye protection will be worn when shooting on the range.
17. When you are instructed to step up to the firing line, remain there unless told to do otherwise.
18. Staple guns should always be handled carefully as the staples will be under spring tension. Do not put your hands behind the target cardboard when stapling targets.
19. Keep talking to a minimum while at the firing ranges. Exercise courtesy while others are shooting or engaged in classes.
20. Do not turn around on the firing line or look behind you unless instructed to do so.
21. When arriving or leaving the range weapons will be secured in a holster.
22. Any loading/unloading or checking the condition of a weapon will be done either on the firing line or at a side safety berm as directed.
23. During drawing and/or holstering sequences the trigger finger shall be in register (along with the side or frame of the weapon).
24. When at "Ready Gun" position, the trigger finger shall be in register.
25. Horseplay, practical jokes, or other such action is prohibited.
26. The Range Master is the ultimate authority on the range. Range discipline will be enforced by the Range Master and firearms instructors.

B. General Range Information

1. Weapons
 - a. Each time a weapon is issued or turned in, open the action and/or lock

- the slide to the rear to ensure the weapon is unloaded. Never force an action open.
- b. Weapons will not be abused. If a weapon will not function contact a firearms instructor.
- c. Modifications will not be made to any Department issued weapon unless authorized by the firearms instructor and the Chief of Police.
- 2. Leather Gear
 - a. A complete set of leather gear will be worn during qualification courses unless otherwise specified for the course of fire.
 - b. If a holster or ammo carrier is excessively worn or does not function properly, notify a firearms instructor.
- 3. Facilities and Equipment
 - a. Range equipment is not to be abused. Any broken equipment should be reported to an instructor.
 - b. Range will be kept clean at all times. Range equipment will be appropriately cleaned at the end of the day following firearms qualifications.
 - c. Officers who are firing will be responsible for cleaning up their area.

XIII. DEFENSIVE EQUIPMENT

Defensive equipment is an ASP, OC, or ECD. It is not mandatory for officers to carry all three pieces of defensive equipment but they must carry at least one. ACO will carry the ASP Baton only.

- A. ASP Baton
 - 1. The ASP expandable baton is authorized for carrying and use by officers of the Department.
 - 2. The ASP is issued to all commissioned officers. Uniformed officers who are considered first responders are encouraged to carry the ASP in the appropriate manner while on duty. Other uniformed officers and non-uniformed officers may carry the ASP at their discretion.
 - 3. Officers are not approved to carry an ASP until successful completion of approved baton training.
 - 4. Officers are responsible for maintaining the ASP baton so that it is safe and reliable for use.
 - a. Damaged, warped or incomplete batons must be reported immediately to the officer's supervisor for repair or replacement.
 - b. No alterations or modifications shall be made to the ASP.
 - 5. On a periodic basis, officers will complete continuing training under the supervision of a certified Baton instructor. This allows officers to continue demonstrating proficiency. This proficiency demonstration will be documented.
- B. Other Striking Devices
 - 1. PR 24's and straight stick batons are authorized for carrying as long the officer can show current certification for their use.
- C. Chemical Spray
 - 1. Oleoresin Capsicum spray, otherwise known as OC Spray, is made with the plants from the genus capsicum, and is the only chemical spray authorized for

use by the Department. Peppers are the active ingredient in OC Spray which comes in concentrations of 5% and 10%.

2. No officer shall be issued or authorized to carry or use chemical spray until the officer has successfully completed a course of training under the direction of a NMLEA certified instructor. Officers must be specifically authorized to carry chemical spray.
3. The Department recommends for all officers to carry and be certified in the use of OC spray as this provides the officer with an additional tool for officer safety. OC spray is listed as one of the responses in the RCM (Reactive Control Model). However, Officers may carry OC at their discretion.
4. An instructor may revoke an officer's authorization to carry chemical spray if the officer fails to demonstrate proficiency.
5. An officer's authorization to carry chemical spray may be revoked with cause by a supervisor.
6. If an officer's authorization to carry chemical spray is revoked, the instructor will notify the officer's supervisor and the Training Section by memorandum.
7. Only Department issued chemical spray may be carried.
8. Officers shall not alter or modify the chemical spray canister or any part of the trigger mechanism in any manner.
9. The OC spray canister shall be inspected on a monthly basis by the officer's supervisor.

D. Electronic Control Device – ECD

1. The ECD is a Conducted Energy Weapon; an electronic incapacitation device. It is a defensive weapon, which is listed in the force continuum as OC spray and empty hands. The ECD functions in two ways;
 - a. It uses compressed nitrogen to project two probes a maximum of 21 feet. An electrical signal is then sent to the probes, via small wires, which disrupts the body's ability to communicate messages from the brain to the muscles and causes motor skill dysfunction.
 - b. Acts as a touch stun system when brought into contact with a person's body.

The decision to use ECD is based on the same criteria the Officer uses when selecting to employ OC spray, or a baton. The decision must be made dependent on the actions of the subject(s) or the threat facing the Officer(s), and the totality of the circumstances surrounding the incident. In any event, the use of the ECD must be reasonable and necessary. The ECD is not meant to be used in deadly force situations. The ECD must not be used without a firearm back up in those situations where there is a substantial threat towards the Officer(s) or others present.

The ECD provides a force option in which the officer does not have to get dangerously close to a threat before deploying the tool. Using the ECD may greatly reduce the need for other types of physical force by the Officer(s) which could result in a serious or potentially deadly injury to the offender, Officer, or others present.

Any use of an electronic incapacitation device contrary to the direction of this policy can result in the revocation of the Officer's right to use such product and may subject the Officer to disciplinary action.

2. Issuing of the ECD

Department personnel shall only carry and use the ECD approved by the Chief of Police. Members may only use Department issued ECD cartridges.

A record will be kept of all ECD's, their serial numbers, and to which Officer they have been issued. In the event that an ECD is returned for repairs or no longer remains the property of the Department, the use history of that particular ECD will be downloaded using the data port access and appropriate software. The use history will be maintained by the ECD instructor for a period of 3 years from the date the ECD was taken out of service. Use histories will be run on each ECD once each year. Any indications of misuse of the device may result in disciplinary action or revocation of the user's certification.

3. Training and Certification

All members who carry and/or use an ECD must first successfully complete a 4 hour ECD familiarization program, to include written practical tests. A mandatory re-certification program will be completed annually. The re-certification will be a minimum of 2 hours.

4. Use of an ECD on Vicious Animals:

The full effect of an ECD on animals is not yet proven. However; field deployments have shown positive results and the ECD has been an effective tool against vicious animals. *Animals have also shown the ability to quickly recover from the effects of the ECD, due to differences in their nervous system. As soon as the ECD temporarily disables the animal, Officers should be prepared to act quickly with control devices or restraints.* Using the ECD against vicious animals may reduce the need for greater, more injurious force against such animals. Officers should deploy an ECD on an animal when other conventional means to control the animal have been exhausted, or may be unreasonable. The use of an ECD on an animal should be based on the attempt to provide a safer, more humane and less traumatic conclusion to the incident.

Officers should be prepared to use other means of justified force if necessary, and should use conventional means of animal control if feasible. *Conventional means of controlling the animal (e.g.: control sticks, collars, cages) should be on hand, at the scene, if possible, prior to the use of the ECD. Personnel should be prepared to apply conventional controls once the ECD subdues the animal.* An ECD may be deployed on an animal when:

1. A vicious animal is threatening or attacking a citizen, an Officer, or other animal and the use of other force is not reasonable, or may not be desired given the situation.
2. A vicious animal has threatened or attacked a citizen, an Officer, another animal, or has caused a continuing public nuisance and the

vicious animal needs to be controlled for reason of public peace or safety, preservation of property, or other legitimate purpose; and the animal poses an active threat to Officers in their efforts to perform their duty. Center mass of the animal should be targeted. Care should be taken that the head and other sensitive areas of the animal are not targeted. It is understood that deployment against vicious animals may be very dynamic in nature and the probes may impact unintentional areas. Procedures for probe removal should take place as outlined in this policy. Personnel will take reasonable measures to insure the animal's welfare is provided for, in the event that probes impact a sensitive area, or it appears the animal's health is in jeopardy. It is generally understood that as long as officers acted appropriately, the animal's owner will be responsible for any medical attention needed by the animal.

5. Use of an ECD on Persons:

The ECD is not a substitute for deadly force and should not be used in those situations. Deployment of the ECD should be backed up immediately with the appropriate amount of force. The ECD may be used in those situations where:

1. A subject is threatening himself, an officer, or other person with physical force and other means of controlling the subject are unreasonable or could cause injury to the officer(s), the subject(s) or others.
2. In cases where officer/subject factors indicate the Officer(s), offender(s) or others would be endangered by the use of physical force.
3. Other means of lesser or equal force have been ineffective and the threat still exists to the officer(s), subject(s) and others.
4. Center mass of the body should be targeted when firing the ECD, particularly the center mass of the back as clothing tends to be tighter on this part of the body. The head face, and groin area should not be targeted unless the appropriate level of force can be justified.

The ECD will never be used punitively or for purposes of coercion either through normal deployment or use of the drive (touch) stun feature. It is to be used as a way of averting a potentially injurious or dangerous situation. The ECD has an effective range of 13 feet, with a fifteen foot cartridge; and 19 feet with a 21 foot cartridge. Ranges fewer than 3 feet may not provide adequate distribution of the probes to allow the unit to function to its full effectiveness. *Firing the ECD at a subject at a range closer than 3 feet is not dangerous to the subject, however.*

Prior to the deployment of an ECD: the person deploying has the responsibility to visually and physically confirm that the tool selected is in fact an ECD and not a firearm. The deploying person should also notify any on-scene assisting officers that they intend to deploy an ECD.

The ECD has the ability to ignite flammable liquids. It will not be deployed at subjects who have come in contact with flammables or in environments

where flammables are obviously present. *Personnel should be especially aware of this when in known meth lab environments.*

Proper consideration and care should be taken when deploying the ECD on subjects who are in an elevated position or in other circumstances where a fall may cause substantial injury or death. Officers must be prepared to justify such a deployment.

6. Duties After Deployment

Once the subject has been restrained or has complied, the ECD should be turned off. An ECD will not be left unattended except in exigent circumstances as when an officer is forced to act alone in taking custody of an immediate threat.

Immediate action should be taken to care for the injured, to apprehend any suspects, and to protect the scene. Medical personnel will be summoned to the scene to assess the subject if other circumstances dictate the subject needs medical treatment. Medical treatment will not be refused for anyone who requests it. Medical personnel will remove probes located in sensitive areas such as the face, neck, groin or breast.

Removal of probes in other areas may be done by Officers; at the discretion of the on scene supervisor. Officers will provide first aid following removal of the probes by applying iodine or alcohol wipes, and band-aids to the probe sites as needed. *Officers should inspect the probes after removal to insure that the entire probe and probe barb has been removed. In the event that a probe or probe barb has broken off is still embedded in a subject's skin; the subject should be provided appropriate medical attention to facilitate the removal of the object.*

Photographs will be taken of probe impact sites and any other related injuries. Probes that have been removed from skin will be treated as **biohazard** sharps. Involved personnel will attempt to locate and identify any witnesses to the incident.

Officers shall refrain from discussing the incident until the arrival of an on scene supervisor or other administrator. The involved person will brief them of the circumstances surrounding the incident and what action has taken place.

7. Supervisor Responsibilities:

The first supervisor on the scene should ensure that proper care is given to injured officers and/or citizens. He/she should ensure that all responsibilities of the officer have been carried out regarding care for the injured, apprehension of the suspects and protection of the scene.

The supervisor shall notify the Chief of Police as soon as possible, especially if any traumatic injury has occurred due to the use of force involving the ECD.

A Use of Force Report shall be completed and forwarded to the Chief of Police.

All other written reports associated with the incident shall also be completed before the end of the shift and forwarded in the same manner.

Other:

Under emergency conditions an officer may use whatever weapon is available to protect the life of another or the officer's life.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Vehicles Police Department	NUMBER: OPR 02-13
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The purpose of this policy is to establish general guidelines for the assignment, maintenance, use and responsibilities concerning department vehicles.

II. POLICY

It is the policy of the Department to provide for the maintenance, inspection, and issuance of all department vehicles on an on-going basis. In keeping with this policy, officers and the animal control officer are assigned a vehicle to be utilized on-duty for performance of their duties. Vehicle assignment does include take-home privileges along with the responsibility for upkeep and maintenance of that vehicle.

III. VEHICLE ASSIGNMENT

- A. The Chief of Police has the authority to assign Department owned vehicles in a manner which addresses the best interest of the Department and in a manner to facilitate service to the community.
- B. All employees driving Department vehicles will have in their possession a valid driver's license.
- C. Normal use vehicles are assigned to individual members by the Chief of Police or designee. Criteria for assignment is listed as, but not limited to:
 1. Seniority in the department
 - a. Failure to properly care for an assigned vehicle may be grounds for the Chief of Police to deny assignment of a new vehicle regardless of rank or seniority in the Department.
 - b. Chargeable accidents may be grounds to bypass a member for new vehicle assignment regardless of rank or seniority.
 - c. Position on the vehicle replacement list (those persons who are assigned vehicles due to be replaced during a fiscal year).
 - d. Vehicles may be assigned according to highest mileage or condition of vehicle at time of issue. Physical concerns may be used to assign any officer a newer or different unit.

IV. USE OF ASSIGNED POLICE VEHICLES

A. On Duty Usage

1. Assigned police vehicles may be parked at the assigned officer's primary residence. The vehicle should be parked in a location as to minimize the possibility of damage to the vehicle.
2. Assigned police vehicles may be driven for any duty assignment which includes court attendance, routine patrol, department sponsored training, department meetings, maintenance/cleaning, or while conducting any legitimate department business, or off duty usage as described below.
3. In the event of a shortage of vehicles, for on duty use, the supervisor has the discretion to obtain needed vehicles from officers who are off duty and in possession of an assigned vehicle. The supervisor will attempt to make arrangements with the officer(s) prior to obtaining the vehicle.
4. On duty officers, unless otherwise authorized must wear the uniform required by that duty and have all required equipment available in the vehicle. This includes but is not limited to badge, body armor, cuffs, and authorized firearm.
5. Police vehicles will not be run idle unless the vehicle overhead lights are on. Police vehicle computer settings should be adjusted to allow for the maximum time allowable before rebooting is required.
6. Unattended police vehicles shall be secured at all times unless the vehicle is being serviced.
7. Assigned police vehicles will not be allowed to be outside a four mile radius once an officer is on duty in the City of Anthony for lunch. If an officer has to leave the city limits for duty purposes, the supervisor has the discretion of allowing transporting officer to pick up an order of food for said officer or officers on duty.

B. Off Duty Usage

Officers are allowed the off duty usage of assigned vehicles as listed below.

1. Department vehicles can only be utilized for work and work related functions as listed in Duty Usage, A.2 above.
2. Department vehicles shall not be used off duty for personal business, errands, visiting, movies, etc.
3. Off duty officers must be attired in functional clothing of good taste in the event they are required to perform the duties of a police officer. Off duty officers must possess their department badge, commission card, department approved weapon, handcuffs, body armor, and portable radio.
4. Officers are not allowed to transport member of their family while off duty unless authorized by the Chief of Police or his designee.
5. Off duty officers may respond to the scene of a felony or other serious crime in progress when close enough to significantly enhance the

department's ability to protect life and or property, or when requested by a supervisor.

6. Unattended vehicles shall be secured at all times unless the vehicle is being serviced.

V. VEHICLE TAKE HOME POLICY

- A. The vehicle take home policy is to promote the following:
 - 1. Increase the number of police units available to respond to the scene of reported crime or urgent calls for assistance.
 - 2. Increase the visibility or "presence" and display to citizens there are police in the City of Anthony ready to respond when needed, thereby contributing to their peace of mind.
 - 3. Enhance the Department's ability to summon off-duty officers in emergencies and have them report in equipped police vehicles directly to the site where they are needed.
 - 4. Improve the maintenance and reliability of police vehicles by placing responsibility for care of each vehicle on an individual officer.
- B. The take home policy of the department is a privilege and not a right. Violations of policy are subject to disciplinary action and temporary or permanent loss of this privilege.
- C. General Regulations Covering the use of city owned vehicles under the Take-Home Policy:
 - 1. **Assigned vehicles will not be driven within eight hours after an employee has consumed alcoholic beverages or has taken prescription or non-prescription substances which may affect driving ability.**
 - a. Violation of this portion of the directive will subject an officer to disciplinary action to include possible termination of employment.
- D. Officers will not presume any special privileges with the city owned vehicle on or off duty (i.e. parked in no parking, reserved parking areas, handicapped parking) unless an emergency exists.
- E. General rule of conduct covering an officer on duty will also apply to an officer off-duty if he/she is driving the city owned vehicle.
- F. Officers shall exercise judgment in operation of the vehicle and shall not drive or use the vehicle in a manner which could cause unfavorable comment or discredit to the department.
- G. The city owned vehicle will not be utilized for carrying heavy or excessive loads, and will not have objects protruding from the trunk or windows, except as authorized by the officer's supervisor.
- H. Officers will not use the city owned vehicle to travel to, or from an outside job, nor shall it be used as part of outside employment.
- I. Vehicles will not be used to attend any social function, nor will they be used to go to nightclubs, bars, movies etc., unless on official business.

- J. Officers, animal control officer(s), and administrative personnel, are the only persons permitted to operate department vehicles.
- K. Off-duty officers who are operating a city owned vehicle should be appropriately attired to effectively perform a police function. Officers should have the following items in their vehicle at all times:
 - 1. An outer wear garment (Windbreaker, jacket, etc.) with all department police patches on it;
 - 2. Badge, commission card;
 - 3. Service weapon or authorized off-duty weapon; and
 - 4. A pair of serviceable slacks or pants in the event that athletic clothes are being worn.
- L. Take home vehicles will be assigned as outlined in the City of Anthony Vehicle Use Policy Section 2: Take Home Vehicle. Written permission must be obtained from the Chief of Police for vehicles which are not parked at the department. Failure to park the vehicle in a secure area while unattended may be deemed negligence.
 - 1. Department issued weapons and personal weapons shall never be left in an unoccupied police vehicle unless they are secured in the trunk or an electronic locking device.
- M. Officers who are on extended (5 days or more) injury leave or FMLA will leave their assigned vehicle at the department.

VI. OPERATION OF POLICE VEHICLES

- A. Code 1 Response

When responding to a non-emergency call, operation of the vehicle will be with no emergency lights or siren in operation and within the posted speed limits.
- B. Code 2 Response

Certain conditions may exist where officers need to only utilize emergency lights.

 - 1. While conducting a funeral;
 - 2. While conducting a traffic stop;
 - 3. While stopped in the street for some reason such as investigating a crash, assisting a stalled vehicle or conducting traffic control, or;
 - 4. When an officer reasonably believes that use of Code 2 is justified.
- C. Code 3 Response (10-33)

The purpose of emergency equipment on police vehicles is to allow the vehicle to proceed through traffic at a **reasonable** rate of speed with a minimum risk to lives and property by warning other motorists. Officers will utilize all emergency equipment on their assigned patrol unit (all lights and sirens). Officers will advise dispatch that they are responding to call 10-33 or code 3 response. If for unknown reasons the lights and/or sirens fail to work properly then Code 3 Response will be terminated immediately and officers will then proceed normal traffic to call. Dispatch will be advised that officers are terminating code 3 response.

- a. When driving under emergency conditions, officers of the department will conform to the rules of safe driving and maintain control of the police vehicle at all times.
 - b. In emergency conditions, when the posted speed limit must be exceeded, officers will utilize emergency lights and siren. The posted speed limit may be exceeded within reason, keeping in mind the inherent dangers.
 - c. Officers may operate their vehicle Code 3:
 - (1) upon a call for “officer needs assistance”, or
 - (2) when human life is known to be in danger such as a crash with injuries.
- D. An officer may be the subject of disciplinary action if it is determined that he/she failed to use reasonableness and disregarded established traffic laws.

VII. CARE/MAINTENANCE AND UPKEEP OF ASSIGNED VEHICLES

- A. The responsibility for the care and maintenance of the vehicle rests with the officer assigned to that vehicle, and he/she will be held strictly accountable for any lack of maintenance or damage to the vehicle through negligence.
- B. The vehicle will be ready for official use at all times. The abuse of vehicles will not be tolerated. No excuse will be accepted for a vehicle not being ready when needed by assigned officers unless the vehicle is dead lined for repairs or maintenance.
 - 1. Failure to properly maintain and/or care for an assigned vehicle may be grounds for disciplinary action, and/or loss of vehicle take-home privileges.
 - 2. Oil changes and lubrication services will be performed every 5000 miles or as reasonably close to this mileage as possible.
- C. Vehicles will be kept clean, both interior and exterior, as is reasonably possible.
- D. Officers shall assure all required equipment is properly and safely stored in the vehicle.
- E. Vehicles will be inspected by the operator before they are driven each shift for the obvious mechanical defects, damage, contraband or weapons.
- F. Officers shall refrain from:
 - 1. Performing mechanical work which would alter the body, general design, appearance and markings, mechanical or electrical system.
 - 2. Making any repairs or having any repairs made to the vehicle unless authorized by the Chief of Police or his designee.
 - 3. Adding accessories or equipment without obtaining written approval from the Chief of Police or his designee.
- G. Vehicles which must be left unattended while repairs and/or service will have all department issued property, including hand held radios, shotguns, handguns, etc., removed by the assigned officer.
 - 1. Personnel will be held responsible for the loss of any issued property left in an unattended vehicle.
 - 2. The City shall not be responsible for any personal property left in the vehicle.

3. If personnel are incapacitated and are unable to secure their department issued property or personal property, it will be the responsible of their supervisor to ensure the property is properly secured.

VIII. EQUIPMENT REQUIRED

- A. Vehicles assigned to the Patrol Division shall have the following equipment installed:
 1. Exterior emergency light bar, exterior spot light, alley lights, public address system and siren.
 2. Smooth top marked patrol vehicles will be exempt from the overhead light bar regulation due to their enforcement program requirements. These vehicles shall have front/rear deck emergency lights in lieu of the light bar, and a siren installed. All patrol and unmarked vehicles will be equipped with a mobile radio transceiver with public address capabilities.
- B. Markings and emblems on marked police units:
 1. The Department design will be displayed along both sides of the vehicle.
 2. Vehicle numbers, striping, and Emergency 911 will be displayed on the vehicle with the use of reflective decals.
- C. Seatbelts will be standard equipment and **ALL** department personnel shall utilize seat belts when operating or riding as a passenger in a city owned vehicle as per New Mexico State Law and safety regulations, unless exempted by a supervisor when specific situations override safety considerations.
 1. This requirement shall not preclude an officer from disengaging the seat belt prior to arrival at a scene where there are tactical or safety concerns.
- D. All patrol vehicles which are routinely utilized to transport prisoners shall be equipped with a safety screen which separates the front and rear seats.
 1. In addition, doors/windows which access areas designated for prisoner seating are disabled to prevent escape.
 2. In vehicles having temporary disabling devices installed, the devices shall be engaged at all times a prisoner is being transported.
- E. All officers assigned patrol vehicles which are equipped with electronic locking devices for weapons shall utilize those devices for weapons to store the weapon. In vehicles with no locking device, the weapons shall be stored in the trunk.
- F. Each vehicle assigned to the Patrol Division will contain, at a minimum, the following equipment to be utilized by officers at crime scenes or traffic accident investigations:
 1. Evidence tape;
 2. One first-aid-kit and CPR mask;
 3. One Roll-a-Tape and measuring tape;
 4. One camera;
 5. One fingerprint kit;
 6. One fire extinguisher;
 7. One blanket;
 8. Three 18" traffic cones;

9. Three flares;
 10. Ten pairs of latex gloves/glove case;
 11. Clipboard, marking crayon/paint;
 12. Sketch materials;
 13. Evidence collection materials;
 14. Flashlight; and
 15. One roll of crime scene tape.
- G. Unmarked vehicles shall have the following equipment installed:
1. Mobile radio transceiver;
 2. Front grill/deck emergency lights and siren; and
 3. Unmarked vehicles may be equipped with spotlights if installed as standard police equipment at the factory.
- H. Unmarked police vehicles due to the nature of assignments will not be marked with emblems, numbers, and etc.

IX. VEHICLE INSPECTIONS

- A. Patrol Vehicles
- Vehicle inspections shall be conducted at a minimum of once per month.
1. The Lieutenant or his designee shall physically inspect vehicles assigned to Officers monthly.
 2. Regular vehicle inspections should be done on the officers by the Sergeant at first day back to work.
- B. Inspection shall include:
1. Cleanliness - interior and exterior;
 2. Maintenance schedule, to include scheduled date and mileage;
 3. All assigned and installed equipment shall be in/on the vehicle and shall be maintained in proper working order; and
 4. Inspection for any damage, or to assure any previous damage has been repaired.
- C. Inspection forms will be kept on file by the Lieutenant or his /her designee and available for review for a period of 12 twelve months.
- D. Substandard Inspections
1. Any condition which could cause damage to the vehicle, the officer shall have 3 days to have the vehicle properly serviced.
 2. The supervisor shall then re-inspect the vehicle and note the action on the inspection form.
 3. In the event a supervisor notes a condition requiring immediate repair, the vehicle shall be deadlined until the condition is corrected and the officer must obtain a pool vehicle.
 - a. The condition will be noted on the inspection form and the vehicle will be re-inspected after the required work is completed.

- b. The Lieutenant or his/her designee will be responsible for correcting any deficiencies discovered during inspections as soon as possible.
- E. The inspection of vehicles shall be a part of the overall evaluation of personnel.
- F. Special Purpose Vehicles
 - 1. Special purpose vehicles shall be inspected on a monthly basis to assure operational readiness.

X. CRASHES INVOLVING DEPARTMENT POLICE VEHICLES

Investigations

- A. All motor vehicle crashes involving a police or animal control vehicle, whether on or off duty will be investigated by an outside agency.
- B. All crashes involving police vehicles whether on or off-duty will require a written report to be written by the outside agency. A department memo will be filled out by either the driver of the police vehicle or his immediate supervisor.
- C. Any department officer, including the officer involved in the crash will be required to take photographs of the crash scene for department use only.
- D. The Chief of Police will be notified as soon as practical.

Duties of Supervisors

- A. Crashes involving police vehicles, no matter how minor, will be recorded and documented by an outside agency. A New Mexico Uniform Crash Report will be completed.
- B. Supervisors will ensure that officers involved in vehicle crashes will submit to drug and/or alcohol testing as outlined in the City of Anthony Drug Use Policy.
- C. On Scene Supervisors are responsible for conducting a preliminary investigation, establishing the facts, interviewing written statements from drivers, passengers, and witnesses, preparing the proper report form(s), which will then be referred to the Crash Review Committee for review.
- D. The Crash Review committee will be comprised of three officers.
- E. The Review Committee will make a determination as to the whether or not the officer was at fault or not.
- F. The employee's supervisor shall recommend disciplinary action for any accident which in which he/she is found to be at fault.

Duties of Officers

- A. When a crash occurs involving a police vehicle, personnel involved in the accident unless incapacitated will:
 - 1. Render aid to the injured;
 - 2. Secure the scene from further damage/injury, and preserve evidence;
 - 3. Contact Dispatch to notify emergency medical personnel, if necessary;
 - 4. Contact Dispatch to request a supervisor to investigate;
 - 5. Refrain from making any statements as to the guilt or liability of any party involved in the crash; and

6. An injured employee should seek immediate medical attention.

Citations for Officer Involved in Collision

- A. When a member of the Department receives a summons on a citation resulting from a crash investigation covered under this section, they will appear as required on the summons or citation. Member of the Department involved in crashes in this section may be subject to disciplinary action in addition to any court enforcement action.

Disposition of Police Vehicles

- A. If damage to the police vehicle is severe enough to require towing from the crash scene, the supervisor will:
 1. Conduct an inventory of all accessories and equipment which will be submitted with the supervisors report.
 2. Have the vehicle towed to the police parking lot (rear). No weapons or evidence will be left in the vehicle.
 3. If the vehicle is drivable, and must be left at the Police Station, then a. and b. above also apply.

VIII. FLEET MANAGEMENT

The Chief of Police or his/her designee is in charge of Fleet Management. The primary function of Fleet Management is to ensure all department vehicles are operating properly.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Radio Communications	NUMBER: OPR 02-14
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Effective communication in the operation of the Department is a vital element of law enforcement and plays an important role in officer safety. All radio transmissions are recorded and improper radio usage is grounds for disciplinary action. It is imperative that all employees conduct themselves as professionals while utilizing the communications system. This order is intended to ensure that every step is conducted in an effective, proper and professional manner.

II. POLICY

It shall be the policy of the Department to ensure that professional and proper radio communications are followed.

III. RADIO COMMUNICATION RESPONSIBILITY

The Mesilla Valley Regional Dispatch Authority (MRVDA) will be responsible for the daily communication function for the Department. As the MRVDA is not operated by the Department, officers should be aware there are policies and guidelines which are under the control of the MRVDA.

- A. The MRVDA will be responsible for:
 - 1. Radio communication;
 - 2. Teletype and automated data communication;
 - 3. Alarm monitoring;
 - 4. 911 operation center; and
 - 5. 24 hour service.
- B. Record of Calls
 - 1. Control number;
 - 2. Date and time of request;
 - 3. Name and address of complainant (if possible);
 - 4. Type of incident reported;
 - 5. Location of incident reported;
 - 6. Identification of officer(s) assigned as primary;
 - 7. Time of dispatch;
 - 8. Time of officer arrival;

9. Time of officer return to service;
 10. Disposition or status of reported incident; and
 11. Obtain vehicle and suspect information.
- C. Any radio operations conducted by members of the Department will be done in accordance with Federal Communications Commission (FCC) procedures and requirements.
- D. All members of the Department with a need have a unique number assigned to them for radio communications and will utilize this number when calling or being called by dispatch. Units should not continue transmission until acknowledged by the dispatcher.
- E. Each member of the Department shall notify communications personnel when their status changes (i.e., traffic stops, arrival at a scene, completion of assignment, etc.). When doing so, the Ten Code will be used and the information brief. If the need arises for extended information a telephone will be used. **Note:** Plain text communications will be utilized when working with other agencies in major disasters or operations under a Unified Command.
- F. When checking out a business, always give a street address if possible.
- G. Officers investigating incidents who find that the location or nature of the call is different from that originally dispatched are to notify the dispatcher of the correct information.
- H. Officers should listen to make sure the frequency is clear before transmitting.
- I. Communications with outside agencies may be done normal conversational English.
- J. The on-duty patrol supervisor will monitor the number of officers to respond to an incident.
- K. On-duty supervisor will respond to any major incident for the purpose of assuming command.
- L. Officers shall not engage in debates or argue with the dispatcher concerning an assignment. Conflicts of this nature are routed to the employees' immediate supervisor who clarifies the issue to the best of their ability.
- M. Dispatchers represent the Department to all with whom they communicate. The increase in public safety monitoring by the general public has put all employees in a position of representing the Department to persons whom they may never meet or communicate with directly.
- N. The Communications Center is capable of communicating on an Inter-City channel and relaying information to local units and vice-versa.

IV. TELECOMMUNICATIONS OFFICER RESPONSIBILITY

- A. The Telecommunication Officer is responsible for handling any requests for information, telephone calls, computer checks, etc. from members of the Department in a timely and effective manner. Requests from other Department members should be prioritized according to necessity and call load.
- B. Communication personnel will have immediate access to the following:

1. Officer in charge;
 2. Duty roster of all personnel;
 3. Phone number of all department personnel;
 4. Visual maps detailing the service area, i.e. county and city;
 5. Officer status information, i.e. vacation, sick, training, etc. and
 6. Notification book for emergency contacts' numbers.
- C. Security for Communications Center
- No unauthorized personnel will have access to the communications center at any time.

V. EMERGENCY SITUATIONS

- A. Transmissions regarding emergency situations, pursuits, and serious crimes in progress shall be given priority over all other transmissions.
- B. Units not involved in the emergency situation will limit radio communications to a different radio channel as instructed by the communications center.

VI. EMERGENCY MESSAGES

- A. Messages are accepted for delivery if it is determined that the caller has exhausted all reasonable means to contact the person.
- B. Emergency messages may include:
 1. Death notification;
 2. Serious illness or injury;
 3. Other messages of an emergency nature;
 4. Checking the personal welfare of citizens;
 5. Messages from other law enforcement agencies or public agencies; or
 6. Separated or overdue motorists.
- C. Non-emergency messages are not accepted for delivery unless approved by the on-duty supervisor.
- D. Officers shall take all necessary steps to deliver emergency messages to the appropriate person. In the event personal contact is not made, the officer shall leave a note detailing the appropriate information for the person to be contacted. The note contains:
 1. The officer's name;
 2. The time and date of delivery;
 3. Anthony NM PD Call Number;
 4. The person's name that the message is for;
 5. The phone number, name, and address of the person to be contacted; and
 6. A short message, if appropriate.
- E. The officer shall notify the Dispatcher of the actions taken to deliver the message.

VII. RECORDED TELEPHONE AND RADIO TRANSMISSIONS

- A. Retention of audio records will be maintained per MRVDA policy.

- B. The audio records will be secured, handled and maintained by the Communications Supervisor.
- C. Access to secure recordings will be limited to law enforcement officers, District Attorney's Office and per MRVDA policy.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Criminal Investigations	NUMBER: OPR 02-15
EFFECTIVE DATE: 08-22-2023	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The Criminal Investigation Division's goal is to thoroughly investigate reported criminal offenses and arrest persons responsible for the commission of these crimes. Detectives assigned to the Criminal Investigation Division are non-uniformed personnel who investigate, case reports, arrest warrants, search warrants, make arrests of defendants, and prepare other documents which are required for completion of assignments and presentation to the proper prosecuting authority.

II. PRELIMINARY/FOLLOW-UP INVESTIGATIONS

- A. During an investigation the officer should observe all conditions, events and remarks as well as locate and identify suspects, victims, witnesses, identify and protect crimes and arrange for collection of evidence.
- B. The investigator/detective will gather facts and evidence at the scene by the use of department equipment through interviews and interrogations in an effort to establish circumstances and perpetrator of the crime.
- C. Investigators will interview witnesses, complainants, suspects, and victims and others who could have knowledge of a crime. These persons can be re-contacted and re-interviewed if it is believed to be necessary and advantageous to the investigation.
- D. Once a crime has been reported to the Anthony Police Department a preliminary investigation will begin. A preliminary investigation is the initial report of an offense.
 1. Most preliminary investigations are conducted by Patrol Officer, unless conditions exist to warrant the involvement of Criminal Investigation Division personnel in the initial investigation.
 2. During the investigation, the officer should observe all conditions, events and remarks, as well as locate and identify any witnesses.
 3. Investigations and information obtained will follow guidelines set forth in New Mexico State statutes dealing with criminal law, criminal procedure and accessibility to various records keeping systems. Case law established by New Mexico and Federal courts applies to all investigations.

4. When questions arise on legal procedures, investigators should consult with supervisors and the District Attorney's Office for appropriate guidance.

III. CASE SCREENING

- A. Cases, except those closed by the original investigating officer, are classified as "pending further investigation." Cases pending investigation remain in this status until such time that an alternate classification has been assigned.
- B. The Criminal Investigations Division supervisor, who is assigned responsibility to screen cases, shall issue cases to investigators based upon solvability factors.
 1. A decision shall be made by the supervisor whether to assign a case for investigation or change the status to "not assigned." This decision is generally based on minimum solvability factors.
 2. Solvability factors should assist supervisors in maximizing available resources in the investigation of potentially solvable cases and cases of more serious nature.
- C. Solvability factors

Solvability factors are considered based upon the following criteria:

1. Complainant does not wish to prosecute.
2. Suspect arrested.
3. Suspect named/identified/location known.
4. Suspect vehicle information known/described.
5. Persons or major crime(s) against person/property having substantial loss.
6. Traceable property taken.
7. Witness to the offense.
8. Evaluation of evidence.

IV. ON SCENE INVESTIGATIONS

Once an investigator has been called to the location for a preliminary investigation, he/she is responsible for the following:

- A. The investigator will take responsibility of the scene when asked to respond to a location. The first arriving investigator will take into consideration their own safety and the safety of others when arriving at a crime scene. Once established that there is no danger to themselves or others, the scene may be secured with no additional officers, investigators or supervisors passing beyond the

established perimeter of the scene, unless absolutely necessary. A log will be kept on record of personnel entering the crime scene.

- B. The investigator will gather facts and evidence at the scene by use of department equipment and interview or interrogation, in an effort to establish the circumstances and perpetrator of the crime.
- C. All evidence collected will be properly tagged and placed into evidence before completion of duty that day. If an arrest is made, the primary officer or the investigator will file an affidavit and/or criminal complaint to be attached to all arrest reports of the defendant. Supplemental reports will be completed and turned in for review.
- D. The investigator will review and analyze all reports and complaints prepared by other officers involved in the investigation of the case during the preliminary investigation.

IV. FOLLOW-UP INVESTIGATIONS

Follow-up investigations are those which go beyond the scope of preliminary and usually apply to those cases which are assigned. Included are following-up information that may lead to the identification and arrest of a suspect, property recovery and/or clearance of a reported offense. In most cases follow-up investigations are conducted by an investigator. These investigations should be conducted in accordance with applicable department procedures:

- A. Cases will be assigned to the investigator by the Detective Sergeant responsible for distribution. This distribution will be made as equitably as possible.
- B. Once assigned a case, the investigator will analyze all reports prepared in the preliminary investigation.
- C. The investigator will seek additional information by contacting uniformed officers, and re-contacting victims, witnesses, complainants or informants and prepare case files.
- D. The investigator may complete a neighborhood canvass, if one was not done during the preliminary investigation. The canvass may be done in person or by telephone and completed as soon as possible.
- E. Conduct additional interviews and interrogations.
- F. Review applicable department records:
 - 1. Arrest records/criminal history of suspects.
 - 2. Jail logs.
 - 3. Field interrogation cards.
 - 4. Pawn shop tickets.
 - 5. Computer records.
 - 6. Intelligence information.
- G. Submit evidence for laboratory analysis and review the results upon completion. Submit fingerprint comparisons on suspects.

- H. Plan, organize and conduct necessary searches.
- I. Collect and submit for processing any additional physical evidence.
- J. Identify suspects, have composite pictures made, and provide photographic and/or physical lineups for victims and witnesses.
- K. Disseminate suspect information to proper department personnel and other appropriate agencies.
- L. Prepare warrants.
- M. Locate, arrest and question suspects. Attempt to determine suspect's involvement in other crimes.
- N. Prepare the case report for presentation to the District Attorney's Office or other appropriate authority. Present all related documentation and physical evidence in court proceedings.
- O. Assist the prosecuting attorney as needed. It shall be the responsibility of the assigned investigator to properly channel all pertinent case information when required to proper personnel and/or agencies.

VI. DEVELOPMENT OF INFORMATION

During a criminal investigation information should be developed through a variety of accepted methods.

- A. Witnesses, victims, and others who could have knowledge of a crime can be interviewed. These persons can be re-contacted and re-interviewed if it is believed to be necessary and advantageous to the investigation .
- B. Photographic or physical may re-arranged for victims/witnesses in order to identify a suspect.
- C. Criminal history, intelligence, background investigations and informational records maintained by the Department may be reviewed to obtain information on suspects and offenses.
- D. Records and files maintained outside the Department may be accessed to obtain information on suspects, victims, or other persons involved in a case. These sources may include:
 - 1. Pawn shop files.
 - 2. Drivers license files.
 - 3. Vehicle registration files.
 - 4. Outside law enforcement agency files.
 - 5. Social Service/probation service files.
 - 6. Public utility files.
 - 7. Crime Stoppers programs.
 - 8. Suspects or arrested persons in reference to an offense.
- E. Surveillance may be conducted on suspects or at potential offense sites.
- F. Undercover officers may be utilized to gain information from suspects. Sting operations and reversals may also be used to gain information.

- G. Interview with inmates may be conducted to gain information.

VII. CASE MANAGEMENT FILE

- A. Each investigator will maintain working files. All working files from January to December of that year and cases that have low or zero solvability factors will be removed from active status and turned into records division.
- B. Cases which have a possibility to be solved will remain in the investigative section. Each investigator will be required to store all case files assigned in a secure location within the division. A case status log will be maintained by the Criminal Investigations Division.
- C. The Criminal Investigations supervisor is the coordinator on each case assigned to the investigation division. He or she is responsible to assign cases to the appropriate investigator.
- D. All police reports which are generated by the Criminal Investigations Division will be maintained either in investigations or by records division and will be destroyed according to retention schedule guidelines. Purging of all inactive files will be the responsibility of the Chief of Police and Criminal Investigations Division Supervisor and they will comply with the public records retention schedule.

VIII. CASE ASSIGNMENT

- A. The Anthony Police Department assigns all felony reports and misdemeanor reports with a high solvability factor for follow-up investigation.
- B. Cases assigned for investigation will be made by the Criminal Investigations Division supervisor, unless otherwise directed.
- C. Cases which are assigned are noted in the log book. The information contained therein is listed numerically with the victim's name, date, assigned to, status cleared or closed and UCR classification.
- D. The investigator will be responsible for coordination of the investigation and seeing that all information is compiled and properly channeled.

IX. SCHEDULING

Investigators working within the Criminal Investigation Division will be assigned day shift. The number of personnel and hours worked will be designated according to necessity as seen by the division commander.

- A. CID personnel are generally classified as non-essential. As such, they do not ordinarily work on holidays. The Chief of Police may approve personnel to work on holidays.
 - 1. When scheduling days off and approving leave requests, seniority of being assigned to the division is applied in determining priority.
- B. Investigators will be encouraged to periodically attend patrol briefings. This should enhance relationships and provides a method for the exchange of information.
- C. On-call status responsibilities/assignments will be on a rotating basis.

X. INFORMANT

- A. A person providing information in good faith who provides confidential information about another person who is suspected of violating some criminal statute.
- B. A person who habitually associates with suspected criminals and provides information to a law enforcement officer for compensation, some other consideration or personal motivation; or
- C. A person who sometimes obtains information at the direction of a police officer as an agent of that officer.

XI. WITNESS

A person whose testimony is desired on any proceeding or investigation by a grand jury prosecution or proceeding.

XII. JUVENILE

A person under the age of eighteen (18) will not be utilized as an informant.

XIII. CONFIDENTIAL SOURCE

A confidential source is a person providing information to the police who believes that the information may or may not result in a criminal investigation. This information is provided with no compensation or consideration for personal motivation. Information received by a confidential source will be reviewed and acted upon in an appropriate investigative manner.

XIII. FORFEITURES OF SIEZED PROPERTY

Seized property that is subject to forfeiture is pursued in accordance to federal and state law. .

- A. Forfeiture cases are filed through the District Court or Federal Courts. Forfeiture documents are completed by the assigned investigator and filed by the investigator.
- B. The completed forfeiture documents are submitted for supervisory approval. A copy is maintained with the case report while the original is submitted to the District Attorney or the Federal Agency assisting in the investigation.
- C. The seized property is held by the Criminal Investigations Division supervisor pending final disposition by the court.

XV. INVESTIGATIONS

REFER TO OPR.01 FOR CATEGORIES

XVI. REPORT REVIEW

All reports that become official record are reviewed for completeness, accuracy and offense elements.

- A. The Criminal Investigations Division supervisor shall review reports for completeness, accuracy and offense elements.
- B. If a report is determined to be incomplete, inaccurate or lacks the elements of the stated offense it shall be returned to the investigator for correction. Investigators may be required to conduct additional investigation in order to make a case presentable for filing.
- C. Cases for filing are prepared and submitted by the investigator to the District Attorney's Office for final approval.
 - 1. The District Attorney's Office may review and return the case to the investigator for presentation to the appropriate court.
 - 2. Cases accepted for prosecution that the prosecuting attorney indicates needs further work, are to be sent to the filing investigator. That investigator will complete corrections requested or additional investigations and submit the follow-up in a timely manner. Additional work will be checked by the Criminal Investigations Division supervisor.
 - 3. Cases not approved are returned to the investigator for correction or further work, or cleared by no prosecution on the part of the District Attorney's Office.
- D. Investigators consistently displaying deficiencies in case preparation or investigative techniques shall receive notations of such work in their personnel files by the Criminal Investigations Division supervisor. Further displays of deficiencies will be monitored by the supervisor or as assigned by the Police Chief for further corrective actions required.

XVII. CRIMINAL HISTORY INVESTIGATIONS

A criminal history investigation is used as an investigative tool for law enforcement purposes to determine a person's involvement in past criminal offenses.

- A. Information developed in a criminal history investigation shall be used only to substantiate or disprove the alleged involvement of a person in a criminal case.
- B. All criminal history investigations shall be conducted in a discrete and professional manner to protect individual rights.
- C. A variety of sources may be used to obtain information including.
 - 1. Criminal history
 - 2. NCIC and Criminal History Index (if criteria are met).
 - 3. Police Department Records
 - 4. Bank records and credit checks
 - 5. Medical records
 - 6. Relatives, neighbors, business associates, known associates, etc.

- D. Any information developed for background during an investigation should be documented separately from any other investigative reports. All information and material obtained is confidential and should be noted as such on the report. Any information shall be released for official purposes only following the established Department confidential records release policy.
- E. Any physical records obtained may be seized as evidence and handled accordingly.

XVIII. CASE STATUS

- A. The investigator determines or changes the status of each case assigned. This decision is based upon information developed by, or provided to, the assigned investigator. Any change in the status of the case is made through a supplemental narrative report.
- B. Case status categories are designated as:
 - 1. Refusal to prosecute-Victim
 - No further actions are requested by the victim on the part of the investigator, except for domestic violence cases.
 - 2. Refusal to prosecute-District Attorney's Office
 - The case has been reviewed by the prosecuting authority and has declined to take the matter through the court process.
 - 3. Cleared by arrest
 - Defendant has been arrested
 - 4. Exceptionally cleared -Referral to another agency
 - The investigation of the case was turned over to another agency
 - 5. Warrant/summons issued
 - 6. Case unfounded
 - Indicates that a case does not contain the legal elements of an offense required to meet its original classification.
 - 7. Inactive
 - Indicates that all available leads have been exhausted, but the case has not been brought to a satisfactory conclusion. Investigative efforts may be resumed at a later date.

- C. Information on the status of a specific case is recorded, maintained and updated by the investigator to which the case is assigned.
- D. Periodic Supplemental Reports are completed by the assigned investigator, submitted for supervisory approval, then submitted to the Records Section for processing. While all original copies of associated work will be forwarded to the Records Section for maintenance, an investigator may at his discretion maintain a duplicate file of his own for investigative purposes. Upon case disposal, the investigator will purge his file.
- E. The case status is noted in the log book.
- F. Victims of crimes are notified of any change in status of their case within 72 hours of the change by the investigator/officer aware of the change, unless such notification would jeopardize the investigation and the shift supervisor approves. Notification may be verbal or written and shall be noted in the case records.

XIX. INTERVIEW PROCEDURES

- A. A critical element of the interviewer's success is the amount of preparation done before the actual interview. The success of the interview depends on the investigator's observations, practices and experience.
- B. The interviewer should obtain specific background information to determine the person's credibility prior to beginning the interview.
 - a. Criminal history.
 - b. Person's relationship to the offense.
 - c. Person's relationship to other parties of the offense.
- C. Select the location where the interview is conducted. The ideal location for an interview is a controlled environment that provides privacy, comfort and convenience.
 - a. When possible the interview should be conducted in a designated interview room or office in the police building. This room should be free from outside interference or interruptions. The room should be searched before and after for weapons and contraband. Often a room is not available after hours. If this is the case the officer should find a secluded location in the office for the interview.
- D. Interviews conducted outside the police building should be conducted in comparable surroundings.
- E. The interviewer should present a professional appearance and be professional in manner.

- F. Pertinent information and physical evidence should not be disclosed during the interview. This helps to:
 - 1. Protect the "Rules of Evidence."
 - 2. Confirm or negate the credibility of the interviewed person.
 - 3. Ensure the integrity of the interview.
 - 4. Protect against the possibility of the interviewed person being a suspect or accomplice.
 - 5. Gives the interviewer an opportunity to truly discover the knowledge of the person being interviewed.
- G. Taking notes during the interview is suggested, controlling the pace helps to insure that the interview is accurately documented. The interview may be taped.
- H. When questioning has been completed, review what has been discussed and utilize notes to insure that all information is complete and accurate.
- I. A successful interview is accomplished through preparation, skillful interviewing techniques and confirmation that the witness has provided complete knowledge of the incident.

XX. INTERROGATION PROCEDURES

- A. Interrogation is the act of obtaining information by asking a question or a series of questions to obtain:
 - 1. Facts needed to prepare a case against a defendant,
 - 2. Facts needed to take a good, legal and corroborative voluntary statement from a defendant, or
 - 3. Facts which might clear the person as a suspect.
- B. Obtain all known facts regarding the case. These may come from:
 - 1. Written officer's reports
 - 2. Witness statements, and/or
 - 3. Accomplice statements, etc.
- C. Obtain all the information possible about the suspect to include:
 - 1. Name(s) of accomplice(s)
 - 2. Previous criminal history.
 - 3. Information on personal habits, traits, known locations, etc.
- D. Select the proper place for the interrogation. Selection criteria should be:
 - 1. Small room or office, free from interruptions or outside noises.
 - 2. Comfortable chairs and table or desk.

3. In most cases, the interrogator and suspect should be alone. This is especially important in cases involving sex crimes, homicides, and crimes against children.

- E. All interrogations will fall into legal and constitutional aspects set forth by the State of New Mexico and the government of the United States.
 - 1. Preparations to stay with the suspect until the goal has been accomplished should be made.
 - 2. Never set time limits on the interrogation (except for juveniles).

XXI. MECHANISMS OF THE INTERROGATION

- A. The arresting officer's actions and attitude at the time of arrest and in transport can have a direct bearing on the suspect's attitude during interrogation. To help make the interrogation more effective the officer should:
 - 1. Advise suspect of the charge.
 - 2. If applicable, advise the suspect of his/her "Miranda Warning."
 - 3. Limit conversation with the suspect, unless a spontaneous statement is made. Do not discuss the case with the suspect.
 - 4. Conduct the interrogation in a professional and honest manner.
- B. As an introduction to the actual interrogation, the interrogating officer should:
 - 1. Assure the suspect that the officer is responsible for the suspect's case.
 - 2. Establish authority by using the officer's official title in the initial introduction.
 - 3. Inform the suspect of the matter that is going to be discussed and read the "Miranda Warning."

XXII. ORAL CONFESSIONS

- A. In order for an oral confession to be useful, some corroboration must be established or new incriminating evidence discovered as a result of the confession.
- B. On any oral confession, go over the story several times to be sure it is not a fabrication.
- C. Make an audio and/or video tape recording of the oral confession.
- D. Cautions are listed below in an attempt to avoid undue or worthless confessions.
 - 1. Do not give the impression that you are short of time or that you are rushed. Don't look at a watch or clock frequently.

2. Try not to lose momentum in the interrogation, even if you have to repeat questions several times.
3. Never promise something you can't give. Obtain written agreements from the District Attorney on plea bargains when possible.
4. Never allow personal emotions to destroy your rapport after the suspect confesses, even if the suspect admits to an offense other than the one they are being questioned about.
5. Maintain a commanding position and do not distract the suspect's attention by unnecessary body movements/language.

XXIII. CONSTITUTIONAL REQUIREMENTS

- A. All individuals are afforded all constitutional and state rights.
- B. In order to show that the constitutional rights of an individual have not been breached, when required officers will follow these guidelines:
 1. Avoid coercion during interviews or obtaining involuntary confessions or admissions.
 2. Always inform persons of their legal rights.
 3. Provide opportunity for legal counsel.
 4. Do not delay any person's arraignment.
 5. Never participate in pre-trial publicity that would tend to prejudice a fair trial.
- C. Officers carry the burden of proof that a waiver of "Miranda Warning" was voluntary and free of coercion. The use of written rights advisement forms is always encouraged whenever possible.
- D. Inducements to cooperate in an interview are not employed, except with the prior approval of the prosecutor. No assurances are made as to what will happen during any phase of the handling of the case.
- E. The interview is immediately terminated when the person requests counsel. Arrangements are to be made to comply with the request.
- F. Security procedures are used when interrogating persons who are in custody. Officers ensure the physical safety of the officer, as well as the arrested person. This includes but is not limited to:
 1. Searching the interview room prior to and after the interview for weapons and paraphernalia.
 2. Custodial interrogations the subject is to be restrained.

3. Properly secure exits.

XXIV. STATEMENT TYPES

A. Witness/victim statements

- These are taken from a witness or a victim of a criminal offense which can be used in court and is subject to discovery.

B. Defendant statement/confession

- These may or may not be a confession to an offense taken after the suspect has been advised of the appropriate constitutional rights. It is important that all remarks made in this statement are recorded exactly as stated, either oral or written, in the words of the person making the statement.

XXV. WITNESS/VICTIM STATEMENT

A. Taped Statements

1. The correct offense number shall be placed on the statement; this will help insure that the statement is processed with corresponding paperwork.

2. At the beginning of the taped statement, the following information on the person making the statement will be required:

- a. Name
- b. Date of birth/age
- c. Home address
- d. Place of employment;
- e. Telephone numbers to be reached.

3. If the person making the statement cannot read, or speaks a language other than English arrangements are to be made for interpretation. This is to insure accurate documentation of the statement.

4. The taped statement should contain an introductory paragraph. The main body of the statement shall then follow and contains information the witness can give on a particular offense. The following guidelines are adhered to:

- a. The statement is to be in the person's own words. No police language or officers' words are to be included.
- b. An interview prior to the statement should be given to make clear what information will be covered, when practical.

5. Once the interview is completed, the tape is kept with the case file until determination is made to transcribe.
6. The original copy of the transcription is placed in the case file in Records and a copy is given to the assigned detective.
7. The taped statement is considered part of the case file and retained for the same period of time.

B. Written Statements

1. If the person making the statement cannot read, or speaks a language other than English, arrangements are made to have the statement read to the person. The reading is witnessed by another person. To ensure accurate documentation of the statement, the interpreter reads the statement to the witness in a language the person understands. If the statement is correct the witness is allowed to sign the written statement.
2. The main body of the statement follows the introductory paragraph. This section contains information the witness can give on a particular offense, and the following guidelines are adhered to:
 - a. The statement should be in the past tense and in the words of the victim. Police language and the officer's words are not included. The statement should be single spaced.
 - b. The officer conducts an interview prior to beginning the formal written statement and attempts to obtain all the information the person can give on the offense in question
 - c. Caution must be used to avoid changing the statement by omitting certain details. Only information pertaining to the offense under investigation should be documented in the statement.
 - d. Begin by asking the witness/victim to state the date, time, day of week and location from where the offense was witnessed or the person victimized.
 - e. The witness, in their own words, should give a chronological account of what they saw or heard.
 - f. Encourage the witness to remember events as accurately and completely as possible. Be careful not to lead the witness into giving information that cannot be proven in court.
 - g. At the end of the statement given, conclude the typed statement with "This statement is true and correct to the best of my knowledge and ability." Following this, type "End of statement", then type "Statement taken by (officer's name) on (date) at (location)" followed by typed information.
3. The person making the statement should read what has been typed and the officer makes corrections as needed.

4. Do not allow the person to sign the statement until a witness or notary is present.
5. Each page must be signed by the person making the statement and appropriately witnessed.

XXVI. DEFENDANT STATEMENT/CONFESSION

- A. Prior to beginning any audio/video taped or written statement from a suspect the officer must:
 1. Ensure the suspect has been made aware of his/her rights from the Miranda warning.
 2. Insure the suspect understands the rights as read
 3. Insure any waiver of rights is made knowingly and any taped/written statement is given voluntarily.
- B. In taped/written statements, follow the guidelines as to introduction, main body and ending of the interview.

XXVII. PHYSICAL LINEUPS

- A. The courts have ruled that participation in lineups by in-custody suspects permits mandatory compliance. A suspect in custody may be forced to participate in a lineup. Since this is not the best procedure and could result in a tainted lineup, a court order is recommended in order to force the suspect's compliance with the physical lineup.
- B. The courts have ruled that the suspect's right to counsel at lineups is applicable only after the initiation of formal judicial proceedings (case filing, indictment, arraignment, etc.).
- C. If the suspect is in custody and requests appointment of an attorney, the investigator will contact the prosecutor with the request. The lineup will not proceed until an attorney has been appointed and is present.
- D. If the suspect is not in custody, a court order is required to compel participation in the lineup.
- E. The investigator must maintain accurate and complete notes recording the entire procedure.
- F. An unbiased and impartial approach towards the suspect's constitutional rights is mandatory for all officers.
- G. The prosecutor should be notified and encouraged to provide representation during the lineup. The prosecutor's office determines whether their presence is required or not.
- H. If the suspect is represented by an attorney, the attorney must be given reasonable notice of the lineup date.

- I. If the attorney does not appear at the date and time notified the lineup is postponed. The suspect may waive the right to counsel or agree to a substitute attorney.
- J. If the suspect refuses to retain an attorney, no lineup is conducted until the suspect has a court appointed attorney. The prosecutor's office shall be notified of the situation.
- K. Defense attorneys may not question witnesses who are under police control. The attorney may be present during the identification and post lineup interview.
- L. A witness may speak to a defense attorney if they desire, but should be advised they are not obligated to do so. The investigator should be present during any conversation between witness and the suspect's attorney.

XXVIII. VICTIMS/WITNESSES

- A. Victims and witnesses should be given instructions concerning procedures. They should not:
 - 1. discuss anything with attorneys present unless accompanied by the investigator;
 - 2. make any overt or declaratory statements;
 - 3. proceed until instructed; or
 - 4. discuss the lineup or identification with other witnesses.
- B. Victims/witnesses are shown courtesies of proper and ample notification of lineup date, time and location.

XXIX. SUSPECTS

- A. Suspects may be compelled to repeat words or phrases. All persons in the lineup must repeat the same words or phrases.
- B. If a suspect refuses to cooperate in speaking, the prosecutor's office shall be contacted and advised, actions for contempt of court proceedings may begin.
- C. Witnesses should be properly isolated from each other before, during and after the lineup. Each witness views the lineup individually. Witnesses are not allowed to see the suspect prior to the lineup.
- D. When selecting lineup participants, physical characteristics should be as close as possible and/or practical.
- E. Co-defendants are not placed in the same lineup.
- F. The lineup should be conducted with the suspect and at least four other individuals.
- G. The lineup should be conducted with one investigator working with the participants. A second investigator should work with the witnesses and attorney(s).

XXX. PHOTOGRAPHIC LINEUPS

- A. Photographic lineups are proper investigative tools for securing suspect identification, provided they are not suggestive or improperly presented.
- B. Photo lineups may be used during an investigation either before or after arrest. There is no requirement that the suspect's attorney be present when a photo lineup is presented to a witness.
- C. Witnesses and victims may be allowed to view photos on file at the police building to generally search for a photo of the suspect. This is generally used when a definite suspect has not been identified.
- D. Lineup presentation in photo array shall be arranged at random with at least six photos of other individuals. All photos must be of the same sex, race, and approximate age and are displayed in the BPD spread folder.
- E. When mug shots are used in a photo lineup, all identifying written information or law enforcement reference on the photos is removed or covered.
- F. When general photographic police files are shown to a witness/victim, any names on the photos are removed or covered. These files may include pictures of individuals who have been handled for a particular offense. This may be necessary to ensure an adequate number of pictures for viewing to make the process objective.

XXXI. PHOTOGRAPHIC LINEUP PROCEDURES

- A. A photographic lineup is not shown to more than one witness/victim at a time.
- B. In the case of multiple witnesses/victims viewing a photo lineup, individual responses of each witness are not made known to other witnesses.
- C. The investigator does not, by words or gesture, suggest an opinion as to which photograph is the suspect. The investigator must remain neutral during the presentation.
- D. Each time a photo lineup presentation is made a record is to be made of the procedure, to include:
 - 1. Time
 - 2. Date
 - 3. Location
 - 4. Name of witness/victim
 - 5. Photographic numbers
 - 6. Offense date
 - 7. Offense number
 - 8. Investigator
- E. The information listed above is documented on the Anthony PD photo spread folder.
- F. The viewing witness will initial the photo selected, if any.

- G. Information pertinent to the presentation procedure is documented in the investigator's paperwork. This may include statements made by the viewing witness/victim.
- H. If a positive identification is made the photo spread will be marked, logged and placed into evidence.

XXXII. JUVENILE OFFENDERS/PHOTO LINEUPS

- A. Photo lineup is prepared the same as for an adult. Use of this procedure must be in accordance with the New Mexico Children's Code dealing with photographs of children.
- B. School yearbooks may be used as photo lineups. All names and identifying information, including page numbers must be covered. A sufficient number of pages must be displayed to allow the witness to view an adequate number of photos with similar characteristics as the suspect.

XXXIII. POLYGRAPH EXAMINATIONS

It must be recognized that the polygraph technique is no substitute for a complete and thorough investigation. The technique can be helpful in supplementing the investigation, and saving valuable man hours and expenditures if utilized during certain phases of the investigation. It should never be used to circumvent an investigation.

Additionally, polygraph examinations should be available to officers as a tool for case investigation; for pre-employment investigations as a means to verify background information and detect criminal activity; and to the Chief of Police for Internal Affairs Investigations.

- A. The tested person shall be told that the test must be voluntarily taken, and that he/she cannot be made to take the test, except under a lawful court order requiring the taking of a polygraph examination in which the person to take the test is named.
- B. The person shall be informed the test will take from 2-4 hours. He or she shall be told to refrain from using any alcohol or drugs, unless prescribed by a physician, for 24 hours prior to the examination, and that a question may be asked during the examination pertaining to his/her non-use of drugs or alcohol during the past 24 hours.
- C. The person tested should wear a short sleeved, loose fitting, shirt and causal loose fitting slacks or trousers, if possible.
- D. Persons with any physical or psychological abnormality or ailment will be tested at the discretion of the examiner performing the examination.
 - a. Any person that exhibits a condition indicating pain or discomfort, mental or physical, shall not be tested.

- b. Pre-existing coronary conditions shall require a doctor's release.
 - c. Pregnant women will normally not be tested, and if tested, only upon a physician's release.
- E. No polygraph examination shall be given:
 - a. to any person under 18 years of age unless he and his parents or legal guardian have signed a polygraph waiver prior the examination being given (Any person under 14 years of age shall not normally be polygraphed);
 - b. any employee/member of the Anthony Police Department unless such examination is specifically directed by the Chief of Police, and only after the completion of a thorough investigation by appropriate authority;
 - c. subjects when the requesting individual is not directly affiliated with a law enforcement or judicial agency.
- F. The polygraph examiner will make the final determination as to whether or not a subject will be administered a polygraph examination.
- G. All polygraph examinations will conform to Rule 707 (Rules of Evidence, 11-707).
- H. Under no circumstances will any attorney or other person be present while the examination is being performed, with the exception of an interpreter.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Foot Pursuits</i>	NUMBER: OPR 02-16
EFFECTIVE DATE: 08-25-2023	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

To provide Anthony Police Department officers with written guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

II. POLICY

This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer, the public and/or the suspect. Officers are expected to act reasonably, based on the totality of the circumstances.

Absent exigent circumstances, the safety of department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and/or department personnel.

III. DEFINITIONS

Foot Pursuit: An incident where an officer(s) chases, on foot while maintaining visual contact, of a person who they have reasonable suspicion to believe is about to commit, is committing, or has committed a crime and who is resisting apprehension by walking or running away from the officer after verbal commands to stop have been given.

IV. PROCEDURE:

DECISION TO PURSUE:

Officers are justified in initiating a foot pursuit of an individual when an officer has reasonable suspicion to believe is about to engage in, is engaging in or has engaged in a felony, a violent misdemeanor, a suspected DWI, or when the immediate apprehension outweighs the risks associated with a foot pursuit.

Simple flight by a person who is not suspected of criminal activity shall not serve as the sole justification for engaging in a foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity.

Deciding to initiate or continue a foot pursuit is a decision an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits potentially place department personnel and the public at risk. No officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit due to the perceived risks involved.

If circumstances reasonably permit, surveillance and containment are generally the safest tactics for apprehending fleeing subjects. In deciding whether or not to initiate and/or continue a foot pursuit, an officer should continuously consider reasonable alternatives to pursuit based upon the circumstances and resources available, such as the following:

- A. Containment of the area.
- B. Availability of a Police Service Dog.
- C. Saturation of the area with patrol personnel.
- D. Availability of a local Air Support Unit.
- E. When the identity of the suspect is known or there is information available that would likely allow for later apprehension and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the pursuit.

CONSIDERATIONS FOR WHETHER OR NOT TO PURSUE:

Additional factors to be considered in determining whether or not an officer should initiate a foot pursuit:

- A. The seriousness of the crime or suspected offense
- B. The level of threat or resistance presented by the subject
- C. Whether the subject posed an imminent or immediate threat to officers or others
- D. Whether the circumstances are tense, uncertain, and rapidly evolving
- E. The time available for an officer to make a decision in response to the subject's actions.
- F. The availability of other resources
- G. The training and experience of the officer
- H. The number of subject(s) in relation to the number of officer(s).
- I. Disparity factors to include the age, size, relative strength, skill level, injury or exhaustion related to both the officer and subject.

FOOT PURSUIT GUIDELINES:

Unless an officer reasonably believes that exigent circumstances exist (e.g. a serious threat to the safety of personnel or members of the public), officers should consider alternatives to engaging in or continuing a foot pursuit, when reasonably practical, in the following circumstances:

- A. Directed by a supervisor to terminate the foot pursuit (such an order shall be considered mandatory).
- B. If the officer is pursuing alone, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- C. The officer is unsure of his/her location and/or direction of travel.
- D. The officer, or officers, pursuing multiple suspects and it is not reasonable to believe they would be able to control the suspects should a confrontation occur.
- E. The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and/or containment. The primary officer should discontinue the foot pursuit and coordinating containment efforts pending the arrival of sufficient resources.
- F. The officer loses possession of their firearm, other essential equipment, or loses contact with dispatch.
- G. The officer, or a third party, is injured during the pursuit requiring immediate assistance and there are no other emergency personnel available to render assistance.
- H. The suspect's location or direction of travel is no longer known to the pursuing officer.
- I. The officer's ability to safely continue the pursuit becomes impaired by inclement weather, poor lighting, or other environmental conditions, obstructions, or safety concerns.

FOOT PURSUIT RESPONSIBILITIES:

Initiating Officer's Responsibilities

Unless relieved by another officer, or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit.

Early communication of available information from the involved officers is essential so adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and/or available:

- A. The officer, identified by call sign, that is in foot pursuit
- B. The specific, articulated violation which initiated the pursuit
- C. The location and direction of travel
- D. The description of the suspect(s) being pursued, to include age if known
- E. Whether or not the suspect is believed to be armed with a dangerous weapon; and
- F. Any additional information requested by the shift supervisor

Failure to transmit the above information listed in letters A-D above may be cause for the immediate termination of a foot pursuit by the shift supervisor. Officers should be mindful that radio transmissions made while running can be difficult to understand and may need to be repeated.

Assisting Officer's Responsibilities

Whenever any officer announces that they are engaged in a foot pursuit, all other officers shall minimize nonessential radio traffic to permit the involved officers maximum access to the radio channel. Much like a motor vehicle pursuit, a secondary officer directly involved in the foot pursuit shall assume all relevant radio communication to allow the primary officer to solely focus their efforts on the apprehension of the fleeing suspect.

Shift Supervisor's Responsibilities

When appropriate, the shift supervisor shall take command, direct responding resources, and control the foot pursuit. Shift supervisors shall continuously assess the situation in order to ensure the foot pursuit is conducted safely, efficiently and within department policy.

Supervisors shall terminate a foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect. Upon apprehension, shift supervisors shall promptly proceed to the termination point to direct any post-foot pursuit activities (i.e. evidence or equipment recovery, medical attention, etc.).

Communications Center's Responsibilities

During a foot pursuit the Communications Center is responsible for the following:

- A. Upon being advised of the initiation of a foot pursuit, the dispatcher operating the primary radio channel announces "10-33 Traffic" (emergency radio traffic only), in order to notify all field units
- B. Repeat or relay all pertinent transmissions of the pursuing officer to responding personnel, as needed

- C. Notify the field supervisor of the pursuit
- D. Monitor all radio communications pertaining to the pursuit and enter all relevant information into the
Computer Aided Dispatch System
- E. Coordinate the response of any additional resources or outside agencies responding to assist with the foot pursuit and
- F. Perform all relevant record checks on the pursued suspect, if known.

REPORTING:

The shift supervisor will interview the officers involved in the foot pursuit and determine if the officer(s) needs to complete a report. All foot pursuits deemed reportable will be completed in a Use of Force report form.

The initiating officer shall complete a detailed report documenting, at minimum:

- A. Reason for initiating the foot pursuit
- B. Identity of involved personnel
- C. Route and approximate distance and length of the pursuit
- D. Whether the suspect was apprehended, to include means and methods used for apprehension, or whether they escaped
 - a) Any use of force application shall be reported and documented in compliance with the Use of Force Policy. (Foot pursuits are not considered a use of force in and of themselves. However, should force application be utilized in process of a foot pursuit, said force shall be reported according to the Use of Force policy).
- E. Any injuries to the suspect, officers or citizens, as well as any property damage.

Assisting officers taking an active role in the apprehension of a foot pursuit suspect shall complete a detailed associated supplemental report.

MEDICAL PROCEDURES: Medical Evaluation and Aid

Immediately after the apprehension of a foot pursuit subject, officers shall be alert to any indications and/or complaints that the individual needs medical care.

This includes, but is not limited to:

- A. Breathing difficulties
- B. Gagging
- C. Significant obvious increase in body temperature
- D. Profuse sweating and/or
- E. Loss of consciousness

Upon observing these or any other medical problems, or if the subject requests medical assistance, officers shall immediately summon emergency medical aid.

Appropriate medical aid is rendered following any foot pursuit which results in visible injuries or complaints of injury. Subjects with injuries are examined by emergency medical personnel on-scene and/or are transported to a local hospital for treatment prior to incarceration.

While transporting a subject to a police or medical facility, the subject's condition should be monitored for signs of shock or other physical discomfort. A subject should never be left unattended while awaiting medical attention.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Selection and Hiring	NUMBER: PER 03-01
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. POLICY

It is the policy of the Department to refer all recruitment and selection of employees to the office performing the Human Resources function with the City of Anthony and conducted in accordance with applicable law. The Chief of Police may assist with the screening and selection process as requested by the office performing the Human Resources function.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Employment Discrimination	NUMBER: PER 03-02
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

To establish and define the policy for this agency concerning fair employment practices and to ensure Equal Employment Opportunities, free from harassment or discrimination to all employees and applicants for employment.

II. POLICY

It is the policy of the Department to comply with Federal and State Laws pertaining to Equal Employment Opportunity, including Affirmative Action, and to ensure there is no discrimination or harassment of any type in the workplace.

This policy does not supersede City of Anthony Rules and Regulations pertaining to Equal Opportunity.

III. PROCEDURE

A. The Department will base all employment decisions on decisions on principles of equal opportunity. The Department will not discriminate against any employee or applicant for employment on the basis of the following:

1. Race/Color;
2. Religion;
3. Sex/Gender;
4. National Origin;
5. Disability;
6. Age;
7. Veteran Status;
8. Handicap/Disability;
9. Sexual Orientation;
10. Marital Status;
11. Genetic Information;
12. Pregnancy;
13. Prior Protected Activity (Retaliation); or
14. Any other protected class.

- B. Employment opportunities will not be distinguished on the basis of any of the factors described in Section III (A) above. Section 29-7-6 establishes the following minimum requirements:
1. An applicant for the police officer position shall provide evidence satisfactory to the board that he/she:
 - a. is a citizen of the United States and has reached the age of 21;
 - b. holds a high school diploma or the equivalent;
 - c. holds a valid driver's license;
 - d. has not been convicted of or pled guilty to or entered a plea of *nolo contendere* to any felony charge or, within the three year period immediately preceding his application, to any violation of any Federal or State Law or Local Ordinance relating to aggravated assault, theft, driving while intoxicated, domestic violence, controlled substances or other crime involving moral turpitude, and has not been released or discharged under dishonorable conditions from any of the armed forces of the United States;
 - e. after examination by a certified psychologist, is free of any emotional or mental condition that might adversely affect his/her performance as a Police Officer or prohibit him/her from successfully completing prescribed training under the Law Enforcement Training Act;
 - f. is of good moral character; and
 - g. has met any other requirements for certification prescribed by the board pursuant to regulations adopted by the board.
- C. This Department fully supports the Americans with Disabilities Act (ADA) and will respond to reasonable requests for job accommodations.
- D. The administration of this Department will take affirmative action to recruit, hire, reassign, compensate, train, demote, and to advance in employment: minorities, women, qualified individuals with disabilities, and veterans. This agency is committed to making sustained, diligent efforts to identify and consider such individuals for employment and for opportunities arising during employment.
- E. Harassment, in any form, against any employee of this agency or applicant for employment is unacceptable and will not be tolerated.
- F. All employees must respect civil rights laws and refrain from discriminatory actions. It is everyone's responsibility to perform official duties in a way that maintains and fosters a non-hostile work environment free from discrimination.
- G. Discriminatory actions or conduct may include remarks and jokes regarding any of the factors described in Section III(A) above, regardless of whether or not the remarks or jokes are welcomed.
- H. This agency prohibits any retaliatory action against an employee for opposing a practice which he/she believes to be discriminatory. This includes the filing of an

internal complaint or the filing of a complaint with a State or Federal Civil Rights Enforcement Agency.

- I. The Chief of Police or his/her designee will be responsible for educating employees on Equal Employment Opportunity, Affirmative Action, and discrimination/harassment issues. The Chief of Police or his/her designee will also be responsible for ensuring that staff members at all levels carry out the intent of this equal employment/affirmative action policy and take appropriate measures to correct any discrimination which might occur.
- J. All employees are expected to abide by the procedures as outlined within this policy. Violation of this policy will subject an employee to disciplinary action, up to and including dismissal.
- K. The Chief of Police or his/her designee will assign a supervisor within the agency to be responsible for investigating complaints of discrimination on a case by case basis. The supervisor will be responsible to report back to the Chief of Police a written report concerning the complaint. The contents in the report shall be kept confidential. In appropriate circumstances the City Human Resources Department may assist as needed.

IV. COMPLAINANT PROCEDURES: DISCRIMINATION

- A. An employee encountering discrimination in the workplace shall:
 - 1. Promptly record the circumstances comprising the incident in order to facilitate the investigation process.
 - 2. Report the incident(s) to a supervisor as soon as possible so that steps may be taken to protect the employee from further discrimination, and appropriate investigative and disciplinary measures may be initiated. Where this is not practical, an employee may instead file a complaint with the Chief of Police or the Human Resources department.
- B. The supervisor or other person receiving the complaint shall:
 - 1. Attempt to resolve the incident(s) at the lowest level;
 - 2. Document the incident(s), the employee(s) who performed or participated in the harassment, and the dates on which it occurred;
 - 3. Document any attempts or results to resolve the incident(s); and
 - 4. Deliver the complaint and documentation promptly through the chain of command to the Chief of Police or other appropriate official.
- C. An employee has a duty to report discrimination in a prompt manner. It is unacceptable, and a violation of policy and procedure, for an employee to “wait” to report discrimination. An employee who chooses to accumulate information over an extended period, in lieu of prompt reporting, deprives the employer of the opportunity to conduct an adequate investigation and take corrective action. In this case, the employee may in effect impair the legitimacy of their claim.

- D. Incident(s) of discrimination that are substantiated after adequate investigation shall only be considered resolved at the supervisory level when reasonable corrective action is implemented at the supervisory level. However, complaints of discrimination that remain unsubstantiated after thorough investigation will be considered resolved at the time that the investigation is completed.
- E. This procedure is consistent with, but does not take the place of, State or Federal civil rights laws. Employees encountering discrimination are required to comply with applicable state and federal laws, including applicable time limits, regarding the filing of a Charge of Discrimination with the Equal Employment Opportunity Commission or New Mexico Human Rights Bureau, if necessary.

V. COMPLAINANT PROCEDURES: HARASSMENT / HOSTILE WORK ENVIRONMENT

- A. An employee encountering harassment or hostile work environment should first attempt to discourage the activity, if possible, by informing the offending employee that their actions are offensive, unwanted or unwelcome.
- B. If the employee encounters harassment or hostile work environment, the employee shall also:
 - 1. Promptly record the circumstances comprising the incident in order to facilitate the investigation process.
 - 2. Report the incident(s) to a supervisor as soon as possible so that steps may be taken to protect the employee from further harassment or hostile work environment, and appropriate investigative and disciplinary measures may be initiated. Where this is not practical, an employee may instead file a complaint with the Chief of Police or Human Resources.
- C. The supervisor or other person receiving the complaint shall:
 - 1. Attempt to resolve the incident(s) at the lowest level;
 - 2. Document the incident(s), the employee(s) who performed or participated in the harassment or hostile work environment, and the dates on which it occurred;
 - 3. Document any attempts or results to resolve the incident(s); and
 - 4. Deliver the complaint and documentation promptly through the chain of command to the Chief of Police or other appropriate official.
- D. An employee has a duty to report harassment or hostile work environment in a prompt manner. It is unacceptable, and a violation of policy and procedure, for an employee to “wait” to report harassment or hostile work environment. An employee who chooses to accumulate information over an extended period, in lieu of prompt reporting, deprives the employer of the opportunity to conduct an adequate investigation and take corrective action. In this case, the employee may in effect impair the legitimacy of their claim.
- E. Incident(s) of harassment or hostile work environment that are substantiated after adequate investigation shall only be considered resolved at the supervisory level when

reasonable corrective action is implemented at the supervisory level. However, complaints of harassment or hostile work environment that remain unsubstantiated after thorough investigation will be considered resolved at the time that the investigation is completed.

- F. This procedure is consistent with, but does not take the place of, State or Federal civil rights laws. Employees encountering harassment or hostile work environment are required to comply with applicable state and federal laws, including applicable time limits, regarding the filing of a Charge of Discrimination with the Equal Employment Opportunity Commission or New Mexico Human Rights Bureau, if necessary.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Equipment, Uniforms and Grooming Standards	NUMBER: PER.03-03
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The purpose of this policy is to delineate the Department's initial clothing and equipment issue and to establish a standard of appearance and apparel and uniformity for Department employees.

II. POLICY

It shall be the policy of the Department to issue uniforms and equipment as required for employees to accomplish assigned functions and to allow for the care and maintenance of equipment and uniforms. It shall further be the policy of the Department that employees present a neat, clean, and orderly appearance.

III. INITIAL EQUIPMENT ISSUE

- A. Most of the equipment each employee initially receives will be issued by the Department. Prior to assignment to the Field Training Program, officers will be issued sufficient uniforms and equipment to successfully carry out their duties.
- B. All uniforms purchased and issued to new officers shall be responsible for reimbursing the City of Anthony NM the cost of these uniforms if they resign within the first two years of employment.
- C. Officers scheduled to attend the Certification by Waiver Course will dress in accordance with the Law Enforcement Academy rules and regulations.

IV. UNIFORMED PATROL

Uniformed Shirts

- A. Uniformed polo shirts will be blue in color and will have the Anthony Police Department logo on both the right and left sleeves.
- B. Both long and short sleeve shirts can be worn year round at the discretion of the officer. Officers may have visible tattoos, but will not be allowed to display any tattoos that are obscene or vulgar in nature or that depict gang affiliations of any sort.
- C. Officers are authorized to wear undershirts and thermals under the uniform shirt. If the undershirt is visible at the neckline, it must be plain black in color and in good condition. Undershirt sleeves shall not protrude from underneath the uniform shirt sleeve.
- D. Turtle neck and mock turtleneck shirts that are black in color may be worn during the winter months (Oct 1 thru Apr 1) with the long sleeve shirt. The hot summer months are effective (May 1st thru Sept. 30th) of each year in which short sleeves should be worn.

- E. Sleeves will not be rolled up or turned up on any uniform shirt

Uniform Pants

- A. Uniform Pants shall be blue in color and will be standard 4 pocket style. BDU style pants will be worn with the approval of the Chief of Police.
- B. BDU style pants in neutral colors may be worn for training and special assignments or administrative duties.

Headgear (if directed to wear by Chief of Police)

- A. The uniform hat will be Lancaster style Round, with grommets to accommodate the cap badge. The wearing of the cap is optional, but encouraged at all special functions, or as otherwise directed by the Chief of Police.
 - 1. All personnel will wear caps with plain black brims.
 - 2. The Chief of Police may wear multiple bands of gold oak leaves on the brim.
- B. Ball caps may be worn and will be blue or black in color. Approved designs/logos are limited to law enforcement themes.

Ties

- A. The uniform tie will be black in color with a four-in-hand style knot. Female officers may substitute a crossed tie which will be black in color. For safety purposes, ties should be clip-on, or in the case of the crossed tie, attached with Velcro.
- B. Ties will be required at all formal functions (with the long sleeve Class A uniform shirt), or as directed by the Chief of Police.
A tie bar or tie tack will be an optional item when the tie is worn. Approved designs are limited to law enforcement emblems.

Operations Division – Plain Clothes Personnel

- A. All commissioned officers working in plain clothes will dress appropriately for their particular job descriptions.
- B. When wearing plain clothes on duty or acting in the Department's behalf, employees (both sworn and non-sworn) will be required to adhere to hairstyle guidelines prescribed for uniformed employees.
- C. Officers working in an undercover capacity are exempt from A and B above.

Reflective Safety Vests

- A. Reflective safety vests are issued equipment and must be of the same standard as issued to officers and must be worn while directing or controlling traffic, unless there are exigent or emergency circumstances which would preclude the use of the vest.

Uniform Wear

- A. Officers shall wear the uniforms and insignia commensurate with their rank and position.
- B. All employees required to wear a uniform will insure they have a sufficient number of uniforms and maintain them in a neat, clean, and serviceable condition.
- C. No mixture of civilian clothing with the official uniform shall be permitted on duty or off, with the following exceptions:
 - 1. Plain-clothes officers may wear Department caps, jackets or other special purpose clothing during raids or special operations.

2. Officers in civilian clothes using a police vehicle shall carry an outer garment which will identify them as a member of the Anthony NM Police Department in the event they are called on in an emergency and/or assignment.
- D. No mixture of civilian clothing with the official uniform shall be permitted on or off duty except at the firearms range if the officer is making up a qualification shoot.
- E. All officers on the shift will wear the same uniform. The supervisor or senior officer dictates the uniform that will be worn. On special projects, all officers will be uniformed in the same combination of clothing. The supervisor or senior officers is responsible for the uniform of the day/project.

Accessories

- A. Department Shoulder Patch
Department shoulder patches will be worn on the left and right sleeve of the uniform, centered below the epaulet and no more than ½ inch below the shoulder seam when wearing BDU shirt.
- B. Name Plates
Uniformed personnel will wear a silver colored metal name plate centered above the right side pocket flap when wearing Class A uniform. Rank will not be designated on the name plate.
- C. Cloth Badge Patch
All personnel may wear a two toned colored embroidered replica breast badge of the department on outer garments. The badge will be worn on the approved shirt when wearing the utility uniform.
- D. Rank Insignia
 1. Sergeants' chevrons will have a black background with three silver stripes. Chevrons will be worn on both sleeves of the uniform shirt and centered midway between the seam of the shoulder and the elbow when wearing BDU shirt. It is understood that due to the sleeve length of the short sleeved uniform shirt, centering midway may not always be possible.
 2. Lieutenant gold bars will be worn on both collar tabs of the uniform BDU and Class A shirt.
 3. The Chief of Police insignia will be a gold colored four star design. The insignia will be worn on both collar tabs of the uniform shirt.

Leather Gear

- A. Equipment belt will be black leather or simulated leather (Velcro belts are approved), two inches in width, basket weave design. A brass buckle, black plastic snap or Velcro closures are acceptable.
 1. Equipment belts shall be worn with the Class A uniform and utility uniform.
 2. The mixing of leather, leather/simulated leather, and nylon components on belts is not authorized.
- B. Holster will be rated at Level 2 or higher (safety) with black basket weave design for patrol officers.
 1. Holsters for privately owned weapons utilized for back up and off-duty use will be of quality material with a capacity to secure the weapon.
- C. Handcuff case will be black basket weave or as approved by the Chief of Police.
- D. Ammunition carriers will be either stacked or side-by-side design, black basket weave or as approved by the Chief of Police.

- E. The expandable baton holster will be black basket weave or as approved by the Chief of Police.
- F. Belt keepers will be a minimum of 1 inch wide and have a black basket weave design or as approved by the Chief of Police..
- G. Privately owned leather gear which is used on duty must meet the requirements as department issued equipment.

Badges

- A. The badge style of the Anthony NM Police Department is a two toned silver and gold plated style with the rank insignia across the top panel.

Service Stripes/Bars and Instructor Bar

- A. Service bars may be worn on all long sleeve shirts. Service bars designate years of service with the Anthony NM Police Department and worn in the following manner:
 - 1. Service bars will be worn on the left arm, starting one inch above the cuff line.
 - 2. Designation for one year of service as a certified police officer is a single silver bar.
 - 3. A single silver bar having a black star centered on the bar designates five years of service, two stars for ten years, and three stars for fifteen years, etc.
 - 4. Service stars shall be updated on the officer's anniversary hire date.
- B. Instructor bars are worn on the right arm starting 1 inch from the cuff line. The instructor bar is a black bar outlined in white with white lettering of the word "INSTRUCTOR" in the bar.
- C. Instructor bars may only be worn by officers who are certified instructors through the New Mexico Department of Public Safety, Training and Recruiting Division. Proof of certification is required prior to wearing the instructor bars.
- D. Instructor bars may also be worn on all outer garments.

Appearance and Grooming

- A. Male officers shall keep their hair neat in appearance. The hair shall be kept so as not to extend below the top of the ears, extend below the top of the uniform collar or bush out excessively when the uniform hat or cap is worn.
 - 1. In no case shall the bulk or length of hair interfere with authorized headgear when worn.
 - 2. Hair which is dyed should present a natural appearance. Outlandish or unnatural colors which detract from a professional appearance are not authorized.
- B. Female officers shall wear their hair in styles so the hair is not on the front of the uniform, shoulders, or covering the face.
 - 1. In no case shall the bulk or length of the hair interfere with authorized headgear when worn.
 - 2. Females assigned to uniformed patrol duty are encouraged to style their hair in a manner conducive to officer safety. Styles that require long hair, pig tails or extensions provide easy targets for resisting subjects to grab and may place the officer at a disadvantage.
 - 3. Hair which is dyed should present a natural appearance. Outlandish or unnatural colors which detract from a professional appearance are not authorized.

- C. Male officers shall be allowed to wear a neatly trimmed mustache and goatee. The mustache/goatee will not extend more than one-quarter (1/4") of an inch below the corner of the mouth.
- D. Beards, or other hair on the, neck, or cheeks will not be allowed while in uniform. Requests for waiver will be considered on a case-by-case basis and only upon recommendation from a licensed physician. Consideration shall be given based on a religious beliefs and/or practice.
- E. Sideburns will be neatly trimmed and shall not extend below the lowest part of the ear opening. The sideburns will not be flared and will end in a clean horizontal line.
- F. Plain clothes officers assigned to undercover assignments i.e. task forces, may dress as previously set out in this policy.
- G. Plain clothes officers will be in compliance with this directive when wearing the regulation uniform.
- H. Wigs and hairpieces are permitted and must comply with all hair standards as set forth in this directive.

Personal Jewelry and Ornamentation

- A. Only the following items of jewelry may be worn by uniformed personnel:
 - 1. Rings;
 - 2. Watches and watchbands;
 - 3. Tie tacks or tie pins ;
 - 4. Approved uniform pins;
 - 5. Neck jewelry may be worn but must be concealed.
- B. Sworn or uniformed personnel are prohibited from wearing the following items of jewelry while on duty:
 - 1. Earrings;
 - 2. Ear cuffs;
 - 3. Visible body piercings jewelry (including tongue, lip, or nose piercing jewelry).
 - 4. Ear gauges

Purchase of Uniform Clothing/Accessories

- A. Uniform items, accessories, leather and footwear shall be purchased with a purchase order following the City of Anthony's Finance Policies and Procedures.
- B. Department weapons, equipment belt, holster, and some related equipment carrying cases are provided by the department.
- C. Dependent on the budget, the Police Department may not authorize purchase of all police equipment. Some equipment such as handcuffs, handcuff key, extended magazines, pouches, other accessories, etc. may need to be purchased by the Officer at the discretion of the Police Chief.

V. CIVILIAN PERSONNEL

- A. Male and female employees shall dress in civilian clothing which presents a professional, neat, and clean appearance.
- B. Excessively short dresses, shorts, skirts, or revealing clothing are prohibited.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Promotions	NUMBER: PER 03-04
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The purpose of this directive is to establish guidelines for the administration of examination devices used in the promotional process of personnel within the Department from Patrolman to Sergeant.

II. POLICY

It is the policy of the Department to maintain a structured and equitable system in cooperation with efforts put forth by the Human Resources Department for the promotion of sworn classified personnel. Human Resources will have the primary responsibility to handle all aspects regarding the promotion of employees within the Department. The Chief of Police and his/her designee(s) will fully comply with the City Personnel Rules and Regulation and EEOC laws concerning the promotion of employees.

This policy is not applicable to the selection of Exempt Ranks.

III. QUALIFICATIONS

- A. Minimum of two (2) years' service as a certified Police Officer at the time of examination (service time not restricted to Anthony Police Department) and not on probation;
- B. Must be certified law enforcement officer in the State of New Mexico, per New Mexico Statutes, annotated 1978;
- C. Must have an overall satisfactory work record with the Department; and not have any disciplinary issues within one year prior to being eligible for promotion.
- D. Must not be under investigation for violation of City or Department Rules and Regulations; must not have any action pending against the officer.

A. ADMINISTRATION

- A. When a position of promotion opens up within the department, it is encouraged that all qualified personnel apply for the position. The vacancy shall be posted for fourteen (14) days. Human Resources or it's designee shall post the position.
- B. Qualifications for the position will be set by policy and the on job description.

- C. Human Resources or its designee shall publish the dates and location of the scheduled test(s).
- D. The City's Human Resources may designate such proctors and oral examiners of recognized professional competence in the area to be tested as may be necessary for the proper administration of tests and may arrange for the use of facilities in which to administer the tests.
- E. Oral tests will be administered by oral examiners, coordinated by the Human Resources Department, who do not hold any political office and who do not make the final hiring decisions at the department level for the position in question.

B. EXAMINATIONS

- A. Examinations of candidates shall consist of testing devices which will establish and confirm the qualification of candidates required by the class and/or rank for which the candidates are being examined.
- B. Examinations to measure the qualifications of candidates shall be conducted by Human Resources or by persons designated by the Human Resources Department to assist.
- C. Character
 - 1. Testing for a position vacancy and/or higher in the Police Department may be accomplished by one or more of the following types of tests: written tests, oral interview, training and experience, assessment center, performance test, or other appropriate selection device.
 - 2. New tests will be developed in accordance with established professional techniques and relevant federal laws, regulations, and guidelines with the intent of measuring critical or important knowledge, skills, abilities, job duties, work behaviors, or work necessary for successful job performance.
 - 3. No test shall be administered by the Department to a candidate for promotion without such test having been approved by the Human Resources.
- D. Scoring (when written test and oral interviews are conducted)
 - 1. Percentages:
 - a) 50% Oral interview;
 - b) 40% Written; and
 - c) 10% Chief's review.
 - 2. The Human Resources shall compute or have computed a final score using acceptable testing practices.
 - 3. The observed (raw) score shall be used to rank the candidates who received passing scores.
- E. Notice of Results
 - 1. Notification of test results shall be in writing and made within 30 days of the test date.

F. Confidentially

1. The Human Resources and Police Chief shall maintain the security of tests. Written tests, oral interview questions, performance tests, rating formulas or any related material that would compromise the content of a test shall be confidential.

G. LIST OF ELIGIBLES

The Human Resources Department shall maintain an official roster of candidates eligible for appointment to the employee's designated promotion for one year (12 months).

H. NAMES

The names of candidates with passing test scores shall be placed on an appropriate list of eligible in rank order of final test scores achieved and seniority of the employee in cases of tie scores.

I. DURATION OF LIST (NAMES)

A candidate's name shall be retained on a list of eligible for twelve (12) months from the date the candidate is placed on the list.

J. GENERAL

- A. Selection for appointment to a position of a promotion (i.e., Lieutenant, Sergeant, Detective) shall be made from a list of eligible candidates.
- B. Upon selection by the Department, a recommendation will be made to the City Manager through the Chief of Police to which the City Manager must concur before the selection is approved.
 - a) Should the higher ranked (scored) candidate(s) not be selected, he/she will be given the reason(s) prior to the Police Department's recommendation to the City Manager and Human Resources Department, as to why he/she was not selected and the opportunity to meet with the Chief to discuss their non-selection. The Chief of Police shall also provide the City Manager and the Human Resources Department with the reasons why the higher ranked candidate(s) was not selected. The candidate(s) not selected are given the opportunity to present in writing relevant facts to the City Manager within forty-eight (48) hours after the notification of non-selection. The City Manager shall review the Chief's and the candidate(s) submission and shall make a finding justifiable cause for the non-selection.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Grievance Procedure</i>	NUMBER: PER 03-05
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

Grievance procedures are set forth under the City of Anthony Rules and Regulations handbook.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: <i>Disciplinary Procedures</i>	NUMBER: PER 03-06
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: <i>Vanessa Ordonez</i> Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

It is the policy of the Department to foster a program of discipline designed to achieve the following:

- Provide training as a means of improving productivity;
- Offer counseling in an effort to assist employees with matters which may be affecting their performance;
- Assure consistency when sanctions must be imposed;
- To standardize the disciplinary process.

II. POLICY

It is the policy of the Department to ensure the procedures set forth are followed.

III. OBSERVATION OF DEPARTMENT RULES

A. The Department maintains a set of rules to encourage professional standards. Knowledge of the rules is imperative to produce an ethic in which all personnel of the department follow a code of conduct. All personnel shall observe rules, regulations, policies and procedures which have been set forth in the both the City of Anthony NM Rules and Regulations. The fair and impartial enforcement of the rules shall serve as a cornerstone for a professional police department.

B. The disciplinary and grievance systems are designed to provide fairness in resolving personnel problems. Personnel shall familiarize themselves with the procedures as outlined in the City of Anthony NM Rules and Regulations.

IV. RESPONSIBILITY

- A. Support of the disciplinary system is a responsibility shared by all department personnel.
- B. Supervisor(s) are responsible to motivate, counsel, and train individuals toward self-discipline. Supervisors are charged with the responsibility of initiating corrective action when violations are committed.
- C. Failure of a supervisor to immediately initiate corrective and/or disciplinary action against an employee for a violation of the rules and regulations shall constitute dereliction of duty on the part of that supervisor.

- D. Sergeants/Supervisors have the authority to initiate disciplinary action on employees through the chain of command. All requests for disciplinary action must be made in writing with all documentation attached.
- E. Sergeants/Supervisors have the authority to relieve an employee (refer to City Rules and Regulations) from duty status until the matter has been reviewed and/or investigated.
- F. Sergeants/Supervisors shall recommend the type of disciplinary action i.e. training, performance counseling, verbal warning, written reprimand, suspension, demotion or termination.

A. SPECIAL PROCEDURES

Under emergency conditions only, the Chief of Police may recommend suspension, in consultation with the City Manager who may suspend an officer from the performance of their duties immediately when necessary to preserve the integrity of the Department. Any such decision must immediately be conveyed to the Governing Body at the City Manager's discretion.

B. PROBATIONARY EMPLOYEES ARE AT-WILL EMPLOYEES

- A. All law enforcement personnel shall serve a probationary period of twelve (12) months commencing with the first day of employment (hire date).

C. PERFORMANCE COUNSELING FOR LESS SERIOUS INFRACTIONS OF RULES

- A. Performance Counseling provides immediate disciplinary action against employees who fail to conform to certain departmental standards of conduct and appearance. This procedure does not require a subsequent investigation. Performance Counseling may be imposed within the employee's chain of command by an oral reprimand or performance counseling.
 - a) Oral reprimands will be documented by the supervisor.
- B. Action under this section will not bar a recommendation for a more severe penalty by higher authority when it is felt that performance counseling is being used to cover a transgression warranting a more severe penalty.

D. LETTERS OF REPRIMAND/DOCUMENTS ENTERED INTO PERSONNEL FILE

When the recommended disciplinary action is a written reprimand, the employee's immediate Supervisor (or other appropriate official, if necessary) will prepare a letter of reprimand. If a letter of reprimand is written, it will be addressed to the employee and contain the following information:

- A. A brief description of the incident involving the employee.
- B. The specific rules violated.
- C. Written reprimands and all other documents containing potentially adverse information entered into the personnel files of "peace officers" as defined under the New Mexico

Peace Officer's Employer-Employee Relations Act will be accompanied by a cover sheet containing the following statement:

The attached adverse comments consisting of _____ pages (excluding this notice), along with this notice consisting of 2 pages, will be entered into your personnel file as a single document.

Pursuant to § 29-14-7 NMSA 1978, you have the right to read and sign this document. If you refuse to sign, then your refusal to sign will be noted on the document by the Human Resource (or other authorized administrator) and witnessed by a third party.

You may file a written response to any document containing adverse comments entered into your personnel file within **thirty days** after the document was entered into your personnel file, which is the date of this notice as listed above. If you respond within thirty days of the above date, then your written response will be attached to this document and included in your personnel file. Please deliver your response to the following:

City of Anthony, NM (Attn:Human Resource)
P.O. Box 2663
Anthony, NM 88021

[EMPLOYEE]: I HEREBY CERTIFY THAT I HAVE BEEN GIVEN THE OPPORTUNITY TO READ AND SIGN THIS DOCUMENT. I FURTHER CERTIFY THAT I HAVE READ THIS DOCUMENT, INCLUDING ANY ATTACHMENTS.

Employee Signature: _____

****COMPLETE BELOW ONLY IF EMPLOYEE REFUSES TO SIGN****

[IF EMPLOYEE REFUSES TO SIGN]: I HEREBY CERTIFY, AS THE CHIEF ADMINISTRATOR OF THE CITY OF SUNLAND PARK (OR AUTHORIZED DEPUTY), THAT THE ABOVE-NAMED EMPLOYEE REFUSED TO SIGN THIS DOCUMENT.

Signature of Chief Administrator or Deputy: _____

Name: _____

Title: _____

[IF EMPLOYEE REFUSES TO SIGN]: I HEREBY CERTIFY THAT I WITNESSED THE ABOVE-NAMED EMPLOYEE'S REFUSAL TO SIGN THIS DOCUMENT. I FURTHER CERTIFY THAT I WITNESSED THE CHIEF ADMINISTRATOR (OR AUTHORIZED DEPUTY) SIGN THIS DOCUMENT IN THE SPACE ABOVE.

Signature of Witness: _____

Name: _____

Title: _____

- D. Upon receiving a written reprimand or other document containing potentially adverse information to be entered into the employee's personnel file, the employee will acknowledge receipt by signing the cover sheet. If the employee refuses to sign the cover sheet, then the Chief of Police or designee shall sign the cover sheet, attesting that the employee refused to sign. The Chief of Police or designee's signature must be witnessed, and the witness must sign below the Chief of Police or designee.
- E. The original of the written reprimand or other document will be given to the employee and a copy will be put in the officer's personnel file.
- F. Any employee receiving a written reprimand or other document containing potentially adverse information to be entered into the employee's personnel file shall have thirty (30) calendar days, from the date the document was entered in the employee's personnel file, to file a written response with the Human Resources Department. When the written response is received by the Human Resources Department, it must be attached to the written reprimand or other document and placed in the employee's personnel file along with the signed cover sheet.
- G. In all cases, unless otherwise infeasible, the Chief (or authorized designee) will review any disciplinary actions taken prior to presentation to the employee.

E. ADMINISTRATIVE LEAVE WITH PAY

Pending an investigation of employee misconduct, if it is determined by the Chief of Police or his/her designee, that it would be in the best interest of the City for the employee not to perform his regular duties, the employee may be placed on leave of absence with pay and with the approval of the City Manager. If a written document is presented to the employee regarding administrative leave with pay, it shall be accompanied by the same cover sheet, signing, and response procedure described in the "Letters of Reprimand/Documents Entered Into Personnel File" section above. Absent exceptional circumstances, prior to being placed on administrative leave with pay, employees shall be provided with notice of the proposed action, the basis for the proposed action, and a meaningful opportunity to respond to the proposed action. If the administrative leave or accompanying investigation results in a deprivation of an employee's property rights (including, but not limited to, suspension, reduction in rank, or termination), the employee may appeal being placed on administrative leave with pay as per the existing appeal process which will be made available upon such action. The City of Anthony will conduct a hearing and the resulting decision will be final as outlined in the City Employee Handbook.

Additionally, if the officer is placed on administrative leave, the officer must surrender their duty weapons.

F. SUSPENSIONS

If the situation warrants, the Chief of Police may recommend suspension, in consultation with the City Manager, who may suspend the employee without pay.

- A. Suspensions without pay will normally apply to a period as determined by the Chief or by existing City Rules and Regulations, whichever may apply.
- B. If an employee shall become a candidate for suspension a second time within one year after the first suspension, the Chief may recommend that the employee be dismissed/terminated.
- C. Suspensions resulting from criminal investigations may be prolonged pending court action.
 - 1. In no case shall an employee convicted of a felony continue to work for the Department.
 - 2. If an employee is acquitted of criminal charges, the employee may yet be disciplined pending the outcome of an internal investigation, or reinstated with full or partial back pay.
- D. On any suspension, the officer must return his or her badge, identification card, building access keys, issued firearm(s), assigned vehicle, and/or other items deemed necessary to the Chief of Police.
- E. During a suspension, the employee shall not undertake any official duties unless as approved by the Chief of Police.
- F. Absent exceptional circumstances, prior to suspension, employees shall be provided with notice of the proposed suspension, the basis for the proposed suspension, and a meaningful opportunity to respond to the proposed suspension.
- G. An employee may protest a suspension as prescribed by the City of Anthony Rules and Regulations (Employee Handbook). An employee may appeal a suspension as per the existing appeal process which will be made available upon such action. The City of Anthony will conduct a hearing and the resulting decision will be final.
- H. The City Manager may reinstate a suspended employee at any time, with back pay, benefits, and original rank or position should a demotion have occurred.
- I. Suspension of an officer's Law Enforcement Certification of 30 days or more may result in a recommendation of termination by the Chief of Police to the City Manager.
- J. If a written document is presented to the employee regarding suspension, it shall be accompanied by the same cover sheet, signing, and response procedure described in the "Letters of Reprimand/Documents Entered into Personnel File" section above.

G. REDUCTION IN RANK

If the situation warrants, the Chief of Police, may recommend, in consultation with the City Manager, to demote an employee.

- A. Reduction in rank may be used with other disciplinary action.
- B. Absent exceptional circumstances, prior to demotion, employees shall be provided with notice of the proposed action, the basis for the proposed action, and a meaningful opportunity to respond to the proposed action.

- C. Demotions will follow City Rules and Regulations and may be appealed under the same Rules and Regulations.
- D. If a written document is presented to the employee regarding reduction in rank, it shall be accompanied by the same cover sheet, signing, and response procedure described in the "Letters of Reprimand/Documents Entered Into Personnel File" section above.

H. TERMINATION

Dismissals are made in cases of extreme misfeasance, malfeasance, or nonfeasance of duty. A complete record of the circumstances of the misbehavior shall be made by all persons having knowledge of the misbehavior.

- A. Absent exceptional circumstances, prior to termination, employees shall be provided with notice of the proposed termination, the basis for the proposed termination, and a meaningful opportunity to respond to the proposed termination.
- B. Employees may protest or appeal a dismissal within the time prescribed by City Rules and Regulations.
- C. Whenever dismissal or suspension is contemplated, the department shall provide notice to the employee as well as written directions with regard to the appeals process.
- D. At the time of the employees' termination the employee shall return all records, uniforms, badges, identification cards, keys and all other police department property in the employee's custody.

If a written document is presented to the employee regarding termination, it shall be accompanied by the same cover sheet, signing, and response procedure described in the "Letters of Reprimand/Documents Entered Into Personnel File" section above.

I. REPORTING ARRESTS

Any employee arrested for, charged with, or convicted of **any** crime, or required to appear as a defendant in any criminal or civil proceedings, must so inform the Chief of Police in writing as soon as possible. Employees do not have to report parking tickets or minor traffic offenses. Employees must report citations or arrests for reckless driving, DUI, second or more violations for speeding, or any other traffic offenses with penalties over \$100.00. Failure to notify the department of the foregoing shall be cause for disciplinary action.

J. APPEALS

Employees who have completed their probation period have a right to appeal:

Upon receipt of written notification from the Chief of Police for a suspension, reduction in rank, and/or termination an employee will have a right to appeal in accordance with the City Rules and Regulation Grievance Procedure.

K. MAINTENANCE OF RECORDS OF DISCIPLINARY ACTION

- A. All formal disciplinary actions must be in written form.
- B. The record of disciplinary action shall reflect where the record will be filed:
 - 1. Personnel file (official file).

- C. All written disciplinary actions will require a statement stating the length of time that the record will remain on file.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Social Media	NUMBER: PER 03-07
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

The Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this Department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

II. POLICY

Social media provides a new and potentially valuable means of assisting the Department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The Department also recognizes the role that these tools play in the personal lives of some Department personnel. The personal use of social media can have bearing on Departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department personnel.

III. DEFINITIONS

- A. Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log".
- B. Internet: An electronic communications network that connects computer networks and organizational computer facilities around the world.
- C. Page: The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- D. Post: Content an individual shares on a social media site or the act of publishing content on a site.
- E. Profile: Information that a user provides about himself or herself on a social networking site.
- F. Social Media: Forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos). This includes, but

is not limited to, social networking sites (Facebook, MySpace, Instagram, and Snap Chat), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

G. Social Network: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

H. Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication. Wiki: Web page(s) that can be edited collaboratively.

IV. ON-THE-JOB USE

A. Department-Sanctioned Presence

1. Determine strategy

a. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.

b. Where possible, the page(s) should link to the Department's official website, with approval from the Chief of Police.

c. Social media page(s) shall be designed for the target audience(s) such as youth or potential police recruits.

2. Procedures

a. Social media page(s) shall be designed for the target audience(s) such as youth or potential police recruits.

b. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.

c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies. *See "Information Security Policies and Standards"*.

(1) Content is subject to public records laws. Relevant records retention schedules apply to social media content.

(2) Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.

d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.

(1) Pages shall clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, and personal attacks.

(2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

3. Department-Sanctioned Use

a. Department personnel representing the Department via social media outlets shall do the following:

(1) Conduct themselves at all times as representatives of the Department and, accordingly, shall adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum.

(2) Identify themselves as a member of the Department.

(3) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to Department training, activities, or work-related assignments without express written permission.

(4) Not conduct political activities or private business.

b. The use of Department computers by Department personnel to access social media is prohibited without authorization.

c. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

B. Potential Uses

1. Social media is a valuable investigative tool when seeking evidence or information about:

a. Missing persons;

b. Wanted persons;

c. Gang Participation;

d. Crimes perpetrated online (i.e., cyberbullying, cyberstalking, etc.); and

e. Photos or videos of a crime posted by a participant or observer.

2. Social media can be used for community outreach and engagement by:

a. Providing crime prevention tips;

b. Offering online-reporting opportunities;

c. Sharing crime maps and data; and

d. Soliciting tips about unsolved crimes (i.e., Crime Stoppers, text-a-tip).

3. Social media can be used to make time-sensitive notifications related to:

a. Road closures;

b. Special events;

c. Weather emergencies; and

d. Missing or endangered person.

4. Persons seeking employment and volunteer positions use the internet to search for opportunities, and social media can be a valuable recruitment mechanism.

5. This Department has an obligation to include Internet-based content when conducting background investigations of job candidates.
6. Searches should be conducted by a non-decision maker. Information pertaining to protected classes shall be filtered out prior to sharing any information found online with decision makers.
7. Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
8. Search methods shall not involve techniques that are a violation of existing law.
9. Vetting techniques shall be applied uniformly to all candidates.
10. Every effort must be made to validate Internet-based information considered during the hiring process.

V. PERSONAL USE

A. Precautions and Prohibitions

Barring state law or binding employment contracts to the contrary, Department personnel shall abide by the following when using social media:

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this Department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.
2. As public employees, Department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee's professional duties and responsibilities—is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this Department.
3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police or his or her designee:
 - a. Display Department logos, uniforms, or similar identifying items on personal web pages.
 - b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this Department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
4. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the Department's code of conduct is required in the personal use

of social media. In particular, Department personnel are prohibited from the following:

- a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - b. Speech involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
5. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
6. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this Department without express authorization.
7. Department personnel should be aware that they may be subject to civil litigation for:
 - a. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
 - b. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - c. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 - d. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
8. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
9. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the Department at any time without prior notice.
10. Reporting violations — any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: OVERTIME	NUMBER: PER 03-08
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE

Law enforcement personnel in the Department shall be compensated overtime pay after eight-six (86) hours worked during a 14-day (two-week) work day period. Employees will also refer to the procedures of overtime compensation in the City of Anthony Employee Handbook. Overtime hours are defined in accordance with applicable state and federal law.

II. POLICY

Overtime hours must be approved in advance by the Chief of Police and/or the designated supervisor.

- A. Failure to obtain overtime permission in advance may result in disciplinary action.
- B. Employees may be required to work overtime, when necessary, as determined by their supervisor and where the need for such work has been conveyed in a reasonable and customary manner including but not limited to special grant projects.
- C. Employees are subject to disciplinary action for the failure to stay or report for pre-approved overtime.
- D. Overtime is paid on actual working hours over eighty-six (86) hours per pay period only.
- E. All overtime sheets and supporting documentation must be turned in at the end of each shift worked.
- F. As applicable, SAFER NM project funding is awarded to the City of Anthony Police Department annually by the New Mexico Department of Transportation for DWI detection, saturation patrols, Buckle-Up, the Selective Traffic Enforcement Program, and/or any other special assignment as specified by the grant contract. The double time overtime rate applies only to SAFER New Mexico special projects, as approved by the grant, calculated at two (2) times the regular rate, multiplied by the number of grant hours worked per pay period. The grant allows for any commissioned law enforcement officer within the Department to work the projects outlined in the grant; including the Police Chief, Lieutenant, Sergeants, and Officers.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Training	NUMBER: TRN 04-01
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS: TRN.01.01	NMSA:

I. PURPOSE

The Department has an obligation to provide a professional standard of law enforcement to the City of Anthony. In fulfilling this responsibility, it is essential that personnel are properly trained. This begins at lateral entry level with required FTO training prior to assumption of police duties and continues throughout the officer's career on an ongoing basis. Training is provided to accommodate Department needs and to actualize the interest and concern the Department has for the self-improvement and personal development of its employees.

II. POLICY

It shall be the policy of the Department to coordinate and maintain training which shall direct efforts toward the development of new skills, improving and updating old skills, re-certification of performance in high liability areas, the development of specialized skills and creating awareness of new techniques and technologies for all employees and overseeing the department's mandatory training program.

III. TRAINING GOALS

- A. Provide job-related training to all personnel.
- B. Train employees to be prepared to act decisively and correctly in a broad spectrum of situations.
- C. Enhance employee productivity and effectiveness through greater job knowledge.
- D. Foster cooperation and unity of purpose among personnel through common training.

IV. RESPONSIBILITIES

- A. The Police Chief has the following responsibilities:
 - a) Review and revise any in-service training requirements on an annual basis and to ensure it meets the standard requirements set forth by New Mexico State Statutes and/or New Mexico Law Enforcement Academy Board Rule N.M.A.C. 10.29.7.8.
 - b) Ensure administration of a training program for every employee who is promoted, to be given to the employee at the start of his/her tenure in the new position.

- c) Ensure administration of annual supervisory and leadership training (which includes command accountability, integrity, and cultural diversity issues), which is mandatory for all supervisors.
- d) Ensure every officer is trained frequently in policies, including use of force, use of force reporting, search and seizure, search and seizure reporting; Terry detentions (including the different evidence required at each of the two distinct phases: the detention and then any pat down that might occur); citizen complaint procedures, and training on any New Mexico appellate court decisions which affects police conduct.
- e) Supervise the training instructors and ensure they receive adequate training to enable them to carry out their duties.
- f) Coordinate with the FTO Supervisor on training being provided.
- g) Review complaints of police misconduct on a semi-annually basis to gauge the effectiveness of policies and training and to detect the need for new or further training, then report to the Chief of Police.
- h) Maintain appropriate records documenting all training of officers.

B. The Lieutenant has the following responsibilities:

- a) Coordinate all FTO training with Sergeants and new officers.
- b) Supervision of any field training provided by FTOs.
- c) Ensure the annual performance evaluations of FTOs, if applicable, cover their demonstration and proficiency.

C. Immediate Supervisors (Sergeants) have the following responsibilities:

- a) To ensure any FTO and any officers under their command who are certified instructors maintain and demonstrate on a regular basis their proficiency in their areas of instruction through annual evaluations.
- b) Roll-Call Training.

A. ROLL-CALL TRAINING

- a) Roll call training is utilized to keep officers up-to-date between formal training sessions or disseminate information which may be specific to shift activities.
- b) Each Patrol Shift should utilize roll call training at least twice a month.
- c) Criminal Investigations should utilize roll call training at least once every three months and train Officer's in Criminal Investigations topics.
- d) Anytime roll call training is utilized, each officer shall sign the approved documentation indicating his/her attendance. Attendance at roll call training is for duty personnel therefore the supervisor should schedule roll call training to ensure compliance.
- e) The supervisor is responsible for preparing topics and involving shift personnel in the instruction of such topics.

- f) At the end of each month, the supervisor provides necessary documentation to the Police Chief and shift staff detailing each topic covered and attendance records.
 - 1. The original documentation of roll call training is submitted to the Police Chief for filing.

B. IN-SERVICE TRAINING

- a) All sworn personnel are required to complete at least 40 hours of in-service training every two years. This training consists of legal updates, cultural diversity, use of force, integrity, ethics, and search and seizure.
 - 1. Cultural Diversity: This training includes at a minimum, training on racial profiling, racial targeting, police interactions with persons from difference racial, ethnic, and religious groups, and persons of the opposite sex. In addition this training should include training in communication skills and avoiding improper racial, ethnic and communications of a sexual nature.
 - 2. Use of Force: This training includes verbal de-escalation techniques, as an alternative to the use of force and other tactics for avoidance of confrontation being emphasized. It also includes the proper application of various types of force, as well as examples of situations that do not require the use of force but may be mishandled, resulting in force being used (i.e., individual's verbally challenging an officer's authority or asking for an officer's identifying information).
 - 3. Integrity and Ethics: This training covers the duties of truthfulness and reporting misconduct by fellow employees, the importance of avoiding misconduct, being professional and the duty to cooperate during an internal investigation.
- b) All scheduled in-service training should be posted (e-mail is an accepted method of delivery) on all department bulletin boards at the earliest possible time prior to the training date, when possible. In addition, a schedule of upcoming classes will be made available to all employees through the Police Chief or his/her designee.
- c) The Police Chief or his/her designee is responsible for locating, scheduling or making available such training which meets the mandates.
- d) In-service training is considered mandatory. If it is necessary for an officer to miss a scheduled in-service training, a written notice will be submitted through the officer's chain-of-command to the Police Chief or his/her designee prior to the training. This will assist in scheduling any necessary make-up training.
- e) It is the responsibility of the instructor to ensure that any lesson plans include a review of any appropriate policies. If the instructor is from an outside vendor, it is

the responsibility of the Police Chief or his/her designee to ensure any appropriate policies are reviewed.

C. TRAINING PROGRAM PROCEDURES

Training programs must relate to job task analysis and incorporate performance objectives. These acquaint the employee with the information he/she is required to know, the skills which must be demonstrated, and the circumstances under which such skills are used. Performance objectives should include:

a) Performance Objectives

These acquaint the employee with the information he/she is required to know, the skills which must be demonstrated, and the circumstances under which such skills are used. Performance objectives should include:

1. A focus on the elements of the job task analysis for which formal training is needed;
2. Clear statements of what is to be learned;
3. A basis for evaluating participants in a given course of instruction; and
4. A basis for evaluating the effectiveness of the training program, by use of critiques and other accepted evaluating methods.

b) Instructors

1. Department personnel assigned to an instructor position shall meet the requirements as specified by the NMLEA.
2. Officers with disciplinary records or three sustained complaints over the prior three years for constitutionally significant issues, including but not limited to, race discrimination, sexual harassment, excessive force, unlawful searches and seizures, or filing false charges shall be disqualified as instructors until two years have elapsed without such discipline or complaints in any areas in which they conduct training. If instructor privileges are revoked or suspended, disciplinary action will be at the discretion of the Chief of Police.
3. Instructors will be provided adequate training to enable them to carry out their duties.
4. Instructors will be required to maintain and demonstrate proficiency in their areas of instruction on a yearly basis through their annual performance evaluation.

c) Lesson Plans

1. Lesson plans are made for all in-service training which is conducted by the Department. The instructor is responsible for developing the lesson plan to be used in any course he/she instructs.
2. Lesson plans are filed for permanent record in the Training Section and include the following:

- a. Statement of course objectives;
 - b. Major points to be addressed;
 - c. Instruction aids to be used;
 - d. Location of instruction; and
 - e. Type of training conducted.
3. All lesson plans must be approved by the Police Chief prior to instruction to insure that they are complete and that they meet NMLEA guidelines on lesson plan development.

d) Testing

1. In order to evaluate the participants of a training program, a pre-test or post-test may be required. Instructors use competency based testing that uses performance objectives and measures the participant's knowledge of job related skills. Passing and failing scores must be incorporated into the lesson plan.
2. Test scores are utilized in evaluating training effectiveness and in development of future training programs.
3. Test scores are confidential and are maintained by the Police Chief.

e) Evaluations

Trainees participate in evaluation and critique of instructors and the training course upon completion of instruction.

f) Remedial Training

1. In order to ensure that Department personnel do not suffer deficiencies in basic skills, knowledge and abilities required performing their assigned tasks, a remedial training function is employed.
2. Any employee who fails to demonstrate understanding imparted through any Department sponsored training is scheduled for remedial training in the area of deficiency.
3. Training plans are developed for the correction of noted deficiencies. These plans contain, at a minimum:
 - a. Training goals and skills to be achieve;
 - b. Specific instruction to be provided;
 - c. Time frame in which goals are to be accomplished; and
 - d. A review of remedial training at the conclusion of instruction.
4. A supervisor may identify by testing or observing job performance that an employee has demonstrated a deficiency in basic ability to perform assigned tasks. If the supervisor believes that the deficiency may be corrected, he/she may direct the employee in writing to attend a specific remedial training program. The supervisor identifies such programs though the Training Section.

5. As soon as possible, the affected employee takes part in a training session to address the noted deficiency.
6. Participants are evaluated upon completion of the remedial training program to determine if existing deficiencies have been alleviated. Results of the evaluation shall be forwarded to the assigning supervisor so that the status of the employee can be evaluated.
7. Any remedial training will be coordinated through the Shift Supervisor to ensure prompt completion and appropriate documentation.

g) Records Maintenance

1. Training, documentation and records maintenance is the responsibility of the Administrative Assistant. All training records are maintained by the Administrative Assistant.
 - a. Personnel attending training programs;
 - b. Types of training, subject matter, course content;
 - c. School or agency providing the training if other than EPD; and
 - d. Measured performance, if testing is administered and scores available.
2. It is the responsibility of the trainee, upon completion of training from an outside source, to submit the proper documentation of such training to the Police Chief.
3. It is the responsibility of the Administrative Assistant to update training records as needed.
4. Training records shall only be released by the Police Chief.

D. NEW OFFICER TRAINING

- a) Newly hired officers will be certified in accordance with the regulations set forth by the New Mexico Law Enforcement Academy (NMLEA). The Department hires certified law enforcement officers, or individuals who may require attendance to the certification by waiver (CBW) course; however, cadets will also follow the rules and regulations set forth by the NMLEA should the Department seek to hire cadets.
- b) Those officers who do not require attendance at the academy will be assigned to the Field Training Program for the time deemed necessary by the FTO where they will be given instruction which includes agency policies, procedures, rules and regulations.
- c) To supplement this training, they may also be required to attend specific classes made available through the Department. This ensures that all officers regardless of their experience or training receive updated or current training.
- d) Curriculum provided to new officers is based on requirements of the NMLEA and developed around the most frequent assignments of officers. A variety of evaluation techniques have been designed to measure competency in the required skills, knowledge, and abilities.

E. FIELD TRAINING

In keeping with the strictest levels of performance requirements, the Department strives to train professional police officers. The guidelines set by the Field Training and Evaluation Program serve as standards for the acceptance of a recruit as a permanent officer at the end of the field training process.

- a) Upon completion of the Law Enforcement Academy, an officer is assigned to a Field Training Officer (FTO) for training. Assignments are made by the FTO Supervisor and are designed to teach the officer tasks of the most frequent assignments of officers.
- b) Officers are not allowed to act on their own until they have completed a prescribed Field Training Program.
- c) The Chief of Police has the ultimate responsibility for the training received by a new officer from the time of hire through the Field Training Program.
 - 1. The Police Chief or FTO Supervisor is responsible for maintaining a liaison with the academy staff as needed.
 - 2. The Department FTO program consists of field training. An evaluation is forwarded to the Police Chief at the completion of each phase. New Officer training and experience is taken into account while in the training phase.
- d) During the Field Training Program, an officer will remain in the FTO program or be assigned an officer to ride with until satisfactory completion and released.
 - 1. The Field Training Program is based upon sufficient training necessary to accomplish the training requirement of the department.
 - 2. At the completion of each phase, an officer may be rotated to another FTO, if practical.
- e) During training, the recruits/cadets will follow the Training Manual which is designed to provide a guide in which the officer will be trained. In theory, each officer should be receiving the same training at the same time. The officer and the FTO will both be responsible for signing off on the training manual. This will help ensure that the officer is receiving and understanding the information that is being presented to him/her and establishes accountability for the training.
- f) At the completion of each work day, the FTO shall complete a Daily Observation Report (DOR). This evaluation is completed using the standardized evaluation guidelines found in the Field Training Manual. This evaluation is designed to measure competency in the required skills, knowledge and abilities. Once this evaluation is complete, it shall be reviewed by the recruit and then by the on-duty shift supervisor.
- g) At the end of training a completion letter is completed by the assigned FTO. This evaluation should cover the following:
 - 1. Calls for service responded to;
 - 2. Proper written communications completed; and
 - 3. Overall performance.
- h) If at any time during the training the FTO recognizes a problem area that he/she is unable to correct through remedial training, it may become necessary to remove the officer from the FTO program for additional training in specified area. If this

occurs and the officer is removed, a certified instructor in the problem area and the Police Chief will provide remedial training and then forward the results of that training to the FTO supervisor.

1. If the officer completes the training satisfactorily, the officer will be placed back into the field training program and continue the process, where the officer left off.
 2. If the officer cannot complete the training at a proficient level, a determination will be made regarding the status of the officer by the Chief of Police with input from the FTO Supervisor.
- i) Throughout the training, the FTO and the Police Chief will have a meeting to discuss the following:
1. Any problem areas that have been encountered.
 2. An officer's strong and weak points.
 3. Any suggestions that might assist the next FTO in his/her phase of training.
- j) A training file on each officer is maintained by the FTO the officer is assigned to. The file follows the officer to his/her next shift. The training file consists of the following originals:
1. Daily Observation Reports.
 2. Any documentation concerning remedial training.
 3. Completed Weekly Training Guide.
- k) Upon completion of the Field Training Program, the officer's training file is forwarded to the FTO Supervisor who will maintain the file.
- l) Any new employee coming from another agency or military must provide the Department a copy of all training files and certificates.

F. CIVILIAN TRAINING

- a) Onboarding will be given to newly hired civilian employees which covers the following:
1. The Department's role, purpose, goals, policies, and procedures;
 2. Working conditions and regulations;
 3. Responsibilities and rights of employees; and
 4. Public relations.

This training will be the responsibility of the supervisor in the affected division. Any documentation of such training will be forwarded to the Human Resources Department.

- b) On the job training will be given to the following civilian positions:
1. Evidence technician (may be Sworn)
This training shall include the legal, safety and coordination responsibilities of this position.

2. Administrative Assistant (s)
This training shall include the legal, procedural, and equipment familiarization for this position.
 3. Animal Control Officer
This training shall include the legal, procedural and equipment familiarization for this position.
- c) The Administrative Assistant will maintain all training files on all employees of the Department. These records will show the following:
1. The title of the training received.
 2. The dates and hours of attendance.
 3. The identification of trainers or agencies presenting the course.
 4. The names of all agency personnel receiving the training.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Traffic Enforcement	NUMBER: OPR 04-02
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

TRAFFIC ENFORCEMENT

- A. Local government employees, including City of Anthony employees, are not exempt from traffic laws even when the employee is operating a city vehicle.
- B. When an officer observes a traffic violation, the officer has the discretion to take one of these actions:
 - 1. Issue a verbal or written warning.
 - 2. Issue traffic or parking citation.
 - 3. Make a custodial arrest. These arrests normally should be limited to those which are required by law, necessary to protect the violator or the public from injury, or necessary to have a violator appear in court, or in cases of a violator's refusal to sign the citation.
- C. A uniform traffic enforcement policy does not preclude the exercise of officer discretion. Discretion should be based on the seriousness of the violation and the action most likely to result in future compliance with the law.
- D. Optional levels of enforcement may be utilized in incidents of:
 - 1. Speed Violations.
 - 2. Hazardous violations other than speed.
 - 3. Public carrier/commercial vehicle violations.
 - 4. Other non-hazardous violations.
 - 5. Off-road vehicle violations.
 - 6. Multiple violations.
 - 7. Newly enacted laws and regulations.
 - 8. Pedestrian and bicycle violations.
- E. Uniform enforcement measures support the ultimate aim of traffic law enforcement which is to achieve voluntary compliance with traffic laws and regulations.
- F. Traffic enforcement will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters or reasonableness in conducting such activities

G. Driver's License Violations

1. Officers may use their discretion concerning the enforcement action on drivers who do not have a license in their possession, but the DMV computer indicates they have a valid license.
2. If a driver has a valid New Mexico driver's license in their possession, but the DMV computer indicates their New Mexico driving privileges have been suspended or revoked. The officer may issue a citation and set an appearance date. The person shall not be allowed to continue operating their vehicle.
3. If a driver has a valid out-of-state driver's license in their possession, but the DMV computer indicates their New Mexico driving privileges have been suspended or revoked, the officer can arrest them and complete the appropriate paperwork.
4. If the driver does not have a license in their possession, and the DMV computer indicates their license is suspended or revoked, the officer may arrest on that violation, and complete the appropriate paperwork.
5. The above enforcement methods apply to traffic crash investigations as well as routine traffic stops.

H. Equipment Violations

1. Officers should use their discretion when issuing citations for equipment violations.

I. Open Containers

1. A traffic citation can be issued for the first offense. If a second or subsequent offense, the offender may be arrested.
2. The person in possession of the alcohol will be cited. If a passenger is in possession, he/she will be cited for the violation and the narrative should indicate that the offender was a passenger.
3. If the offender is under 18 years of age, he/she should be cited or charged with a Juvenile Class III citation and JPO Office notified.

J. Warning of violation for Casual Sales

1. Pursuant to the New Mexico Traffic Code, no person not a dealer can display for sale a motor vehicle at any location without the prior written permission of the land owner.
2. Officers will issue and place a "Warning Notice" onto the vehicles which are found to be violating this section of the New Mexico Traffic Code. The "Warning Notice" will include the date and time the notice is given.

II. PROCEDURES FOR COMMUNICATIONS

When checking out with a vehicle the officer should relay the following information to dispatch in this order:

- A. license plate number of vehicle
- B. description of vehicle

C. location of traffic stop

III. OFFICER CONDUCT ON TRAFFIC STOPS

Motorists and pedestrians shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit an infraction. Upon observation of a violation, officers will stop the vehicle in a manner and location that minimizes danger to the violator, the officer and the public.

- A. The patrol vehicle should be parked safely behind the violator with emergency lights operating. Positioning of the vehicles should allow protection for the officer from traffic approaching from the rear.
- B. During hours of darkness, the spotlight may be directed at the rear window of the violator vehicle. This is generally done to allow the officer a better view of what is happening inside the violator vehicle.
- C. The department recognizes that with experience, officers may develop individualized approaches that they find work best for them in minimizing conflict during officer/violator contacts. Given some better approach, the following is recommended, in the order specified below:
 - 1. Give a greeting, such as "Good morning, ma'am," "Good evening, sir," etc.
 - 2. Identify yourself for example: "I am Officer Jones of the Anthony NM Police Department.
 - 3. State the reason why the person is being stopped or detained. For example: "I stopped you because I saw your vehicle come through the stop sign at that last intersection without coming to a complete stop." (Describing the actions of the vehicle rather than personalizing the action to the driver tends to reduce tension.)
 - 4. It may defuse tension to ask a motorist if there was some reason for the violation. This gives them the opportunity to "have their say," often leads to an admission that the violator realized they were in violation, and precludes a defendant from offering a difference excuse at trial. If you choose not to ask but the motorist wishes to give a reason or excuse, listen politely and give them ample opportunity to tell their story.
 - 5. Politely ask for identification and any required documents. Ex: "May I please see your license, registration, and proof of insurance?"
 - 6. After completing any necessary paperwork, inform the driver or pedestrian as to what action is being taken and what, if any, the person must do as a result, such as how to pay any fine involved, see the judge, etc.
 - 7. Give an appropriate closing. For example, if the motorist is cooperative, "Thank you for your cooperation" may be in order. "Please drive carefully, your safety is important to us" is appropriate.
- D. Appropriate enforcement action should always be completed, generally in the form of a warning, citation, or arrest. The proper form must be filled out by the officer, and shall include the gender of the person stopped, if this information can reasonably be ascertained by physical appearance or from the driver's license or other documents provided by the individual.
- E. No motorist, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirements, or the

person's voluntary consent. In each case where a search is conducted, this information shall be recorded, including the legal basis for the search, and the results thereof on the appropriate department forms, including a "consent to search form". If the individual indicates that they will consent to a search but are refusing to sign the form, fill out the form anyway and indicate 'consented to search but refused to sign', inserting initials and the signature of any witness in the signature block.

- F. If the police unit is equipped with a video camera, the video and sound shall be activated prior to the stop, to record the behavior of the vehicle or person, and shall remain activated until the person is released and resumes their journey. If the unit does not have video the officers shall use a belt recorder. If the video or audio tape is needed for evidentiary purposes the officer shall enter the tape into evidence.
- G. In the absence of a specific, credible report containing a physical description, a person's race, ethnicity, gender or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.
- H. The deliberate recording of any misleading information related to the actual or perceived race, ethnicity, gender, or sexual orientation of a person stopped for investigative or enforcement purposes is prohibited and a cause for disciplinary action, up to and including dismissal.
- I. The department provides public information pamphlets to officers regarding the purposes of proactive enforcement which officers may distribute to each person subjected to such activities, whenever appropriate.
- J. Officers should maintain a professional image, in a pleasant, firm and in a professional manner.
- K. Driver's license and insurance cards shall not be accepted until they are removed from a wallet or billfold.
- L. All necessary items needed for a traffic stop should be available within ready reach. The traffic stop should be completed as quickly as possible. If practical, a computer check shall be requested from communications on the driver.
- M. Upon completion of the traffic stop, officers should return to their vehicles while maintaining a watch on the occupants of the stopped vehicle. Officers should allow the violator vehicle to leave first to afford protection from oncoming traffic.

IV. SPEED MEASURING DEVICES

- A. In order to ensure that traffic safety goals and objectives are met, the Department uses speed measuring devices in traffic law enforcement.
- B. Equipment used as speed measuring devices includes:
 - 1. RADAR/LIDAR speed measuring devices determined to be in full compliance with standards of performance established by the Federal Communications Commission and the National Highway Traffic Safety Association.
 - 2. Calibrated patrol vehicle speedometers may be used to pace other vehicles. Speedometers are periodically checked by radar.
- C. At the beginning and end of each shift, radar site tests shall be conducted on radar units to determine accuracy and proper functioning. These tests include internal test, lamp test and tuning fork test.

- D. If a radar unit fails any of the tests, is damaged or exhibits decreased range, it shall be removed from service immediately.
 - 1. The radar unit will be turned over to a supervisor, who will ensure that the radar unit is repaired.
 - 2. A maintenance and calibration log will be maintained for the radar units. This log will include problems that have been encountered with the radar, when it was sent for repairs, when it was returned to the Department and any calibration that was done on the radar.
- E. When utilizing radar, a speed tolerance of 10 mph is given to the violator unless running radar in a school zone. This tolerance factor is a guideline and cannot be stated as an absolute. The officer must show unsafe speed and might well issue a citation for less than the tolerance factor if circumstances warrant.
- F. When utilizing radar in a school zone, the officer needs to ensure that the warning lights are operating properly, if lights are present, as well as ensure the school zone is properly posted.
- G. No officer shall utilize the radar unless they have been trained and certified in its use.

V. CITATION ACCOUNTABILITY

- A. When a citation book is needed, the officer shall obtain the book from the Police Department Administrative Assistant. The Administrative Assistant is responsible for ensuring that the books are in numerical sequence. Discrepancies shall be reported to a supervisor.
- B. The Administrative Assistant shall be responsible for maintaining a record which includes the numbers of the books, the date of issue and to whom they were given.
- C. When an officer receives a citation book, he/she will check to see that all citations in the assigned book are in place and in numerical order. Missing or lost citations shall be reported immediately to his/her supervisor and the Administrative Assistant.
- D. When an officer voids a citation he/she will ensure that all copies are intact and write void across the front of the citation. The officer then will indicate on the citation the reason it was voided, and will sign and date the citation. The citation then will be turned into his/her supervisor for approval.
- E. If any officer places the citation into evidence, the officer will notify the Lieutenant and Administrative Assistant of the citation number.

VI. ISSUING CITATION(s)

- A. When issuing a citation, the issuing officer will confirm with the violator that all personal information on the citation is correct.
- B. Officers will ensure that the citation is legible.
- C. Officers may give the violator the option to appear in court or sign the penalty assessment (The officer must confirm whether or not the violation is on the penalty assessment list. If it is not on the list, the violator will be cited into court.)
 - 1. If the violator chooses to mail in the penalty assessment he/she should be advised that it must be mailed within 30 days. The violator shall be given either a pre-addressed envelope to use for the purpose of mailing in the citation and fine or the officer will ensure the violator has the correct address to use for mailing in the citation. Penalty assessments are applicable only for those violations cited into Municipal Court. If the

violation is referred to Magistrate Court, the violator must be cited into court. Penalty assessments are applicable only for traffic citations.

2. If the violator is cited into Municipal Court, he/she will be cited into court at the specified time, as designated by the Municipal Judge.
 3. If the violator is cited into Magistrate Court, he/she will be cited in for the next court appearance date at the specified time. (Monday thru Friday 0800 to 1600)
- D. The officer will ensure that the violator signs in the correct place prior to releasing the individual. If the violator refuses to sign a citation, a second officer will be requested. The violator shall be given a second opportunity to sign the citation, being advised that the failure to do so will result in a custodial arrest. If the violator still refuses to sign the citation, an arrest will be made.
- E. If there are any witnesses to the violation, list the name, DOB, address, work/home telephone number, and place of employment for each on the back of the original citation in the "Remarks" section. If there are no witnesses, state "No witnesses".
- F. The citation must be turned in for supervisor approval on the same day it is issued.

VII. ENFORCEMENT METHODS

A. Routine enforcement

1. Traffic law enforcement activities are specifically directed toward controlling violations through preventive patrol and active enforcement.
2. The most effective deterrent to traffic law violations is visible patrol in a marked police unit.
3. In order to maintain a posture of prevention as opposed to apprehension, traffic law enforcement activities shall be conducted in the following manner:
 - a. Police vehicle shall be operated in accordance with existing laws and operators shall demonstrate exemplary driving behavior. Emergency situations shall be exceptions to this practice.
 - b. Unmarked vehicles shall not be used in traffic enforcement unless approved by the Chief of Police.
Only marked police cars with roof mounted emergency lights and siren shall be used for active traffic enforcement.
 - c. In areas where fixed posted observation is necessary to maximize effectiveness of selective enforcement efforts, police cars shall be parked in a conspicuous location in a manner that does not impede traffic flow.
4. Covert observation is not authorized unless approved by Chief of Police or his designee.

- B. Proactive Enforcement - The Department's efforts will be directed toward assigning officers to those areas where there is the highest likelihood that crashes will be reduced and/or crimes will be prevented through proactive patrol. Officers will receive initial and on-going training in proactive enforcement tactics, including training in officer safety, courtesy, cultural diversity, and the laws governing search and seizure, and inter-personal communications skills. Proactive traffic enforcement usually is based on factors such as traffic volume, reported crashes, frequency of violations and emergency/service needs.

1. Selective enforcement shall be accomplished through the following:

- a. Area Patrol - Assignment of personnel to an area where the frequency of crash causing violations is high or the potential for crashes is high due to traffic volume or emergency/service needs.
- b. Directed or Spot Patrol - Assignment of personnel to designated locations. Assigned personnel are concentrated at a single location. The method may be most effective where a fixed post can be observed by a greater number of motorists.

C. The Chief or his designee is responsible for the preparation of an annual report which evaluates the effectiveness of the enforcement methods. This report shall include an analysis of traffic crashes and traffic enforcement by geographical, temporal and causative factors.

VIII. SPECIAL CIRCUMSTANCES IN TRAFFIC ENFORCEMENT

- A. Non-Resident Violators - Non-resident violators should be treated the same as a resident violator. They will be allowed to sign the penalty assessment or sign to appear in court, as appropriate. Discretion on the part of the officer should be used in issuing verbal warnings as opposed to written citations, just as with any violator.
- B. Juveniles

- 1. As provided in the New Mexico Children's Code, the Municipal or Magistrate Court has original exclusive jurisdiction over all traffic code violations, with certain exceptions.
However, if the Children's Court acquires jurisdiction over a child pursuant to any of the Motor Vehicle Code violations listed in the Children's Code, it shall have jurisdiction over all traffic violations alleged to have been committed by the child arising out of the same occurrence.
- 2. It is recommended that if a citation is written to a child under the age of fifteen (15), the officer should have the parent or guardian co-sign the citation.

- C. Legislators - Legislators will be treated the same as other violators with one exception: Immunity shall be granted for travel to, from and during current legislative sessions as is covered under the New Mexico State Constitution in Article IV, Section 13. "Members of the Legislature, in all cases except treason, felony, and breach of the peace, may be privileged from arrest during their attendance at the sessions of their respective houses and ongoing to and returning from the same."

- D. Military Personnel - Military Personnel will be treated in the same manner as other violators with the following exception: The New Mexico Motor Vehicle Code has exempted any person in military service of the United States or who has been honorably discharged within thirty days from licensure when:

- 1. They hold a driver's license of this state not more than six (6) years old which has expired while the holder was in service.
- 2. They are stationed outside the geographical limits of this state.
- 3. They are on leave from military service.
- 4. Only while operating a motor vehicle in this state.

E. Foreign Diplomats/Consular Officials

1. Moving Violations - When a Consular Official is stopped for a moving violation, the officer, upon being advised by the driver that they are a Consular Official and ascertaining that they possess the proper credentials, should exercise discretion based on the nature of the violation and either dismiss the motorist with a warning or proceed with the appropriate enforcement. Mere issuance of a traffic citation does not constitute arrest or detention.
2. Driving While Intoxicated. - The primary consideration in this type of incident should be to ensure that the Consular Official is not a danger to himself or the public. Based upon a determination of the circumstances, the following alternatives are available:
 - a. Contact a relative or friend to take custody of the official.
 - b. Call a taxi for the official.
 - c. Take the official to a secure environment.
3. Family members - Family members of a Consular official cannot claim immunity.

IX. REQUESTS FOR RE-EXAMINATION OF DRIVERS

- A. Officers may encounter persons who appear to be incompetent, physically or mentally disabled or suffering from disease or other conditions that prevent them from exercising reasonable and ordinary care over a motor vehicle.
- B. Officers discovering persons of this nature shall:
 1. Submit a Driver Complaint Form to the Department of Motor Vehicles detailing the reason they believe this person is an unsafe driver and requesting the person be retested. The information should include, at the very least, the subject's name, birth date and social security number.
 2. Include with this form copies of any citations or crash reports on file regarding the individual.
 3. Mail this information to: Driver Services Bureau, Dept. of Motor vehicles 1100 S. St. Francis Drive, Santa Fe. NM 87503
- C. If family members express concern about the driver, they should be advised that they also may send a letter to the above address and that the Department of Motor Vehicles supplies a "Medical Report" which can be completed by a physician.

XXIX. TRAFFIC CONTROL

- A. Officers are required to control and direct traffic in the simplest and safest way possible. Officers will use all available lighting to ensure that the scene and the officer's safety is paramount. The officers are required to wear a traffic safety vest while directing/controlling traffic at any time, i.e. directing traffic at structure fires, crashes, funeral escorts while out of the patrol unit, traffic control around crime scenes. Officers working roadblocks/checkpoints will wear the traffic vests.

- B. Officers should not park or allow anyone else to park inside the perimeter of a traffic situation where evidence could be destroyed.
- C. Officers can utilize flares to assist in securing areas of concern. All safety precautions shall be adhered to. (No flares shall be used near flammable, combustible, explosive, composite or any other material capable of ignition by a flare.)

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Body Armor Mandatory Wear	NUMBER: OPR 04-03
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE:

The Purpose of this policy is to provide officers of the Department with guidelines for the proper use and care of body armor.

II. POLICY:

It is the policy of the Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection it is not a substitute for the observance of officer safety procedures.

III. DEFINITIONS:

Field Activities: Duty assignments and/or tasks that place or could reasonably be expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

Officers: All sworn Police Officers of the Department, regardless of rank who expect body armor through the Bureau of Justice Assistance (BJA) Bulletproof Vest Partnership (BVP).

IV. PROCEDURES:

A. Issuance of Body Armor:

- a. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice (DOJ) or its successor agency.
- b. All officers shall be issued agency approved body armor.
- c. Body armor that is worn or damaged shall be replaced by the department. Body armor that must be replaced due to misuse or abuse by the officer shall be paid for by the officer.

B. Use of Body Armor:

- a. Officers shall wear only agency-approved body armor.
- b. Officers that are assigned to the uniformed function are required to wear body armor during their shift while engaged in field activities. In addition all officers must wear protective vests during high risk and /or tactical situations. Examples of "High Risk" or "Tactical" situations include but are not limited to search warrant executions, drug raids, initial crime scene response and serving felony warrants.

- c. It is highly recommended that all officers assigned to the Criminal Investigations Division wear body armor during their tour of duty. However, those officers in the Detective Division who choose not to wear their body armor must have it immediately available at all times during their shift. Immediately available means easily accessible.
 - d. Those uniformed officers assigned to administrative duties shall wear body armor when outside the confines of the police station.
 - e. However there are departmental exceptions as follows:
- C. Inspection of Body Armor:
- a. Supervisors shall be responsible for ensuring that body armor is worn and maintained as required by this policy through routine observation and periodic documented inspections at roll call/briefing and spot checks in the field.
 - b. Annual inspections of body armor shall be conducted for fit, cleanliness, and signs of damage, abuse, and wear. This may be accomplished as part of annual firearms training.
- D. Care, Maintenance and Replacement of Body Armor:
- a. Officers shall routinely inspect personal body armor for signs of damage and for general cleanliness.
 - b. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.
 - c. Officers are responsible for the proper storage, maintenance and care of body armor in accordance with the manufacturer's instructions.
 - d. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their immediate supervisor.
 - e. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.

ANTHONY POLICE DEPARTMENT	ADMINISTRATION
SUBJECT: Recording Devices	NUMBER: OPR 04-04
EFFECTIVE DATE: 08-01-2017	REVIEW DATE: 11-16-2023
AMENDS/SUPERSEDES:	APPROVED: Vanessa Ordonez Chief of Police
NMMLEPSC STANDARDS:	NMSA:

I. PURPOSE:

The Purpose of this policy is to provide officers of the Department procedures for the proper use of recording devices as well as storage and management of digital recordings.

II. POLICY:

It is the policy of the Department to use recording devices for the purposes of, but not limited to documenting citizen contacts, capturing evidence for use in criminal prosecution, training evaluating work performance, and against false allegations of misconduct.

III. DEFINITIONS:

- A. **Watch Guard-** A data entry system that stores digital media (body camera storage).
- B. **VIEVU Solutions System-** A data entry system that stores digital media.
- C. **Recording device-** Any device capable of recording audio and/or video recordings.

IV. PROCEDURES:

- A. Uniformed commissioned employees, animal control officers, and codes shall carry a properly functioning departmental issued recording device on their person at all times while on duty. Commissioned employees in plain cloths, or undercover assignments or an administrative duty do not have to carry a recording device but shall have a recording device available to them.
 - 1. Recording devices capable of capturing video shall be worn in a location that allows the device to capture images of what is in front of the officer.
 - 2. Employees shall notify their supervisor of any malfunction of the recording device or the need for replacement.

- B. Officers shall record the incidents listed below. Recording devices shall be activated as soon as practical and consistent with officer safety. Once activated, recording devices shall be used for the remainder of the contact.
1. Domestic investigations
 2. Calls involving a mentally ill or emotionally disturbed person.
 3. During all search warrants an arrest services.
 4. All custodial interrogation of adults and /or juveniles in accordance with 29-1-16 and 32A-2-14 NMSA 1978 unless another method of electronic recording of the interrogation is available, such as an interview room equipped with audio and/or visual recording equipment.
 5. During all arrest, when practical, until the prisoner is secured in a transport vehicle. Recording should continue and/or resume if the prisoner is or becomes uncooperative and/or combative. Nothing in this section precludes an officer from recording throughout transport and processing of cooperative prisoners at his/ her discretion (e.g. transporting a prisoner of the opposite sex).
 6. Any type of encounter not mentioned above in which a recording would prove useful in later judicial and/or administrative proceedings such as a disorderly subject or citizen alleging dissatisfaction with police response.
 7. Anytime a supervisor directs an employee to use a recording device.
- C. Employees are not required to disclose to the public the fact that recording equipment is in use.
- D. Employees may use their recording devices for documentation purposes at crime and accident scenes, or other events, such as the seizure of evidence or contraband during the execution of search warrants.
- E. Employees shall not utilize recording devices in the following situations:
1. At any closed court proceedings or hearings.
 2. At any location legally authorized to limit recording and/or recording devices unless there is a police related incident.
- F. Employees are prohibited from recording their conversations with other employees without the other employee's knowledge by any means. Exceptions include authorized criminal or administrative investigations and/or where the labor contract provides for such tape recording, or on any City telephone lines which are automatically recorded.

DISPOSITION OF RECORDINGS

- A. Audio, image, and video recordings related shall be entered into DIMS prior to going off-duty unless a supervisor authorizes an extension to this deadline.
- B. Employees shall not destroy or alter recordings.
- C. Recordings shall not be released to another criminal justice agency without approval of the appropriate supervisor. When recordings are released, the department shall maintain the original recording and provide the requesting agency with a duplicate unless there are

specific reasons for releasing the original recording. If an original recording is released, the department shall retain possession of a duplicate copy.

- D. Recordings are property of the City of Anthony Police Department and shall not be reviewed by unauthorized persons. Unauthorized persons include members of the media, family, friends, and other employees not involved in a supervisory or investigatory capacity. Employees are not authorized to copy or release recordings without supervisory approval. Employees shall not post recordings to any social media website. Members of the media requesting to view recordings must go through the official release of records procedure.

RETENTION OF RECORDINGS

- A. All non-evidentiary recordings shall be retained for one hundred and eighty (180) days from the date the recording was submitted, at which time the recordings may be destroyed in compliance with record retention rules and regulations. If the retention of the recording is subject to court, it may need to be retained longer.
- B. All evidentiary recordings shall be retained until the case has been adjudicated.
- C. Any recording deemed to be of value for training purposes should be forwarded to the Internal Investigations unit once it is no longer needed for any judicial or administrative proceedings.

SUPERVISORY RESPONSIBILITIES

- A. Routinely inspect recording devices to ensure they are functioning properly.
- B. Arrange for replacement or repair of any issued recording device that is not functioning properly.
- C. Supervisor shall randomly review recordings to assist in the periodic assessment of an employee's performance, to determine whether the recording device is being fully and properly utilized, and to identify material that may benefit other in training. It is within a supervisor's discretion to review recordings more frequently.



QUOTE

3227 Alameda Ave.

El Paso, TX 79905

www.brightbolt.com

Phone: [915-532-6555]

Fax [915-532-8984]

albert@brightbolt.com

Cell: 915-525-1643

Date 5/14/2025

Payment Terms	NET30
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CUSTOMER

CITY OF ANTHONY

[illegible]

Subtotal	5,760.00
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Freight

Taxable

Tax Rate	8.250%
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Tax Due -

Total \$ 5,760.00

TERMS AND CONDITIONS

1. Customer will be billed after indicating acceptance of this quote
 2. Payment will be due prior to delivery of service and goods
 3. Please fax or mail the signed price quote to the address above
- Customer Acceptance (sign below):*

Print Name: _____

150 BAGS \$ 4,800

All prices quoted are FOB shipping point and subject to change without notice. Please use the contact information above if you have any questions.

Thank You For Your Business!

THIS is the material we have been using for a long time.

THIS COLD PATCH product works very good.



**Pavement Sealants &
Supply Inc**
PO Box 9703
Albuquerque, NM
87119
505-873-0818

Sales Quote
Quote Number SQ-003316
Date May 15, 2025

Customer
City of Anthony Public Works

Ship Via
Customer Pick Up

Contact
Albert Gonzales

Sales Rep
PSSI

Phone
575-652-9115

Billing Address
City of Anthony Public Works
820 Highway 478
Anthony, NM
88021

Payment Terms
Due on receipt

Product	Quantity	Unit Price	Tax code	Subtotal
UPM S/F Bag UPM® High Performance Permanent Patch Packaged Material Spring/Fall Viscosity / Per Bag	112 Bag	\$14.97	Taxable	\$1,676.64

Remarks

Prices are FOB Pavement Sealants Yard NM

112 bags = 2 pallets *56 / PALLET*

Freight charges include delivery of 1-4 pallets is \$850

Refer to NMDOT Price Agreement #30-80500-23-17013

For tax exempt customers--sales tax amount will be removed upon receipt of NM
NTTC Tax Exemption form

Notice: Customers choosing to pay for their order with a credit/debit card, please be aware that a 3.5% processing fee will be added to your order total (minimum fee of \$1.00 for orders less than \$30). This is for payment by credit/debit card ONLY. You will still have the option to pay by check (upon establishing an account) or cash without any additional fee.

Subtotal	\$1,676.64
NM Tax 6.1875%	\$103.74
Total	\$1,780.38

Notice: Quote expires after 30 days. Valid tax exemption forms, if applicable, must be on file prior to invoicing for tax to be removed from order. Customers choosing to pay for their order with a credit card, please be aware that a 3.0% processing surcharge fee will be added to your order total.

Home Depot



Customer Quote

5/12/2025, 11:14 AM MDT

Sales Person LMM50VS

Store Phone # (915) 585-2319

Store # 0523

Location 7545 N MESA ST, EL PASO, TX 79912

Customer Information

ELEAZAR ROMAN

(575) 882-2983

EROMAN@CITYOFANTHONYNM.ORG

CITY OF ANTHONY

820 HIGHWAY 478

ANTHONY, NM 88021



Quote # H0523-475898

PO / Job Name 00



Carryout



Runner Name

ELEAZAR ROMAN

Item Description

Model #

SKU #

Unit Price

Qty

Subtotal



Quikrete Quikrete 50 LB Blacktop Repair - Commercial
Grade Black 170152

N/A

521186

\$19.97 / each

150

\$2,995.50

Prices Valid Through: 05/19/2025

at The Home Depot #0523

Subtotal

\$2,995.50

Discounts

-\$0.00

Sales Tax

\$0.00

Quote Total

\$2,995.50