

Court Chambers  
820 Highway 478  
Anthony, NM 88021

**City of Anthony, NM**  
**Board of Trustees: Regular Meeting**  
**MINUTES**  
**Wednesday, June 4<sup>th</sup>, 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:+1(469)312-8116)  
Access Code: 930 893 086#**

**6:00pm**

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

**[Meeting ID: 252 259 335 343 4](#)  
[Passcode: jX7gy23k](#)**

*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 6:04pm
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

Present:	MPT Gabriel I. Holguin	<b>YES</b>	NO
	Trustee Jose Garcia	<b>YES</b>	NO
	Trustee Daniel Barreras	<b>YES</b>	NO
	Trustee Fernando Herrera	<b>YES</b>	NO
	Mayor Diana Murillo	<b>YES</b>	NO
	Quorum Established	<b>YES</b>	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 Murillo requested 7c be postponed. MPT Holguin requested item 13 be moved after item 6, item 12a be voted before items 11a and 11b and postpone item 7c per Mayor's request.*

**1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> Motion:** Trustee Garcia

**Roll Call Vote:**

MPT Holguin	<b>YES</b>	NO
Trustee Garcia	<b>YES</b>	NO
Trustee Barreras	<b>YES</b>	NO
Trustee Herrera	<b>YES</b>	NO

4-0 Vote, Motion Passes.

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

*Eduardo Sanchez  
Martha Gutierrez  
Adrian Perez  
Genaro Soriano*

*Hugo Gonzalez  
Liliana Perez  
Amanda Bowen*

**6. APPROVAL OF MINUTES**

**a. Regular Meeting: 05/19/2025**

**1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> Motion:** Trustee Garcia

**Roll Call Vote:**

MPT Holguin	<b>YES</b>	NO
Trustee Garcia	<b>YES</b>	NO
Trustee Barreras	<b>YES</b>	NO
Trustee Herrera	<b>YES</b>	NO

4-0 Vote, Motion Passes.

**b. Workshop: 05/27/2025**

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

**Roll Call Vote:**

MPT Holguin	<b>YES</b>	NO
-------------	------------	----

Trustee Garcia                **YES** NO  
Trustee Barreras            **YES** NO                4-0 Vote, Motion Passes.  
Trustee Herrera             **YES** NO

**c. Special Meeting: 05/29/2025**

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

**Roll Call Vote:**

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

**d. Budget Workshop: 05/29/2025**

**1<sup>st</sup> Motion:** MPT Holguin                **2<sup>nd</sup> Motion:** Trustee Herrera

**Roll Call Vote:**

MPT Holguin                **YES** NO  
Trustee Garcia             **YES** NO  
Trustee Barreras           **YES** NO                4-0 Vote, Motion Passes.  
Trustee Herrera            **YES** NO

**7. ITEMS FROM THE MAYOR AND TRUSTEES**

**Trustee Barreras:** Advised other Board members of complaints received on the property on Church and Ruth St.

**Trustee Garcia:** Notified the Mayor of several non-functioning lights along the Walking Path and requested action on a cracked sidewalk on Acosta Street that has remained unaddressed for several months. He also requested an update on the sale of the City vehicle. A lengthy discussion followed regarding the vehicle's status. The HR Director informed the Board that the sale process was in progress, but noted concerns regarding ADA accommodation, prompting her to seek external legal counsel. MPT Holguin clarified that the concern involved reimbursement for personal use, and reiterated the Board's May 29, 2025 directive to proceed with the sale and file a writ of mandamus should the Mayor fail to relinquish the vehicle keys. MPT Holguin expressed concern over the lack of communication to the Board and raised issues with the HR Director's failure to follow multiple directives, including the vehicle sale, posting of the in-house counsel position, and issuance of a check to Attorney Yvonne Quintana. He concluded by insisting the writ of mandamus be filed by Friday morning.

**Trustee Herrera:** Trustee Herrera stated that his decision to support the sale of the City vehicle was based on guidance received from the President of the New Mexico Municipal League, who confirmed there is no state statute requiring municipalities to provide an ADA-designated vehicle. In the absence of a City ordinance or resolution mandating such accommodation, he affirmed that the sale is valid. Additionally, Trustee Herrera referenced a deteriorating building in the downtown area, noting that under state statute, the City has the authority to act through due process. He suggested that the City act within its legal authority in addressing the matter.

**MPT Holguin:** Motion to have the following items on the upcoming agenda: 2017-008 (Amendment 4) which is the policies and meeting procedures and Resolution 2025-001 Open Meetings Act Resolution (Amendment 2)

**1<sup>st</sup> Motion:** MPT Holguin                **2<sup>nd</sup> Motion:** Trustee Garcia

**Roll Call Vote:**

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

**8. PRESENTATION**

**a. Presentation of the 2024 Audit Report, *Presented by Beasley, Mitchell & Co.***

Mr. Juan Garcia, Audit Manager for Beasley, Mitchell & Co., began his presentation by expressing appreciation to City management for their cooperation during the audit process. Mr. Garcia informed the Board that the firm issued an unmodified opinion, this indicates that the financial statements are presented fairly, in all material respects, and

without reservation. He noted that, as of the fiscal year 2023, there were a total of seven audit findings. Of those, four have been resolved. The three remaining findings, which are repeated from previous audits, include: Design Deficiencies in Internal Control (2019), Cash Reconciliation (2019), Interim City Manager Position (2023), where the vacancy was not addressed in the subsequent meeting as required. Mr. Garcia concluded by emphasizing that 2024 had the fewest audit findings to date and that no new findings were identified in this audit cycle.

- b. Update on the Overpayment Policy, **Presented by HR/CPO.**  
*The HR Director/CPO provided an update that one employee has not signed.*
- c. Update from the Public Works Department, **Presented by Mayor Murillo and Albert Gonzales.**  
**(POSTPONED)**

## 9. DISCUSSION

- a. Discussion on the deployment of three (3) remaining pole mounted graphic displays for speed,  
**Presented by Chief Ordonez and Lt. Guerrero.**

*The Chief of Police requested input from the Board and the community regarding the placement of three speed graphic displays intended to deter speeding and increase driver awareness. MPT Holguin, Trustee Garcia and Mayor Murillo suggested along Church St. The Chief encouraged Board members to share any additional suggestions with the Mayor so that they may be compiled and brought before the Board for formal consideration and action.*

## 10. CONSIDERATION AND ACTION

- a. Consideration and Action to approve a resolution acknowledging Fiscal Year 2024 Audit Report,  
**Presented by the Finance Director. (Resolution 2025-012)**

**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

4-0 Vote, Motion Passes.

- b. Consideration and Action to approve Tyler Technologies Mobile/Field Reporting services procured through CES, **Presented by the Chief of Police.**

*The Chief of Police informed the Board that the quote presented at the meeting differs from the one previously provided due to the removal of a feature the department is not yet prepared to implement. The updated quote reflects an initial cost of \$50,880, with a recurring annual fee of \$2,457. She stated her intent to proceed with the purchase before the end of the fiscal year on June 30th. The Chief plans to utilize the remaining \$32,000 from the Law Enforcement Protection Fund to partially cover the initial cost, with the remaining balance to be paid from the department's budget. This procurement was conducted through a Sole Source Agreement via CES.*

**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.

- c. Consideration and Action to approve the set up of a single entity network infrastructure for the Police Department, **Presented by the IT Assistant.**

*The IT Assistant requested Board approval to separate the Police Department's network from the City's system to improve cybersecurity and connectivity. Two proposals were presented: one from Spectrum at \$473.67/month and another from Conterra, which includes fiber optic installation, a one-time cost of \$1,171, and \$437/month. The City would need to provide its own server. The IT Assistant recommended Conterra for its long-term benefits, including potential future fiber expansion to other City facilities and businesses. The majority of Trustees supported the*

recommendation

**To select Contrera: 1<sup>st</sup> Motion:** MPT Holguin **2<sup>nd</sup> 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.

**Original 1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> 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.

- d. Consideration and Action approve the updated City of Anthony Police Department Standard Operating Procedures, ***Presented by the City Attorney. (POSTPONED)***

*The City Attorney informed the Board that he has completed his review of the entire Standard Operating Procedures document. While no substantive revisions were necessary, he identified several editorial and grammatical corrections that still need to be incorporated. He stated that additional time is required to finalize the amended SOP, which will include the previously discussed recommendations. As a result, this item was postponed to the following meeting.*

**To Postpone 1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> Motion:** Trustee Herrera

**Roll Call Vote:**

MPT Holguin YES NO

Trustee Garcia YES NO

Trustee Barreras YES NO

Trustee Herrera YES NO

**Original 1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> Motion:** Trustee Herrera

## 11. CLOSED 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)(7) regarding threaten litigation concerning Tort Claim Notice for Eleazar Roman. The Board of Trustees will meet in Executive Session Pursuant to NMSA 1978, Section 10-15-1(H)(2) regarding Limited Personal Matters regarding all City Departments to include discussion on positions, position updates, performance and evaluations and discussion on the hiring of a Head Librarian.

**1<sup>st</sup> Motion:** Trustee Herrera

**2<sup>nd</sup> 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 at 7:55pm.

- b. Open Session \* *No decision was made during closed session.*

**1<sup>st</sup> Motion:** Trustee Barreras

**2<sup>nd</sup> 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 at 9:34pm.

## ~~12. POSSIBLE ACTION~~

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

## 13. CONSIDERATION AND ACTION



- a. Consideration and Action to approve the hiring of Patricia Mejia for the Head Librarian position, ***Presented by HR/CPO.***

*Motion was made to approve Albert Cortez as the Head Librarian in the event that he does not accept the offer, it would be offered to Jessica Pollack.*

**1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> 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.

***Original as amended:*** **1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> 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. Consideration and Action to approve a resolution requiring full council reapproval for remote work and secondary employment by municipal employees, with exception for the City Attorney and oversight by the City Attorney and Human Resources Director, ***Presented by MPT Holguin.***

***(POSTPONE)***

**1<sup>st</sup> Motion:** MPT Holguin

**2<sup>nd</sup> 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.

**14. ADJOURNMENT**

**1<sup>st</sup> Motion:** Trustee Barreras

**2<sup>nd</sup> 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 at 9:38pm.

{SEAL}

Attest:

---

Diana Murillo, Mayor

---

Karla Oropeza, City Clerk

**CITY OF ANTHONY**  
**ORDINANCE NO. 2022-005**  
**AN ORDINANCE DEFINING AND PROHIBITING NUISANCES**

**WHEREAS**, the City of Anthony, New Mexico ("City") has authority to define and abate nuisances and impose penalties upon a person who creates or allows nuisances to exist (*see* NMSA 1978, § 3-18-5);

**WHEREAS**, the health, safety, welfare and order of the City will be served by adopting a nuisance ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Anthony as follows:

**1. Title**

This Ordinance shall be known as the "Anthony Nuisance Abatement Ordinance."

**2. Purpose**

The purpose of this Ordinance is to help ensure that the City of Anthony remains clean, orderly, and attractive for the benefit of its residents and visitors through the prohibition and abatement of littering, disturbing noise, and public nuisances.

**3. Definitions.**

- a. "Antique vehicle" means a passenger car or truck which is at least 35 years old and is being preserved or restored for historical purposes or other such special-interest purposes.
- b. "Garbage" means all putrescible food or other organic wastes and other such worthless or offensive matter commonly generated by households and businesses, the accumulation of which may create a nuisance or be deleterious to public health or offensive to the senses; also referred to as "trash."
- c. "Hazardous waste" means any solid, liquid, semisolid or gaseous material which may pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.
- d. "Inoperable motor vehicle" means a motor vehicle which, by reasons of dismantling, disrepair, accident or other cause is incapable of being propelled under its own power.
- e. "Junk trailer" means a trailer which has been continuously inoperable for at least one hundred twenty (120) days; or which has been wrecked; or which has been fully or partially dismantled for ten (10) days or more.
- f. "Junk vehicle" means a motor vehicle other than an antique or special interest vehicle which has been continuously inoperable for at least one hundred twenty (120) days; or which has been wrecked; or which has been fully or partially dismantled for ten (10) days or more.

- g. "Junk vessel" means a vessel which has been continuously inoperable for at least one hundred twenty (120) days; or which has been wrecked; or which has been fully or partially dismantled for ten (10) days or more.
- h. "Littering" means throwing, dropping or discarding any solid waste in any public or private place within the City except in authorized waste receptacles.
- i. "Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from batteries. This includes but is not limited to cars, trucks, vans, tractors, motorhomes, recreational vehicles, all-terrain vehicles, golf carts, motorcycles and mopeds.
- j. "Outdoor storage" means the storage of any materials subject to the provisions of this Ordinance in a setting that is not entirely within an enclosed structure.
- k. "Person" means a human being or business entity.
- l. "Property" means any real property within the City. When a portion of privately owned property abuts on a public right-of-way or easement, the responsibility of the person in control for purposes of this Ordinance shall extend to the center of the public alley or easement or back of street curb line, or edge of pavement, or at the edge of dirt roads; however this shall not restrict in any manner the maintenance of the right of way or easement by the City.
- m. "Refuse" means non-putrescible solid waste such as cold ashes, wastepaper, rags, wooden, cardboard or paper boxes, bottles, broken ware, tin cans, plastics and similar residential and commercial waste materials; also referred to as "trash."
- n. "Rubbish" means waste or rejected material; anything worthless or valueless in its present form; garbage; trash.
- o. "Solid waste" means garbage, refuse, rubbish, trash or yard waste.
- p. "Special interest/historic vehicle" means a motor vehicle of any age which, because of its significance, is being collected, preserved, restored or maintained by a person as a leisure pursuit.
- q. "Trailer" means all a nonautomotive vehicle designed to be hauled by road and includes, but is not limited to, campers, concessions trailers, dry vans, flatbed trailers, horse trailers, livestock trailers, lowboys, and non-motorized recreational vehicles.
- r. "Vessel" means watercraft, other than a seaplane, normally used as a means of transportation on water. This includes sailboats, motorboats, paddleboats, and jet skis.
- s. "Weeds" means all plant growth at any stage of maturity which:
  - i. Exceeds 12 inches in height, except healthy shrubs, healthy native vegetation flowers, herbs or produce for human consumption grown in a tended and cultivated garden; unless the vegetation by its density or location, constitutes a detriment to the health, benefit and welfare of the public and community, or a hazard to traffic, or creates a fire hazard, or otherwise interferes with the removal of weeds;
  - ii. Regardless of height, harbors, conceals or invites deposits or accumulation of refuse or trash;

- iii. Gives off unpleasant or noxious odors; and
- iv. Is dead or diseased.

This definition of “weeds” does not include indigenous vegetation which remains in an undisturbed state on undeveloped lots or large parcels of land.

- t. “Yard waste” means yard clippings, grass cuttings, yard cleanings, fallen trees, tree limbs, slash, leaves or pine needles.

#### **4. Littering**

- a. Littering is prohibited within the City. This prohibition includes the throwing or discarding of any solid waste or hazardous waste from a vehicle.
- b. Open loads in vehicles. No person shall drive or move any truck or other vehicle with materials of any kind in an open bed unless the vehicle is so constructed, loaded or secured as to prevent its load or contents from being inadvertently discharged from the vehicle.

#### **5. Nuisances Generally**

In the interests of the health, safety and welfare of residents and visitors to the City, the following property conditions are declared to be public nuisances, and it shall be unlawful for any owner or occupant of real property to create, allow or maintain any of these conditions.

- a. Unsanitary or hazardous premises, consisting of, but not limited to:
  - i. Solid waste or hazardous waste;
  - ii. Wastewater, stagnant water, sewage or any conglomeration of residue thereof that emits odors or serves as a feeding or breeding place for flies, insects, spiders, rodents or other vermin;
  - iii. Weeds, brush or other wild, uncontrolled growth of vegetation; or
  - iv. Dead animals, except for household pets properly buried at a depth of three (3) feet or more.
- b. Any building or other structure which is in such a dilapidated condition that it is unfit or structurally dangerous for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or that presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- c. Any condition that is attractive and dangerous to the public, such as a vacant, accessible building; buildings with broken or missing windows or doors; excavations; dilapidated walls or fences; wood piles other than stacked firewood; debris; or other materials or conditions creating a public hazard.
- d. The outdoor storage of salvage materials, junk, abandoned or unused furniture, appliances, sinks, toilets, cabinets, or other household fixtures.
- e. The outdoor storage of junk vehicles, junk vessels, or junk trailers subject to the exceptions specified in Section 6, below.

- f. The outdoor storage of motor vehicle parts, vessel parts, trailer parts, discarded or broken equipment or tools, or used or damaged lumber.
- g. All disagreeable or noxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of odors and stenches.
- h. Dense smoke, noxious fumes, gas, soot or cinders in such quantities as to escape the property and unreasonably affect other properties or persons.
- i. Any building, structure or other place or location where any activity in violation of local, state or federal law is conducted, performed or maintained. Examples of unlawful activity include, but are not limited to, prostitution, manufacture, use or distribution of controlled substances, and gambling.
- j. Any visual obstruction of clear-sight triangles as that term is defined in City Ordinance 2010-018, Section 1.4.

## **6. Exceptions**

- a. The prohibition on outdoor storage of certain motor vehicles, vessels, trailers and their parts does not apply to:
  - i. A motor vehicle, vessel, trailer or part thereof which is stored or parked in a lawful manner in accordance with an approved site plan on private property in connection with the business of a licensed motor vehicle, vessel, or trailer dealer or junkyard;
  - ii. An inoperable antique vehicle or special interest/historic vehicle stored by a person on that person's property or by agreement with the property owner, provided that the vehicle and the outdoor storage areas are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view and view from adjoining properties by means of a solid fence, trees, shrubbery, landscaping or combination thereof or other appropriate means; or
  - iii. Any motor vehicle in operable condition specifically adapted or constructed for racing.

## **7. Enforcement**

- a. Neighborhood Services Officer. The Neighborhood Services Officer or any law enforcement officer shall enforce the provisions of this Ordinance. Enforcement may be facilitated by, but shall not be dependent upon, a complaint by a resident of the City or other person to the Neighborhood Services Officer or a law enforcement officer.
  - i. For the purpose of this section, hereinafter the Neighborhood Services Officer and any law enforcement officer enforcing this Ordinance shall be referenced either collectively or singularly as "enforcing officer."
- b. Methods of Enforcement. The enforcing officer shall enforce this Ordinance by any of the following methods, which shall be utilized at the enforcing officer's discretion according to the severity of the violation and the potential for abatement:

- i. Written warnings and an opportunity to cure;
- ii. Filing complaints in Municipal Court; and
- iii. Service of notices to abate public nuisances.

The use of one of the above methods of enforcement does not preclude the use of another method.

- c. **Responsible Party.** Complaints may be filed and notices to abate may be served against any person who violates any provision of this Ordinance as well as any person responsible for the property upon which a violation of this Ordinance occurs, including:
  - i. Owners of the real property or their agents; or
  - ii. Occupants of the real property exercising actual control thereon.
- d. **Separate Violations.** Each day in which a violation of this Ordinance continues shall constitute a separate violation of this Ordinance.
- e. **Penalty.**
  - i. Upon the municipal court finding a person responsible for a violation of this Ordinance, the court shall impose a fine in an amount not less than fifty dollars (\$50.00) nor more than five-hundred dollars (\$500.00) for each violation and order the immediate abatement of any ongoing violation.
- f. **Abatement of Public Nuisances.**
  - i. Notice to abate public nuisance issued by an enforcing officer shall consist of the following:
    - 1. A description of the public nuisance on the premises;
    - 2. Instructions for abating the public nuisance;
    - 3. A warning that if the public nuisance is not cured or abated within ten (10) days, the City will abate it without further notice; and
    - 4. Instructions for appealing the enforcing officer's finding of a public nuisance.
  - ii. **Service of Notice.** Notice to abate a public nuisance shall be served on the owner, occupant or agent in charge of the premises. If service cannot be made within the City, a copy of the Notice will be posted on the premises and published once either by posting in six public places or printing in a newspaper of general circulation.
  - iii. **Appealing a Notice.**
    - 1. Within ten (10) days of receipt of an enforcing officer's Notice, the recipient may file a written appeal of the Notice with the City Clerk, at which time the City Clerk shall:
      - a. Notify the enforcing officer to stay all abatement actions;
      - b. Fix a date for a quasi-judicial hearing before the Planning and Zoning Commission;
      - c. Issue notice vis U.S. Certified Mail of the date, time, place and subject matter of the quasi-judicial hearing to the appellant, the enforcing officer, and the property owners



within 100 feet of the premises where the alleged public nuisance is located.

2. At the quasi-judicial hearing before the Planning and Zoning Commission, the Commission shall:

- a. Consider all relevant evidence to determine whether a public nuisance exists on the premises; and
- b. Issue a final determination as to the existence of a public nuisance that should be abated.

The determination of the Planning and Zoning Commission on the existence of a public nuisance shall be the final determination of the City.

3. Any person aggrieved by the determination of the Planning and Zoning Commission may appeal to the district court.

iv. Removal of a Public Nuisance by the City. If the owner, occupant or agent in charge of a premises upon which a public nuisance exists fails to correct, remedy or remove the nuisance

1. Within ten (10) days of being served a copy of the Notice or of the posting and publishing of the Notice; or
2. Within five (5) days of the determination by the Planning and Zoning Commission that a public nuisance exists and should be abated; or
3. After the district court enters judgment sustaining the determination of the Planning and Zoning Commission,

then the City may remove the public nuisance at the cost and expense of the owner, occupant or agent in charge of the premises.

v. The reasonable costs incurred by the City in removing any building, structure, ruins, rubbish, wreckage, debris, or other conditions constituting a public nuisance shall constitute a lien upon against the material so removed and against the lot or parcel of land from which it was removed.

1. Alternatively, the City may pay for the costs of removal of any public nuisance by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.

vi. Once the removal has taken place and the reasonable costs of removal incurred by the City can be calculated, the City Clerk shall prepare a "Notice of Lien" for filing in the office of the County Clerk which shall contain the following information:

1. The number of the ordinance under which the lien is established;
2. The fact that a lien is established;
3. The general purpose of the lien;
4. The name of the owner of the property against which the lien is established as determined from the records of the county assessor;

5. A description of the property against which the lien is established;
  6. The amount of the lien; and
  7. If the lien is for more than one period of time, the date for which the lien is established.
- vii. Following the recording of the Notice of Lien, the Governing Body may declare the full amount due and payable and proceed with foreclosure proceedings on the subject property in the manner provided in NMSA 1978, Sections 3-36-1 through 3-36-6.
  - viii. If the lien is paid off at any time prior to foreclosure, including any accrued interest, the City Clerk shall release the lien in the manner specified in NMSA 1978, Section 3-36-3

**8. Amendments and Repealer**

- a. Ordinance 2019-003, Article II, Section 3(8) is hereby amended to read:  
“Depositing or dumping dead animals, or any substance condemned by the state or City, or any other deleterious or offensive substances, except as provided for in this chapter. Dead rodents, fish, and birds shall be double-bagged and sealed.”
- b. This Ordinance repeals and replaces any prior ordinances or resolutions to the extent that they conflict with this Ordinance.
- c. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the validity of the remaining provisions of this Ordinance.

**PASSED, APPROVED, AND ADOPTED by the Governing Body of the City of Anthony, New Mexico, this 19<sup>th</sup> day of October, 2022.**



  
\_\_\_\_\_  
Diana Murillo  
Mayor

ATTEST:

  
\_\_\_\_\_  
Karla Oropeza, City Clerk

**ROLL CALL VOTE:**


MPT Elva Flores

☒ YES ☐ NO



Trustee Javier Silva

☒ YES ☐ NO



Trustee Daniel Barreras

☒ YES ☐ NO



Trustee Gabriel I. Holguin

☒ YES ☐ NO

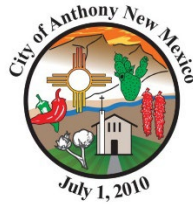


**Frist reading:** September 21, 2022

**Notice of publication:** September 7, 2022

**Public Comments/Discussion:** September 21, 2022 and October 19, 2022

**Second Reading/Consideration and Action to pass:** October 19, 2022



Resolution 2025-0XX

**A RESOLUTION ADOPTING THE FY 2027-2031 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN  
(ICIP)**

WHEREAS, the City of Anthony recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally, and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

Now, therefore be it resolved by the City of Anthony Board of Trustees that:

1. The City of Anthony, New Mexico has adopted the attached FY 2027-2031 Infrastructure Capital Improvement Plan, and
2. It is intended that the Plan be working document and is the first of many steps towards improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.
3. This Resolution supersedes Resolution No. \_\_\_\_\_

Passed, Approved and Adopted by the governing body at its meeting of June 18<sup>th</sup>, 2025.

\_\_\_\_\_  
Diana Murillo, Mayor

{SEAL}  
Attest:

\_\_\_\_\_  
Karla Oropeza, City Clerk

---

# Infrastructure Capital Improvement Plan FY 2027-2031

---

## ICIP for Anthony

**Contact:** Gloria Ramirez  
820 Highway 478  
Anthony, NM 88021

**Telephone No.:** 575-882-2983

**Email Address:** gramirez@cityofanthonymn.org

**County:** Dona Ana

**Entity Type:** MU

**Procurement Officer Name:** Bonnie Hidalgo

**Telephone No.:** 575-882-2983

**Email Address:** bhidalgo@cityofanthonymn.org

**Financial Officer Name:** Hiram Gonzalez

**Telephone No.:** 575-882-2983

**Email Address:** hgonzalez@cityofanthonymn.org

### Executive Order 2013-006 Compliance

**Is your entity compliant with Executive Order 2013-006?** Yes

**Does your entity have a comprehensive plan/master plan?** Yes

**Last date comprehensive plan/master plan was updated?** 2010

**Do all projects in your ICIP include or follow your comprehensive plan/master plan?** Yes

### Other Planning

**Asset Management Plan** Yes

**LEDA (Local Economic Development Act)** N/A

**Drought Contingency Plan** N/A

**Water Conservation Ordinance** Yes

**Financial Plan** No

**Annual Action Plan** No

**NM Affordable Housing Act Compliance** No

**Other** No

**N/A State Agency Only** No

# Infrastructure Capital Improvement Plan FY 2027-2031

## Anthony Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2027	2028	2029	2030	2031	Total Project Cost	Amount Not Yet Funded	Phases?
24723	2027	001	Anthony Street Improvements and Sidewalks	Transportation - Highways/Roads/Bridges	4,299,136	1,010,000	570,000	570,000	570,000	0	7,019,136	2,720,000	Yes
32732	2027	002	Anthony Community Parks and Recreation	Facilities - Other	1,055,382	950,000	1,000,000	1,000,000	1,000,000	14,618	5,020,000	3,964,618	Yes
37627	2027	003	Anthony Economic Development Infrastructure	Other - Other	1,750,000	1,500,000	1,500,000	2,000,000	2,000,000	500,000	9,250,000	7,500,000	Yes
40464	2027	004	Anthony Health and Wellness	Facilities - Health-Related Cap Infrastructure	10,783,500	16,750,000	16,500,000	0	0	0	44,033,500	33,250,000	Yes
26912	2027	005	Anthony Flood Control Improvements	Water - Storm/Surface Water Control	4,554,635	1,500,000	660,000	0	0	0	6,714,635	2,160,000	Yes
40461	2027	006	Anthony Transfer Station	Other - Solid Waste	1,700,000	8,450,000	0	0	0	0	10,150,000	8,450,000	Yes
37797	2027	007	Anthony Public Safety Equipment	Equipment - Public Safety Equipment	605,000	80,000	80,000	0	0	0	765,000	160,000	Yes
26838	2027	008	Anthony Public Safety Building	Facilities - Public Safety Facilities	1,650,000	3,850,000	0	0	0	0	5,500,000	3,850,000	Yes
37405	2027	009	Anthony Public Works Vehicles & Equipment	Vehicles - Public Safety Vehicle	0	500,000	100,000	100,000	100,000	100,000	900,000	900,000	Yes
27098	2027	010	Anthony Walking Paths and Bike Lanes	Facilities - Health-Related Cap Infrastructure	0	340,000	140,000	140,000	140,000	0	760,000	760,000	Yes
38731	2027	011	Anthony Neighborhood Services Equipment	Equipment - Other	0	300,000	0	0	0	0	300,000	300,000	No
38856	2027	012	Anthony Library Improvements	Facilities - Libraries	100,000	100,000	0	0	0	0	200,000	100,000	Yes



Infrastructure Capital Improvement Plan FY 2027-2031

24728	2027	013	Anthony Land Acquisition	Other - Other	0	150,000	50,000	0	0	0	200,000	200,000	Yes
-------	------	-----	--------------------------	---------------	---	---------	--------	---	---	---	---------	---------	-----

Number of projects:	13												
	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:					
Grand Totals	26,497,652	35,480,000	20,600,000	3,810,000	3,810,000	614,618	90,812,272	64,314,616					

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 001 **Priority:** High **ID:**24723

**Project Title:** Anthony Street Improvements and Sidewalks **Class:** Renovate/Repair **Type/Subtype:** Transportation - Highways/Roads/Bridges

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 7,019,136 **Proposed project start date:** July 2026

**Project Location:** 820 Hwy 478 Anthony NM 88021 **Latitude:** 32.007836 **Longitude:** 106.608231

**Legislative Language:** to plan, design, and construct street improvements, drainage, sidewalks, and lighting in Anthony in Dona Ana county

**Scope of Work:** To plan, design, and construct street improvements, drainage, sidewalks, and lighting for the protection and maintenance of the assets and safety of the community. As funding is made available the City will look to accomplish a variety of minor patching and major asphalt repair and replacement along with sidewalks and new construction for dirt roads. The planning and design phase will determine the exact improvements necessary. Streets have been prioritized based on a visual inspection and high vehicle traffic and pedestrian. At this time, the City intends to prioritize the planning, design, and construction of street improvements, drainage, and sidewalks to city-wide streets including O'Hara, Acosta, Church, Livesay, Pond Wood Lane, First, Second, Miller, Kalar, Grants, Madison, Van Buren, St. Anthony, Dos Lagos, Monroe, Lee, Adams, Lynn, Archer, Lincoln, San Andres, and Moralez.

Secured Funding Budget:					
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.					
Please complete table below with all SECURED funding sources.					
Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
DOT	2,774,136	2022-2023	2,774,136	0	
CDBG	825,000	2020	825,000	825,000	CDBG and match
LFUNDS	500,000	2023	500,000	0	
NMFA	200,000	2023	200,000	0	
TOTALS	4,299,136		4,299,136	825,000	

Other Potential Funding Budget:					
Please complete table below with all POTENTIAL funding sources.					
Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments	
CDBG	750,000	No			
CAP	1,010,000	No			

## Infrastructure Capital Improvement Plan FY2027-2031

DOT	570,000	No
NMFA	570,000	No
<b>TOTALS</b>	<b>2,900,000</b>	

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
			Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	No	50,000	20,000	20,000	20,000	20,000	0	130,000
Design (Engr./Arch.)	No	300,000	90,000	50,000	50,000	50,000	0	540,000
Construction	No	3,949,136	900,000	500,000	500,000	500,000	0	6,349,136
Furnish/Equip/Vehicles	N/A	0	0	0	0	0	0	0
<b>TOTALS</b>		<b>4,299,136</b>	<b>1,010,000</b>	<b>570,000</b>	<b>570,000</b>	<b>570,000</b>	<b>0</b>	<b>7,019,136</b>
<b>Amount Not Yet Funded</b>		<b>2,720,000</b>						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights,	# Mos to Complete
-------	--------	------	--------	-----------	------------------------	--------------------	-------------------

## Infrastructure Capital Improvement Plan FY2027-2031

						Easements, Acq)	
1	1,010,000	Yes	Yes	Yes	No	No	12
2	570,000	Yes	Yes	Yes	No	No	12
3	570,000	Yes	Yes	Yes	No	No	12
4	570,000	Yes	Yes	Yes	No	No	12
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>2,720,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	10,000	10,000	10,000	10,000	10,000	50,000	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	Fiscal Agent:	Own:	Operate:	Own Land:	Own Asset:	Maintain:
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

### More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(d) **Regionalism - Does the project directly benefit an entity other than itself?**

No

If yes, please list the other entity.

(e) **Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget?**

Yes

Please explain. An engineering firm will provide project oversight.

(f) **Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?**

Yes

If yes, please explain. The improvement of transportation infrastructure will make the City a favorable site for economic development.

(g) **Does the project benefit all citizens within a recognized region, district or political subdivision?**

Yes

If yes, please explain and provide the number of people that will benefit from the project.

All residents will benefit from improved streets and sidewalks. With the addition of sidewalks throughout the community, pedestrians will benefit. Approximately 9,360 will benefit.

(h) **Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.**

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 002 **Priority:** High **ID:**32732

**Project Title:** Anthony Community Parks and Recreation **Class:** New **Type/Subtype:** Facilities - Other

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 5,020,000 **Proposed project start date:** July 2026

**Project Location:** 820 Hwy 478 Anthony NM 88021 **Latitude:** 32.008015 **Longitude:** -106.608137

**Legislative Language:** to acquire land and structures, conduct environmental and archaeological studies, plan, design, construct, renovate, purchase, furnish, and equip parks and recreational amenities in Anthony in Dona Ana county

**Scope of Work:** To acquire land and structures, conduct environmental and archaeological studies, plan, design, construct, renovate, purchase, furnish, and equip parks and recreational amenities throughout the City of Anthony. Project design will determine the appropriate equipment for each park. Equipment will include but not be limited to playground structures, benches, tables, trash receptacles, park and facility lighting, fencing, parking lots, recreational buildings, ball fields, swimming pools, skate parks, a splash park, festival and event facilities, and trails. This project includes the soccer fields and the baseball park. Each phase will consist of planning, design, and construction of a park and/or recreational amenity. The City of Anthony will identify available land and recreational needs, secure funding, obtain land if necessary, and follow state procurement to implement all phases. This project will include a multi generational recreational facility.

Secured Funding Budget:					
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.					
Please complete table below with all SECURED funding sources.					
Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
CAP	486,685	2022	486,685	0	
CAP	70,000	2021	70,000	0	
CAP	498,697	2022	498,697	0	
	0		0	0	
TOTALS	1,055,382		1,055,382	0	

Other Potential Funding Budget:				
Please complete table below with all POTENTIAL funding sources.				
Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
CAP	1,000,000	No		
SGRANT	1,000,000	No		



## Infrastructure Capital Improvement Plan FY2027-2031

FGRANT	1,000,000	No
CDBG	6,000,000	No
<b>TOTALS</b>	<b>9,000,000</b>	

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
			Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	No	0	750,000	750,000	750,000	750,000	0	3,000,000
Archaeological Studies	No	20,000	0	12,500	12,500	12,500	0	57,500
Environmental Studies	No	20,000	0	12,500	12,500	12,500	0	57,500
Planning	No	50,000	0	25,000	25,000	25,000	0	125,000
Design (Engr./Arch.)	No	80,063	25,000	25,000	25,000	25,000	0	180,063
Construction	No	885,319	150,000	150,000	150,000	150,000	0	1,485,319
Furnish/Equip/Vehicles	No	0	25,000	25,000	25,000	25,000	14,618	114,618
<b>TOTALS</b>		<b>1,055,382</b>	<b>950,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>14,618</b>	<b>5,020,000</b>
<b>Amount Not Yet Funded</b>		<b>3,964,618</b>						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights,	# Mos to Complete
-------	--------	------	--------	-----------	------------------------	--------------------	-------------------

## Infrastructure Capital Improvement Plan FY2027-2031

						Easements, Acq)	
1	950,000	Yes	Yes	Yes	Yes	Yes	12
2	1,000,000	Yes	Yes	Yes	Yes	Yes	12
3	1,000,000	Yes	Yes	Yes	Yes	Yes	12
4	1,000,000	Yes	Yes	Yes	Yes	Yes	12
5	14,618	No	No	No	Yes	No	12
<b>TOTAL</b>	<b>3,964,618</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							
							No
If no, please explain why: Budget will be determined based on park size.							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	Fiscal Agent:	Own:	Operate:	Own Land:	Own Asset:	Maintain:
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

### More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(d) **Regionalism - Does the project directly benefit an entity other than itself?**

No

If yes, please list the other entity.

(e) **Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget?**

Yes

Please explain. The Public Works Department will oversee this project.

(f) **Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?**

Yes

If yes, please explain. New parks will provide quality of life improvements. Quality of life amenities are necessary for businesses to relocate to the area.

(g) **Does the project benefit all citizens within a recognized region, district or political subdivision?**

Yes

If yes, please explain and provide the number of people that will benefit from the project.

All citizens will have access to the parks and recreational amenities. Approximately 9,360 residents will benefit.

(h) **Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.**

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 003 **Priority:** High **ID:**37627

**Project Title:** Anthony Economic Development Infrastructure **Class:** New **Type/Subtype:** Other - Other

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 9,250,000 **Proposed project start date:** July 2026

**Project Location:** 820 Hwy 478 Anthony NM 88021 **Latitude:** 32.00815 **Longitude:** -106.608137

**Legislative Language:** to acquire land, easements, and water rights, conduct environmental and archaeological studies, plan, design, construct, purchase, install, furnish, and equip economic development infrastructure in Anthony in Dona Ana county

**Scope of Work:** To conduct environmental and archaeological studies, plan, design, and construct economic development infrastructure, including infrastructure for mixed use developments. The City of Anthony will follow procurement policies and procedures in the implementation of this project.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt	Date(s)	Amount	Amt Expended	Comments
	Requested	Received	Secured	to Date	
CAP	250,000	2019	250,000	0	
CAP	1,500,000	2022	1,500,000	0	
	0		0	0	
	0		0	0	
<b>TOTALS</b>	1,750,000		1,750,000	0	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount	Applied For?	Date when	Comments
	Needed	Yes or No	Applied	
CAP	1,500,000	No		
FGRANT	1,500,000	No		
FLOAN	1,500,000	No		
SGRANT	1,500,000	No		

## Infrastructure Capital Improvement Plan FY2027-2031

<b>TOTALS</b>	6,000,000
---------------	-----------

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	No	0	20,000	0	0	0	0	20,000
Environmental Studies	No	0	15,000	0	0	0	0	15,000
Planning	No	50,000	0	0	0	0	0	50,000
Design (Engr./Arch.)	No	200,000	150,000	150,000	250,000	250,000	50,000	1,050,000
Construction	No	1,500,000	1,315,000	1,350,000	1,750,000	1,750,000	450,000	8,115,000
Furnish/Equip/Vehicles	No	0	0	0	0	0	0	0
<b>TOTALS</b>		1,750,000	1,500,000	1,500,000	2,000,000	2,000,000	500,000	9,250,000
<b>Amount Not Yet Funded</b>		7,500,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	1,500,000	Yes	Yes	Yes	No	No	12

## Infrastructure Capital Improvement Plan FY2027-2031

2	1,500,000	No	Yes	Yes	No	No	12
3	2,000,000	No	Yes	Yes	No	No	12
4	2,000,000	No	Yes	Yes	No	No	12
5	500,000	No	Yes	Yes	No	No	12
TOTAL	7,500,000						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL	
Annual Operating Expenses plus Debt Service	1,000	1,000	1,000	1,000	1,000	5,000	
Annual Operating Revenues	1,000	1,000	1,000	1,000	1,000	5,000	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	Fiscal Agent:	Own:	Operate:	Own Land:	Own Asset:	Maintain:
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? No

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.



---

## Infrastructure Capital Improvement Plan FY2027-2031

---

- (e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes  
Please explain. The Projects Coordinator will oversee this project to ensure timely construction and completion.
- (f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Yes  
If yes, please explain. This economic development project will promote business growth and create jobs in the City of Anthony.
- (g) Does the project benefit all citizens within a recognized region, district or political subdivision? Yes  
If yes, please explain and provide the number of people that will benefit from the project. Approximately 9,360 residents will benefit from increased economic opportunity within the City.
- (h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No  
If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.) This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 004 **Priority:** High **ID:**40464

**Project Title:** Anthony Health and Wellness **Class:** New **Type/Subtype:** Facilities - Health-Related Cap Infrastructure

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 44,033,500 **Proposed project start date:** July 2026

**Project Location:** 802 Hwy 478 Anthony NM 88021 **Latitude:** 32.007836 **Longitude:** 106.608231

**Legislative Language:** to acquire easements and rights of way, conduct environmental and archaeological studies, plan, design, construct, furnish, and equip a health and wellness center in Anthony in Dona Ana county

**Scope of Work:** To design, construct, furnish, and equip a health and wellness center.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt	Date(s)	Amount	Amt Expended	Comments
	Requested	Received	Secured	to Date	
CAP	1,750,000	2023	1,750,000	0	Golf course purchase
LFUNDS	3,600,000	2019	3,600,000	0	
FGRANT	1,500,000	2021	1,500,000	0	
CAP	3,933,500	2019-2022	3,933,500	0	
<b>TOTALS</b>	10,783,500		10,783,500	0	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount	Applied For?	Date when	Comments
	Needed	Yes or No	Applied	
CAP	16,750,000	No		0
SGRANT	16,750,000	No		
FGRANT	16,750,000	No		
CDBG	750,000	No		
<b>TOTALS</b>	51,000,000			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	Yes	500,000	0	0	0	0	0	500,000
Easements and Rights of Way	Yes	50,000	0	0	0	0	0	50,000
Acquisition	Yes	3,000,000	0	0	0	0	0	3,000,000
Archaeological Studies	No	0	0	0	0	0	0	0
Environmental Studies	No	0	0	0	0	0	0	0
Planning	Yes	250,000	0	0	0	0	0	250,000
Design (Engr./Arch.)	No	500,000	1,000,000	1,000,000	0	0	0	2,500,000
Construction	No	6,483,500	13,250,000	13,000,000	0	0	0	32,733,500
Furnish/Equip/Vehicles	No	0	2,500,000	2,500,000	0	0	0	5,000,000
<b>TOTALS</b>		10,783,500	16,750,000	16,500,000	0	0	0	44,033,500
<b>Amount Not Yet Funded</b>		33,250,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	16,750,000	No	Yes	Yes	Yes	No	12
2	16,500,000	No	Yes	Yes	Yes	No	12

## Infrastructure Capital Improvement Plan FY2027-2031

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>33,250,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							No
If no, please explain why:							The budget will be determined upon completion of design.
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. They city manager will oversee construction and completion of the project.

---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. The provision of health services is a prerequisite for economic growth and development.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

All residents will benefit from a health and wellness center. Approximately 9,360 will benefit.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 005 **Priority:** High **ID:**26912

**Project Title:** Anthony Flood Control Improvements **Class:** New **Type/Subtype:** Water - Storm/Surface Water Control

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 6,714,635 **Proposed project start date:** July 2026

**Project Location:** 4th Street at Livesay Anthony NM 88021 **Latitude:** 32.008358 **Longitude:** 106.601564

**Legislative Language:** to plan, design, construct, purchase, and equip flood control improvements in Anthony in Dona Ana county

**Scope of Work:** To construct, purchase, and equip flood control improvements to include Adams Park and the South Anthony Arroyo areas. Upon funding availability, the City will follow state procurement regulations and go out to bid for construction.

Secured Funding Budget:					
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.					
Please complete table below with all SECURED funding sources.					
Potential Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
SGRANT	4,004,635	2018-2022	4,004,635	0	
CDBG	500,000	2016	500,000	500,000	
LFUNDS	50,000	2016	50,000	50,000	CDBG match
	0		0	0	
TOTALS	4,554,635		4,554,635	550,000	

Other Potential Funding Budget:				
Please complete table below with all POTENTIAL funding sources.				
Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
CDBG	750,000	No		
CAP	1,500,000	No		
NMFA	1,500,000	No		
SGRANT	1,500,000	No		
TOTALS	5,250,000			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	No	75,000	0	0	0	0	0	75,000
Design (Engr./Arch.)	No	429,635	300,000	60,000	0	0	0	789,635
Construction	No	3,550,000	1,200,000	600,000	0	0	0	5,350,000
Furnish/Equip/Vehicles	No	500,000	0	0	0	0	0	500,000
<b>TOTALS</b>		4,554,635	1,500,000	660,000	0	0	0	6,714,635
<b>Amount Not Yet Funded</b>		2,160,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	1,500,000	No	Yes	Yes	No	No	12
2	660,000	No	Yes	Yes	No	No	12

## Infrastructure Capital Improvement Plan FY2027-2031

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>2,160,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	15,000	15,000	15,000	15,000	15,000	75,000	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. An engineering firm will provide project oversight.



---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. Flood control is necessary for economic development. Flood control will make sure that the City's economic center is located outside of the floodplain.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

Reducing the risk of flooding will benefit all residents residing within the City.

Approximateley 9,360 will benefit.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 006 **Priority:** High **ID:**40461

**Project Title:** Anthony Transfer Station **Class:** New **Type/Subtype:** Other - Solid Waste

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 10,150,000 **Proposed project start date:** July 2026

**Project Location:** 820 Hwy 478 Anthony NM 88021 **Latitude:** 32.007836 **Longitude:** 106.608231

**Legislative Language:** to acquire easements, rights of way, and land, conduct environmental and archaeological studies, plan, design, construct, furnish, and equip a transfer station in Anthony in Dona Ana county

**Scope of Work:** To acquire land, conduct environmental and archaeological studies, plan, design, construct, furnish, and equip a transfer station in the City of Anthony.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
NMFA	800,000	2023	800,000	0	
NMFA	450,000	2022	450,000	0	
CAP	300,000	2023	300,000	0	
FGRANT	150,000	2021	150,000	0	ARPA funding
<b>TOTALS</b>	<b>1,700,000</b>		<b>1,700,000</b>	<b>0</b>	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
FGRANT	8,450,000	No		
CDBG	750,000	No		
CAP	8,450,000	No		
NMFA	8,450,000	No		
<b>TOTALS</b>	<b>26,100,000</b>			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	No	500,000	0	0	0	0	0	500,000
Archaeological Studies	No	25,000	0	0	0	0	0	25,000
Environmental Studies	No	25,000	0	0	0	0	0	25,000
Planning	Yes	150,000	0	0	0	0	0	150,000
Design (Engr./Arch.)	No	650,000	250,000	0	0	0	0	900,000
Construction	No	350,000	6,200,000	0	0	0	0	6,550,000
Furnish/Equip/Vehicles	No	0	2,000,000	0	0	0	0	2,000,000
<b>TOTALS</b>		1,700,000	8,450,000	0	0	0	0	10,150,000
<b>Amount Not Yet Funded</b>		8,450,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	250,000	No	Yes	No	No	No	9
2	8,200,000	No	No	Yes	Yes	No	9

## Infrastructure Capital Improvement Plan FY2027-2031

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>8,450,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							No
If no, please explain why: The operating budget will be determined upon completion of design.							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? No

Please explain. The City Manager will oversee construction and completion of the project.

---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. The provision of solid waste services is a prerequisite to economic development and growth.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

Approximately all 9,360 residents will benefit from the transfer station.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 007 **Priority:** High **ID:**37797

**Project Title:** Anthony Public Safety Equipment **Class:** New **Type/Subtype:** Equipment - Public Safety Equipment

**Contact Name:** Gloria Ramirez **Contact Phone:** 5758822983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 765,000 **Proposed project start date:** July 2026

**Project Location:** 820 Hwy 478 Anthony NM 88021 **Latitude:** 32.007836 **Longitude:** 106.608231

**Legislative Language:** to purchase and install public safety equipment in Anthony in Dona Ana county

**Scope of Work:** To purchase and install public safety equipment for the City of Anthony. Upon funding availability, the City will follow all procurement policies and procedures to implement the project.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
CAP	250,000	2023	250,000	0	
CAP	150,000	2022	150,000	0	
CAP	125,000	2023	125,000	0	
CAP	80,000	2022	80,000	0	
<b>TOTALS</b>	<b>605,000</b>		<b>605,000</b>	<b>0</b>	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
SGRANT	80,000	No		
CAP	80,000	No		
NMFA	80,000	No		
	0	No		
<b>TOTALS</b>	<b>240,000</b>			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	N/A	0	0	0	0	0	0	0
Construction	N/A	0	0	0	0	0	0	0
Furnish/Equip/Vehicles	No	605,000	80,000	80,000	0	0	0	765,000
<b>TOTALS</b>		605,000	80,000	80,000	0	0	0	765,000
<b>Amount Not Yet Funded</b>		160,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	80,000	No	No	No	Yes	No	9
2	80,000	No	No	No	Yes	No	9

## Infrastructure Capital Improvement Plan FY2027-2031

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>160,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	100	100	100	100	100	500	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 10-15 years

(b) Has the project had public input and buy-in? No

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. The Projects Coordinator will oversee the implementation of the project.



---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. Public safety improvements are necessary to attract business and residential growth.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

Approximately 9,360 will benefit from public safety improvements.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 008 **Priority:** High **ID:**26838

**Project Title:** Anthony Public Safety Building **Class:** New **Type/Subtype:** Facilities - Public Safety Facilities

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 5,500,000 **Proposed project start date:** July 2026

**Project Location:** Location to be determined Anthony NM 88021 **Latitude:** 32.008112 **Longitude:** 106.605878

**Legislative Language:** to plan, design, construct, renovate, furnish, and equip a permanent facility to provide programs and services such a fire protection, law enforcement, and a public defender's office in Anthony in Dona Ana county

**Scope of Work:** To plan, design, construct, renovate, furnish, and equip a permanent facility to provide programs and services such a fire protection, law enforcement, and a public defender's office. Facilities are needed to provide efficient and responsive services to the community. This project may act as a southern command center for FEMA and other agencies in case of emergency. This project is in the design phase.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt	Date(s)	Amount	Amt Expended	Comments
	Requested	Received	Secured	to Date	
CAP	650,000	2021	0	0	
CAP	1,000,000	2023	0	0	
	0		0	0	
	0		0	0	
<b>TOTALS</b>	1,650,000		0	0	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount	Applied For?	Date when	Comments
	Needed	Yes or No	Applied	
CAP	3,850,000	No		
CDBG	750,000	No		
SGRANT	3,850,000	No		

## Infrastructure Capital Improvement Plan FY2027-2031

FGRANT	3,850,000	No
<b>TOTALS</b>	<b>12,300,000</b>	

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	No	50,000	0	0	0	0	0	50,000
Design (Engr./Arch.)	No	300,000	0	0	0	0	0	300,000
Construction	No	1,300,000	3,550,000	0	0	0	0	4,850,000
Furnish/Equip/Vehicles	No	0	300,000	0	0	0	0	300,000
<b>TOTALS</b>		<b>1,650,000</b>	<b>3,850,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,500,000</b>
Amount Not Yet Funded		3,850,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete

## Infrastructure Capital Improvement Plan FY2027-2031

1	3,550,000	No	No	Yes	No	No	12
2	300,000	No	No	No	Yes	No	6
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>3,850,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							No
If no, please explain why: Budget will be analyzed upon completion of design							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

---

## Infrastructure Capital Improvement Plan FY2027-2031

---

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. An engineering firm will provide project oversight.

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Yes

If yes, please explain. Public safety improvements increase the desirability of the region for business investment.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision? Yes

If yes, please explain and provide the number of people that will benefit from the project.

Yes this project would benefit all residents of the community by increasing security.  
Approximately 9,360 residents will benefit.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 009 **Priority:** High **ID:**37405

**Project Title:** Anthony Public Works Vehicles & Equipment **Class:** New **Type/Subtype:** Vehicles - Public Safety Vehicle

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 900,000 **Proposed project start date:** July 2026

**Project Location:** 820 Hwy 478 Anthony NM 88021 **Latitude:** 32.00815 **Longitude:** -106.608137

**Legislative Language:** to purchase and equip vehicles, machinery, and equipment in Anthony in Dona Ana county

**Scope of Work:** To purchase and equip vehicles, machinery, and equipment, including a bobcat with attachments including a brush cutter, a dump truck with a trailer, and other equipment, for the Public Works Department. The City of Anthony will follow state procurement regulations to implement this project.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
	0		0	0	
	0		0	0	
	0		0	0	
	0		0	0	
<b>TOTALS</b>	0		0	0	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
CAP	500,000	No		
NMFA	500,000	No		
NMFAL	500,000	No		
FGRANT	500,000	No		
<b>TOTALS</b>	2,000,000			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	N/A	0	0	0	0	0	0	0
Construction	N/A	0	0	0	0	0	0	0
Furnish/Equip/Vehicles	N/A	0	500,000	100,000	100,000	100,000	100,000	900,000
<b>TOTALS</b>		0	500,000	100,000	100,000	100,000	100,000	900,000
<b>Amount Not Yet Funded</b>		900,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	500,000	No	No	No	Yes	No	9
2	100,000	No	No	No	Yes	No	9

## Infrastructure Capital Improvement Plan FY2027-2031

3	100,000	No	No	No	Yes	No	9
4	100,000	No	No	No	Yes	No	9
5	100,000	No	No	No	Yes	No	9
<b>TOTAL</b>	<b>900,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	1,000	1,000	1,000	1,000	1,000	5,000	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 10-15 years

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. The Public Works Director will oversee the project.



---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. The ability to maintain streets, parks, and public facilities is a prerequisite to attracting economic growth and development.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

Approximately 9,360 residents will benefit from improved public maintenance.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 010 **Priority:** High **ID:**27098

**Project Title:** Anthony Walking Paths and Bike Lanes **Class:** New **Type/Subtype:** Facilities - Health-Related Cap Infrastructure

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 760,000 **Proposed project start date:** July 2026

**Project Location:** Acosta Road Anthony NM 88021 **Latitude:** 32.011096 **Longitude:** 106.596787

**Legislative Language:** to plan, design, construct, purchase, and equip walking paths and bike lanes, including lighting and traffic control, in Anthony in Dona Ana county

**Scope of Work:** Plan, design, construct, purchase, and equip walking paths and bike lanes in the City of Anthony. In each year, segments of this project will be designed, constructed, and equipped. All walking paths will require benches, signage, fencing where necessary for safety, and trees. Upon funding availability, design will begin on the Adams Park walking path. Design for the Acosta Ponds walking path will be updated. The City will follow state procurement to construct the project and equip the walking paths. Additional walking paths and bike lanes will be designed, constructed, and equipped to provide connectivity and safety within the community. This project will also include lighting and traffic control at crosswalks.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt	Date(s)	Amount	Amt Expended	Comments
	Requested	Received	Secured	to Date	
	0		0	0	
	0		0	0	
	0		0	0	
	0		0	0	
<b>TOTALS</b>	0		0	0	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount	Applied For?	Date when	Comments
	Needed	Yes or No	Applied	
<b>SGRANT</b>	340,000	No		
<b>CDBG</b>	340,000	No		
<b>CAP</b>	340,000	No		

## Infrastructure Capital Improvement Plan FY2027-2031

<b>DOT</b>	340,000	No
<b>TOTALS</b>	1,360,000	

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	No	0	20,000	0	0	0	0	20,000
Design (Engr./Arch.)	No	0	50,000	20,000	20,000	20,000	0	110,000
Construction	No	0	250,000	100,000	100,000	100,000	0	550,000
Furnish/Equip/Vehicles	No	0	20,000	20,000	20,000	20,000	0	80,000
<b>TOTALS</b>		0	340,000	140,000	140,000	140,000	0	760,000
<b>Amount Not Yet Funded</b>		760,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete

## Infrastructure Capital Improvement Plan FY2027-2031

1	340,000	Yes	Yes	Yes	Yes	No	12
2	140,000	No	Yes	Yes	Yes	No	12
3	140,000	No	Yes	Yes	Yes	No	12
4	140,000	No	Yes	Yes	Yes	No	12
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>760,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	5,000	5,000	10,000	10,000	5,000	35,000	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

---

## Infrastructure Capital Improvement Plan FY2027-2031

---

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. An engineering firm will provide project oversight.

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Yes

If yes, please explain. This project will add quality of life improvements to the City. Quality of life amenities attract businesses to the region.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision? Yes

If yes, please explain and provide the number of people that will benefit from the project. Yes, the projects benefits all 9,360 residents by promoting healthy living and social interaction.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.) This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 011 **Priority:** High **ID:**38731

**Project Title:** Anthony Neighborhood Services Equipment **Class:** New **Type/Subtype:** Equipment - Other

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 300,000 **Proposed project start date:** July 2026

**Project Location:** 820 Hwy 478 Anthony NM 88021 **Latitude:** 32.007836 **Longitude:** 106.608231

**Legislative Language:** to purchase and install equipment, including animal control vehicles, in Anthony in Dona Ana county

**Scope of Work:** To purchase and install equipment, including animal control vehicles, for the neighborhood services department in the City of Anthony. The City will follow policies and procedures and comply with the NM Procurement Code to implement the project.

### Secured Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all SECURED funding sources.

Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
	0		0	0	
	0		0	0	
	0		0	0	
	0		0	0	
<b>TOTALS</b>	0		0	0	

### Other Potential Funding Budget:

Please complete table below with all POTENTIAL funding sources.

Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
<b>CAP</b>	300,000	No		
<b>NMFA</b>	300,000	No		
<b>SGRANT</b>	300,000	No		
<b>SLOAN</b>	300,000	No		
<b>TOTALS</b>	1,200,000			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	N/A	0	0	0	0	0	0	0
Construction	N/A	0	0	0	0	0	0	0
Furnish/Equip/Vehicles	No	0	300,000	0	0	0	0	300,000
<b>TOTALS</b>		0	300,000	0	0	0	0	300,000
<b>Amount Not Yet Funded</b>		300,000						

### PHASING BUDGET

Can this project be phased? No

Phasing: Stand Alone: No Multi-Phased: No

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	0	No	No	No	No	No	0
2	0	No	No	No	No	No	0

## Infrastructure Capital Improvement Plan FY2027-2031

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
TOTAL	0						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
ANNUAL OPERATING BUDGET	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL	
Annual Operating Expenses plus Debt Service	0	500	500	500	500	2,000	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	Fiscal Agent:	Own:	Operate:	Own Land:	Own Asset:	Maintain:
	City of Anthony	City of Anthony	City of Anthony	NA	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 10-15 years

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. The projects coordinator will oversee the implementation of the project.



---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. The adequate provision of neighborhood services is essential to attracting economic growth and development.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

Approximately 9,360 will benefit from improved neighborhood services.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 012 **Priority:** High **ID:**38856

**Project Title:** Anthony Library Improvements **Class:** New **Type/Subtype:** Facilities - Libraries

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 200,000 **Proposed project start date:** July 2026

**Project Location:** 750 Landers Road Anthony NM 88021 **Latitude:** 32.0136716505461 **Longitude:** -106.59965160923062

**Legislative Language:** to plan, design, construct, furnish, and equip library improvements, including expansion, in Anthony in Dona Ana county

**Scope of Work:** To plan, design, construct, furnish, and equip library improvements, including expansion. The City of Anthony will follow policies and procedures and comply with the NM Procurement Code to implement this project.

Secured Funding Budget:					
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.					
Please complete table below with all SECURED funding sources.					
Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
CAP	100,000	2022	100,000	0	
	0		0	0	
	0		0	0	
	0		0	0	
<b>TOTALS</b>	100,000		100,000	0	

Other Potential Funding Budget:				
Please complete table below with all POTENTIAL funding sources.				
Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
CAP	100,000	No		
CDBG	100,000	No		
SGRANT	100,000	No		
FGRANT	100,000	No		
<b>TOTALS</b>	400,000			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	No	0	5,000	0	0	0	0	5,000
Design (Engr./Arch.)	No	0	10,000	0	0	0	0	10,000
Construction	No	100,000	75,000	0	0	0	0	175,000
Furnish/Equip/Vehicles	No	0	10,000	0	0	0	0	10,000
<b>TOTALS</b>		100,000	100,000	0	0	0	0	200,000
<b>Amount Not Yet Funded</b>		100,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	15,000	Yes	Yes	No	No	No	9
2	85,000	No	No	Yes	Yes	No	9

## Infrastructure Capital Improvement Plan FY2027-2031

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>100,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							No
If no, please explain why: Operating expenses are not expected to increase.							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	0	0	0	0	0	0	
Annual Operating Revenues	0	0	0	0	0	0	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. The Projects Coordinator will oversee the project.

---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. Quality of life amenities are a necessary basis for economic growth and development.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

Approximately 9,360 residents will benefit from library improvements.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.

# Infrastructure Capital Improvement Plan FY2027-2031

## ICIP Capital Project Description

**Year/Rank** 2027 013 **Priority:** High **ID:**24728

**Project Title:** Anthony Land Acquisition **Class:** New **Type/Subtype:** Other - Other

**Contact Name:** Gloria Ramirez **Contact Phone:** 575-882-2983 **Contact E-mail:** gramirez@cityofanthonymn.org

**Total project cost:** 200,000 **Proposed project start date:** July 2026

**Project Location:** Various locations throughout the city. Anthony NM 88021 **Latitude:** 32.008121 **Longitude:** 106.605847

**Legislative Language:** to acquire land in Anthony in Dona Ana county

**Scope of Work:** To acquire land for public purposes and economic development projects to improve the health, social, and economic environment of the community. Land identification is ongoing. Upon the completion of land identification, the City of Anthony will secure funding and follow state procurement to acquire the land. In each phase, land will be acquired.

Secured Funding Budget:					
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.					
Please complete table below with all SECURED funding sources.					
Secured Funding Source(s)	Funding Amt Requested	Date(s) Received	Amount Secured	Amt Expended to Date	Comments
	0		0	0	
	0		0	0	
	0		0	0	
	0		0	0	
<b>TOTALS</b>	0		0	0	

Other Potential Funding Budget:				
Please complete table below with all POTENTIAL funding sources.				
Potential Funding Source(s)	Funding Amount Needed	Applied For? Yes or No	Date when Applied	Comments
CAP	200,000	No		
	0	No		
	0	No		
	0	No		
<b>TOTALS</b>	200,000			

## Infrastructure Capital Improvement Plan FY2027-2031

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2027	2028	2029	2030	2031	
Water Rights	N/A	0	0	0	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	No	0	150,000	50,000	0	0	0	200,000
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0
Design (Engr./Arch.)	N/A	0	0	0	0	0	0	0
Construction	N/A	0	0	0	0	0	0	0
Furnish/Equip/Vehicles	N/A	0	0	0	0	0	0	0
<b>TOTALS</b>		0	150,000	50,000	0	0	0	200,000
<b>Amount Not Yet Funded</b>		200,000						

### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: Yes

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip/Vehicles	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	150,000	No	No	No	No	Yes	12
2	50,000	No	No	No	No	Yes	6

## Infrastructure Capital Improvement Plan FY2027-2031

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>200,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	500	500	500	500	500	2,500	
Annual Operating Revenues	500	500	500	500	500	2,500	

Does the project lower operating costs?

No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<b>Fiscal Agent:</b>	<b>Own:</b>	<b>Operate:</b>	<b>Own Land:</b>	<b>Own Asset:</b>	<b>Maintain:</b>
	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony	City of Anthony
Lease/operating agreement in place?	No	No		No	No	No

More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? No

If yes, please list the other entity.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. The Projects Coordinator will provide project oversight.



---

## Infrastructure Capital Improvement Plan FY2027-2031

---

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?

Yes

If yes, please explain. This project will provide quality of life improvements for the community. Quality of life amenities help attract businesses to the region.

(g) Does the project benefit all citizens within a recognized region, district or political subdivision?

Yes

If yes, please explain and provide the number of people that will benefit from the project.

All residents will benefit from increased recreational opportunities. Approximately 9,360 residents will benefit.

(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

This project does not eliminate a risk or hazard to public health or safety that immediately endangers occupants such that corrective action is urgent and unavoidable.



## Checkout

Please verify all of your order information below and choose one of the options at the bottom of the page to submit your order.

### User information

MIRIAM MUNOZ

(575) 882 - 5722

mmunoz@anthonymunicipalcourt.com

### Delivery information

#### Change

CITY OF ANTHONY

820 HIGHWAY 478

ANTHONY, NM

88021-9369

### Email options

☒ Send me an email confirmation of this order

☐ Send a copy of order confirmation to

### Order summary

**Delivery order 1#** 423632704-001 Estimated Delivery

**Delivery order 2#** 424036329-001 Estimated Delivery

**Delivery order 3#** 424036331-001 Estimated Delivery

**Delivery order 4#** 424036330-001 Estimated Delivery

### Account information

PO Number 101-04-63100

Contact MIRIAM MUNOZ

Contact Phone (575) 882-5722

Ext

Personal Note: For your use only, not read by our delivery carriers.

Marked fields are required











### Payment information



☒ Account Billing

+ Apply a coupon code

### Delivery options



## Delivery order : # 423632704-001

	Description	Price	Qty.	Avail. B/O	Total
	USPS FOREVER® STAMPS, Coil of 100 Postage Stamps, Stamp Design May Vary Item # 0898782 Entered Item # 898782	\$73.00	4		\$292.00
	Office Depot® Brand Color Fastener File Folders, Legal Size (8-1/2" x 14"), 2" Expansion, Blue, Box Of 50 Item # 0543586 Entered Item # 543586	\$33.90	3		\$101.70
	 Contract Items				
	Post-it® Notes, 24 Pads, 1 3/8 in x 1 7/8 in, Clean Removal, School Supplies and Office Products, Sticky Notes - 65324VAD Item # 0584260 Entered Item # 584260	\$5.81	1		\$5.81
	 Contract Items				
					
	Geographics Parchment Certificates, 8-1/2" x 11", Optima Gold, Pack Of 25 Item # 0970485 Entered Item # 970485	\$5.19	2		\$10.38
	 Contract Items				
	Boise® X-9® Multi-Use Printer & Copy Paper, 10 Reams, White, Letter (8.5" x 11"), 5000 Sheets Per Case, 20 Lb, 92 Brightness Item # 0196517 Entered Item # 196517	\$40.40	3		\$121.20
	 Contract Items				

	Description	Price	Qty.	Avail.	B/O	Total
	BIC Round Stic Ballpoint Pens, Medium Point, 1.0 mm, Translucent Barrel, Black Ink, Pack Of 60 Pens Item # 0664011 Entered Item # 664011	\$5.44	2			\$10.88
	 Contract Items					



**Subtotal** \$541.97  
**Delivery fee** FREE  
**Adjustments** \$0.00  
**Taxes** \$0.00  
**Total** \$541.97

### Delivery order : # 424036329-001

	Description	Price	Qty.	Avail.	B/O	Total
	Rediform® Prestige Money Receipt Book, 3 Part Carbonless, 7 5/8" x 8 1/2", Set Of 100 Item # RED8L808R Entered Item # 914103	\$14.66	3			\$43.98
	 Contract Items					

**Subtotal** \$43.98  
**Delivery fee** FREE  
**Adjustments** \$0.00  
**Taxes** \$0.00  
**Total** \$43.98

### Delivery order : # 424036331-001

	Description	Price	Qty.	Avail.	B/O	Total
	Logitech® MK320 Wireless Straight Full-Size Keyboard & Ambidextrous Optical Mouse, Black Item # 0470796 Entered Item # 470796	\$28.27	2			\$56.54
	3 Day Delivery  Contract Items					

**Subtotal** \$56.54  
**Delivery fee** FREE  
**Adjustments** \$0.00  
**Taxes** \$0.00  
**Total** \$56.54

### Delivery order : # 424036330-001

	Description	Price	Qty.	Avail.	B/O	Total
	Office Depot® Remanufactured Black High-Yield Ink Cartridge Replacement For HP 910XL, OD910XLB Item # 6198587 Entered Item # 6198587	\$31.39	1			\$31.39

**Subtotal** \$31.39  
**Delivery fee** FREE  
**Adjustments** \$0.00  
**Taxes** \$0.00  
**Total** \$31.39

Have you made changes to your cart or delivery option?  
 By submitting this order, you agree to the Terms and Conditions.  
 Save order


Issue Date  
06/05/2025

Requested By  
Miriam Munoz

Department Description  
MUNICIPAL COURT/JUDICIAL  
DEPARTMENT

Description  
court supplies

Units	Description	Account	Amount	Total
4.000000	usps forever stamps	101-04-63100	\$292.00	\$292.00
3.000000	blue fastener file folders	101-04-63100	\$101.70	\$101.70
1.000000	post it notes pck of 24	101-04-63100	\$5.81	\$5.81
3.000000	printer copy paper	101-04-63100	\$121.20	\$121.20
2.000000	bic ballpoint pens pack of 60	101-04-63100	\$10.88	\$10.88
3.000000	Rediform Prestige Money Receipt Book	101-04-63100	\$43.98	\$43.98
1.000000	Ink Cartridge Replacement For HP 910XL	101-04-63100	\$31.39	\$31.39
2.000000	Logitech Wireless Straight Full-Size Keyboard	101-04-63100	\$56.54	\$56.54
2.000000	Geographics Parchment Certificates pk of 25	101-04-63100	\$10.38	\$10.38
			\$673.88	\$673.88

 <b>QUOTE FORM</b> For Standard Equipment Purchases		Quote No.: S61220251A Y	Date Prepared: 6/12/2025
<b>This Quote is prepared by Spaulding Mfg., Inc. To process an order a Purchase Order must accompany this quote and be sent to Spaulding Mfg., Inc.</b>			
Company:	City Of Anthony N M	Ship to Address:	820 Hwy 478 Anthony New Mexico 88021
Contact Person:	Albert Gonzales		
Phone:	575-618-9858		
Fax:			
Email:	agonzales@cityofanthonym.org	<b>Quote Good For 30 Days</b>	
Description	4 Ton Roadsaver Asphalt Trailer Non-Dumping (4TRS)		
<b>A. Product Base Unit Price:</b>			\$34,200.00
<b>B. Options - Itemize below - Attach additional sheet if necessary.</b>			
<b>Operational Options Description</b>	<b>Cost</b>	<b>Operational Options Description</b>	<b>Cost</b>
Diesel Burner 105000 BTU's (SPDSHT)	\$1,975.00	Air Jacketed Hopper STD	STD
Hydraulic Dumping Hopper (SPMIHDHT)	\$7,500.00		
		<b>Safety Options Description</b>	
Solvent Tank For Cleaning Shovels (SPMISST12)	\$950.00		
Propane Torch w/ 20 Lbs. Tank Holder (SPMIPTNT)	\$2,595.00	Small Frame extention	\$2,200.00
Automatic Temperature Control, 12vDC Operation	std		
All LED Lighting	std		
18-34" Adjustable Hitch, 28" Long Tongue, 3" Pintle	std		
3/8 HD Safety Chains	std		
Tandem 7000# Axle w/ Electric Brakes & Break-Away	std	<b>Subtotal From Additional Sheet(s):</b>	
4-4in LED Stop, Turn and Tail Lights	std	<b>Subtotal B:</b>	\$15,220.00
<b>C. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B)</b>			
Quantity Ordered:	1	X Subtotal of A + B :	\$49,420.00
		=	<b>Subtotal C:</b> \$49,420.00
<b>/ Installation / OPTIONS</b>			
<b>Description</b>	<b>Cost</b>	<b>Description</b>	<b>Cost</b>
		Municipality Discount 10%	-\$4,942.00
1 Tune Up Kit Retail \$195.00			
2 Hour Virtual Training Included		Approx Shipping Add \$4000	
Delivery Dates May very depending on workload.		<b>Subtotal D:</b>	-\$4,942.00
<b>Approximate Delivery Date</b>	<b>120-140 Days</b>	<b>F. Total Purchase Price (C+D):</b>	<b>\$44,478.00</b>

## PROPOSAL

Proposal # 31303

TO: City Of Anthony

ATTENTION: Albert Gonzales

575-618-9858

agonzales@cityofanthonymn.org

4-Ton Falcon Asphalt Recycler & Hot Box Trailer  
12-Volt Battery  
Triple Wall Construction and Fully Insulated  
Automatic Temperature Control  
Diesel Burner VIP Technology - Voltage Indicator and Protector  
Controller Automatically Prevents Burners from Operating  
Below Burner Manufacturers Required Voltage  
One-Piece, Seamless Ceramic Combustion Chamber  
Independently Certified 92% Fuel Efficiency  
Diamond Tread Plate Hopper Access Platform  
Electric Brakes w/ Safety Breakaway  
Conspicuity Tape  
OPTIONS INCLUDED:  
Battery Charger Package  
Single Diesel Burner  
Dump Box (12V Electric Over Hydraulic)  
Power up, Power down  
Tandem Axle Trailer Frame - 2" x 6" x 1/4" Tubular Steel  
Standard Frame - 16'  
LED Lighting Upgrade - Two Red Stop/Tail/Turn Lights and One  
Amber Strobe Per Side  
Night Work Lights - LED  
Strobe Warning Light (2) Mounted On Rear Hopper Loading  
Door  
Upgrade to ST235/80R 16" Tires - Load Range E  
Release Agent Basket  
Tool Holder - 3x positions  
24 Hr Timer  
3" Pintle Eye  
Fire Extinguisher  
Operator, Parts, and Service Manual  
Two-Year Machine Warranty and Lifetime Frame Warranty

**POWER**  
EQUIPMENT COMPANY



**Nathan Cain**  
Sales Manager - NM

Denver Branch  
500 E 62nd Avenue  
Denver, CO 80216

ncain@power-equip.com

### Pricing Summary

4T Falcon Asphalt Recycler & Hot Box	\$49,750
--------------------------------------	----------

+ Applicable Taxes	
--------------------	--

<b>Total Price</b>	<b>\$49,750</b>
--------------------	-----------------

All prices subject to applicable taxes and freight. This Quote is valid for thirty (30) days; subject to prior sale. FOB: Power Equipment Yard

All prices are subject to surcharges applied by the OEM manufacturers and will be applied to the final invoice. Material surcharges are subject to change the price at any time from the date of the order to the time of delivery.

**EXCLUSION OF WARRANTIES OF MERCHANTABILITY AND WARRANTIES OF FITNESS:** Customer is skilled and experienced in use and operation of machinery of the type described in the quotation and will make his selection and decision to order on the basis of his own judgment. SELLER DOES NOT MAKE ANY WARRANTY OF MERCHANTABILITY NOR ANY OTHER WARRANTY EXCEPT THOSE SPECIFICALLY STATED. THIS STATEMENT BECOMES A PART OF ANY PURCHASE.

# 4 Ton BIG A KM-8000T Diesel Heated Asphalt Box Trailer

Estimated Price: \$28,169.00 (4 Ton Model) - \$1,000.00



## 4 Ton BIG A Diesel Hot Box Trailer



Starting at  
**\$28169**

+ Shipping

Expected to ship between: Jun 30 - Jul 22

Sourcewell Contract Available

Buy on Order

CA CARB/SORE Compliant Some options may not be

### Trailer Options

### Add-on Accessories



## Dorney Security Systems Inc

3950 Doniphan Park Circle | Suite N | El Paso, Texas 79922  
9155844526 | office@dorneysecurity.com | www.dorneysecurity.com

### RECIPIENT:

#### City of Anthony

820 New Mexico 478  
Anthony, New Mexico 88021

### Quote #3905

Sent on Jun 06, 2025  
Sales Rep None/Unknown

**Total \$2,160.00**

Product/Service	Description	Qty.	Unit Price	Total
scope of work	Description of work: Installation of cameras for live view on website cameras do have a monthly fee	1	\$0.00	\$0.00
Ball Camera	Dome 4K / POE / WDR (120dB) / Micro SD / IP67 / IK10 / 2.8 mm Lens / Metal/ built in audio	3	\$350.00	\$1,050.00
POE Switch- 8 port	4 Port POE/4 Port Data gigabit switch, for data connection, and computer connection for video replay.	1	\$125.00	\$125.00
parts and material	parts and material includes cable and connectors	1	\$195.00	\$195.00
Hourly- General Tech	Hourly Labor Rate for Skilled Technician on-site. Includes all necessary tools to perform duties in a timely manner.	8	\$87.50	\$700.00
Monthly- Radio Fee	Monthly Fee per camera for cloud streaming	3	\$30.00	\$90.00

<b>Subtotal</b>	\$2,160.00
<b>Tax Exempt (0.0%)</b>	\$0.00
<b>Total</b>	<b>\$2,160.00</b>

### Reviews

#### Isaac Tosado



#### Maury Solano



Excellent service by Edgar. He came to my home, fixed my issues in no time and was very knowledgeable helpful, cordial.

#### marvin cazzell



Excellent service.

This quote is valid for the next 30 days, after which values may be subject to change.



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)	3.00	\$1,536.00	\$4,608.00
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	38.00	\$118.00	\$4,484.00
Installation Services Total:					\$4,484.00
Subtotal:					\$21,354.91
Tax:					\$0.00
Total:					\$21,354.91

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		
<div></div>		
BUYER: _____ <small>(Print Name)</small>	SIGNATURE: _____	DATE: _____

Please complete the appropriate section below to make one-time payments and/or set up autopayment for your account. Please make sure to provide all the requested information so we can properly process your payments.

Business Name: \_\_\_\_\_

Serviced Address: \_\_\_\_\_

Billing contact & email address: \_\_\_\_\_

☐ Invoices will be sent via email, provide above. ☐ Invoices will be sent via mail, \$5 monthly fee will be applied.

One-Time Payment Amount Being Authorized: \_\_\_\_\_

Monthly Payment Amount Being Authorized: \_\_\_\_\_

Description of Charges: \_\_\_\_\_

**OPTION 1: Checking Account**

Name of Bank: \_\_\_\_\_

Routing #: \_\_\_\_\_ Checking Account#: \_\_\_\_\_

*If you prefer to make payment via ACH, at no extra charge, please contact [accounting@moodtexas.com](mailto:accounting@moodtexas.com) or call us at 210-223- 6383 ext.2.*

**OPTION 2: Credit Card**

Name on Card: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Card #: \_\_\_\_\_ Security Code: \_\_\_\_\_

Billing Address: \_\_\_\_\_

*The Credit Card Processing fee of 3.5% will apply to all Project/Quote/Invoice totals over \$3,000.*

I hereby authorize Mood Texas to debit my checking account or charge the credit card above for recurring services and/or one-time payment(s) rendered at the above business:

Authorized Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_ EmailAddress: \_\_\_\_\_

**OPTION 3: CheckBy Mail** ☐ Please check if selecting this option.

Please see our P.O. boxes below and mail your check to your local Mood Texas office.

San Antonio: P.O. Box 1098, San Antonio, TX 78294	Austin: P.O. Box 117, San Antonio, TX 78291
El Paso: P.O. Box 1998, San Antonio, TX 78297	Corpus Christi: P.O. Box 1696, San Antonio, TX 78296

If you need to place a service call, please email [customerservice@moodtexas.com](mailto:customerservice@moodtexas.com).

You can reach our accounting department at [accounting@moodtexas.com](mailto:accounting@moodtexas.com)

Thank you for choosing Mood Texas  
San Antonio • Austin • El Paso • Corpus Christi  
(210) 223-6383 [www.moodtexas.com](http://www.moodtexas.com)

# GOVERNMENT - PRICE QUOTATION

## CARAHSOFT TECHNOLOGY CORP



11493 SUNSET HILLS ROAD | SUITE 100 | RESTON, VIRGINIA 20190  
PHONE (703) 871-8500 | FAX (703) 871-8505 | TOLL FREE (888) 66CARAH  
WWW.CARAHSOFT.COM | SOLARWINDS@CARAHSOFT.COM



**TO:** Richard Valdez  
City of Anthony  
820 NM-478  
Anthony, NM 88021 USA

**EMAIL:** rvaldez@cityofanthonymn.org

**PHONE:** (575) 262-5426

**FROM:** Michael Desmond  
Carahsoft Technology Corp.  
SolarWinds Government Team  
11493 Sunset Hills Road  
Suite 100  
Reston, Virginia 20190

**EMAIL:** Michael.Desmond@carahsoft.com

**PHONE:** (571) 662-3964

**TERMS:** FTIN: 52-2189693  
Shipping Point: FOB Destination  
Remit To: Same as Above  
Payment Terms: Net 30 (On Approved Credit)  
Cage Code: 1P3C5  
DUNS No: 088365767  
UEI: DT8KJHZXVJH5  
Credit Cards: VISA/MasterCard/AMEX  
Sales Tax May Apply

<b>QUOTE NO:</b>	56135787
<b>QUOTE DATE:</b>	05/28/2025
<b>QUOTE EXPIRES:</b>	06/27/2025
<b>RFQ NO:</b>	
<b>SHIPPING:</b>	ESD
<b>TOTAL PRICE:</b>	\$1,521.60
<b>TOTAL QUOTE:</b>	\$1,521.60

LINE NO.	PART NO.	DESCRIPTION	LIST PRICE	QUOTE PRICE	QTY	EXTENDED PRICE
1	1231007	Advanced Service Agent Users - Subscription SolarWinds - 1231007 Serial #: SW22372408	\$948.00	\$900.60	OM 1	\$900.60
2	1231006	Advanced Asset Management - Subscription SolarWinds - 1231006 Serial #: SW22372408	\$6.54	\$6.21	OM 100	\$621.00
<b>SUBTOTAL:</b>						\$1,521.60
<b>TOTAL PRICE:</b>						<b>\$1,521.60</b>
<b>TOTAL QUOTE:</b>						<b>\$1,521.60</b>

CURRENCY: USD

PLEASE SEND ALL ORDERS TO SOLARWINDS@CARAHSOFT.COM

PLEASE REFERENCE QUOTE # AND APPLICABLE CONTRACT # ON ALL ORDERS

SolarWinds Channel End User Terms:

Reseller represents and warrants that Reseller shall either: i) cause the End User to agree to be bound by all terms and conditions of the End User Agreement located at <https://www.solarwinds.com/legal/eula> or <https://www.solarwinds.com/legal/software-services-agreement> (for SaaS products) to the extent consistent with U.S. Federal law, or ii) if Reseller is contracting with a higher tier subcontractor or prime contractor in support of a prime contract with End User, Reseller shall cause the higher tier subcontractor and/or prime contractor to require the End User receiving the SolarWinds Software, Maintenance, upgrades, training, and support to agree to all terms and conditions in the End User Agreement.

For any Quotation containing Network Automation Manager (NAM) the following Terms and Conditions Shall also Apply:

Customer agrees to monitor only the number of nodes purchased as indicated on the Carahsoft Quote provided and only in accordance with the currently documented Scalability Engine Guidelines for SolarWinds Orion Products found at: [https://support.solarwinds.com/Custom\\_Success](https://support.solarwinds.com/Custom_Success) - Customer understands and agrees that if customer exceeds the documented guidelines it will be at customer's own risk and SolarWinds disclaims all liability related to customer's use outside of the documented guidelines.

SolarWinds Sales Quote

Valid Until: 26 Jun 2025

Terms: Net 30

Quote#: Q-564185

SolarWinds ID: SW22372408

Currency: USD

**Company:** City of Anthony  
**Address:** City of Anthony  
Anthony NM 88021  
United States  
**Email:** rvaldez@cityofanthonym.org  
**Phone:** 5752625426

**Company:** SolarWinds  
**Address:** PO BOX 730720  
Dallas, TX 75373  
**Tax ID#:** 73-1559348  
**Sales Contact:** Stephen Minton  
**Email:** stephen.minton@solarwinds.com  
**Phone:** -

Product	Type	Annual Rate **	Term (Months)	Qty	Unit Price	Total
Advanced Service Agent Users - Subscription SKU 1231007	New	\$ 900.60	12	1	\$ 948.00	\$ 948.00
• Ongoing discount						\$ -47.40
Subtotal						\$ 900.60
Advanced Asset Management - Subscription SKU 1231006	New	\$ 621.00	12	100	\$ 6.54	\$ 654.00
• Ongoing discount						\$ -33.00
Subtotal						\$ 621.00
** Current Annual Subscription Negotiated Rate						

Proration Credit line(s) include previous payment(s) made on the remaining original term plus credit for applicable Renewal and/or Expansion and do not affect future pricing.

Pricing above may not include local taxes, for which the customer is responsible.

Total Products:	\$ 1,602.00
<b>Total Discount:</b>	<b>\$ -80.40</b>
Sub-Total:	\$ 1,521.60
Estimated Tax	\$ 98.86
<b>Total Amount Due:</b>	<b>\$ 1,620.46</b>

Total Subscription Price			Billing Frequency: Annual
Product	Quantity	Annual Unit Price	Annual Total Price
<b>Advanced Service Agent Users - Subscription</b> <div>SKU 1231007</div>	1	\$ 900.60	\$ 900.60
<b>Advanced Asset Management - Subscription</b> <div>SKU 1231006</div>	100	\$ 6.21	\$ 621.00
<b>Total</b>			<b>\$ 1,521.60</b>

- All Orders requesting terms will be subject to review by SolarWinds Credit Department.
- We do not accept lease arrangements.
- SolarWinds is required to collect sales tax in certain U.S. states. If applicable, sales tax will be added to your online order based on your shipping address.

Except where explicitly agreed otherwise, Your use of the SolarWinds products identified in this quote is governed by the SolarWinds End User License Agreement (EULA) for on-prem products or Software Services Agreement (SSA) for SaaS products (**see links below**). In addition, certain SolarWinds products may also be subject to product-specific terms, found at [legal-documents](#). SolarWinds follows its [Privacy Notice](#) regarding its handling of any personal information provided by customers. Unless otherwise noted, this quote is for a direct transaction between SolarWinds and the named customer or partner; any change to the transaction structure including a marketplace sale may be subject to additional or different fees.



G2 RANKED

# NinjaOne No.1 Best IT Management Tool



## Customers rate NinjaOne No.1 across 10 IT categories in the Winter 2025 G2 Research Report

- Endpoint Management
- Patch management
- Mobile Device Management (MDM)
- Enterprise IT Management
- Remote Monitoring & Management (RMM)
- Remote Support
- PC Backup
- Online Backup
- Unified Endpoint Management
- IT Service Management

### G2 REVIEW

“Because of NinjaOne, we have saved thousands of dollars with a single pane of glass taking care of patch management, security, and remote support. The value NinjaOne provides is nothing short of spectacular.”

**CALEB LEONARD**  
SR. IT TECHNICIAN AT BAESSLER HOMES

### Why is G2 relevant

More than 90 million people annually, including employees at all Fortune 500 companies, use G2 to make smarter software decisions based on authentic peer reviews.

### Why is being No.1 so important

There are over 130,000 vendors in the running for G2 awards each quarter. NinjaOne is ranked No.1 across 10 different IT categories.

### Why NinjaOne is different

- Fast to learn, easy to use, and highly responsive single pane interface
- Easy to work with - no. 1-rated customer support, unlimited, free training, and onboarding
- Simple to automate tasks so your team can manage far more devices per technician
- Integrates with dozens of PSA, EDR, SSO, AV, remote access, and other tools you're already using

## A closer look at G2 satisfaction scores

NinjaOne soars above competitors in customer satisfaction and feature-set.

G2 Categories	Endpoint Management		Patch Management		Remote Monitoring & Management	
	NinjaOne	Average	NinjaOne	Average	NinjaOne	Average
Likelihood to Recommend	95 (+6)	89	95 (+5)	90	96 (+7)	89
Product Direction	98 (+8)	90	98 (+8)	90	98 (+10)	88
Ease of Admin	94 (+5)	89	94 (+4)	90	94 (+5)	89
Ease of Doing Business with	96 (+4)	92	97 (+5)	92	96 (+5)	91
Quality of Support	94 (+5)	89	95 (+6)	89	95 (+6)	89
Ease of Setup	94 (+6)	88	95 (+6)	89	94 (+7)	87
Ease of Use	94 (+4)	90	94 (+5)	89	94 (+5)	89



### G2 REVIEW

“NinjaOne has an easy-to-use interface for endpoint management, patch management, MDM, and enterprise IT management, with responsive support staff if ever needed. It is quick and easy to implement and integrates with a variety of systems. It is also easy to check in and manage deployment schedules for daily or weekly deployments.”

**CHRIS GILES**  
MANAGER OF NETWORKS AND SYSTEM ADMINISTRATION AT HOMEWOOD HEALTH INC.



# NinjaOne Advanced vs. NinjaOne Enterprise

## Pay-per-device pricing

NinjaOne gives you the flexibility to choose the features and price point that are right for you. NinjaOne Advanced provides robust remote monitoring and management features for teams with the need for advanced features. NinjaOne Enterprise provides additional functionality for IT teams who want their full technology stack in a single pane of glass.

Features	Advanced	Enterprise
Windows, Mac, and Linux management	Yes	Yes
Monitoring, notifications, and alerts	Yes	Yes
Remote tools (file explorer, task manager)	Yes	Yes
OS and 3rd party patch management	Yes	Yes
Device discovery and deployment	Yes	Yes
IT automation, scripting, and custom fields	Yes	Yes
Hardware and software inventories	Yes	Yes
Custom branding	Yes	Yes
Reporting	Yes	Yes
Mobile app (iOS & Android)	Yes	Yes
Virtual machine monitoring	Yes	Yes
Access to future beta programs	Yes	Yes
Single Sign On via IdP support	Yes	Yes
ServiceNow Integration	-	Yes
CrowdStrike Integration	-	Yes
Automated User Provisioning via SCIM	-	Yes
API access	-	Yes
Remote Access	\$	\$

## Additional Products

NinjaOne Backup	Cloud-managed backup with flexible backup and retention options
NinjaOne Ticketing	Easy-to-use IT ticketing solution with flexible workflows and automation
NinjaOne Protect	Robust, end-to-end ransomware protection solution
NinjaOne NMS	Integrated network monitoring solution
Webroot	Lightweight anti-malware solution deployed via NinjaOne
SentinelOne Singularity Control	Robust endpoint protection deployed by NinjaOne
SentinelOne Singularity Complete	Strong endpoint protection and threat hunting

For more information, visit [www.ninjaone.com/rmm/](https://www.ninjaone.com/rmm/)

## Why NinjaOne?

NinjaOne automates the hardest parts of IT, empowering more than 17,000 IT teams with visibility, security, and control over all endpoints. The NinjaOne platform is proven to increase productivity, while reducing risk and IT costs. NinjaOne is consistently ranked #1 for its world-class support and is the top-rated software on G2 in seven categories including endpoint management, remote monitoring and management, and patch management.

Try NinjaOne for free at [ninjaone.com/freetrialform](https://ninjaone.com/freetrialform)



## Manage, Patch, and Support All Your Endpoints

### ENDPOINT MANAGEMENT



**PATCH  
MANAGEMENT**



**SOFTWARE  
DEPLOYMENT**



**MONITORING  
& ALERTING**



**SCRIPTING &  
AUTOMATION**

REMOTE ACCESS

BACKUP

NGAV / EDR

### NinjaOne Customers Report

**51%**

cut patching  
time in half



**82%**

have been able to  
consolidate/retire  
up to 4 tools



**93%**

saved time on  
deploying software



SOURCE: NinjaOne: Leading IT Trends for 2024

# Information and Cyber Security Summary



This Information Security Brief sets out the administrative, technical, and procedural safeguards that NinjaOne, LLC (NinjaOne) implements and maintains to meet industry best standards for information and cyber security requirements.

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
SOC 2	<p><b>NinjaOne is audited, and these results Certified by Schellman &amp; Company, LLC</b></p> <p>The American Institute of Certified Public Accountants (AICPA) System and Organization Controls (SOC) 2 examination includes 144 [out of 150] individual controls that overlap with the ISO27002 standard.</p> <p>NinjaOne undergoes annual examinations and testing of compliance and security controls through the AICPA Service SOC 2 process of testing Trust Service Principles by our auditor Schellman and Associates.</p> <p><b>SOC2 report is available upon request and current NDA on file.</b></p>
GDPR	<p><b>NinjaOne is Compliant</b></p> <p>European Union's General Data Protection Regulation, defines "...personal data should be processed in a manner that ensures appropriate security and confidentiality of the personal data, including preventing unauthorized access to or use of personal data and the equipment used for the processing...", and "...processing of personal data to the extent strictly necessary and proportionate for the purposes of ensuring network and information security, i.e. the ability of a network or an information system to resist, at a given level of confidence, accidental events or unlawful or malicious actions that compromise the availability, authenticity, integrity and confidentiality of stored or transmitted personal data, and the security of the related services offered by, or accessible via, those networks and systems, to ensure the security and reliability of a service provided...", and that the "...protection of the rights and freedoms of natural persons with regard to the processing of personal data require that appropriate technical and organizational measures be taken to ensure that the requirements of this Regulation are met...", and "...in order to maintain security of the processing, the controller or processor should evaluate the risks inherent in the processing and implement measures to mitigate those risks...those measures should contribute to an appropriate level of data security."</p> <p>To see more details on NinjaOne privacy practices, please refer to the <a href="#">NinjaOne Privacy Policy</a></p>
CCPA	<p><b>NinjaOne is Compliant</b></p> <p>California Consumer Privacy Act, defines "...a business that collects a consumer's personal information shall implement reasonable security procedures and practices appropriate to the nature of the personal information to protect the personal information from unauthorized or illegal access, destruction, use, modification, or disclosure...", and can "...detect security incidents that compromise the availability, authenticity, integrity, and confidentiality of stored or transmitted personal information...", and "...detect security incidents, resist malicious, deceptive, fraudulent, or illegal actions and to help prosecute those responsible for those actions...", and to "...perform a cybersecurity audit on an annual basis, including defining the scope of the audit and establishing a process to ensure that audits are thorough and independent..."</p>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
HIPAA	<p><b>NinjaOne is Compliant with HIPAA.</b></p> <p>Health Insurance Portability and Accountability [sensitive health information, e.g., medical/healthcare, medical billing, health insurance]</p> <p>The NinjaOne platform, agent, and associated components cannot, do not, and will not allow any employees of, contractors of, subcontractors of, or delegates of NinjaOne handle any data, information, documents, statements, records, memorandums, or notes pertaining to the following:</p> <ul style="list-style-type: none"> <li>• Health insurance, health or medical circumstances or diagnoses, medical professionals, nor patients</li> </ul> <p>All customers requiring HIPAA compliance must sign a BAA with NinjaOne and must enable their own secure SMTPS service.</p> <p><b>Control mapping for HIPAA against our SOC2 is available upon request.</b></p>
PCI-DSS	<p><b>NinjaOne is NOT PCI compliant at this time.</b></p> <p>Payment Card Industry Data Security Standard [established by the Payment Card Industry Security Standards Council was originally formed by American Express, Discover Financial Services, JCB International, MasterCard and Visa Inc. - pertains to payment/credit/debit card information, e.g., credit card companies, businesses that take/record/store/process/transmit this information]</p> <p>The NinjaOne platform, agent, and associated components cannot, do not, and will not allow any employees of, contractors of, subcontractors of, or delegates of NinjaOne handle any data, information, documents, statements, records, memorandums, or notes pertaining to the following:</p> <ul style="list-style-type: none"> <li>• Credit, debit, or any other form of bank card data (this is inclusive of, but not limited to: cardholder name, card account number/Primary Account Number (PAN), card expiration date, card verification number, card service code, card security code, card magnetic strip data, card PIN, issuing bank, issuing bank address, issuing bank personnel nor management).</li> </ul> <p><b>Self Assessment Questionnaire (SAQ) is available upon request.</b></p>
ISO27001	<p><b>NinjaOne is NOT ISO27001 certified at this time</b></p> <p>The ISO/IEC 27002 standard enables organizations to establish an information security management system and apply a risk management process that is adapted to their size and needs. The ISO/IEC 27001 is a formal certification on the ISO/IEC27002 standard.</p> <p><b>Control mapping for ISO27001 against our SOC2 is available upon request.</b></p>
FedRAMP	<p><b>NinjaOne is NOT FedRAMP compliant at this time</b></p> <p>The Federal Risk and Authorization Management Program is a United States federal government wide compliance program that provides a standardized approach to security assessment, authorization, and continuous monitoring for cloud products and services.</p> <p><b>NinjaOne is currently “In Progress” of being listed on the FedRAMP Marketplace</b></p>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
<b>StateRAMP</b>	<p><b>NinjaOne is NOT StateRAMP compliant at this time</b></p> <p>StateRAMP's governance committees adopt policies and procedures that standardize requirements for providers. StateRAMP's Program Management Office then verifies those cloud offerings utilized by government satisfy adopted security requirements through independent audits and continuous monitoring. Product that are working towards or have achieved StateRAMP Authorization are included on the Authorized Product List</p> <p><b>NinjaOne is currently "In Progress" to be listed on the StateRAMP Product List.</b></p>
<b>Information Asset Identification &amp; Classification</b>	<p>Covered in the NinjaOne Information Security and Regulatory Compliance whitepaper, NinjaOne divides customer/client data into two distinct and separate domains:</p> <p><b>I. Domain 1 - Organization/Customer Relationship data.</b></p> <ul style="list-style-type: none"> <li>A. This includes any information necessary for: contact and communications, sales and marketing, and billing, payment, and invoicing.</li> <li>B. Domain 1 information is NOT used within the NinjaOne Application nor SaaS Platform.</li> <li>C. Domain 1 information is NEVER transferred nor stored within the NinjaOne Application nor SaaS Platform.</li> </ul> <p><b>II. Domain 2 - NinjaOne Application and SaaS Platform specific data.</b></p> <ul style="list-style-type: none"> <li>A. This includes any information relayed from/by the NinjaOne endpoint agents.</li> <li>B. The NinjaOne App, Agents, and SaaS Platform do not collect, query, search, catalog, copy, nor in any other way access information and data that can be classified or considered PII, ePHI, Financial, Payment Card, Proprietary, Secure, or Sensitive.</li> <li>C. NinjaOne employees and NinjaOne contractors/subcontractors do not collect, query, search, catalog, copy, nor in any other way access information and data that can be classified or considered PII, ePHI, Financial, Payment Card, Proprietary, Secure, or Sensitive.</li> <li>D. The NinjaOne endpoint agents utilizes the underlying operating system's diagnostics subsystems for data that will be used in the NinjaOne App and SaaS Platform. <ul style="list-style-type: none"> <li>i. On Windows-based operating systems: Debugging and Error Handling, Error Reporting, Hardware Counter Profiling, Network Diagnostics Framework, Network Monitor, Performance Analyzer, Performance Counters, Performance Logs and Alerts, Process Snapshotting, Process Status API, System Events, System Monitor, etc.</li> <li>ii. On MacOS operating systems: CrashReporter, DiagnosticReports, System Logs, Kernel Logs, OpenDirectory Logs, WindowServer Logs, Power Management Logs, System Profiler, I/O Kit Registry Information, Process Heap, Process Memory, Process Virtual Memory, etc.</li> <li>iii. On Linux operating systems: System Logs, Kernel Logs, Driver Logs, ACPI Events, IPMI Events, Filesystem Events, etc.</li> </ul> </li> <li>E. The data gathered by the NinjaOne endpoint agents can be categorized into two major types: <ul style="list-style-type: none"> <li>i. Type 1 - Troubleshooting information for the endpoints themselves (operating system, hardware, attached devices): <ul style="list-style-type: none"> <li>a) CPU performance, load, and utilization</li> <li>b) Memory capacity, usage, and/or exhaustion</li> <li>c) Hard drive and I/O performance, parameters, and errors</li> <li>d) Network metrics, utilization, and errors</li> </ul> </li> </ul> </li> </ul>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
<b>Information Asset Identification &amp; Classification</b> <i>(cont.)</i>	<ul style="list-style-type: none"> <li>e) Operating system notifications and events</li> <li>f) Hardware configurations and manufacturer identification</li> <li>ii. Type 2 - Troubleshooting information for software and/or applications installed on the endpoints: <ul style="list-style-type: none"> <li>a) Error codes and messages</li> <li>b) Debug information</li> <li>c) Code snippets that are part of errors and debug information</li> <li>d) Issue-relevant software configurations, versions, and vendor IDs</li> </ul> </li> <li>F. Due to the functional design and implementation of the underlying operating system's diagnostics subsystems, the data may include these information types: <ul style="list-style-type: none"> <li>i. Email address of the primary NinjaOne account owner</li> <li>ii. Email addresses of system administrators authorized by the NinjaOne Customer to use the NinjaOne Application</li> <li>iii. IP address(es) for a NinjaOne Customer's datacenter IP address(es)</li> <li>iv. IP address(es) for a NinjaOne Customer's headquarters and/or satellite offices</li> <li>v. IP address(es) for equipment/devices belonging to the NinjaOne Customer and/or their clients (these could include laptops, desktops, servers, network devices)</li> <li>vi. System names for equipment/devices belonging to the NinjaOne Customer and/or their clients (these could include laptops, desktops, servers, network devices)</li> <li>vii. Hardware details of equipment/devices belonging to the NinjaOne Customer and/or their clients (these could include laptops, desktops, servers, network devices)</li> <li>viii. Software details of equipment/devices belonging to the NinjaOne Customer and/or their clients (these could include laptops, desktops, servers, network devices)</li> <li>ix. Usernames belonging to the NinjaOne Customer and/or their clients</li> <li>x. Browser/user-agent details belonging to the NinjaOne Customer</li> <li>xi. Performance and utilization metrics of equipment/devices belonging to the NinjaOne Customer and/or their clients (these could include laptops, desktops, servers, network devices)</li> <li>xii. Error codes of equipment/devices belonging to the NinjaOne Customer and/or their clients (these could include laptops, desktops, servers, network devices)</li> </ul> </li> </ul>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
Implementation of Controls	<p>NinjaOne employees and subcontractors are NOT GRANTED access to Customer portals.</p> <p>NinjaOne employees and subcontractors have NO ACCESS to Customer managed endpoints.</p> <p>NinjaOne employees and subcontractors have NO ACCESS to Customer networks, environments, nor any data contained therein.</p> <p>NinjaOne subcontractors have NO ACCESS to NinjaOne environments, intellectual property, nor components required for the delivery of services to Customer.</p> <p>Only NinjaOne employees identified as essential for the delivery of services to Customer, and with executive-level approval, are granted access to NinjaOne environments, intellectual property, and components. This access is tightly governed and undergoes review on a quarterly basis.</p> <p>Covered in NinjaOne control documents:</p> <ul style="list-style-type: none"> <li>• Access Control Policy and Procedure</li> <li>• Account Management</li> <li>• Separation of Duties</li> <li>• BC DRP</li> <li>• Rules of Behavior - Acceptable Use Policy</li> <li>• SDLC - Change Management</li> <li>• System Information Integrity Policy and Procedure</li> </ul> <p>And examined, audited, and verified through the AICPA SOC 2 process.</p> <p>NinjaOne controls logical access to data and environments by:</p> <ol style="list-style-type: none"> <li>Limiting all, and any, access to NinjaOne's data, application environments, and systems NinjaOne by issuing role based user accounts.</li> <li>Defining and implementing roles based upon specific job duties and requirements.</li> <li>Requiring that passwords are only known to individual users and are not to be shared.</li> <li>Ensuring that even should passwords be mistakenly/accidentally shared, they cannot be abused as we require Multi-Factor authentication.</li> <li>Defining and implemented service-based credentials for application and database processes.</li> <li>Defining and implementing credential differentiation between production and non-production environments.</li> <li>Requiring password complexity compliant with NIST guidelines.</li> <li>Disallowing access to production environments by anyone other than critical, required, and executive-approved production support staff.</li> <li>Recording, alerting, and reviewing unsuccessful logins.</li> <li>Recording, alerting, and reviewing unusual, erratic, or suspicious activity.</li> <li>Allowing source code access only as defined by specific jobs duties and responsibilities within their job, e.g. <ol style="list-style-type: none"> <li>development and QA staff have access to user-interface code if they are working on the UI</li> </ol> </li> </ol>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
<b>Implementation of Controls</b> <i>(cont.)</i>	<p>B. development and QA staff have access to the server code if they are working on the server components</p> <p>C. development and QA staff have access to the agent code if they are working on the agent components</p> <p>XII. Requiring executive approvals when source code access should be allowed for read-only purposes, e.g.</p> <ul style="list-style-type: none"> <li>A. for code review by an external security firm</li> <li>B. for vulnerability assessment of components by an external security firm</li> <li>C. for re-review or re-assessment by an external security firm</li> </ul> <p>XII. Revoking source code access immediately upon termination of an individual, project, or upon the conclusion of review/assessment by an external security firm.</p> <p>XIII. Reviewing all credentials, roles, and levels of access on an annual basis.</p> <p>XIV. Immediately revoking all credentials, accounts, and logical access to any staff that have left voluntarily or have been terminated.</p> <p>NinjaOne protects application and backend systems by:</p> <ul style="list-style-type: none"> <li>I. Reviewing and auditing the compliance and security controls of any vendor or supplier providing associated services for the NinjaOne application and service.</li> <li>II. Maintaining a list of trusted and compliant vendors and suppliers.</li> <li>III. Leveraging a 24x7 Operations Center</li> <li>IV. Blacklisting nearly 50,000 IP addresses of: <ul style="list-style-type: none"> <li>A. known malware sites</li> <li>B. IP blocks affiliated with hacking organizations</li> <li>C. Tor exit nodes</li> </ul> </li> <li>V. Deploying realtime monitoring, auditing, and alerting of: <ul style="list-style-type: none"> <li>A. Network ingress</li> <li>B. Network egress</li> <li>C. File alterations</li> <li>D. configuration changes</li> <li>E. successful and failed logins</li> <li>F. command execution</li> <li>G. application execution</li> <li>H. privileged execution</li> <li>I. OS vulnerabilities</li> <li>J. software vulnerabilities</li> <li>K. policy changes</li> <li>L. all-new activity</li> <li>M. atypical activity</li> </ul> </li> <li>VI. Maintaining the logs and events captured for a minimum of one-year, and as necessary, up to an indefinite period of time.</li> <li>VII. Employing a system of checks and balances through review, testing, and approval of changes prior to the deployment to production.</li> </ul>



Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
<b>Implementation of Controls</b> <i>(cont.)</i>	<p>VII. Employing a system of checks and balances through review, testing, and approval of VIII. Testing and validating changes after they are deployed and rolling back any changes that have questionable or problematic test results.</p> <p>IX. Implementing a patch management process where fixes, changes, and updates are tested prior to release to production, and are released as expediently as possible as within one week's time, but minimally within the same quarter</p> <p>NinjaOne protects proprietary information, source code, and the development supply chain by:</p> <ul style="list-style-type: none"> <li>A. Developer Security Testing And Evaluation   Static Code Analysis - The organization requires the developer of the information system, system component, or information system service to employ static code analysis tools to identify common flaws and document the results of the analysis.</li> <li>B. Developer Security Testing and Evaluation   Threat and Vulnerability Analyses - The organization requires the developer of the information system, system component, or information system service to perform threat and vulnerability analyses and subsequent testing/evaluation of the as-built system, component, or service.</li> <li>C. Developer Security Testing and Evaluation   Independent Verification of Assessment Plans / Evidence - The organization:             <ul style="list-style-type: none"> <li>i. SA-11 (3)(a) Requires an independent agent to verify the correct implementation of the developer security assessment plan and the evidence produced during security testing/evaluation; and</li> <li>ii. SA-11 (3)(b) Ensures that the independent agent is either provided with sufficient information to complete the verification process or granted the authority to obtain such information.</li> </ul> </li> <li>D. Developer Security Testing and Evaluation   Manual Code Reviews - The organization requires the developer of the information system, system component, or information system service to perform a manual code review of changes or new code.</li> <li>E. Developer Security Testing and Evaluation   Attack Surface Reviews - The organization requires the developer of the information system, system component, or information system service to perform attack surface reviews.</li> <li>F. Developer Security Testing and Evaluation   Verify Scope of Testing / Evaluation - The organization requires the developer of the information system, system component, or information system service to verify that the scope of security testing/evaluation provides complete coverage of required security controls based upon organization-defined security objectives.</li> <li>G. Developer Security Testing and Evaluation   Dynamic Code Analysis - The organization requires the developer of the information system, system component, or information system service to employ dynamic code analysis tools to identify common flaws and document the results of the analysis.</li> <li>H. Development Process, Standards, And Tools   Security Tracking Tools - The organization requires the developer of the information system, system component, or information system service to select and employ a security tracking tool for use during the development process.</li> <li>I. Development Process, Standards, And Tools   Criticality Analysis - The organization requires the developer of the information system, system component, or information system service to perform a criticality analysis of code intended for release.</li> </ul>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
Implementation of Controls (cont.)	<p>J. SDevelopment Process, Standards, And Tools   Attack Surface Reduction - The organization requires the developer of the information system, system component, or information system service to reduce attack surfaces to low risk levels as per external security firm validation.</p> <p>K. Development Process, Standards, And Tools   Continuous Improvement - The organization requires the developer of the information system, system component, or information system service to implement an explicit process to continuously improve the development process.</p> <p>L. Development Process, Standards, And Tools   Reuse of Threat / Vulnerability Information - The organization requires the developer of the information system, system component, or information system service to use threat modeling and vulnerability analyses from similar systems, components, or services to inform the current development process.</p> <p>II. Enforcing a management approval process for allowing access to source code repositories</p> <p>III. Limiting access to only the repo's required by the requestor</p> <p>IV. Requiring multiple authentication and authorization layers of security that includes mandatory MFA/2FA</p> <p>V. Enforcing a review and approval process for code changes before they can be merged for release</p> <p>VI. Limiting build server and build environment access through a limited and locked down private network, that requires VPN access</p> <p>VII. Deploying antivirus/anti-malware services onto build servers running with signature updates scheduled every hour</p> <p>Submitting build server artifacts for validation and scanning against antivirus/malware engines:</p> <p>IX. Securing the release artifacts to storage locations that are regularly pen-tested and verified by an external security firm, and by blocking IP's such as TOR exit nodes and known malware/hacker networks</p> <p>X. Continually monitoring the network access, modifications, changes to the storage locations, or contents within, with real-time alerting for suspicious or malicious activity</p> <p>XI. Providing software assurance through a software authentication process that begins with FIPS 140-2 compliant SSL Certificates issued by an external Certificate Authority</p> <p>NinjaOne provides availability and resiliency by:</p> <p>I. Applying Amazon Web Services' Well-Architected Framework to the design and implementation of our SaaS/cloud services and platform</p> <ul style="list-style-type: none"> <li>A. leveraging scripted, infrastructure-as-code deployment strategies</li> <li>B. leveraging load balancers and horizontal scaling solutions</li> <li>C. leveraging load balancers and redundant resources</li> <li>D. leveraging low latency systems</li> <li>E. leveraging automated recovery strategies</li> </ul> <p>II. Submitting our SaaS/cloud services and platform for an AWS Well-Architected review by an AWS Solutions Architect on at least an annual basis, or as new features and functionality is added</p>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
<b>Implementation of Controls</b> <i>(cont.)</i>	<p>III. Implementing a Business Continuity/Disaster Recovery (BC/DR) Plan that includes:</p> <ul style="list-style-type: none"> <li>A. daily database backup snapshots</li> <li>B. daily virtual image backup snapshots</li> <li>C. restoration and validation of backup snapshots on an annual or more frequent basis which may include: <ul style="list-style-type: none"> <li>• i. individual snapshots</li> <li>• ii. or a completely new environment comprised of the restoration of multiple snapshots</li> </ul> </li> </ul> <p>Continually monitoring all client-facing production environments for problems or issues in any application, network, operating system, underlying infrastructure, and AWS service – and promptly alerting an OnCall team to triage and resolve any issues</p>
<b>Incident Management</b>	<p><b>Covered in NinjaOne control document:</b></p> <ul style="list-style-type: none"> <li>• Incident Response</li> </ul> <p>NinjaOne aims to be prepared to respond to incidents taking actions so no service interruptions or security breaches occur and respond properly if such incidents should occur. NinjaOne also accepts information about potential weaknesses to its information security from all sources before an incident occurs and has measures in place to identify weaknesses. Depending on contractual language with Customer, as well as location, laws and regulations, NinjaOne is required to act and inform external constituents if sensitive information is breached.</p> <p>Our incident response plan brings together and organizes the resources for dealing with any event that actually or potentially harms or threatens the confidentiality, integrity or availability or the security of information assets (referred to in this document as an ‘incident’). Such an incident may be a technical defect, malicious code attack, an unauthorized access to information or systems, the unauthorized use of services, a denial-of-service attack, or a hoax. The goal is to facilitate quick and efficient response to incidents, and to limit their impact while protecting the organization's information assets. The plan defines roles and responsibilities, documents the steps necessary for effectively and efficiently managing an information security incident, and defines channels of communication.</p> <p>NinjaOne investigates all security events immediately upon receipt, whether through our Operations Center, security monitoring alerts, governmental body [federal or local] notifications, security advisory notifications, or vendor notifications.</p> <p>If the event is verified and validated, NinjaOne assesses the impact of the event on/to: o Customer</p> <ul style="list-style-type: none"> <li>• Locality/region/geography</li> <li>• Services/components/systems</li> </ul> <p>And upon identification, will move forward with multiple actions in parallel that may include - but are not limited to:</p> <ul style="list-style-type: none"> <li>• Contacting legal authorities</li> <li>• Contacting the media</li> <li>• Contacting Customer</li> <li>• Remediating the security issue</li> <li>• Performing forensic analysis</li> </ul>

Focus Area	NinjaOne Practices, Policies, Procedures, Implementations, or Applicability
<b>Incident Management</b> <i>(cont.)</i>	<ul style="list-style-type: none"> <li>• Applying new measures and controls to prevent the event</li> <li>• Alter/update monitoring and alerts [or apply new monitors and alerts]</li> </ul> <p>Dependent upon the nature of the incident, whether the Customer is impacted, and the extent of the impact on Customer, NinjaOne is committed to communicating the incident to the impacted Customer within the most immediate timeframe as possible.</p> <p>In most cases, this is within 72 hours or less.</p>
<b>Testing Control Effectiveness &amp; Internal Audit</b>	<p>Covered in NinjaOne control documents:</p> <ul style="list-style-type: none"> <li>• System Security Risk Management Plan</li> <li>• Risk Assessment Policy and Procedures</li> <li>• Risk Assessment Checklist</li> </ul> <p>Beginning in 2018, NinjaOne has opened our processes, procedures, development, and infrastructure for review by accredited external audit firms:</p> <ul style="list-style-type: none"> <li>• Schellman and Company, LLC [Formerly BrightLine CPAs and Associates] SOC 2 o Audit of processes and procedures for over 200 controls, accompanied with documentation and evidence, across the areas of security and business resiliency</li> </ul> <p>NinjaOne is committed to external verifications and partnered with Schellman and Company LLC on multiyear contracts as part of the ongoing/continuous improvement of our processes and procedures.</p>

# The NinjaOne Advantage

## Streamlined IT, Boosted Security, Cost Optimization

In July 2023, global technology research firm, Omdia, surveyed more than 600 IT leaders, including many NinjaOne customers, to learn about the impact of the NinjaOne platform on their IT operations. In addition, Omdia analysts interviewed several of our enterprise customers to gain additional insights and context. Below are some highlights from their research.

# 95%



of NinjaOne customers **reduced costs by automating manual IT tasks**, with almost half reducing manual tasks by 50% or more.

# 91%

Consolidated or retired at least one tool in their IT stack



# 95%

Improved patch compliance



# 94%

Reduced ticket volumes and ticket resolution times



# 93%

Saved time on patching — with over 51% cutting patching time in half



# 93%

Reduced time spent providing remote support



# 93%

Saved time on software deployment



“NinjaOne enables us to save at least 1,000 hours per month and an estimated \$500k annually. It allows our technicians to fix true issues and undertake preventative maintenance as opposed to firefighting.”

**Eric Turner,**  
Director of Information Technology, Vetcor

“With NinjaOne, I have full visibility of our 11,000 endpoints. Plus, it enables us to handle more than 300 software pushes per day driven by new hires, new machines and new software titles. The time savings on that alone is phenomenal.”

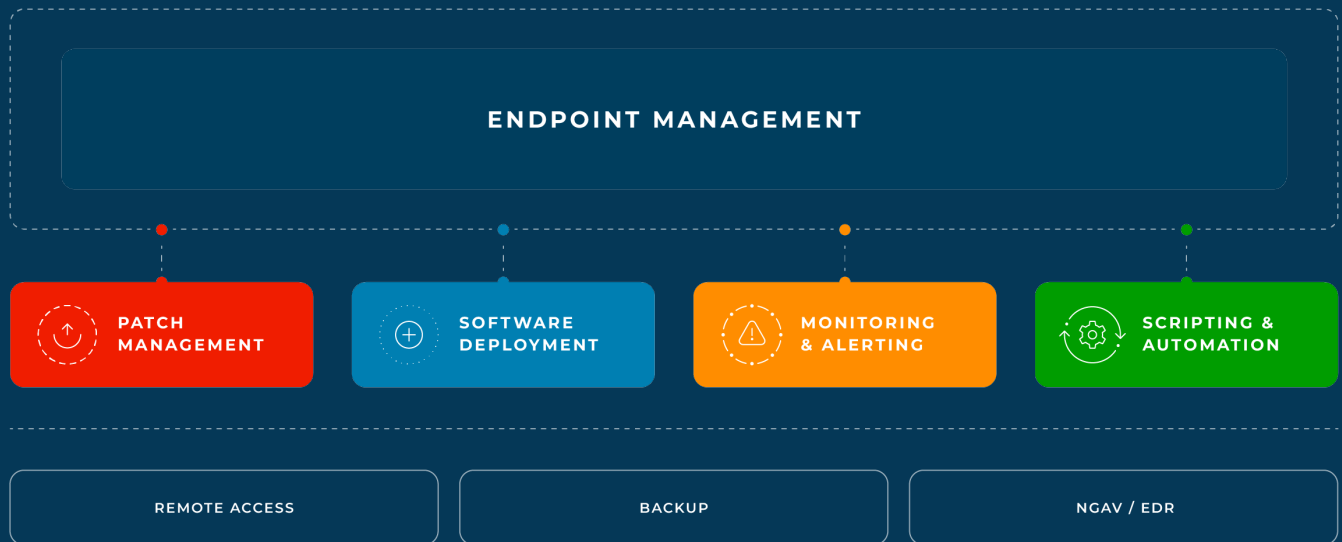
**Eric Tanner,**  
Director of Information Technology,  
Medical College of Wisconsin

Download your copy of the full report completed by Omdia, **Leading IT Trends for 2024: Embracing Automation, Security and Consolidation**

[Download](#)

# Unified IT Management Platform

The NinjaOne platform gives IT teams full visibility and control over all their devices, so they can monitor, manage, secure and support endpoints at scale.



## NinjaOne

- ✓ Enables effective device management for today's remote and hybrid workforce
- ✓ Easily enables automation across endpoint tasks
- ✓ Is fast to learn and easy to use
- ✓ Provides world-class support, training and onboarding 100% free

## Why NinjaOne?

NinjaOne is a leading unified IT management solution that simplifies the way IT teams work. With NinjaOne, IT departments can automate, manage, and remediate all their endpoint management tasks within one fast, modern, intuitive platform, improving technician efficiency and user satisfaction. NinjaOne is consistently ranked #1 for its world-class customer support and has been recognized as the best-rated software in its category on G2 and Gartner Digital Markets for nearly five years.

For more information, or to start a free trial, visit [www.ninjaone.com](https://www.ninjaone.com).

**ninjaOne**

Richard Valdez

**From:** Austin Franklin <Austin.Franklin@ninjaone.com>  
**Sent:** Thursday, May 29, 2025 2:53 PM  
**To:** Richard Valdez  
**Subject:** NinjaOne Demo Follow-up  
**Attachments:** The NinjaOne Advantage.pdf; G2 Winter 2025.pdf; NinjaOne Information and Cyber Security Summary Approved.pdf; NinjaOne Advanced vs Enterprise.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Green Category

Hey Richard -

Thanks again for taking the time to meet with me this afternoon. Please feel free to forward this over to any other team members. I have attached the presentation we went through as well as some other white sheets you and your team may find beneficial:

- **Information and CyberSecurity Summary:** Shows compliance metrics NinjaOne follows.
- **NinjaOne Advanced vs. Enterprise:** Outlines our 2 different bundles and the differences.
- **G2 RMM Report:** A G2 summary of NinjaOne and how we compare to the competition.
- **The NinjaOne Advantage:** Highlights the efficiency and time savings by utilizing NinjaOne.

Below is the direct pricing as well as the Trial links in case you wanted to give us a test drive.

Products	Number of Devices	Monthly Breakdown Per Device	Annual Cost
NinjaOne Advanced Pro (includes Remote Access Licensing)	70	\$2.70	\$2,268
NinjaOne MDM Pro	60	\$2.70	\$1,944
NinjaOne Ticketing	1	\$30	\$360
			Total: \$4,572

---

Additionally, here's the document I showed you on getting Apple Business Manager set up: <https://support.apple.com/guide/apple-business-manager/sign-up-axm402206497/web>

I'll plan to touch base sometime after June 18<sup>th</sup>, but please feel free to reach out if you have any questions in the interim!

Thanks,

**Austin Franklin**  
PRODUCT SPECIALIST, SMB SLED

☐ (512) 851-6062

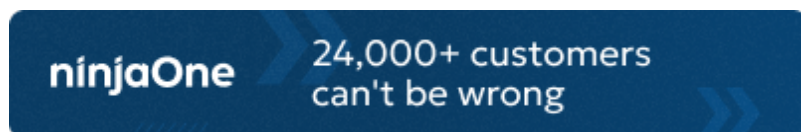
☐ [www.ninjaone.com](http://www.ninjaone.com)



**Austin Franklin**

Account Executive, SLED

p: (512) 601-5373 | w: [ninjaone.com](http://ninjaone.com)



If you don't want to receive further communication, you may [opt-out here](#). [Privacy Notice](#).



City of Anthony, New Mexico

# **Web Central Starter: Summary**

---

Proposal valid for 60 days from date of receipt



# Company Overview

CivicPlus started back in June of 1998 with a simple yet powerful vision: to create a website solution that allowed municipal staff to maintain their websites daily without needing a technical webmaster. As technology advanced, we saw our customers' need to bring more services online. We expanded our vision to make local government work better as a whole.

Today, CivicPlus provides public sector technology that automates processes, digitizes services, and enhances civic experiences. Our wide range of government software solutions are designed to be flexible, scalable, and customizable, ensuring a frictionless experience for residents and staff. Our portfolio includes solutions for:



- Process Automation and Digital Services
- Planning, Permitting, Licensing, and Code Enforcement
- Fire and Life Safety Inspections
- Asset Management
- Utility Billing
- Social Media Archiving
- FOIA Management
- Municipal Websites
- Web Accessibility
- Agenda and Meeting Management
- Codification
- Emergency and Mass Notifications
- Parks and Recreation Management
- 311 and Citizen Relationship Management

## EXPERIENCE & RECOGNITION

**25+ Years**

**10,000+ Customers**

**950+ Employees**



CivicPlus has over 25 years of experience working with municipal organizations across the US and Canada. Our commitment to deliver the right solutions in design and development, end-user satisfaction, and secure hosting has been instrumental in making us a leader in government web technology. We are proud to have earned the trust of our over 10,000 customers and their over 100,000 administrative users. In addition, over 340 million residents engage with our solutions daily. With such experience, we are confident that we can provide the best solution for you.

## CONTACT INFORMATION

### Primary Office

302 S. 4<sup>th</sup> Street, Suite 500, Manhattan, KS 66502

Phone: 888.228.2233 | Fax: 785.587.8951

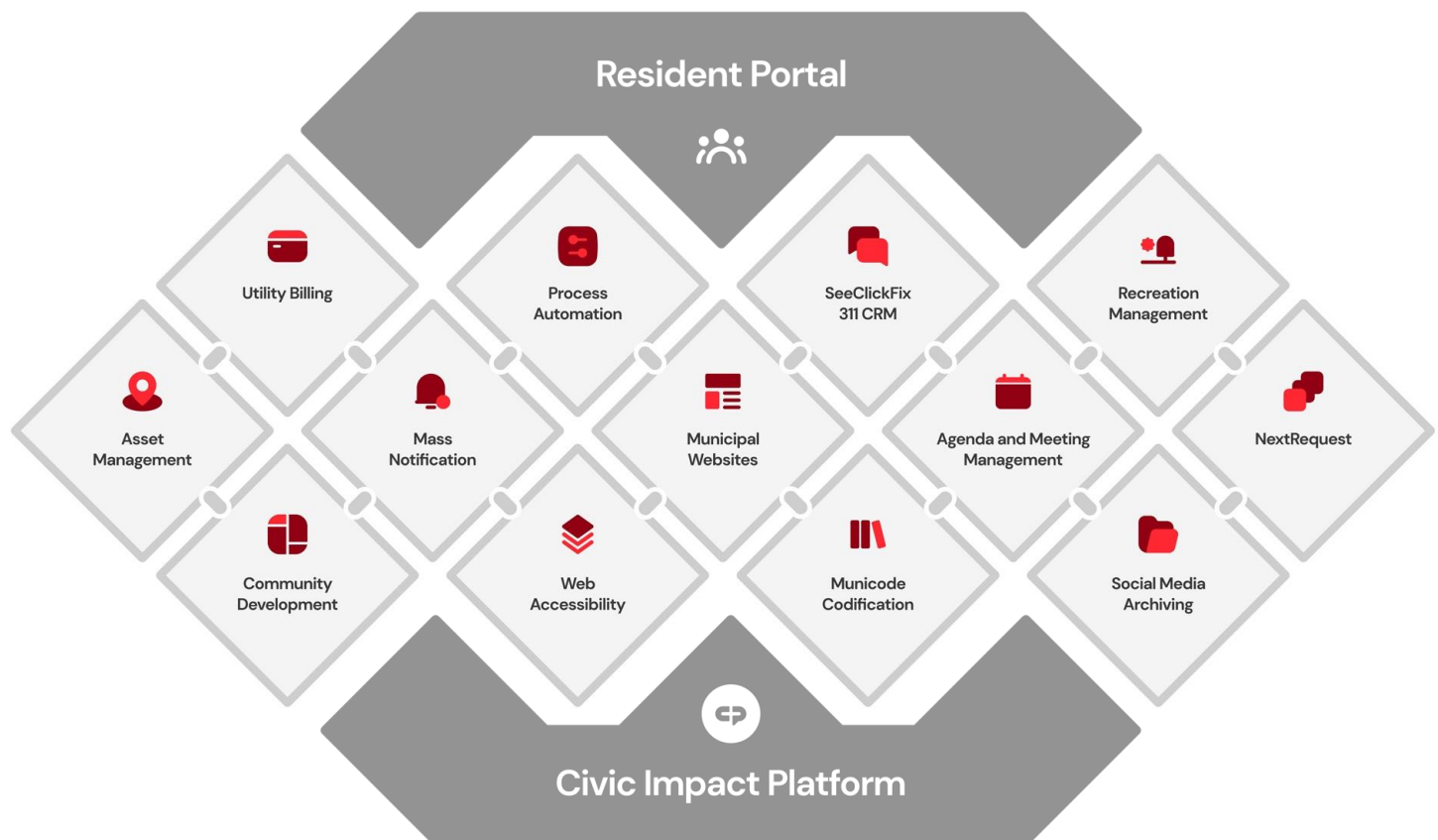
**Civicplus.com**

# Powering & Empowering Government

We empower municipal leaders to transform interactions between residents and government into consistently positive experiences that elevate resident satisfaction, increase revenue, and streamline operations.

Government leaders tell us that one of their most pressing needs is to improve how residents access and experience municipal services; however, they struggle with budget cutbacks and technology constraints. CivicPlus enables civic leaders to solve these problems, making consistently positive interactions between residents and government possible.

CivicPlus is the only government technology company exclusively committed to powering and empowering governments to efficiently operate, serve, and govern using our innovative and integrated technology solutions built and supported by former municipal leaders and award-winning support teams. With it, municipalities increase revenue and operate more efficiently while fostering trust among residents.



Website	Standard	Premium
One-Time Standard Implementation	\$1,000	\$2,000
Annual Subscription Fees	\$5,487	\$6,246
Bundling Discounts Available		

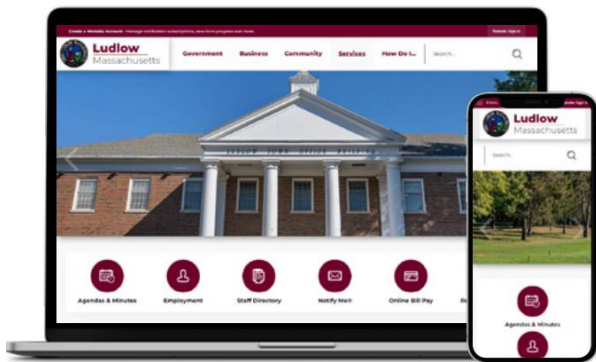
Base Inclusions			Price
Agenda Center	Graphic Links	Cloudflare Tier 1 Security for PCI Compliance and Visitor Surges.	Included
Calendar	Quick Links		
Alert Center	Info Advanced		
Document Center	News Flash	DNS   Domain Management	
Notify Me	Staff Directory	SSL Management	
Form Center	FAQs	Hosting and Security	
Website Optional Add-On			Price
Live Training Per Module			\$375 one-time
Meetings and Agenda Migration per 100 Meetings			\$850 one-time
Standard Department Header Page			\$2,933 one-time   \$813 annual fee
Premium Department Header Page			\$4,515 one-time   \$938 annual fee
Accessibility with AudioEye			\$2,500 annual fee
CommonLook – PDF Remediation – One License			\$1,443 annual fee
48 Month Redesign Annual Fee			Standard \$425   Premium \$500
Facilities and Reservations Module			\$350 annual fee
Resource - Business Directory Module			\$350 annual fee
Activities Module			\$350 annual fee
Bids Posting Module			\$350 annual fee
Jobs Module			\$350 annual fee
Opinion Polls Module			\$350 annual fee
Real Estate Locator Module			\$350 annual fee
CivicSend – E News Letter Builder Added to Notify Me			\$750 one-time   \$2,374 annual fee
CivicPlus Pay with Forte			\$500 one-time   \$250 annual fee
Additional Block of 500 Notify Me SMS Subscribers (Comes with a block of 500)			\$945 annual fee
Chatbot			\$2,750 annual fee
Other Popular Integrated Solutions			Price
Mass Notification			Ask Me – Scoping Necessary
Meetings and Agenda Management			Ask Me – Scoping Necessary
Social Media Archiving			Ask Me – Scoping Necessary
Next Request (Public Records Request)			Ask Me – Scoping Necessary
Municode Codification (Code of Ordinance)			Ask Me – Scoping Necessary
SeeClickFix 311 CRM			Ask Me – Scoping Necessary
Web Accessibility			Ask Me – Scoping Necessary
Community Development (Permitting, Licensing, Code Enforcement)			Ask Me – Scoping Necessary
Asset Management			Ask Me – Scoping Necessary
Process Automation (Advanced fillable forms with automated workflow)			Ask Me – Scoping Necessary
Recreation Management			Ask Me – Scoping Necessary

## Standard Package Designs

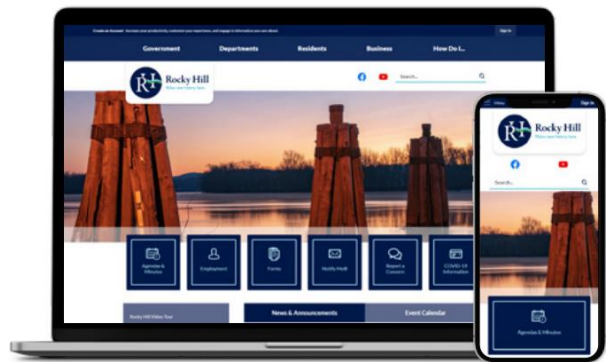
You will choose one of our fixed layout options as the base of your website. You will then be given the opportunity to submit personalized information, like imagery, branding, graphic button preferences, and more to be taken into design consideration. This finalized design will not only represent your unique community, but—combined with the functionality of the Web Central Starter CMS – will help you provide an attractive and convenient online resource for your community.

### DESIGN EXAMPLES

The included design portfolio will provide you with an idea of the different directions we can take your creative design with the standard implementation package.



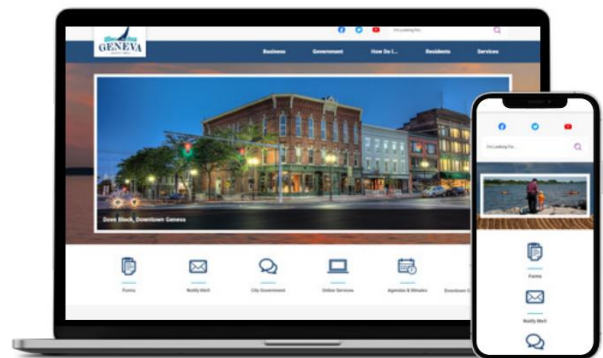
**Ludlow, MA**



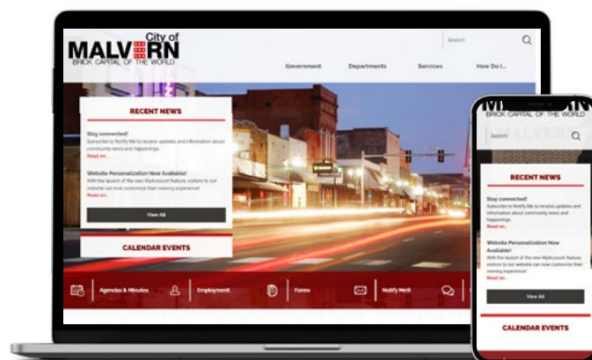
**Rocky Hill, CT**



**Clark County, KY**



**Geneva, NY**



**Malvern, AR**



## Premium Package Designs

You will meet with your art director to discuss your website vision based on the goals and needs of your users. This process involves conversing with your art director on the order, placement, and format of your homepage content and design elements, aimed at achieving your usability goals. Your preferences will be solidified into a homepage layout wireframe, which will provide the structural blueprint for the visual design application.

We will then collaborate with you to customize your design to represent your community using your logo, chosen colors, and imagery. We will focus on including the functionality to meet your website needs, including an option for up to one Advanced Design Component, if desired. Advanced Design components provide next-level user engagement by leveraging the latest design enhancements in the Web Central Starter product. Your art director will help you choose the component that works best for your website and desired site maintenance level.

### DESIGN EXAMPLES

The included design portfolio will provide you with an idea of the different directions we can take your creative design with the standard implementation package.



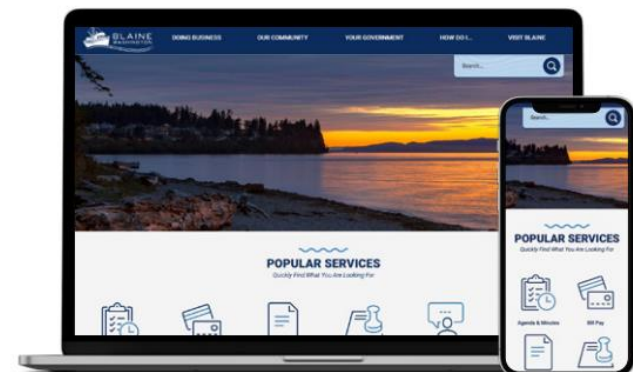
**Burkburnett, TX**



**Greenbrier, TN**



**Cheverly, MD**



**Blaine, WA**

## Standard Package Timeline | 8-10 Weeks

PHASE 1: INITIATE	2-4 Weeks	<ul style="list-style-type: none"> <li>Project Kickoff Meeting</li> <li>Planning &amp; Scheduling</li> </ul>
PHASE 2: ANALYZE	1-3 Weeks	<ul style="list-style-type: none"> <li>Customer Deliverable Submission</li> </ul>
PHASE 3: DESIGN & CONFIGURES	3-4 Weeks	<ul style="list-style-type: none"> <li>Design Concept Development</li> <li>Content Development</li> <li>Agendas &amp; Minute Migration</li> <li>Website Completion</li> </ul>
PHASE 4: OPTIMIZE	1-2 Weeks	<ul style="list-style-type: none"> <li>Website Finalization</li> </ul>
PHASE 5: EDUCATE	1-2 Weeks	<ul style="list-style-type: none"> <li>Training Engagement</li> </ul>
PHASE 6: LAUNCH	1-2 Weeks	<ul style="list-style-type: none"> <li>Launch Confirmation Meeting</li> <li>Website Launch</li> </ul>

## Premium Package Timeline | 10-12 Weeks

PHASE 1: INITIATE	2-4 Weeks	<ul style="list-style-type: none"> <li>Project Kickoff Meeting</li> <li>Planning &amp; Scheduling</li> </ul>
PHASE 2: ANALYZE	4-6 Weeks	<ul style="list-style-type: none"> <li>Customer Deliverable Submission</li> <li>Design Discovery Meeting</li> <li>Content Process Meeting</li> </ul>
PHASE 3: DESIGN & CONFIGURES	6-10 Weeks	<ul style="list-style-type: none"> <li>Design Concept Development</li> <li>Design Concept Meeting</li> <li>Content Development</li> <li>Agendas &amp; Minute Migration</li> <li>Website Completion</li> </ul>
PHASE 4: OPTIMIZE	1-2 Weeks	<ul style="list-style-type: none"> <li>Website Finalization</li> </ul>
PHASE 5: EDUCATE	1-2 Weeks	<ul style="list-style-type: none"> <li>Training Engagement</li> </ul>
PHASE 6: LAUNCH	2-4 Weeks	<ul style="list-style-type: none"> <li>Launch Confirmation Meeting</li> <li>Website Launch</li> </ul>

# Approaching Your Project Implementation

Communication between you and your CivicPlus team will be continuous throughout your project. Sharing input and feedback through email, virtual meetings, phone calls, and our project management software will keep all stakeholders involved and informed. Cloud Coach offers task management transparency with a multi-level work breakdown structure and Gantt Chart-based project plan.

- Centralized project communication and task management tools are located in a cloud-based project workspace
- Tasks, deliverables, and milestones are aligned to your specific scope of work

The tools available through Cloud Coach combined with regular communication with your project manager provide you ample opportunities to quickly and efficiently review your project, check deliverables, and communicate feedback.

Standard	Premium
<p><b>PHASE 1: INITIATE</b></p> <p><b>Project Kickoff</b> – During this initial meeting, your project manager will perform introductions, detail deliverables needed, provide a high-level overview of the development process, and introduce tools and resources used to manage your project.</p> <p><b>Planning &amp; Scheduling</b> – Your project manager will create a comprehensive project timeline based on the project scope and your specific needs.</p>	
<p><b>PHASE 2: ANALYZE</b></p> <p><b>Customer Deliverables</b> – You will be responsible for submitting deliverables as outlined</p>	<p><b>PHASE 2: ANALYZE</b></p> <p><b>Customer Deliverables</b> – You will be responsible for submitting deliverables as outlined.</p> <p><b>Design Discovery Meeting</b> – Your project manager and art director will meet with you to discuss design preferences and establish design structure from flexible layout options.</p> <p><b>Content Process Meeting</b> – Meet with your project manager and web content specialist to detail our content.</p>
<p><b>PHASE 3: DESIGN &amp; CONFIGURE</b></p> <p><b>Design Concept Development</b> – You'll have the chance to review a responsive, functioning design concept prototype in an actual production environment. You will have the opportunity to evaluate the presented design concept and collaborate with our project team on any feedback and then final approval.</p> <p><b>Content Development</b> – Our Content Development team will migrate the agreed upon number of pages of content (including their text, documents, and images) from your current website to your new, Web Central Starter website.</p>	



Content will be enhanced for usability and accessibility, and we will organize your website pages to make them easy to navigate.

**Agendas & Minutes Migration** – The Content Development team will download, upload, and organize an agreed upon number of meetings to the Agenda Center module.

**Website Completion** – You will receive a completed production website featuring your approved design combined with the finished content.

## PHASE 4: OPTIMIZE

**Website Finalization** – Both the Web Central Starter project team and you will prepare your website for launch. During this time, you will be able to make final adjustments to the content on your production website, as well as ensure overall satisfaction with your website.

## PHASE 5: EDUCATE

**Group Training** – Throughout the development and after launch, you and your team can access on-demand training, resources, and educational opportunities. Our initial training is offered online to administrators and content contributors. Individuals can attend group training sessions in the weeks prior to going live.

## PHASE 5: EDUCATE

**Training Engagement** – Our goal with your training plan is to give your staff the skills and tools they need to quickly and easily keep your website current. Your trainer will deliver training sessions for both administrators and users. These sessions will be customized to equip your staff with the knowledge and comfort level needed to prepare your website for launch and maintain it in the future. The training session will use your production website so that users are familiar with your specific configuration, and you can obtain hands-on experience.

## PHASE 6: LAUNCH

**Website Launch Confirmation Meeting** – Your Web Central Starter project team confirms all the details that are necessary to take your website live and explain what you can expect on launch day.

**Website Launch** – After final confirmation, your website will be made live and available to the public.

## Your Role During Implementation

- To help create the strongest possible website, we will need you to:
- Choose your desired layout – *Standard Package Only*
- Complete the Content form – *Standard Package Only*
- Gather photos and logos that will be used in the overall branding and design
- Provide website statistics to be utilized in reorganizing your website content, navigation, and design (*if available*)
- Complete the Design Form to communicate design preferences
- Provide technical information in the DNS form for the set-up of your website domain name(s)
- Perform reviews and provide official approvals throughout the project
- Update the content on your current website and delete any pages you no longer need
- Track website updates to be completed during your training session
- Ensure you have the most up-to-date web browsers installed on your organization's computers
- Compile a list of your website users and desired permission levels
- Reserve training location and necessary resources (computers, conference phone, etc.)

# CMS Features & Functionality

CivicPlus' Municipal Websites Central Standard (Web Central Starter) content management system (CMS) is robust and flexible with all the features and functionality you need today and in the future. Developed for municipalities that need to update their website frequently, CivicPlus provides a powerful government content management structure and website menu management system. The easy-to-use system allows non-technical employees to efficiently update any portion of your website.

Each website begins with a unique design developed to meet your specific communication and marketing goals, while showcasing the individuality of your community. Features and capabilities are added and customized as necessary, and all content is organized in accordance with web usability standards.

## Modules & Widgets

### RESIDENT ENGAGEMENT

Web Central Starter offers many effective and easy-to-use resident engagement features. These tools easily integrate with other key features.

**Calendar** – Create multiple calendars and events for upcoming activities that are viewable by list, week, or month.

**Notices and Alerts** – Post emergency or important information on your website and notify residents through email and SMS, via Alert Center.

**Form Center** – Create custom, online forms via simple drag-and-drop functionality. Track form submissions within the CMS and route email notifications to the appropriate individual(s).

**News** – Post news items and keep your residents up to date on important information via News Flash.

**Notifications** – Allow your residents to subscribe to receive text and email notifications on topics that are important to them via Notify Me® (includes up to 500 SMS users).

**Pop-up Module** – Use a pop-up modal to call attention to important information and notices, sitewide or on specific pages.

### ASSET MANAGEMENT

Web Central Starter is fully equipped with a robust set of document and image management tools that work with other key features of our CMS, making it easy to build dynamic content that is easy for residents to navigate and access.

**Agenda Center** – Create and display meetings and agendas on the website utilizing our built-in Agenda Center module. For advanced functionality, including live meeting management, our integrated Agenda and Meeting Management product is available as an add-on.

**Document Center** – Organize and management documents in one central repository.

**Public Images** – Store all your images in one central location, to utilize individually or create slideshows on our site. Use the built-in editor to crop and resize photos, as needed. Images are optimized for performance, mobile responsiveness, and contain alt text for accessibility compliance.

## INFORMATION & NAVIGATION

Organize your content and pages to make it easy to locate the information you and your residents need most with modules that help you update information quickly.

**Easy for Residents to Navigate** – An intuitive design, mega menu options, prominent buttons, and dynamic breadcrumbs throughout your site, all allow residents to easily find what they're looking for.

**Frequently Asked Questions (FAQs)** – Provide answers to the most frequently asked questions to reduce phone and foot traffic for staff.

**Graphic Links** – Create visually appealing buttons to direct users to important information.

**Info Advanced** – Use Info Advanced to create engaging displays of information for reuse throughout the website.

**Quick Links** – Provide links to highly requested services and information. These are commonly displayed in website footers and right-hand navigation.

**Staff Directory** – Provide contact information for departments and individual staff members. Use the information throughout the site and keep updated in one location. The Staff Directory widget allows you to quickly place specific persons or departments on relevant pages.

## COMMONLY USED WIDGETS

An extensive widget library is available for ease of placing dynamic and visually appealing information on specific pages. Each widget is easy to use with drag-and-drop functionality and is configurable with individual styling options.

**Custom HTML Widget** – Embed videos or other HTML features in your page.

**Editor Widget** – Edit text with word processing tools, plus web tools like code view and the Accessibility Checker.

**Form Center Widget** – Embed simple forms on a page.

**Image Widget** – Add images to a page.

**Related Documents Widget** – Create a dynamic list of documents referenced in the Document Center.

**Slideshow Widget** – Add a slideshow of images.

**Tabbed Widget** – Organize larger pages of information in horizontal, vertical, or stacked vertical or accordion style tabs.

## ADMINISTRATIVE FEATURES

The administration of your Web Central Starter website is browser based, with no installation of software needed. You'll be able to update your website from an internet connection on any platform (Mac or PC). Administrators can control access to pages and manipulation of content as well as use automated features to streamline processes.

**Administrative Dashboard** – A home base for messages and quick access to your recent activities and time-sensitive action items such as pending approvals and expiring items.

**Content Scheduling & Versioning** – Set your content to auto-publish and auto-expire, with an archive of all published content and previous versions.

**Dynamic Page Components** – Modules such as Calendar, FAQs, and News Flash, may be included as dynamic page components on any page.

**History Log** – Track changes made to your website.

**Intranet** – Use permissions to set a secure location on your website that allows employees to login and access nonpublic resources and information.

**Levels of Permissions** – Assign staff members to groups with different levels of permissions of access and authority throughout the CMS.

**Pending Approval Items** – Administrators have access to a queue of pending items to be published and reviewed.

**Website Statistics** – Provided website analytics for analysis.

## USER-FRIENDLY FEATURES

Not only is Web Central Starter easy for your staff to use, various administrative features help make a more attractive, engaging, and intuitive website for your community.

**Automatic Alt Tags** – Built-in features assist with ongoing ADA compliance of your website.

**Credit Card Processing** – With the add-on feature CivicPlus Pay (Pay), you can integrate with an approved payment processor to accept payments on your website (separate agreement must be made directly between you and the chosen approved processor). Additional fees apply.

**Preset Styling Standards and Ongoing Styling Flexibility** – Site changes automatically inherit design standards and styles that you've set up for your homepage, interior layouts, and simple layouts. This keeps your website looking clean and always matching. We also offer large amounts of flexibility with placement and styles on an ongoing basis. As you edit your website, you can easily adjust the location and style of widgets, content, carousels, lists, calendars, etc. to meet the look and feel you need for that area.

**Link Redirects** – Instead of sending your users to <http://civicplus.com/248/Awards-and-Recognition>, you can send them to <http://civicplus.com/awards>.

**Live Edit** – See where your information will be posted on a page before you make any changes with our WYSIWYG editor and drag-and-drop tools.

**Maps** – Easily embed maps from Google, ESRI, and more using the HTML widget. **Mega Menu** – A main navigation menu makes it easy to get to any page on your website quickly.

**Predictive Site Search** – Our powerful site search functionality automatically indexes all content making it easy for visitors to find information across pages, documents, and images.

**Site Search Log** – All search words are kept in a log.

**Real Simple Syndication (RSS) Feeds** – Administrators and website visitors can use RSS feeds to display content or be notified of content updates.

**Responsive Design** – With responsive design, your website adjusts to the screen size regardless of what device is being used, providing a seamless user experience.

**Social Media** – Set various modules to automatically post to your Facebook and/or X (formerly Twitter) feeds and incorporate compatible social media feeds and widgets into your website.

**Supported Browsers** – View your website in the latest versions of major browsers including Microsoft Edge, Firefox, Safari, and Chrome.

**Third-Party Access** – Utilize iframes, embeds, and/or links to most of your third-party services. Or use our growing list of APIs to build applications right from your website.

**Translation** – Integration with Google Translate translates web pages into over 100 languages.

## ACCESSIBILITY COMPLIANCE

With over 20% of adults in the United States having a disability, you need a website that conforms to all residents. CivicPlus wants to help our customers maximize accessibility for all users and surpass Section 508 ADA accessibility requirements while providing you the freedom to create a visually rich and appealing website. Our multi-faceted approach sets you up for success:

- We build websites using WCAG guidelines to be highly accessible at go live.
- Our trainers will teach your staff best-practices to keep your content and design elements accessible and up to date with the latest ADA/ WCAG standards.
- Your staff can use the Accessibility Checker included within the CMS to scan content created in the editor for accessibility issues so you can correct them before publishing.
- Any new regulations that require code changes are done automatically by our product team, at least quarterly, with no additional effort required from you.
- In addition, our product team updates our best practices and provides regular updates to customers via the CivicPlus website, blog articles, webinars, and other publications.

Due to the dynamic nature of website content updates, an ongoing accessibility solution can be incredibly beneficial in ensuring sustained accessibility compliance. CivicPlus provides three long-term web accessibility solutions offering varying approaches to help with your compliance maintenance challenges. Additional details and/or a quote can be provided upon request.

- **AudioEye Partnership** – CivicPlus partners with AudioEye to provide a suite of accessibility tools and services for WCAG 2.2 compliance at a discounted rate to our customers.
- **Acquia Optimize: Website Optimization & Compliance Tools** – Acquia Optimize is an easy-to-use web governance platform available to purchase and add to your project. Acquia Optimize’s tools help you identify, prioritize, and address content quality assurance and accessibility issues on your website so that you can achieve and maintain compliance according to WCAG 2.1 standards. Further, we can help you meet the latest data privacy and government policy standards.
- **CivicPlus CommonLook Accessibility Software** – Efficiently and accurately ensure PDFs are accessible to all members of your community. CommonLook provides an all-in-one environment for testing, remediating, and verifying PDF documents and provides a set of automated tools.

## ADD-ON MODULES

In addition to our comprehensive CMS offering, we provide a range of additional modules designed to enhance functionality and meet specific organizational needs. Each module is tailored to deliver specialized capabilities, ensuring you have the flexibility to create a solution that aligns perfectly with your objectives. Please reach out if you are interested in including any of these options into your new CMS project.

**Blog** – Post opinions/information about various community topics and allow resident comments and subscriptions.

**Get Community Input** – Post initiatives and project ideas to receive feedback and interact with your residents via Community Voice.

**Opinion Poll** – Poll your residents on important topics by showing the Opinion Poll widget on relevant pages, to grab resident attention and quickly capture their responses to your polls. Polling helps with gathering and evaluating resident feedback, increasing resident engagement, and understanding your community.

**Photo Gallery** – Display photos of parades, local sporting events, or historical locations through albums or slideshows. Users can vote on favorites or share via email and social media.

**Archive Center** – Manage and retain serial and older documents.

**Real Estate Locator** – Lets community members list and manage residential and commercial properties separately, with dedicated search functions. Users can post and manage listings 24/7 after setting up a profile and paying a subscription fee, while administrators can approve or auto-publish listings.

**Resource Directory** – Use the Resource Directory to showcase information on local businesses and/or community resources.

**Activities** – Create and post activities, events, and classes so residents can register for them and even pay online. Your administrators can view and create rosters. The Activities module integrates with the Facilities module so residents can view the location of the activity.

**Facilities & Reservations** – Display facilities on your site for residents to browse. Allow them to filter by amenities, view facility details, and even make reservations online.

**Job Postings** – Post available jobs online and accept online applications.

**Bids** – Post open bid opportunities for contractors to view available work, download supporting documentation, receive notifications on posted opportunities and submit bid applications online.

## Continuing Services

### Technical Support & Services

With technology, unlimited support is crucial. Our live technical support engineers based in North America are ready to answer your staff members' questions and ensure their confidence. CivicPlus' support team is available 7 a.m. – 7 p.m. CST to assist with any questions or concerns regarding technical functionality and usage of Web Central Starter.

CivicPlus Technical Support will provide a toll-free number, online chat support, as well as an online email support system for users to submit technical issues or questions. If the customer support specialist is unable to assist with the question or issue, the three-tier escalation process will begin to report issues to our product engineering team for resolution.

Emergency technical support is available 24/7 for designated, named points-of-contact, with members of CivicPlus' support teams available for urgent requests.

**CIVICPLUS HELP CENTER** - CivicPlus customers have 24/7 access to our online Help Center where users can review articles, user guides, FAQs, and can get tips on best practices. Our Help Center is continually monitored and updated by our dedicated Knowledge Management Team to ensure we are providing the information and resources you need to optimize your solution. In addition, the Help Center provides our release notes to keep your staff informed of upcoming enhancements and maintenance.

**AWARD-WINNING** - CivicPlus has been honored with three Gold Stevie® Awards, six Silver Stevie® Awards, and nine Bronze Stevie® Awards. The Stevie Awards are the world's top honors for customer service, contact center, business development, and sales professionals.

**CONTINUING PARTNERSHIP** - We won't disappear after your website is launched. You'll be assigned a dedicated customer success manager who will partner with you by providing information on best practices and how to utilize the tools of your new system to most effectively engage your residents.

#### Support at a Glance

- Technical support engineers available 7 a.m. – 7 p.m. (CST) Monday – Friday (excluding holidays)
- Accessible via phone, email, and chat
- 4-hour initial response during normal hours
- 24/7 emergency technical support for named points of contact
- Dedicated customer success manager
- Online self-service help with the CivicPlus Help Center ([civicplus.help](https://civicplus.help))

## ENGAGEXCHANGE

The ENGAGEXCHANGE is an online community and the central hub of ideas, guidance, tips, advice, and more for our Web Central Starter customers. It reflects our commitment to:

**Connection** – Customers can connect with their peers to ask questions, discover solutions, share ideas, and join focus groups and beta opportunities.

**Direction** – Customers will have the opportunity to provide targeted input on the future direction of the Web Central Starter roadmap and will be able to submit ideas for improvements and enhancements. MAINTENANCE CivicPlus is proactive in identifying any potential system issues. Through regularly scheduled reviews of site logs, error messages, servers, router activity, and the internet in general, our personnel often identify and correct issues before they ever affect our customers' web solutions. Our standard maintenance includes:

- Full backups performed daily
- Regularly scheduled upgrades including fixes and other enhancements
- Testing
- Development
- Operating system patches



## Hosting & Security

CivicPlus protects your investment and takes hosting and security of our customers' websites seriously. Redundant power sources and internet access ensure consistent and stable connections. You'll find that our extensive, industry-leading process and procedures for protecting and hosting your website are unparalleled. We offer secure data center facilities, constant and vigilant monitoring, and updating of your system, including 99.9% guaranteed up-time (excluding maintenance).

If you experience a DDoS attack or threat, CivicPlus has mitigation and DDoS Advanced Security options available to you at the time of an event. Whatever your needs are, we have an option that will fit your community.

Data Center	<ul style="list-style-type: none"> <li>• Highly Reliable data center &amp; secure facility</li> <li>• Managed network infrastructure</li> <li>• On-site power backup &amp; generators</li> <li>• Multiple telecom/network providers</li> <li>• Fully redundant network</li> <li>• System monitoring – 24/7/365</li> </ul>
Bandwidth	<ul style="list-style-type: none"> <li>• Multiple network providers in place</li> <li>• Burst bandwidth – 22 Gb/s</li> <li>• Unlimited bandwidth usage for normal business operations (does not apply in the event of a cyber attack)</li> </ul>
Hosting	<ul style="list-style-type: none"> <li>• Web Central Starter software updates</li> <li>• Server management &amp; monitoring</li> <li>• Multi-tiered software architecture</li> <li>• Server software updates &amp; security patches</li> <li>• Database server updates &amp; security patches</li> <li>• Antivirus management &amp; updates</li> <li>• Server-class hardware from nationally recognized provider</li> <li>• Redundant firewall solutions</li> <li>• High performance SAN with N+2 reliability</li> </ul>
Disaster Recovery	<ul style="list-style-type: none"> <li>• Emergency after-hours support, live agent (24/7)</li> <li>• On-line status monitor by Data Center</li> <li>• 8-hour guaranteed recovery TIME objective (RTO)</li> <li>• 24-hour guaranteed recovery POINT objective (RPO)</li> <li>• Pre-Emptive monitoring for disaster situations</li> <li>• Multiple, geographically diverse data centers</li> </ul>
DDoS Migration	<ul style="list-style-type: none"> <li>• Defined DDoS Attach Process</li> <li>• Identify attack source and type</li> <li>• Monitor attack for threshold* engagement</li> </ul>
DDoS Advanced Security Coverage	<ul style="list-style-type: none"> <li>• Not Included – additional coverage available at time of event (fees will apply)</li> </ul>

\*Thresholds: Traffic exceeds 25 Mb/s sustained for 2+ hours. Traffic over 1 Gb/s at any point during an attack.

# Optional Website Enhancements

## RECURRING REDESIGN

At CivicPlus, we understand trends change daily and we continually analyze different ways to design our websites—making it easier and more user friendly for your residents to navigate. One of our best practices to help keep up with these new trends is by adding a redesign to your project. During the redesign, you'll also receive a quality control review to ensure content is as expected with the new design application (although no changes will be made to the content itself). With this new design, you'll stay up to date with current trends and best practices, providing a welcoming yet familiar virtual hub to engage your community.

## AUDIOEYE MANAGED

AudioEye offers a range of products and services from self-service to turnkey managed solutions. At the core of AudioEye, is the Digital Accessibility Platform (DAP), this powerful tool empowers auditors, designers, and developers to understand issues of accessibility and improve website infrastructure thorough the use of an innovative and easy to-use interface. The AudioEye Toolbar offers web personalization tools. Conforming to Web Content Accessibility Guidelines (WCAG) 2.2 has never been easier.

## ACQUIA OPTIMIZE: WEBSITE OPTIMIZATION & COMPLIANCE TOOLS

Acquia Optimize empowers government organizations to maintain accessible, high-quality websites that comply with WCAG 2.1 standards and other international accessibility regulations, such as ADA, Section 508, and EN 301 549. Its accessibility tools identify and address web issues, providing actionable recommendations to enhance user experiences for all. Acquia Optimize's content policies module ensures consistency and accuracy by scanning for content errors or violations of brand, regulatory, or industry standards. The quality assurance tools detect and fix broken links, images, misspellings, and other issues that could hinder navigation or usability. Additionally, the data privacy module scans for sensitive information, prioritizes high-risk violations, and helps organizations reduce privacy risks. Together, these features enable government organizations to deliver inclusive, reliable, and secure digital services.

## CIVICPLUS CHATBOT POWERED BY FRASE

CivicPlus Chatbot is designed to convincingly simulate the way a human would behave during a customer service interaction. Our advanced technology combines the power of site search and artificial intelligence (AI) to deliver exceptional customer experiences to residents using your website. Our Chatbot crawls your website and other linked databases to create a continually, automatically updated, AI-powered knowledgebase that you don't have to maintain separately.

## PLATFORM IDENTITY PROVIDER (IDP) INTEGRATION

CivicPlus offers IdP integration capabilities, which means you'll benefit from easier integration between your Web Central Starter website and your favorite third-party solutions. Provide single sign-on (SSO) functionality to streamline managing and supporting user credentials and identify management solutions. CivicPlus IdP partners include Microsoft's Entra ID, Microsoft's Active Directory Federation Services (AD FS) versions 3.0, 4.0, and 5.0, and Okta.

## **STANDARD DEPARTMENT HEADER PACKAGE**

A department or division within your organization may need a personalized digital presence. A Department Header Package is a cost-effective way for these groups to differentiate themselves informatively and graphically from the look of the main website while still benefiting from the functionality, service, and support of your Web Central Starter system. Unique customizations include:

- Department-specific URL
- Separate SSL Certificate / DNS & Hosting
- Department Logo
- Global Navigation and Menus
- Banner Image(s) and/or Slideshow Image(s) (if applicable)
- Graphic Links
- Widget Content

## **BANNERS**

A cost-effective way to bring a different look to specific pages or departments is by placing a unique banner image on those pages. Each banner can rotate through as a slide show.

## **CIVICPLUS MARKETPLACE APP**

The CivicPlus Marketplace App is a fully configurable mobile application that serves as a centralized digital hub for community engagement across all CivicPlus solutions. Offering residents convenient access to your agency's information and services, as well as native SeeClickFix 311 CRM starter functionality, the app enhances transparency, service accessibility, and community satisfaction by serving as a mobile gateway to essential services and civic resources.

Our app offers extensive customization options, allowing agencies to configure branding, buttons, and links in real time to maintain brand consistency and enhance the user experience with over 300 configurable icons. It integrates seamlessly with CivicPlus solutions, including SeeClickFix 311 CRM, municipal websites, and mass notifications, providing a unified platform for streamlined engagement. The app improves service visibility and trust by enabling quicker responses to resident concerns and supports diverse community needs, from reporting issues to registering for classes. Additionally, its multi-jurisdictional capabilities allow residents to engage across neighboring areas while offering agencies control over displayed branding and information.

## **UPGRADE TO GUARDIAN SECURITY**

Our Guardian Security Package provides a comprehensive, cost-effective solution tailored for local governments seeking robust security without breaking the bank. Powered by enterprise Cloudflare, this package includes:

- Web Application Firewall (WAF) fully customized for our application
- OWASP ModSecurity Core Rule Set for protection against the Top 10 vulnerabilities identified by the Open
- Web Application Security Project (OWASP), such as SQL injection (SQLi) and cross-site scripting (XSS) attacks
- User Agent Blocking rules to block specific browser or web application User-Agent request headers
- Visitor blocking or challenging by IP address, autonomous system number (ASN), or country code
- Reputation-based threat protection and collective intelligence (CI) to identify new threats

## UPGRADE TO PLATINUM SECURITY

CivicPlus' Platinum Hosting and Security package comes with enterprise-level Cloudflare software and:

- Fully customized Web Application Firewall (WAF), customized for our application
- OWASP ModSecurity Core Rule Set protects you against the Top 10 vulnerabilities identified by the Open Web Application Security Project (OWASP), such as SQL injection (SQLi) and cross-site scripting (XSS) attacks
- User agent blocking
- Block or challenge visitors by IP address, autonomous system number (ASN) or country code
- Reputation-based threat protection and collective intelligence (CI) to identify new threats

## CONSULTING ENGAGEMENT

Implementing a new software solution is a huge undertaking. Not only does it touch every department in your organization, it has the potential to positively impact the end-users in your community. Sometimes getting to that positive end point is tough with incongruent agendas from stakeholders such as elected officials and department heads. CivicPlus consulting helps your organization do the heavy-lifting, starting with data-driven research and ending with service-level process optimization. We'll help you facilitate the tough conversations and guide you to set realistic timelines and tasks for implementation as well as assist you in setting goals and sustainment plans for your launch and beyond.

## CREDIT CARD PROCESSING WITH CIVICPLUS PAY

CivicPlus Pay (Pay) is our integrated, secure, PCI-compliant, utility application. Pay acts as the connector to facilitate a transaction between the CivicPlus solution and the selected payment gateway. CivicPlus has partnered with several integrated gateways which we can assist with the facilitation, set-up, support, and troubleshooting services. Pay can also integrate with many other supported gateway providers in addition to our partner network, in a more limited fashion, to assist you in developing a successful system. To utilize any of the approved gateways, an agreement will need to be executed directly between you and the vendor, that will assess separate merchant account and transaction fees. Additional information can be provided upon request.

Because EMV and Card-Swipe devices are encrypted specifically for individual payment gateways, you'll need to procure any required devices directly from your selected gateway provider for either purchase or rent.

## Invoicing Details

- 100% of Year 1 cost upon contracting.
- Annual recurring services shall be invoiced on the start date of each renewal term.
- Annual recurring services shall be subject to a 5% annual increase beginning in year 2 of service.
- All invoices are due within 30 days of the date of such invoice.

If the payment terms noted above does not meet your needs, please discuss with us so that we can try to accommodate your goals.

# Disclaimer

## **PROPOSAL AS NON-BINDING DOCUMENT**

A successful project begins with a contract that meets the needs of both parties. This proposal is intended as a non-binding document, and the contents hereof may be superseded by an agreement for services. Its purpose is to provide information on a proposed project we believe will meet your needs based on the information available. If awarded the project, CivicPlus reserves the right to negotiate the contractual terms, obligations, covenants, and insurance requirements before a final agreement is reached. We look forward to developing a mutually beneficial contract with you.



To Whom It May Concern,

CivicPlus is the only provider capable of integrating the bi-directional search functionality between CivicPlus' Websites, Social Media Archiving Open Archive, Agenda and Meeting Management and Municode Online Code Hosting solutions.

Search Integrations:

This search integration enables staff and residents who are performing a search on their CivicPlus websites to simultaneously search Agenda and Meeting Management, Municode Online Code Hosting and Social Media Archiving Open Archive as appropriate. (Social Media Archiving Open Archive integrates with Engage Central websites. Engage Open websites integrate with Agenda and Meeting Management Essential. Engage Central websites integrate with Agenda and Meeting Management Select.)

Only CivicPlus Websites (Open, Central, and Evolve) integrate with Municode's Online Code Hosting Platform, providing a bi-directional search between CivicPlus Websites and Municode's Online Code Hosting Platform. This search feature is unique to CivicPlus.

Legislative Process Integrations:

Our CivicPlus Agenda and Meeting Management solutions, Select and Essential (formerly CivicClerk and Municode Meetings, respectively), are the only agenda and meeting management solutions that integrate with Municode's Online Code Hosting Platform. The integration between Select/Essential and Municode's Online Code Hosting Platform allows users to push newly adopted legislation directly to the Municode Online Code Hosting Platform's landing page. Municode Online Code Hosting Platform's subscription feature, eNotify, proactively notifies staff and residents via email when Select/Essential has pushed new or updated legislation to the Municode Online Code Hosting Platform landing page.

When coupled with OrdBank (a feature of Municode's Online Code Hosting Platform), the integration between Select/Essential and the Municode Online Code Hosting Platform also enables the creation of Enhanced History Notes. Upon supplementation of legislation pushed from Select/Essential to Municode Codification, the Enhanced History Notes for amended sections are hyperlinked directly to the Select/Essential instance for the specific meeting in which that piece of legislation was adopted. This link gives staff and residents instant access to the agenda, minutes, audio, video and vote tallies (if applicable) related to the legislation that amended the specific section of the municipal code. The only platforms capable of creating Enhanced History Notes inside the Municode Online Code Hosting Platform are Select/Essential. Both of which are CivicPlus solutions.

Public Portal Integrations:

Our CivicPlus NextRequest software solution is integrated with the CivicPlus Portal, enabling residents to access an embedded view of the NextRequest portal within the CP Public Portal. This integration enables users to start a public records request and view archived public records requests. No other freedom of information act software solution integrates with the CivicPlus Portal in this way. The CivicPlus Public Portal unifies multiple CivicPlus solutions into one simple transactional hub, presenting residents with available forms, notifications, and upcoming public meetings.

Sole Provider:

No other companies or individuals in the United States have the right to sell these integrated products. No other companies or individuals have the right to sell, support or service each of these products together. Only CivicPlus is authorized to sell all of the following CivicPlus solutions as one suite of products: Municipal Websites, Municode Codification Services, Social Media Archiving (ArchiveSocial), NextRequest FOIA, and Agenda and Meeting Management.

Please let me know if you have any questions or would like any further documentation.

Regards,

Eric Grant  
VP/GM, CivicPlus



05-30-2025

# City Of Anthony, NM

---

Domain Migration, General Redirect and Find and Replace Service

**Prepared for:**

Richard Valdez  
IT Assistant  
City Of Anthony, NM  
Office: 575-882-2983 Ext 116  
[robbie@rtsolutions.com](mailto:robbie@rtsolutions.com)

**Prepared by:**

Colton McCabe  
Real Time Solutions  
505-830-0414  
[colton@rtsolutions.com](mailto:colton@rtsolutions.com)



Real Time Solutions

2101 Mountain Rd. NW Suite A | Albuquerque, NM 87104

P: 505.830.0414 | [sales@rtsolutions.com](mailto:sales@rtsolutions.com)

---

## Scope of Work

### Domain Migration for City of Anthony, New Mexico

#### 1. Domain Migration Coordination

- **Objective:** Real Time Solutions (RTS) will work with the City of Anthony and its relevant partners to migrate the city's website from the current domain ([www.CityOfAnthonyNM.com](http://www.CityOfAnthonyNM.com)) to the new domain ([www.CityOfAnthonyNM.gov](http://www.CityOfAnthonyNM.gov)).

#### 2. DNS Configuration

- **Task:** RTS will assist in configuring DNS settings for the new **.gov** domain to ensure proper resolution and secure site accessibility.

#### 3. SSL Certificate Installation

- **Task:** RTS will generate and install a new SSL certificate on the **.gov** domain to ensure secure browsing for users.
- **Next Steps:** Future SSL certificate renewals will be included in the annual hosting agreement.

#### 4. Website Redirection Setup

- **Task:** RTS will implement global redirects so that any traffic to the old domain ([www.CityOfAnthonyNM.com](http://www.CityOfAnthonyNM.com)) is automatically forwarded to the corresponding pages on the new domain ([www.CityOfAnthonyNM.gov](http://www.CityOfAnthonyNM.gov)), ensuring a seamless transition for users and preserving existing links.

#### 5. Internal Domain Reference Updates

- **Task:** RTS will perform a site-wide find-and-replace to update all instances of **CityOfAnthonyNM.com** to **CityOfAnthonyNM.gov** in website files, links, forms, and configurations.

#### 6. Email Domain Reference Update (if applicable)

- **Optional Task:** If the city updates its official email addresses to align with the new domain, RTS can update all email references on the website from **@CityOfAnthonyNM.com** to **@CityOfAnthonyNM.gov**.

#### 7. Update of Domain-Dependent Services

- **Task:** RTS will update all services that depend on the domain name, including:
  - Google Analytics



- CAPTCHA or form services
- Any third-party integrations
- **Action:** RTS will also submit the new domain to Google Search Console to maintain search engine visibility and ensure smooth indexing under the new domain.

## Cost Breakdown

New Mexico Statewide Price Agreement # 30-00000-23-00080CL

### Application Support and Development:

\$75.00/hr. Junior **Level, \$95.00/hr.** Middle Level, \$135.00/hr. Senior Level

### New Mexico Gross Receipts Tax

7.625% GRT will be added to the cost.

Item #	Description	Cost
385	Domain Migration, General Redirect, and Find and Replace Service  <b>(10.00 Hours at \$95.00/hr.)</b>	\$950.00
	NM GRT (7.625%)	\$72.44
	Total cost including GRT	\$1,022.44

---

## CONTACT INFORMATION

Real Time Solutions  
2101 Mountain Rd. NW Suite A  
Albuquerque, NM 87104

505-830-0414  
505-830-0434 fax

Federal ID#: 46-1718170  
CRS ID Number: 03-259488-007  
New Mexico State-Wide Price Agreement # 90-00000-19-00065BX

Primary Contact:  
Steve Schroeder  
[Steve@rtsolutions.com](mailto:Steve@rtsolutions.com)

Certifications:  
Small Disadvantaged Business  
HUBZONE, August 2006  
MBE, Rocky Mountain Minority Supplier Development Council

North American Industry Classification System (NAICS):  
511210 – Software Publishers  
541511 – Custom Computer Programming Services  
541512 – Computer Systems Design Services  
541513 – Computer Facilities Management Services  
541519 – Other Computer Related Services  
541613 – Marketing Consulting Services  
541618 – Other Management Consulting Services  
611420 – Computer Training

Standard Industrial Classification (SIC):  
7371 – Computer Programming Services  
7372 – Prepackaged Software  
7373 – Computer Integrated Systems Design  
7374 – Data Processing and Preparation  
7376 – Computer Facilities Management  
8742 – Management Consulting Services  
8748 – Business Consulting, NEC



# City of Anthony - Web Hosting & .GOV

## SUBMITTED TO:

Richard Valdez

City of Anthony

James Hurst

cell: +15756404568

jhurst@spectrumistechology .com

Quote # iQ02022

[www.spectrumistechology.com](http://www.spectrumistechology.com)

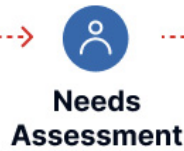
# About Spectrum

Quote # iQ02022

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!

## WHITE GLOVE ONBOARDING



### Local Support

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



### Network Operation Centers

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

When you are happy... we are happy. Proudly maintaining a 98% customer retention rate through exceptional service and support.



### Excellence

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

## A FEW CUSTOMERS



## PARTNERSHIPS



# Executive Summary

Dear Richard Valdez

Thank you for the opportunity to present this proposal. Building strong and lasting partnerships with clients like you is at the core of our reputation. Should you need anything else, please don't hesitate to reach out to me directly. I'm here to help!

Sincerely,  
James Hurst

*James Hurst*

SOLUTIONS

QUANTITY

Service	Per User	User Count	UOM	Total Payment (\$)
SpectraCare Web Services Support	No	-	One-time	\$ 900.00
Managed Website Transfer and .gov Domain configuration.				

Service	Per User	User Count	UOM	Total Payment (\$)
SpectraCare Web Hosting & Support	No	-	Monthly	\$ 100.00
6 Hours of Content Support Per Year Managed Technical Hosting				

Total Investment

Quote Amount

Monthly Service	Hourly Service	One-time Payment
\$ 100.00	\$ 0	\$ 900.00

# Remarks

After reviewing the proposed solutions and everything presented meets your requirements, please complete the Quote Signature form on the next page.

## Scope of Work

### Managed Website Transfer & Domain/Hosting Server Configuration

- Transfer files from the vendor server to Spectrum Spectrum-managed server.
- Configure & manage the Domain Host environment
- Configure & manage the website environment
- Includes SSL Certification
- Includes backup & disaster recovery services
- Security patches & updates

### Content Management & Maintenance Support

- 6 Hour per year Managed Content Updates
- Managed Security and Updates
- High Speed Page Loading
- Dedicated Account Manager for Questions and Additional Support

## Assumptions

- The client will be available and participate in giving feedback for the discovery, review, and testing of the website.
- Client will provide content(verbiage), images, videos, logos and branding to be used on the site.
- Client will provide access to the current domain, website, and hosting, if applicable.
- Pages listed in the site map may be condensed during the content gathering phase of the project. Requests to add additional pages will be reviewed and quoted prior to being added into the project schedule.
- Any plugins, themes, or third-party services that require licensing or renewal are the sole responsibility of the client. Should any premium licenses be discovered during or after transfer, Spectrum will notify the client and provide a quote for the license(s) cost.
- While Spectrum will make every effort to preserve site functionality during the migration, functionality reliant on expired or non-transferable licenses may be disrupted. Any development or reconfiguration required to replace or restore this functionality will be considered out of scope and may incur additional fees.
- Additional functionality not listed in the proposal above will be quoted before being added to the project schedule.
- Spectrum will provide clients with estimated dates for each phase of the project.
- The estimated dates provided are a tentative schedule based on the optimal approval process. The timeline is based on the speed of communication from the customer. Delays in content gathering or approvals can result in delays to the schedule and will provide an updated timeline based on ST's production schedule at the time of customer feedback.



## QUOTE SIGNATURE

**Helping  
Businesses  
Thrive  
Since 1903**

City of Anthony  
Richard Valdez  
rvaldez@cityofanthonymn.org

820 Highway 478 Anthony , NM 88021

**Quote:** #iQ02022  
**Created:** Thu Jun 05 2025  
**Expires:** Sat Jul 05 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 #IQ02022

## Agreement Terms

This agreement is hereby entered into between Spectrum Technologies and \_\_\_\_\_ (Hereinafter Referred to as "Client" on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

1. Copyrights and Trademarks. The Client represents to Spectrum Technologies and unconditionally guarantees that any elements of text, graphics, photos, designs, trademarks, or other artwork furnished to Spectrum Technologies for inclusion in web pages are owned by the Client, or that the Client has permission from the rightful owner to use each of these elements, and will hold harmless, protect, and defend Spectrum Technologies from any claim or suit arising from the use of such elements furnished by the Client.
2. This recurring portion of this agreement shall be effective as of the date of this Agreement, execution by CLIENT unless sooner terminated in accordance with the terms hereof, and shall be for an initial term of twelve (12) month(s). CLIENT and Spectrum Technologies reserve the right to review this agreement quarterly.
3. This Agreement shall renew automatically at the end of the prior Agreement term for a period of twelve (12) month(s) unless Spectrum Technologies or the CLIENT affirmatively terminates it in accordance with the conditions set forth in this Agreement.
4. If CLIENT affirmatively terminates agreement in accordance with the conditions set forth herein, Spectrum will disable the website after completed contract term.
5. All websites that are on a recurring contract will be hosted on Spectrum servers. Spectrum retains ownership of the site files and all features and functionality created thereon.
6. 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 thirty (30) days prior written notice of its intent not to renew the software/licensing that was added.
7. Spectrum Technologies and/or CLIENT shall have the right to terminate this Agreement under any of the following conditions:
  - a. If one of the parties shall be declared insolvent or bankrupt.
  - b. If a petition is filed in any court and not dismissed in ninety days to declare one of the parties bankrupt and/or for a reorganization under the Bankruptcy Law or any similar statute
  - c. If a Trustee in Bankruptcy or a Receiver or similar entity is appointed for one of the parties
8. Spectrum Technologies has the right to terminate this Agreement if CLIENT does not pay Spectrum Technologies within thirty (30) days from receipt of invoice and/or otherwise materially breaches this Agreement.



## Granicus Proposal for Anthony, NM

### ORDER DETAILS

**Prepared By:** Joey Johnson  
**Phone:**  
**Email:** joey.johnson@granicus.com  
**Order #:** Q-457483  
**Prepared On:** 13 Jun 2025  
**Expires On:** 31 Jul 2025

### ORDER TERMS

**Currency:** USD  
**Payment Terms:** Net 30 (Payments for subscriptions are due at the beginning of the period of performance.)  
**Period of Performance:** The term of the Agreement will commence on the date this document is signed and will continue for 36 months.

## PRICING SUMMARY

The pricing and terms within this Proposal are specific to the products and volumes contained within this Proposal.

One-Time Fees			
Solution	Billing Frequency	Quantity/Unit	One-Time Fee
Granicus Web - Essentials Package	Milestones - 40/30/30	1 Each	\$16,200.00
Setup and configuration package: OpenForms License	Up Front	1 Each	\$0.00
Training: OpenForms	Upon Delivery	1 Each	\$0.00
OpenCities Security License - Services Setup and Configuration Package	Up Front	1 Hours	\$0.00
SUBTOTAL:			\$16,200.00

New Subscription Fees			
Solution	Billing Frequency	Quantity/Unit	Annual Fee
OpenForms Team License	Annual	1 Each	\$4,691.14
OpenCities SaaS License	Annual	1 Each	\$6,804.00
OpenCities Cloud Security License	Annual	1 Each	\$0.00
SUBTOTAL:			\$11,495.14

Optional Solutions			
Solution	Billing Frequency	Quantity/Unit	Associated Fee
Social Media eXstream	Annual	1 Each	\$3,131.77
Social Media eXstream - Setup	50% Up Front 50% Upon Delivery	1 Each	\$452.62
Avior™ PRO Remote Broadcast System - Three Camera Setup	50% Up Front 50% Upon Delivery	1 Each	\$47,583.40
EASE™ H Streaming Appliance	50% Up Front 50% Upon Delivery	1 Each	\$6,879.40
Captioning Software Only	Upon Delivery	1 Each	\$3,413.20
Avior™ 25	Annual	1 Each	\$18,805.32
AVIOR Control Software License	Annual	1 Each	\$1,700.51
Avior™ Setup and Deployment	50% Up Front 50% Upon Delivery	1 Each	\$1,144.80
AVIOR™ Standard Pre-Assembly & Install	50% Up Front 50% Upon Delivery	1 Each	\$5,088.00
EASE™ 25	Annual	1 Each	\$13,099.37
EASE™ or CaptionPrime Setup and Deployment	50% Up Front 50% Upon Delivery	1 Each	\$1,356.80
Standard Caption Encoder/Decoder	Up Front	1 Each	\$6,667.40
CaptionLive Basic (Automated)	Annual	150 Hours	\$7,828.50
CaptionLive ESP	Annual	150 Hours	\$18,651.00
<b>SUBTOTAL:</b>			<b>\$135,802.09</b>

## FUTURE YEAR PRICING

Solution(s)	Period of Performance	
	Year 2	Year 3
OpenForms Team License	\$5,019.52	\$5,370.89
OpenCities SaaS License	\$7,280.28	\$7,789.90
OpenCities Cloud Security License	\$0.00	\$0.00
<b>SUBTOTAL:</b>	<b>\$12,299.80</b>	<b>\$13,160.79</b>

Optional Solution(s)	Period of Performance	
	Period 2	Period 3
Social Media eXstream	\$3,350.99	\$3,585.56
Avior™ 25	\$20,121.69	\$21,530.21
AVIOR Control Software License	\$1,819.55	\$1,946.91
EASE™ 25	\$14,016.33	\$14,997.47
CaptionLive Basic (Automated)	\$8,376.50	\$8,962.85
CaptionLive ESP	\$19,956.57	\$21,353.53

## PRODUCT DESCRIPTIONS

Solution	Description
Granicus Web - Essentials Package	<p>The Essentials package provides a citizen-focused website based on best practices &amp; patterns out-of-the-box using proven pre-configured layouts. This implementation level is recommended for organizations that need a rapid implementation timeline or those with a small implementation team that does not have the capacity to engage in a traditional UX Design process.</p> <p><b>This package includes:</b></p> <ul style="list-style-type: none"> <li>• Professional Project <ul style="list-style-type: none"> <li>◦ Management - Weekly / bi-weekly communication</li> </ul> </li> <li>• One (1) homepage layout from Granicus responsive design library</li> <li>• One (1) Information Architecture (IA) Package (basic) <ul style="list-style-type: none"> <li>◦ Best practices review</li> </ul> </li> <li>• One (1) Content Rationalization Package (basic) <ul style="list-style-type: none"> <li>◦ Best practices review, one (1) hour session</li> <li>◦ Site scrape loaded into AIM framework document</li> </ul> </li> <li>• One (1) Visual Design Package <ul style="list-style-type: none"> <li>◦ One (1) homepage design mockup – based on logo + 3 colors</li> <li>◦ Interior page sample</li> <li>◦ Mobile version sample</li> <li>◦ One (1) round of design revisions</li> </ul> </li> <li>• Development/CMS Implementation</li> <li>• Content Migration - up to fifty (50) pages</li> <li>• QA &amp; Accessibility Report</li> <li>• Remote Training - Delivered in three (3) non-consecutive sessions <ul style="list-style-type: none"> <li>◦ eight (8) hours total - Up to ten (10) people</li> </ul> </li> </ul>
OpenForms Team License	<p>OpenForms is a digital forms builder specifically designed for Government. Government services can be complicated, but the experience for the residents accessing them shouldn't have to be. OpenForms is perfect for the business of government, with capabilities that will help you convert complex, multi-page forms and processes into simple, step-by-step online forms that adjust based on customers responses.</p> <p><b>The Team plan enables powerful form building for up to:</b></p>

Solution	Description
	<ul style="list-style-type: none"> <li>• 5 users, 50 published forms.</li> </ul> <p><b>Key features include:</b></p> <ul style="list-style-type: none"> <li>• Drag and drop form builder</li> <li>• Display logic and calculations</li> <li>• Payments</li> <li>• Insights dashboard</li> <li>• Form analytics</li> <li>• Support team access</li> <li>• Save responses</li> <li>• Unlimited responses</li> <li>• Data connections and API access</li> <li>• Up to: 10GB file uploads, 1,000 web API calls per hour</li> </ul> <p>This package does not include premium features such as workflow, workspaces, form versioning or custom documents. For these features, please consider OpenForms Enterprise.</p>
OpenCities SaaS License	<p>The OpenCities platform allows you to launch modern, easy to use websites that evolve to put the needs of your community at the center. The SaaS License includes:</p> <ul style="list-style-type: none"> <li>• All OpenCities out of the box functionality (excluding optional/premium modules priced separately)</li> <li>• Platform setup and full project management</li> <li>• Managed cloud hosting via Microsoft AzureGov</li> <li>• Ongoing security updates</li> <li>• Ongoing product updates and enhancements</li> <li>• WCAG AA Accessibility maintained perpetually</li> <li>• 99.9% up-time guarantee and 24/7 support for Priority 1 issues (per SLA)</li> <li>• Comprehensive SLA and Support Ticketing system</li> </ul> <p>See subscription agreement for details.</p>
OpenCities Cloud Security License	<p>Deployment of Imperva Security and Content Delivery Network (CDN). Providing leading caching and security resulting in enhanced protection from malicious attacks.</p> <p>Once configured, it continuously monitors and blocks attacks. With a global 24/7/365 security operations center, it provides an expertly</p>

Solution	Description
	managed web application firewall, distributed denial of service attack protection and advanced bot detection.
Setup and configuration package: OpenForms License	Setup and configuration of OpenForms
Training: OpenForms	1.5 hour OpenForms Training session for up to 25 people, delivered online.
OpenCities Security License - Services Setup and Configuration Package	Setup and configuration of OpenCities Imperva License
Social Media eXstream <b>(Optional Solution)</b>	Facebook Live or YouTube live streaming from an EASE encoder
Social Media eXstream - Setup <b>(Optional Solution)</b>	Social Media eXstream - Setup
Avior™ PRO Remote Broadcast System - Three Camera Setup <b>(Optional Solution)</b>	Avior™ PRO Remote Broadcast System: Three HD Camera Solution
EASE™ H Streaming Appliance <b>(Optional Solution)</b>	Standard streaming encoder with EASE™ software and optional analog distribution: 1U Configuration - SDI, HDMI, DVI, VGA, Component, Composite, S-video Video, Osprey 827e Capture Card, Embedded SDI, AES, SPDIF, HDMI, Balanced (mini XLR), Unbalanced Audio
Captioning Software Only <b>(Optional Solution)</b>	Captioning Software Only (EASE™ H or EASE™ 2D Appliance Upgrade)
Avior™ 25 <b>(Optional Solution)</b>	AVIOR™ 25 Managed Service SaaS: Remote Switching for up to 25 meetings per year.
AVIOR Control Software License <b>(Optional Solution)</b>	Annual License Fee
Avior™ Setup and Deployment <b>(Optional Solution)</b>	Standard AVIOR™ system setup and remote deployment
AVIOR™ Standard Pre-	AVIOR™ Standard Pre-Assembly & Install (travel not included)

Solution	Description
Assembly & Install <b>(Optional Solution)</b>	
EASE™ 25 <b>(Optional Solution)</b>	EASE™ 25 Managed Service SaaS: Up To 25 Indexed Meetings per year (EASE™) - Includes Media On- Demand, 24/7 LIVE Stream and up to 120 hours of additional specialty content per year (No staff involvement—Hands Free).
EASE™ or CaptionPrime Setup and Deployment <b>(Optional Solution)</b>	Standard EASE™ encoder setup and remote deployment
Standard Caption Encoder/Decoder <b>(Optional Solution)</b>	Standard Caption Encoder/Decoder for IP-based handoff to cloud captioning (537): The standard caption encoder/decoder for broadcasters requiring basic caption insertion features. The unit offers automatic speech recognition captioning, supports a serial port or TCP/IP connection, and can also be equipped with an optional telco modem. Real-time automated transcription with appropriate service plan.
CaptionLive Basic (Automated) <b>(Optional Solution)</b>	CaptionLive Basic - Automated Transcription Service in English with no text cleanup, per hour
CaptionLive ESP <b>(Optional Solution)</b>	CaptionLive ESP - Automated Transcription Service in English and Spanish with text, No cleanup, per hour



## TERMS & CONDITIONS

- This quote, and all products and services delivered hereunder are governed by the terms located at <https://granicus.com/legal/licensing>, including any product-specific terms included therein (the "License Agreement"). If your organization and Granicus has entered into a separate agreement or is utilizing a contract vehicle for this transaction, the terms of the License Agreement are incorporated into such separate agreement or contract vehicle by reference, with any directly conflicting terms and conditions being resolved in favor of the separate agreement or contract vehicle to the extent applicable.
- If submitting a Purchase Order, please include the following language: The pricing, terms and conditions of quote Q-457483 dated 13 Jun 2025 are incorporated into this Purchase Order by reference and shall take precedence over any terms and conditions included in this Purchase Order.
- This quote is exclusive of applicable state, local, and federal taxes, which, if any, will be included in the invoice. It is the responsibility of Anthony, NM to provide applicable exemption certificate(s).
- Any lapse in payment may result in suspension of service and will require the payment of a setup fee to reinstate the subscription.
- **Billing Frequency Notes (Milestones - 40/30/30):** An initial payment equal to 40% of the total; a payment equal to 30% of the total upon homepage design approval, and; a payment equal to 30% of the total upon go-live.
- Client will be invoiced for use of any product or service measured or capped by volume or amount of usage that exceeds the permitted amount set forth in this Quote at the same cost or rate set forth herein.
- **Updates to Shared Short Codes for SMS/Text Messaging:**  
Granicus will be migrating all clients with SMS/Text Messaging Solutions using a shared short code option to a unique standard toll-free number within the United States (International numbers not supported). Short Codes are recommended for Text-to-Subscribe functionalities, if enabled where available, for an additional fee. Client must have explicit opt-in for all destinations sent to and adhere to all CTIA guidelines for the duration of its use.

## SWAGIT Product Specific Terms

In addition to the terms and conditions of your agreement with Granicus, your use of the Swagit product offerings (including hardware, software and services) will be governed by the additional terms set forth below. Any conflict between the terms of your agreement with Granicus and these product-specific terms will be resolved in favor of these terms solely as it relates to the Swagit Product.

### 1. AVIOR Broadcaster Hardware.

- a. Fifty percent (50%) of the total fees due for the hardware, pre-installation services and set up and deployment services will be invoiced upon contract signature. The remaining fifty percent (50%) balance of the hardware fees and fees due for pre-installation and set up and deployment services will be invoiced upon completion of installation of the hardware at Client's designated location.
- b. Cancellation of any order for Avior Broadcaster hardware will result in Client's obligation to pay Granicus twenty percent (20%) of the total fees due for the hardware as a restocking fee, and Client is responsible for all costs associated with the return of the hardware to Granicus in resale condition.
- c. Fees for Swagit Subscription Services related to Avior Broadcaster equipment will be invoiced upon contract signature. The initial subscription term will be prorated to reflect a 10 month subscription period to account for installation time. The full twelve (12) month renewal term will commence on the anniversary of the contract execution date and will be billed at the full twelve-month rate plus annual increase.

### 2. EASE Encoder Hardware.

- a. 100% of EASE encoder hardware fees and fees for installation and configuration will be invoiced upon contract signature. EASE encoders are not eligible for return or refunds.
- b. Fees for Swagit Subscription Services related to EASE encoders will be invoiced upon contract signature and will be prorated to reflect an initial eleven month term. The subsequent full twelve (12) month renewal term will commence on the anniversary of the contract execution date and will be billed at the full twelve month rate plus any annual increase.

3. **Warranty.** All equipment is provided to Client with the manufacturer's warranty associated with such equipment. Granicus disclaims all warranties, express or implied associated with the equipment, including any implied warranties of merchantability and fitness for a particular purpose. Granicus will provide Client with all documentation associated with the manufacturer's warranty upon request.

4. **Camera and Broadcast Operations.** Granicus may need to operate the camera and broadcast system remotely. Such remote operation requires access via inbound TCP port 2001, outbound TCP ports 21, 80, 443, 1935, 5721, and outbound UDP ports 53, 123. The Client will need to supply Granicus with access to such TCP and UDP ports with respect to the Client's Internet connection. Granicus will not be responsible for remote camera operations should Client fail to give Granicus such access, or if Client's Internet connection is interrupted. Additionally, in the event the Granicus needs to operate such system manually, the Client will provide access to the equipment at the Site designated by the Client in the Scope of Work.



## BILLING INFORMATION

<b>Billing Contact:</b>		<b>Purchase Order Required?</b>	<input type="checkbox"/> - No <input type="checkbox"/> - Yes
<b>Billing Address:</b>		<b>PO Number:</b> <i>If PO required</i>	
<b>Billing Email:</b>		<b>Billing Phone:</b>	

**If submitting a Purchase Order, please include the following language:**

*The pricing, terms, and conditions of quote Q-457483 dated 13 Jun 2025 are incorporated into this Purchase Order by reference and shall take precedence over any terms and conditions included in this Purchase Order.*

## AGREEMENT AND ACCEPTANCE

By signing this document, the undersigned certifies they have authority to enter the agreement. The undersigned also understands the services and terms.

Anthony, NM	
<b>Signature:</b>	
<b>Name:</b>	
<b>Title:</b>	
<b>Date:</b>	

## Project Proposals

### Proposal Option A: WordPress Migration to Azure with .gov Domain Setup

#### Overview

This option provides a streamlined migration of the existing WordPress site to Microsoft Azure, along with guidance and support for acquiring and configuring a .gov domain. This approach minimizes upfront development costs while leveraging a familiar CMS environment.

#### Scope of Work

Task	Description	Est. Hours
Initial Consultation	Discuss goals, gather credentials, assess current site	1–2 hrs
.gov Domain Guidance	Assist with get.gov application via screen share	1–2 hrs
Azure Setup	Create App Service, MySQL DB, configure environment	2–3 hrs
WordPress Migration	Backup, transfer, and restore site	2–4 hrs
Domain & DNS Configuration	Point .gov domain to Azure, set up SSL	1–2 hrs
Testing & QA	Verify site functionality, fix broken links, test forms	2–3 hrs
Redirects & SEO	Set up 301 redirects, update metadata, submit sitemap	1–2 hrs
Training & Handoff	Walkthrough of new setup, admin access, backups	1–2 hrs

#### Estimated Total Hours

10–20 hrs

#### Estimated Cost

Low Range: 10 hrs × \$245 = \$2,450

High Range: 20 hrs × \$245 = \$4,900

**\*\*Note\*\*:** If the client handles some tasks independently (e.g., backups, DNS), the project may stay closer to the low end of the estimate.

## Proposal Option B: Rebuild as Static HTML or Power Pages

### Overview

This option involves rebuilding the site as a static HTML/CSS site or using Microsoft Power Pages for a more secure, scalable, and easily editable platform. This approach offers greater control and performance, with reduced reliance on WordPress.

### Scope of Work

Task	Description	Est. Hours
Site Audit & Planning	Review current site, define structure	2–3 hrs
HTML/CSS Layout Recreation	Rebuild layout in HTML or Power Pages	6–10 hrs
Content Migration	Transfer and format content	4–6 hrs
Form & Feature Rebuild	Recreate forms and interactive elements	3–5 hrs
Azure Deployment & DNS	Deploy site, configure domain and SSL	2–3 hrs
Testing & QA	Verify functionality, fix issues	2–3 hrs
Documentation & Handoff	Provide instructions and training	1–2 hrs

### Estimated Total Hours

20–32 hrs

### Estimated Cost

Low Range: 20 hrs × \$245 = \$4,900

High Range: 32 hrs × \$245 = \$7,840

### Ongoing Costs (Estimates)

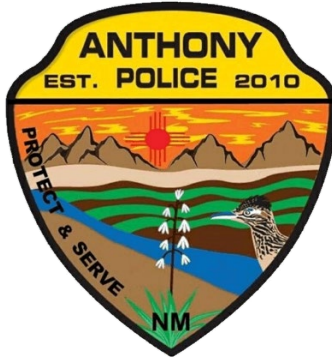
Power Pages: \$75–\$200/month (plus \$20/month for admin license)

WordPress on Azure: ~\$130/month

Static HTML on Azure: ~\$9/month

.NET App Service: \$80–\$100/month

**\*\*Note\*\*:** If the client handles content conversion or uses AI tools to assist, hours and costs could be reduced significantly.



# 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 \_\_\_\_\_

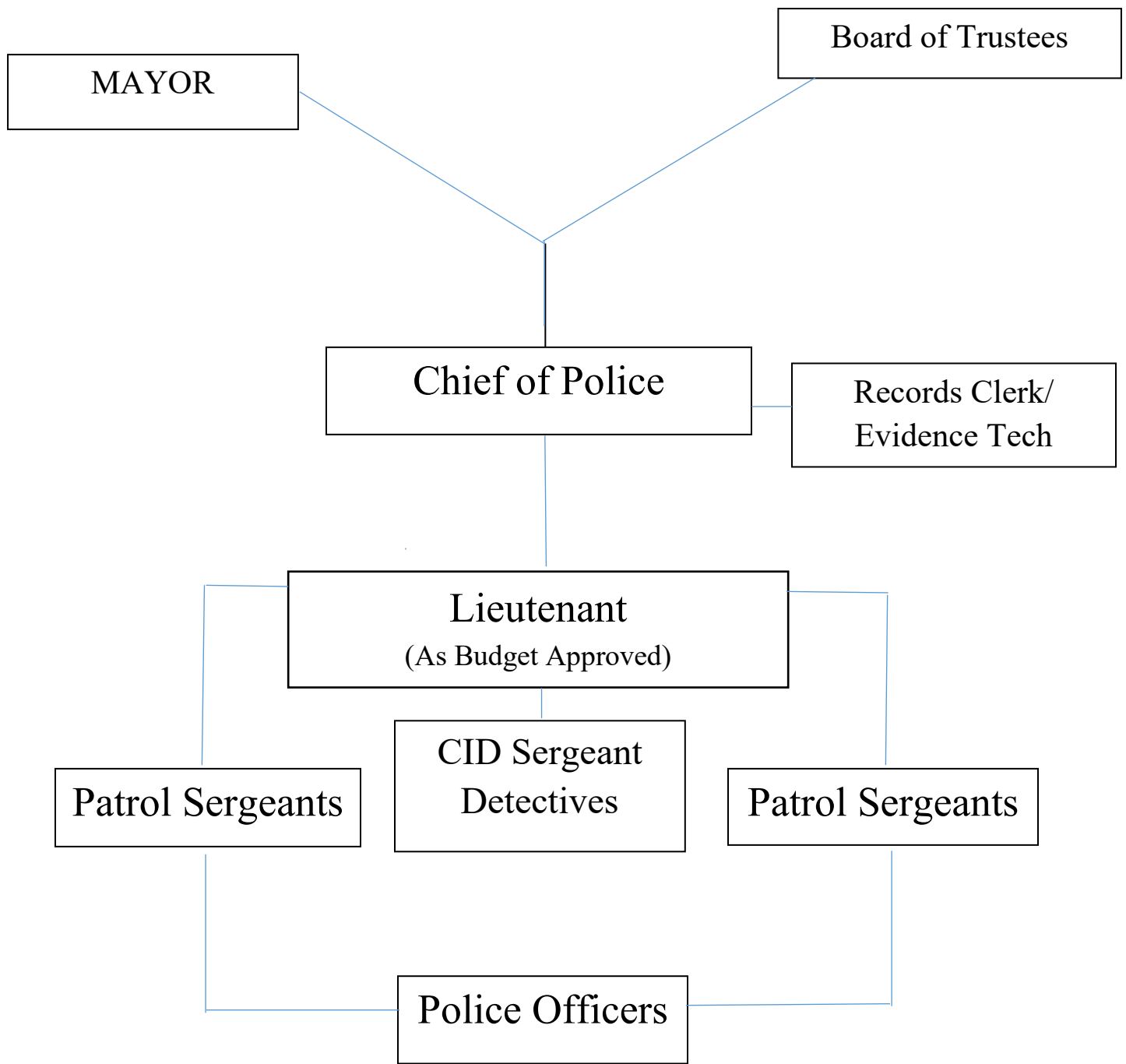
Approved \_\_\_\_\_  
Human Resources

Date \_\_\_\_\_

Approved \_\_\_\_\_  
Chief of Police Vanessa Ordoñez

Date \_\_\_\_\_

# City of Anthony Police Department Chain of Command





## **TABLE OF CONTENTS**

ADM.01.01	Mission Statement
ADM.01.02	Goals and Objectives
ADM.01.03	Written Directives
ADM.01.04	Oath of Office
ADM.01.05	Code of Ethics
ADM.01.06	Code of Conduct
ADM.01.07	Limits of Authority
ADM.01.08	Authority and Responsibility
ADM.01.09	Organizational Flow Chart
ADM.01.10	Command Protocol
ADM.01.11	Constitutional Requirements
ADM.01.12	Search and Seizure
ADM.01.13	Arrests
ADM.01.14	Alternatives to Arrests
ADM.01.15	Immunity from Arrests
ADM.01.16	Animal Control/Records Clerk
ADM.01.17	Crime Analysis
ADM.01.18	Mutual Aid
ADM.01.19	Liaison with Other Agencies
ADM.01.20	Fiscal Management
ADM.01.21	Property and Evidence Control
ADM.01.22	Property, Department Stored

ADM.01.23	Inventory Control
ADM.01.24	Internal Affairs/Citizen Complaints
ADM.01.25	Inspectional Services
ADM.01.26	Community Relations/Crime Prevention
ADM.01.27	Public Information
ADM.01.28	Victims/Witnesses Services
ADM.01.29	Records
ADM.01.30	Harassment/Sexual Harassment
ADM.01.31	Gratuities, Rewards, and Witness Fees
ADM.01.32	Emergency Contact Information
ADM.01.33	Cards: Official-Personal
ADM.01.34	Computer Laptop Use
ADM.01.35	Body Worn Cameras
ADM.01.36	Sex Offender Registration
ADM.01.37	Officer Involved Shootings
ADM.01.38	The Wrap Restraint
OPR.02.01	Patrol Operations
OPR.02.02	Motor Vehicle Pursuits
OPR.02.03	Juvenile Operations
OPR.02.04	Emergency Management/Unusual Occurrences
OPR.02.05	Missing Persons
OPR.02.06	Traffic
OPR.02.07	Prisoner/Patient Transport
OPR.02.08	Domestic Violence

OPR.02.09	Bias-Based Profiling
OPR.02.10	Towed Vehicles
OPR.02.11	Use of Force
OPR.02.12	Firearms/Weapons
OPR.02.13	Vehicles, Police Department
OPR.02.14	Radio Communications
OPR.02.15	Criminal Investigations
OPR.02.16	Foot Pursuits
PER.03.01	Selection and Hiring
PER.03.02	Employment Discrimination
PER.03.03	Equipment, Uniforms, and Grooming Standards
PER.03.04	Promotions
PER.03.05	Grievance Procedure
PER.03.06	Disciplinary Procedures
PER.03.07	Social Media
PER.03.08	Overtime
TRN.04.01	Training
OPR.04.02	Traffic Enforcement
OPR.04.03	Body Armor Mandatory Wear
OPR.04.04	Recording Devices

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: MISSION STATEMENT</b>	<b>NUMBER: ADM 01-01</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Goals and Objectives</b>	<b>NUMBER: ADM 01-02</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: WRITTEN DIRECTIVES</b>	<b>NUMBER: ADM 01-03</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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's 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: OATH OF OFFICE</b>	<b>NUMBER: ADM 01-04</b>
<b>EFFECTIVE DATE:08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS: ADM.01.01</b>	<b>NMSA:</b>

## 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\_\_\_\_.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: CODE OF ETHICS</b>	<b>NUMBER: ADM 01-05</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Code of Conduct</b>	<b>NUMBER: ADM 01-06</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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 PERSONS IN CUSTODY OR SUSPECTS**

People in custody or suspects shall be searched for weapons for the officer's and the safety of those in our custody, 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 reports 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 a 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: LIMITS OF AUTHORITY</b>	<b>NUMBER: ADM 01-07</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS: ADM.02.01-02.04</b>	<b>NMSA:</b>

## **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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Authority and Responsibility</i></b>	<b>NUMBER: ADM 01-08</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <i>Vanessa Ordoñez</i> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY NM POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Organizational Flow Chart</i></b>	<b>NUMBER: ADM 01-09</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <i>Vanessa Ordoñez</i> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Command Protocol</b>	<b>NUMBER: ADM 01-10</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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 or City Official 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 City Official.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: CONSTITUTIONAL REQUIREMENTS</b>	<b>NUMBER: ADM 01-11</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Search and Seizure</b>	<b>NUMBER: ADM 01-12</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Arrests</b>	<b>NUMBER: ADM 01-13</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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. Non-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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: ALTERNATIVES TO ARRESTS</b>	<b>NUMBER: ADM 01-14</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

### **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: IMMUNITY FROM ARRESTS</b>	<b>NUMBER: ADM 01-15</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

### **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Animal Control Officer/Records Clerk</b>	<b>NUMBER: ADM 01-16</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## I. PURPOSE

Please see the written classification plan on behalf of the office performing the human resources function as it relates to job specifications/descriptions for each position listed in this policy.

## 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 animals, 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Crime Analysis</b>	<b>NUMBER: ADM 01-17</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Mutual Aid</b>	<b>NUMBER: ADM 01-18</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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
  - 3. 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Liaison with other Agencies</i></b>	<b>NUMBER: ADM 01-19</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <i>Vanessa Ordoñez</i> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Fiscal Management</b>	<b>NUMBER: ADM 01-20</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Property and Evidence Control</b>	<b>NUMBER: ADM 01-21</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS: ADM.17.01-17-06</b>	<b>NMSA:</b>

## **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 be picked 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 be 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Property, Department Stored</b>	<b>NUMBER: ADM 01-22</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

### **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Inventory Control</i></b>	<b>NUMBER: ADM 01-23</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <i>Vanessa Ordoñez</i> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Internal Affairs/Citizen Complaints</b>	<b>NUMBER: ADM 01-24</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS: ADM.19.01-19.09</b>	<b>NMSA:</b>

## **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 investigation 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Inspection Services</i></b>	<b>NUMBER: ADM 01-25</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <i>Vanessa Ordoñez</i> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Community Relations/Crime Prevention</b>	<b>NUMBER: ADM 01-26</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Public Information</b>	<b>NUMBER: ADM 01-27</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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 partiality.

## **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Victim/Witness Services</b>	<b>NUMBER: ADM 01-28</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS: ADM.01.24-24.02</b>	<b>NMSA:</b>

## **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 the 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Records Department</b>	<b>NUMBER: ADM 01-29</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

### **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 Dispatch Authority. 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 APD 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 MVRDA.

**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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Harassment/Sexual Harassment</b>	<b>NUMBER: ADM 01-30</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

**I. PURPOSE**

Refer to the City of Anthony Employee handbook and applicable state and federal laws.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Gratuities, Rewards and Witness Fees</b>	<b>NUMBER: ADM-01-31</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA: 10-16-3</b>

## **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Emergency Contact Information</b>	<b>NUMBER: ADM 01-32</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Cards: Official-Personal</b>	<b>NUMBER: ADM 01-33</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

**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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Computer Use</b>	<b>NUMBER: ADM 01-34</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Body Worn Cameras</i></b>	<b>NUMBER: ADM 01-35</b>
<b>EFFECTIVE DATE: 08-21-2023</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b> 08-01-2017 Version of ADM 01-35	<b>APPROVED: <i>Vanessa Ordoñez</i></b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>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</b>

## 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 <sup>rd</sup> or 4 <sup>th</sup> Degree Felonies	Any 3 <sup>rd</sup> or 4 <sup>th</sup> degree felony investigation, arrest or call for service
2 <sup>nd</sup> Degree Felonies	Any 2 <sup>nd</sup> degree felony investigation, arrest or call for service
1 <sup>st</sup> Degree Felonies	Any 1 <sup>st</sup> 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
Unknown	Unknown events or events not covered above



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Sex Offender Registration</b>	<b>NUMBER: ADM 01-36</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS: ADM.27.01</b>	<b>NMSA:</b>

The Sex Offender Registration and Notification Act, NMSA 29-11A-1 through 29-11A-10, 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 database.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Officer Involved Shootings</b>	<b>NUMBER: ADM 01-37</b>
<b>EFFECTIVE DATE: 08-21-2023</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS: ADM.19.01-19.09</b>	<b>NMSA:</b>

## **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: The Wrap Restraint</b>	<b>NUMBER: ADM 01-38</b>
<b>EFFECTIVE DATE: 08-22-2023</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Patrol</b>	<b>NUMBER: OPR 02-01</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS: OPR.01.01-01.10</b>	<b>NMSA:</b>

## 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. 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 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.
- 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 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 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.

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 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 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 personal 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: 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 detain 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Motor Vehicle Pursuits</b>	<b>NUMBER: OPR 02-02</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA: NM Safe Pursuit Act</b>

## 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.

- 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Juvenile Operations</i></b>	<b>NUMBER: OPR 02-03</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <i>Vanessa Ordoñez</i> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA: NMSA 1978, § 32A-2-1 to -33</b>

## 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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <u>Emergency Management/ Unusual Occurrences</u></b>	<b>NUMBER: OPR 02-04</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <u>Vanessa Ordoñez</u> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 MVRDA.
- 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.

Picketers 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 COUNTY 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 COUNTY 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 Dispatch 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Missing Persons</b>	<b>NUMBER: OPR 02-05</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 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

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Traffic</b>	<b>NUMBER: OPR 02-06</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 ensure 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Prisoner/Patient Transport</b>	<b>NUMBER: OPR 02-07</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Domestic Violence</b>	<b>NUMBER: OPR 02-08</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Bias-Based Profiling</b>	<b>NUMBER: OPR 02-09</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS: OPR.04.01</b>	<b>NMSA:</b>

## 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 offense.

#### **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Towed Vehicles</b>	<b>NUMBER: OPR 02-10</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <u>USE OF FORCE</u></b>	<b>NUMBER: OPR 02-11</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <u>Vanessa Ordoñez</u> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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, HIPPA, 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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Weapons/Firearms</b>	<b>NUMBER: OPR 02-12</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 defense 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 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.**

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Vehicles Police Department</b>	<b>NUMBER: OPR 02-13</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 undergoing 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 responsibility 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, and obtaining 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 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Radio Communications</b>	<b>NUMBER: OPR 02-14</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Criminal Investigations</b>	<b>NUMBER: OPR 02-15</b>
<b>EFFECTIVE DATE: 08-22-2023</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <i>Foot Pursuits</i></b>	<b>NUMBER: OPR 02-16</b>
<b>EFFECTIVE DATE: 08-25-2023</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <i>Vanessa Ordoñez</i> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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 insight 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 coordinate 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Selection and Hiring</b>	<b>NUMBER: PER 03-01</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Employment Discrimination</b>	<b>NUMBER: PER 03-02</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Equipment, Uniforms and Grooming Standards</b>	<b>NUMBER: PER.03-03</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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. 30<sup>th</sup>) 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 and as approved by the Police Chief.

#### 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 Ornammentation

- 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Promotions</b>	<b>NUMBER: PER 03-04</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 its 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 of justifiable cause for the non-selection.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Grievance Procedure</b>	<b>NUMBER: PER 03-05</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

Grievance procedures are set forth under the City of Anthony Rules and Regulations handbook.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Disciplinary Procedures</b>	<b>NUMBER: PER 03-06</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 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

- Support of the disciplinary system is a responsibility shared by all department personnel.
- 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.
- 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 ANTHONY (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 unfeasible, 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 disciplinary action (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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Social Media</b>	<b>NUMBER: PER 03-07</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: OVERTIME</b>	<b>NUMBER: PER 03-08</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Training</b>	<b>NUMBER: TRN 04-01</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS: TRN.01.01</b>	<b>NMSA:</b>

## 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.
- 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 Officers 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.

#### 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 in 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 APD; 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 release.
  - 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 the 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.



<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Traffic Enforcement</b>	<b>NUMBER: OPR 04-02</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## 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 different 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.)

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: <b>Body Armor Mandatory Wear</b></b>	<b>NUMBER: OPR 04-03</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: <b>Vanessa Ordoñez</b> Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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 wear 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.
- 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.

<b>ANTHONY POLICE DEPARTMENT</b>	<b>ADMINISTRATION</b>
<b>SUBJECT: Recording Devices</b>	<b>NUMBER: OPR 04-04</b>
<b>EFFECTIVE DATE: 08-01-2017</b>	<b>REVIEW DATE: 05-19-2025</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED: Vanessa Ordoñez</b> <b>Chief of Police</b>
<b>NMMLEPSC STANDARDS:</b>	<b>NMSA:</b>

## **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 on 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 and 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 arrests, 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 shall be entered into the records management system, evidence, and/or uploaded into the body camera portal (i.e. Watchguard, Evidence Library) 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 others in training. It is within a supervisor's discretion to review recordings more frequently.

---

## CITY OF ANTHONY

---

### ACKNOWLEDGMENT OF RECEIPT CITY OF ANTHONY POLICE DEPARTMENT SOP

The undersigned employee acknowledges receipt of the City of Anthony Police Department Standard Operating Procedures.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

Employee Printed Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Department head: \_\_\_\_\_

---