



Public Safety Select Committee Meeting Agenda

January 5, 2023 @ 10:30 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda
- III. Discussion Items
 - A. Domestic Violence and DWI Cases Update.
 - B. Crisis Triage Center Update.
- IV. Future Discussion.
- V. Next meeting date and time – February 2, 2023 at 10:30 a.m.
- VI. Adjourn Meeting.

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*



gandara
Jason Smith
Valerie Uribe
Joceelyn DeStony
Abeyta Chief
Brad Dominguez
DeMullen Christine

Public Safety Select Committee Meeting Agenda

February 2, 2023 @ 10:30 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda Abeyta/gandara
- III. Discussion Items
 - A. Domestic Violence Update.
 - B. Monthly Crime Stats. - March
 - C. LIGHT Program Update.
 - D. Crisis Triage Center Update. - March
- IV. Future Discussion.
- V. Next meeting date and time - March 2, 2023 at 10:30 a.m.
- VI. Adjourn Meeting. Abeyta/ 11:26 am

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*

- Marcy
- La Casa - next meeting / DV update
 - CTC
 - monthly crime stats
 - follow up from CIR / PD

Sec. 19-83. - Domestic violence.

- (a) *Definitions.* The following words, terms and phrases when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Co-parents means persons who have a child in common, regardless of whether they have been married or have lived together at any time.

Domestic violence means any incident by a household member against another household member resulting in physical harm, severe emotional distress, bodily injury, a threat causing imminent fear of bodily injury, assault, battery, harm or threatened harm.

Household member means a spouse, former spouse, co-parent, family member or other person with whom the person charged under this section has had a continuing personal relationship. A family member shall include the parent, adult child, present or former step-parent, present or former in-law, sibling or other relative of the person charged under this section. Cohabitation with the person charged with an offense under this section is not necessary to be deemed a household member.

(b) *Assault against a household member.*

- (1) Assault against a household member shall consist of:

- a. An attempt to commit a battery against a household member; or
- b. Any unlawful act, threat or menacing conduct that causes a household member to believe that he/she is in danger of receiving an immediate battery.

- (2) Whoever commits assault against a household member is guilty of a petty misdemeanor.

(c) *Battery against a household member.*

- (1) Battery against a household member consist of the unlawful, intentional touching or application of force to the person of a household member when done in a rude, insolent or angry manner.

- (2) Whoever commits battery against a household member is guilty of a petty misdemeanor.

(d) *Arrest without warrant; liability.*

- (1) Notwithstanding the provisions of any other law to the contrary, a peace officer may arrest a person and take that person into custody without a warrant when the officer is at the scene of a domestic violence and has probable cause to believe that the person has committed an assault or battery upon a household member.

- (2) No peace officer shall be held criminally or civilly liable for making an arrest pursuant to this section, provided he acts in good faith and without malice.

- (3) Whether or not an arrest is made pursuant to this section, a peace officer may remain with

COUNCIL BILL NO. 18-011
ORDINANCE NO. 2835

AN ORDINANCE PLACING A MORATORIUM ON ENFORCEMENT OF THE, DOMESTIC VIOLENCE ORDINANCE, OF THE LAS CRUCES MUNICIPAL CODE (LCMC) § 19-83, LCMC,1997 AS AMENDED.

The City Council is informed that:

WHEREAS, the City of Las Cruces seeks to support all efforts to reduce and deter the crime of domestic violence; and

WHEREAS, the City of Las Cruces recognizes the detrimental impact that domestic violence has on children, victims, and the community; and

WHEREAS, the State of New Mexico provides funding for prosecution and treatment of the crime of domestic violence through the Office of the District Attorney and other state agencies; and

WHEREAS, the crime of domestic violence is a full misdemeanor and § 30-3-15 D, New Mexico Statutes Annotated 1978, as amended, provides the Magistrate Court with up to two years of jurisdiction in which offenders and their victims have the opportunity to agree to long-term treatment or are otherwise under the supervision and jurisdiction of the court; and

WHEREAS, the New Mexico Constitution, Article X, Section 6 (D), prevents a municipality from imposing a penalty greater than a petty misdemeanor; and

WHEREAS, pursuant to New Mexico law the jurisdiction of the Las Cruces Municipal Court for the crime of domestic violence is a petty misdemeanor limited to 90 days which does not provide sufficient time to place offenders in meaningful treatment programs; and

WHEREAS, Las Cruces Municipal Code § 19-83 has not been enforced since 2008; and

WHEREAS, law enforcement currently chooses mechanisms that provide for maximum jurisdiction in order to reach optimal crime deterrence and benefit to victims.

NOW, THEREFORE, be it ordained by the governing body of the City of Las Cruces:

(I)

THAT the City Council places a one-year moratorium on the enforcement of LCMC § 19-83, as of the effective date of this ordinance.

(II)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

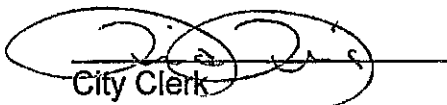
DONE AND APPROVED on this 18 day of December, 2017.

APPROVED:



Mayor

ATTEST:



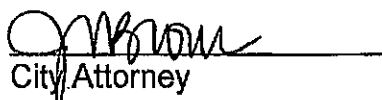
City Clerk

(SEAL)

Moved by: Sorg

Seconded by: Eakman

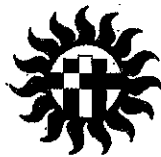
APPROVED AS TO FORM:



City Attorney

VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Gandara:	<u>Aye</u>
Councillor Smith:	<u>Aye</u>
Councillor Vasquez:	<u>Aye</u>
Councillor Eakman:	<u>Aye</u>
Councillor Sorg:	<u>Aye</u>
Councillor Flores:	<u>Aye</u>



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 13

Ordinance/Resolution# 2835

For Meeting of December 4, 2017
(Ordinance First-Reading Date)

For Meeting of December 18, 2017
(Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL

☐ LEGISLATIVE

☒ ADMINISTRATIVE

TITLE: AN ORDINANCE PLACING A MORATORIUM ON ENFORCEMENT OF THE LAS CRUCES MUNICIPAL CODE (LCMC) SECTION 19-83, et seq., LCMC 1997, AS AMENDED.

PURPOSE(S) OF ACTION:

To place a moratorium on the domestic violence ordinance.

COUNCIL DISTRICT: ALL		
<u>Drafter/Staff Contact:</u> Robert Cabello	<u>Department/Section:</u> Legal/City Attorney's Office	<u>Phone:</u> (575) 541-2019
<u>City Manager Signature:</u>	<i>David P. Waller</i> Acting for CM Stuart C. Gil 11/22/2017	

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City Council has determined to fully utilize the Municipal Court and provide resources to the City Attorney's Office for enforcement of city ordinances. The City Attorney has reviewed the ordinances that will be most utilized and has identified crucial deficiencies in the City's domestic violence ordinance contained in the Las Cruces Municipal Code (LCMC), §19-83, LCMC 1997, as amended. The City has not enforced its domestic violence ordinance since 2007. The proposed action will not change the current practice of the Las Cruces Police Department in charging the crime of domestic violence pursuant to state law.

The City is prohibited from enacting an ordinance with a maximum penalty greater than ninety (90) days in jail. The 90-day jurisdictional time limit does not provide adequate time in which the City can offer domestic violence offenders and victims possible alternative treatment programs.

The State's domestic violence law, §30-3-15, New Mexico Statutes Annotated (NMSA) 1978, makes battery on a household member a full misdemeanor with a maximum penalty of not more than 364 days in jail. Pursuant to §30-3-15 (C), NMSA 1978, an offender convicted of battery on a household member is required to participate and complete a domestic violence treatment program, which is approved by the Children, Youth, and Families Department (CYFD). Such treatment programs are twelve weeks long, and can take nearly sixty days to enroll. These

(Continue on additional sheets as required)

treatment programs have specific curriculum and accountability requirements pursuant to §31-12-12, NMSA 1978, and are funded by the state. Under §30-3-15 (D), NMSA 1978, probation for battery on a household member "may extend beyond three hundred sixty-four days but may not exceed two years." This extended probationary period provides for the enforcement of participation and completion of the twelve-week treatment program, requirement of supervised or unsupervised probation which may include additional substance abuse treatment and counseling, the prohibition of the use of alcohol and other illegal drugs, the requirement that offenders not re-offend or violate other laws, court ordered restrictions on contact with the victim and other restrictions the court may deem appropriate.

In contrast, §19-83, LCMC 1997, is a petty misdemeanor and the court is limited to 90 days of possible supervision. This 90-day period is insufficient to enforce the completion of the domestic violence treatment programs required by §31-12-12, NMSA 1978, which is a detriment to victims and offenders. Las Cruces is the only city in New Mexico with its own domestic violence ordinance; other jurisdictions opting to enforce maximum penalties following state law.

The proposed ordinance would place a moratorium of one-year on the enforcement of §19-83, LCMC 1997. This will provide the City time to explore options that will best serve the victims of domestic violence and provide adequate deterrence to offenders.

SUPPORT INFORMATION:

1. Ordinance.

SOURCE OF FUNDING:

Is this action already budgeted? N/A		
	Yes	☐ See fund summary below
	No	☐ If No, then check one below:
	Budget Adjustment Attached	☐ Expense reallocated from:
		☐ Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐ Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue? N/A		
	Yes	☐ Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	☐ There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

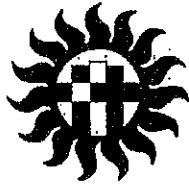
OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the proposed ordinance. This action would mean that LCMC § 19-83 would not be enforced due to a one-year moratorium.
2. Vote "No"; this will reject the proposed ordinance. This action would mean that the City Council would not adopt the ordinance, and that that LCMC § 19-83 would continue to be enforced.
3. Vote to "Amend"; this would allow City Council to modify the ordinance.
4. Vote to "Table"; this would postpone decision on the proposed ordinance and would allow City Council to further direct staff.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of December 4, 2017
(Ordinance First Reading Date)

For Meeting of December 18, 2017
(Adoption Date)

TITLE:

AN ORDINANCE PLACING A MORATORIUM ON ENFORCEMENT OF THE, DOMESTIC VIOLENCE ORDINANCE, OF THE LAS CRUCES MUNICIPAL CODE (LCMC) § 19-83, LCMC, 1997 AS AMENDED.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes ☐ No ☒

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact		2019	11/17/17
Department Director		2010	11/17/17
Budget		2107	11/20/17
Assistant City Manager /William F. Studer, Jr.		42504	11-22-17
Assistant City Manager/David P. Dollahon		X-2078	11/22/2017
City Attorney		2010	11/17/17
City Clerk		2115	11/27/17

2835

Legal Advertising Affidavit

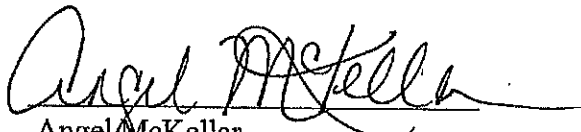
Angel McKellar, who, being duly sworn as the Advertising Assistant of the Las Cruces BULLETIN, a weekly newspaper of general distribution published in the City of Las Cruces, County of Doña Ana, State of New Mexico, disposes and states that the legal advertising for

CITY OF LAS CRUCES CITY ATTORNEY

In the matter of:

NOTICE OF INTENT TO ADOPT The City Council of The City of Las Cruces, New Mexico, Hereby Gives Notice of Its Intent to Adopt the Following Ordinance(s) at a Regular City Council Meeting to be Held on December 18, 2017:

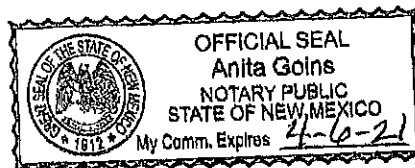
In accordance with the laws of the State of New Mexico, the attached was published in its entirety 1 time(s) in the Las Cruces BULLETIN, the first publication date being 12/01/2017 and subsequent publications being: , , .


Angel McKellar

Sworn to and subscribed
before me this day 12/01/2017
in the
CITY OF LAS CRUCES
COUNTY OF DOÑA ANA
STATE OF NEW MEXICO


Notary Public

Advertising Costs: \$38.27



Legal Advertising Affidavit

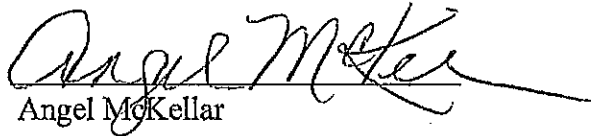
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CITY OF LAS CRUCES CITY ATTORNEY

In the matter of:

NOTICE OF ADOPTION (1) Council Bill No. 18-011; Ordinance 2835:

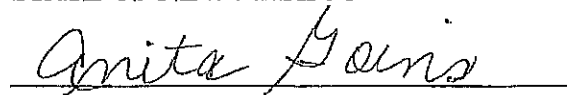
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Angel McKellar

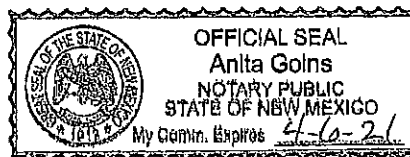
Sworn to and subscribed
before me this day 12/22/2017

in the

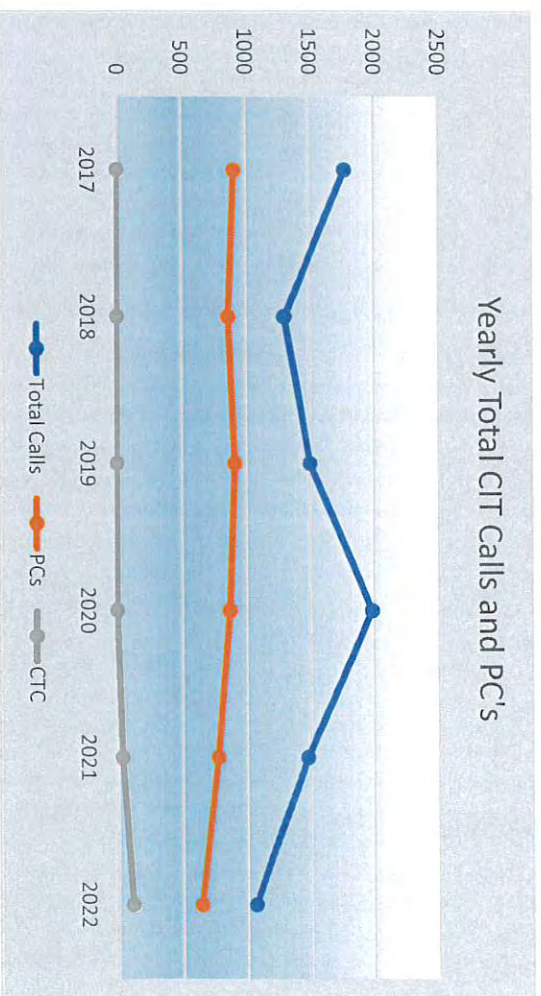
CITY OF LAS CRUCES
COUNTY OF DOÑA ANA
STATE OF NEW MEXICO


Notary Public

Advertising Costs: \$38.27



Year	Total Calls	PC	CTC
2017	1769	913	0
2018	1303	868	0
2019	1500	915	0
2020	1978	874	0
2021	1476	783	39
2022	1070	648	119





City of Las Cruces

Public Safety Select Committee Meeting Agenda

March 2, 2023 @ 10:30 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda
- III. Discussion Items
 - A. La Casa Presentation
 - B. Domestic Violence Update.
 - C. Monthly Crime Stats.
 - D. Crisis Triage Center Update.
- IV. Future Discussion.
 - A. OIR Audit Reports. → [REDACTED] AttyClientPriv
 - B. Joint Session with Oversight Committee.
- V. Next meeting date and time – April 6, 2023 at 10:30 a.m. [REDACTED] AttyClientPriv
- VI. Adjourn Meeting.

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*

Flor Gonzalez - Director of Support Services
Beyana Valdez - Residential Services Director
Keri Nunez - Finance and Facilities Director

Standardization of reporting - Carriel?

Public Safety Select Committee – March 2, 2023 at 10:33 a.m.

Attendance

Mayor Pro Tem Kasandra Gandara

Councilor Tessa Abeyta (left at 11:58)

Mayor Miyagishima (left at 11:27)

Chief Miguel Dominguez

DC Jeremy Story

DC Sean Mullen

Jocelyn Garrison, Acting City Attorney

Ifo Pili, City Manager

Christine Rivera, City Clerk

Marcie Davis, Director of La Casa (left at 11:42)

Flor Gonzales, Director of Support Services, La Casa (left at 11:42)

Bryana Valdez, Director of Residential Services, La Casa (left at 11:42)

Keri Nunez, Finance and Facilities Director, La Casa (left at 11:42)

Acceptance of Agenda – Abeyta/Gandara

La Casa Presentation

Mayor Pro Tem Gandara discussed lifting the Domestic Violence moratorium.

Marcie Davis gave an overhead presentation regarding La Casa including services, number of individuals served, The Healing House in Deming, organizational chart, statistics regarding violence, abuse, and homelessness.

Mayor Pro Tem Gandara said at the Suicide Prevention Task Force, they speak to seniors experiencing high levels of depression and suicide attempts.

Marcie Davis continued the overhead presentation regarding funding, the study funded by the Legislature Junior Bill.

Mayor Pro Tem Gandara asked have there been conversations with renovating or rehabbing the building?

Marcie Davis said our vision is for it to be a Workforce Development site.

Chief Dominguez said we'll set up recurring meetings along with active shooter training.

Mayor Pro Tem Gandara said it's budget time so maybe we can talk about your security needs.

Keri Nunez said we put in for CDBG funding for gates around La Casa.

Monthly Crime Stats – haven't changed since Monday's work session

Crisis Triage Center

DC Story said training is starting next week.

Mayor Pro Tem Gandara asked will it help to decrease the custody component?

DC Story said I agree.

Adjourned at 12:50 p.m.

Cancelled



City of Las Cruces

Public Safety Select Committee Meeting Agenda

April 5, 2023 @ 10:30 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda
- III. Discussion Items
 - A. OIR Contract Amendments.
 - B. Panhandling Ordinance.
 - C. Monthly Crime Stats.
 - D. Crisis Triage Center Update.
- IV. Future Discussion.
- V. Next meeting date and time – May 3, 2023 at 10:30 a.m.
- VI. Adjourn Meeting.

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*



CITY OF LAS CRUCES

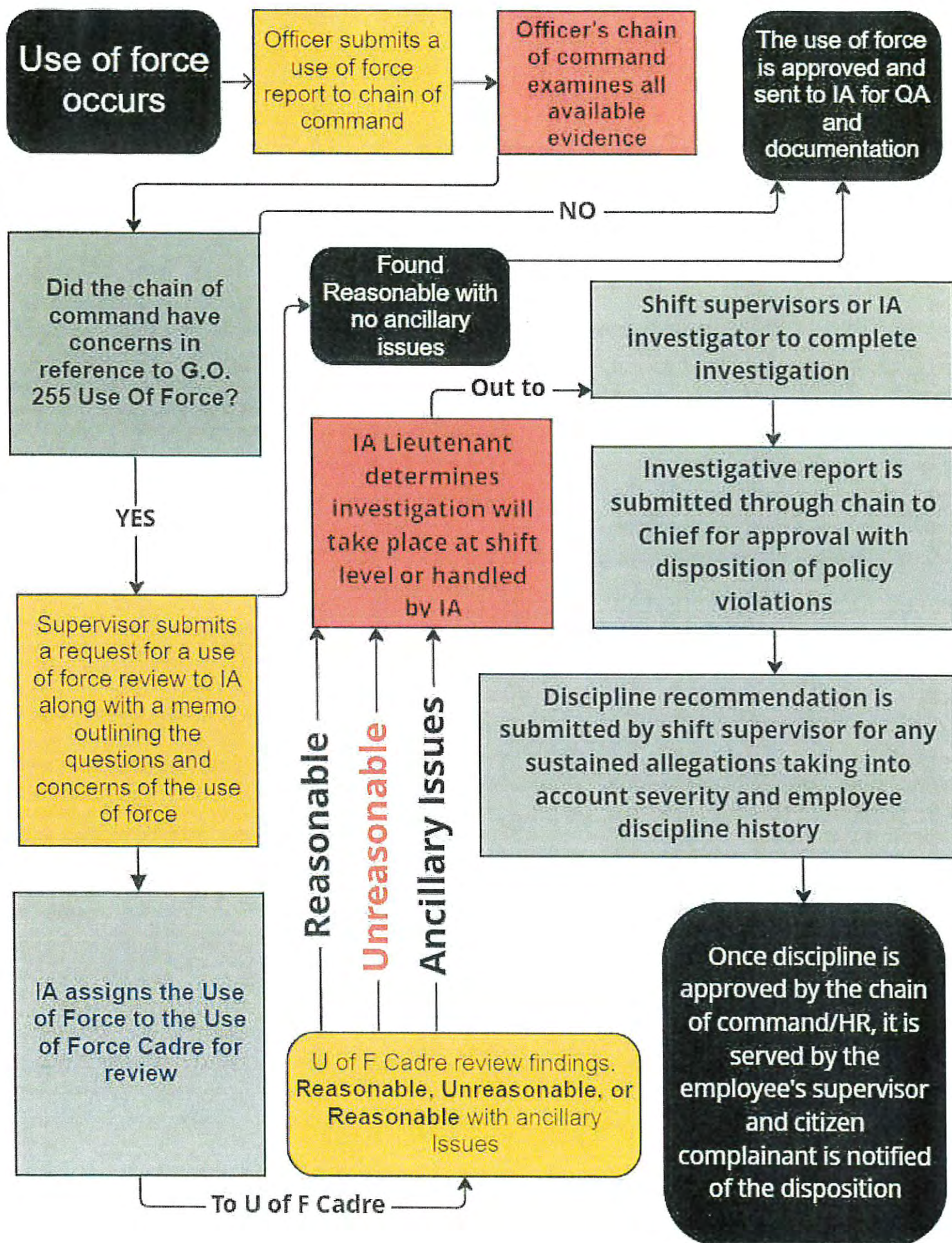
Public Safety Select Committee Meeting Agenda

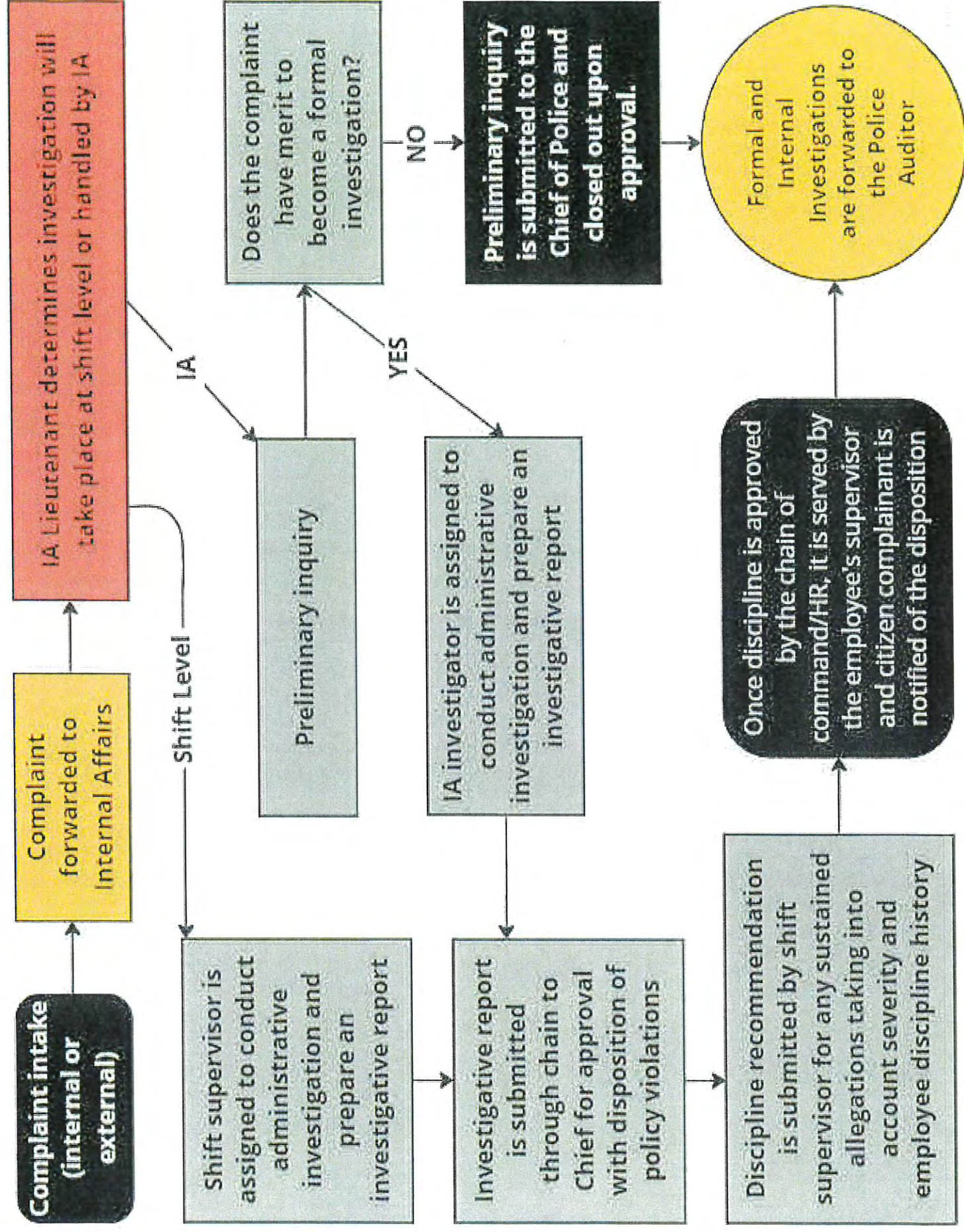
May 10, 2023 @ 11:00 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda
- III. Discussion Items
 - A. Citizen Police Oversight Board.
- IV. Future Discussion.
- V. Next meeting date and time – June 7, 2023 at 10:30 a.m.
- VI. Adjourn Meeting.

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*





ORDINANCE NO.

Amending Las Cruces Municipal Code, 1997 as amended chapter?
~~AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS CRUCES, NEW MEXICO, CREATING A POLICE OVERSIGHT BOARD WITH DUTIES AND RESPONSIBILITIES~~

WHEREAS, the City's mission is to provide customer-focused municipal services to its residents, businesses, and guests so they can experience a "quality of place" to live, work and play; and

WHEREAS, Las Cruces is an inclusive community, recognized for its cultural diversity, enchanting natural amenities, and vibrant quality of life; and

WHEREAS, the City's vision is committed to enhancing the livability, prosperity, and environment for the shared benefit of current and future generations of Las Cruces; and

WHEREAS, core values of the Las Cruces Police Department should include being transparent, approachable, and implementing these values, which foster trust and engagement with the community it serves; and

WHEREAS, the City of Las Cruces has paid to resolve lawsuits and potential lawsuits and claims for alleged police misconduct by law enforcement officers of the Las Cruces Police Department with monies it could have applied and financed projects and needs to enhance the overall welfare and safety of its inhabitants; and

WHEREAS, the City of Las Cruces desires to avoid in the future paying out substantial sums for alleged police misconduct by law enforcement officers of the Las Cruces Police Department; and

WHEREAS, the City relies on various commissions to provide information, advice, accountability, and expertise on various aspects of city government; and

WHEREAS, the New Mexico Constitution, Article X, Section 6, and Section 1.01 of the City Charter grants the City Council all legislative powers to perform all functions not expressly denied by general law or by the Charter; and

WHEREAS, N.M. Stat. Ann. Section 3-17-1 (2017) grants municipalities the power and authority to adopt ordinances or resolutions to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the municipality and its inhabitants; and

WHEREAS, N.M. Stat. Ann. Section 3-18-1 (2017) grants municipalities the authority to protect its inhabitants and to preserve peace and order within the municipality; and

WHEREAS, Sec. 4.05 of the City Charter states that the City Council shall provide a method for receiving, acknowledging, and striving to resolve complaints or grievances concerning the City or its operations; and

? Hotline

WHEREAS, the City Council desires to create a City of Las Cruces Police Oversight Board to, among other things, advance the City's mission consistent with its core values, improve police accountability to the community, create a mechanism to receive input from different perspectives, create a forum to inform the community about Las Cruces Police Department issues, provide a venue for concerned members of the community to voice concerns, and provide for independent audits and investigations; and

WHEREAS. Section 2.14 of the City Charter authorizes the City Council to establish by ordinance permanent boards, commissions, authorities, and agencies, and to determine the number of members of and the authority and function of the particular board, commission, authority, or agency

ordained
NOW, THEREFORE, BE IT ~~RESOLVED~~ by the City Council of the City of Las Cruces as follows:

That
~~SECTION 1.~~ The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein.

That
~~SECTION 2.~~ The City Council of the City of Las Cruces hereby establishes the Civilian Police Oversight Board (hereafter "Board") to read as follows:

POLICE OVERSIGHT BOARD

- What is it going to be called?*
- Sec. _____ Creation, Establishment and Purpose.
 - Sec. _____ Appointment.
 - Sec. _____ Qualifications of Board Members.
 - Sec. _____ Terms of office.
 - Sec. _____ Powers and Duties of the Civilian Police Oversight Board
 - Sec. _____ Cooperation of the Division of Police and Other Departments
 - Sec. _____ Board Member Confidentiality and Training.
 - Sec. _____ Meetings.

Sec. _____ — Creation, establishment and purpose.

- (a) There is hereby established a Civilian Police Oversight Board. The purpose of the Board shall be to increase the accountability of, and public confidence in, the Las Cruces Police Department.
- (b) The following rules and procedures implement Section 2.14 of the City Charter for the creation and operation of the Civilian Police Oversight Board ("the Board"), which reports to the Mayor and City Council. The Board does not report to the City Manager.

- (c) It is the objective of the Board to give citizens a fair and impartial appeal process for complaints of police misconduct or allegations in which a citizen is dissatisfied with the findings of Police Internal Investigations.
- (d) In addition, the Board may advise the Chief of Police on various issues such as policies and procedures.

Sec. _____ -- Appointment. The Board shall consist of eleven (11) members. Each City Councilmember shall appoint one (1) Board Member. The Council shall endeavor to appoint members who are fair and impartial and represent diverse social, economic and political interests. The Council shall consider the career and life experiences of Board applicants and strive to ~~also~~ appoint people whose experiences will most benefit the Board's ability to carry out its duties and responsibilities and build trust with the community. The City Council shall appoint four (4) additional Board Members from each one of the following organizations: the League of United Latin American Citizens (LULAC), the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), and a representative from the mental health community.

*consider
Hard to appoint this
many members*

Sec. _____ -- Qualifications of Board Members.

- (a) All members of the Board shall reside in Doña Ana County. *-City residents?*
- (b) Elected or appointed officers and employees serving the City shall not be eligible for appointment to the Board.
- (c) Any person who was an employee of the Las Cruces Police Department shall not be eligible for appointment to the Board for at least one (1) year following their separation date from the City.
- (d) Any person who was employed as a law enforcement officer for any local, county, state or federal agency shall not be eligible for appointment to the Board for at least one (1) year following the date they last served in that role.
- (e) Any person who has been charged and disciplined for official misconduct in their position of employment as a law enforcement officer shall be ineligible to serve on the Board.
- (f) Any person who has a record of filing unsubstantiated complaints against police officers shall be ineligible to serve on the Board.
- (g) Any person who has filed suit, litigated or resolved a case against law enforcement officers or personnel of the Las Cruces Police Department within the past year shall be ineligible to serve on the board.

who will determine this?

(h) Practicing attorneys who handle, or are members of law firms or entities that currently handle criminal or civil matters involving the Las Cruces Police Department are ineligible to serve on the Board.

(i) A Board member cannot be dismissed from the Board except for actual misconduct, as determined by a majority vote of the City Council and after notice and an opportunity to be heard in response to any allegations of misconduct.

Sec. _____ -- Terms of Office.

Each Commissioner shall serve a term of four (4) years.

just 1 term?

Sec. _____ -- Powers and Duties of the Civilian Police Oversight Board

(a) The Board shall have the power to receive, investigate, hear, make findings, and recommend action upon complaints by members of the public (including, but not limited to complaints made by other police officers or personnel) against uniformed and sworn personnel of the LCPD that allege misconduct involving inappropriate behavior or actions, including but not limited to use of excessive force, abuse of authority, unlawful arrest, unlawful stop, unlawful searches, discourtesy or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, age, sexual orientation, gender identity or expression, and disability, theft, and any other categories protected under law. Any "Members of the public" is intended to have the broadest possible meaning and interpretation.

isn't this what OIR does?

(b) At the conclusion of the LCPD's investigation of a complaint or behavior, the Board shall have the power to conduct a review of the findings, conclusion and recommendations of the LCPD (Investigation Review). The Board shall report its findings of the Investigation Review to the Police Chief. An annual report of the Investigation Reviews shall be submitted to the Las Cruces City Manager, Police Chief, and City Council. The Board may utilize all the powers set forth in this Section to carry out the Investigation Reviews.

(c) Jurisdiction of the Board shall be concurrent with that of the LCPD to investigate complaints or behavior. *which means they should probably be city residents?*

(d) The Board shall have the power and authority to consider and make recommendations to the Police Chief, Mayor, Council, and the public with regard to policies and procedures concerning the general investigation of complaints by the LCPD as well as its Internal Affairs procedures.

The Board shall also have the power and authority to investigate and make recommendations regarding practices and/or patterns of behavior that are problematic with regard to the interaction of the LCPD with the public at large, public safety concerns, failures of communication with the public, or any other area regarding police practices and policy or police-community relations.

The findings and recommendations of the Board, and the basis therefor, including those that may relate to suggested general policies and procedures not specific to any particular investigation or complaint shall be submitted to the Police Chief, with copies to the City Manager and the City Attorney. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such finding or recommendation with regard to a particular complaint, but such findings or recommendations shall be grounded in a residuum of some competent support or evidence.

bylaws
(e) Changes and/or amendments to the Rules of Procedures and/or the Rules of the Board set forth herein may be proposed by the Board. A public hearing of the Board shall be convened to accept public comments of the proposed changes and/or amendments. The proposed changes and/or amendments as recommended by the Board shall be submitted to the Las Cruces City Manager no later than 10 days after the public hearing was held. The City Manager shall review the proposal and may make changes and amendments to the proposal prior to submitting it to the City Council for approval which shall be not later than 45 days after receipt from the Board. The proposal shall be submitted to the City Council for review and approval. The Rules of Procedure shall prescribe the manner in which investigations are to be conducted and recommendations made and the manner by which a member of the public is to be informed of the status of his or her complaint.

2
or
(f) The Board may require the production of such records and other materials as are necessary for the investigation of complaints submitted to the Board, pursuant to this section through the issuance of subpoenas. Upon a majority vote of members of the Board, the Board may issue subpoenas ad testificandum and duces tecum, which may be served to the extent permitted by law.

(g) The Board shall establish a mediation program pursuant to which a complainant may voluntarily choose to resolve a complaint by means of informal conciliation.

(h) The Board is authorized, within appropriations available to it, to appoint and train such civilian employees as are necessary to exercise its powers and fulfill its duties, [*which employees shall be employees of the City of Las Cruces?*]. Board members shall receive the same training as provided to civilian employees.

(i) The Board shall have the responsibility of informing the public about the Board and its duties, and shall develop and administer an ongoing program for the education of the public regarding the Board. The Board shall hold public meetings and shall regularly report to the public on its activities and other policing information it determines to be in the public interest. It shall adopt rules to delineate its public reporting requirements. Those initial rules are set forth in this Section.

(j) The Board shall use an established discipline matrix and guidelines to recommend discipline for outcomes resulting from investigations and complaints filed with the Board and/or the LCPD. Said discipline matrix and guidelines shall act as safeguards to ensure the consistent application of discipline and should include aggravating and mitigating factors. The discipline matrix and guidelines should be developed by the Police Chief and affected bargaining units, in consultation with the CCRB, and must accord with Federal and State law and Las Cruces Ordinances.

7 appropriate
(k) The Board shall provide its findings of fact to the Police Chief and, absent clear error, the Chief shall accept those findings of fact. The Board shall also make disciplinary recommendations and the Police Chief shall make all final disciplinary decisions.

(l) The Board shall comply with all applicable City of Las Cruces ordinances, New Mexico and Federal Law, and specifically with the warnings afforded under *Garrity v. New Jersey*, 385 U.S. 493 (1967).

(m) If the Police Chief approves, the Board and LCPD shall cooperate in reasonable educational programs designed to educate members of the public concerning the actual situations and choices police officers face in the field, and the sometimes limited time available to respond to apparent danger. Part of the Board's mission shall be to assist community members in communicating more clearly with the police and to assist LCPD in communicating more clearly with the public.

- (a) It shall be the duty of the Police Chief to provide such assistance as the Board may reasonably request, to cooperate fully with investigations by the Board, and to provide to the Board upon request records and other materials which are necessary for the investigation of complaints submitted pursuant to this section, except such records or materials that cannot be disclosed by law.
- (b) The Police Chief, shall ensure that officers and employees of the LCPD appear before and respond to inquiries of the Board and its civilian investigators, if any, in connection with the investigation of complaints.
- (c) In any case substantiated by the Board in which the Police Chief finds clear error in the findings of fact or intends to impose discipline that is of a lower level than that recommended by the Board, the Police Chief shall notify the CCRB in writing, prior to the imposition of such discipline, detailing the specific reasons for the decision not to accept the CCRB's findings of fact, or to impose the discipline recommended by the CCRB.
- (d) The provisions of this section shall not be construed to limit or impair the authority of the Police Chief to discipline members of the LCPD nor obviate the responsibility of the LCPD to investigate citizen complaints or incidents which are made known to the LCPD, involving uniformed and sworn members of the LCPD, and to promptly inform the Board of all such complaints or incidents. Nor shall the provisions of this section be construed to limit the rights of members of the LCPD with respect to disciplinary action, including, but not limited to, the right to notice and a hearing, which may be established by any provisions of law or otherwise, and/or any existing appeal rights.
- (e) The provisions of this section shall not be construed to prevent or hinder the investigation or prosecution of a member of the LCPD for violations of law by any court of competent jurisdiction, a grand jury, District Attorney or State Prosecutor, or any other authorized officer, agency, or body.
- (f) The processing and review of civilian complaints shall not be deferred because of any pending or parallel disciplinary proceeding or criminal investigation unless such request for deferment is made by the office of a District Attorney or a State or Federal law enforcement agency or prosecutor or by a court order.

(g) The Police Chief shall ensure that any adverse action by a member of the LCPD towards an individual which is due to an action taken to exercise his or her rights to file a misconduct complaint, or which likely would deter an individual from exercising their rights or making or supporting a complaint, is prohibited.

(h) All City officials and departments shall fully cooperate with the implementation of this section.

Sec. _____.—Board Member Confidentiality and Training.

(a) Prior to attending his or her first Board meeting, each Board Member shall take an oath and execute a confidentiality agreement stating that he or she will not divulge confidential information, including identities of witnesses and contents of confidential testimony and documents, either during their term of office or thereafter to ensure that private personnel information and other information subject to state law protections is not released or shared.

(b) No later than forty-five (45) days after appointment, each Board member shall:

- (1) Participate in a "ride along" with the Las Cruces Police Department;
- (2) Attend a "citizen police academy" training sponsored by the National Association for Civilian Oversight of Law Enforcement or similar entities. The training should include such topics as constitutional rights and civil liberties, fundamentals of procedure, evidence, due process, and police department operations.

who is paying for this?

Sec. _____.—Meetings.

The Commission shall hold its first meeting within thirty (30) days after all of its members have been appointed. At such meeting, the Commission shall fix the time and place of regularly scheduled meeting which shall not be less than once each month. The Police Chief or a person designated by the City Manager shall attend all regular and special meetings of the Commission. Meetings shall generally be open, but shall be closed when confidential personnel information, and/or other information exempted from IPRA by that law, are being discussed.

SECTION _. The City Clerk shall, in accordance with Sec. 2.13 of the City Charter, authenticate, attest, and certify the passage and adoption this Ordinance. and shall cause same to be posted as required by law and this Ordinance shall take effect thirty (30) days after its final adoption.

SECTION _. If any section, subsection, sentence, clause or phrase or word of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Las Cruces

hereby declares that it would have passed this Ordinance and each and every section,, subsection, sentence, clause or phrase or word not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

PASSED AND ADOPTED this _____ day of _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

AYES _____

NAYS _____

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LAS CRUCES, NEW MEXICO, CREATING A POLICE
OVERSIGHT BOARD WITH DUTIES AND RESPONSIBILITIES**

WHEREAS, the City's mission is to provide customer-focused municipal services to its residents, businesses, and guests so they can experience a "quality of place" to live, work and play; and

WHEREAS, Las Cruces is an inclusive community, recognized for its cultural diversity, enchanting natural amenities, and vibrant quality of life; and

WHEREAS, the City's vision is committed to enhancing the livability, prosperity, and environment for the shared benefit of current and future generations of Las Cruces; and

WHEREAS, core values of the Las Cruces Police Department should include being transparent, approachable, and implementing these values, which foster trust and engagement with the community it serves; and

WHEREAS, the City of Las Cruces has paid to resolve lawsuits and potential lawsuits and claims for alleged police misconduct by law enforcement officers of the Las Cruces Police Department with monies it could have applied and financed projects and needs to enhance the overall welfare and safety of its inhabitants; and

WHEREAS, the City of Las Cruces desires to avoid in the future paying out substantial sums for alleged police misconduct by law enforcement officers of the Las Cruces Police Department; and

WHEREAS, the City relies on various commissions to provide information, advice, accountability, and expertise on various aspects of city government; and

WHEREAS, the New Mexico Constitution, Article X, Section 6, and Section 1.01 of the City Charter grants the City Council all legislative powers to perform all functions not expressly denied by general law or by the Charter; and

WHEREAS, N.M. Stat. Ann. Section 3-17-1 (2017) grants municipalities the power and authority to adopt ordinances or resolutions to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the municipality and its inhabitants; and

WHEREAS, N.M. Stat. Ann. Section 3-18-1 (2017) grants municipalities the authority to protect its inhabitants and to preserve peace and order within the municipality; and

WHEREAS, Sec. 4.05 of the City Charter states that the City Council shall provide a method for receiving, acknowledging, and striving to resolve complaints or grievances concerning the City or its operations; and

WHEREAS, the City Council desires to create a City of Las Cruces Police Oversight Board to, among other things, advance the City's mission consistent with its core values, improve police accountability to the community, create a mechanism to receive input from different perspectives, create a forum to inform the community about Las Cruces Police Department issues, provide a venue for concerned members of the community to voice concerns, and provide for independent audits and investigations; and

WHEREAS, Section 2.14 of the City Charter authorizes the City Council to establish by ordinance permanent boards, commissions, authorities, and agencies, and to determine the number of members of and the authority and function of the particular board, commission, authority, or agency;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Cruces as follows:

SECTION 1. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein.

SECTION 2. The City Council of the City of Las Cruces hereby establishes the Civilian Police Oversight Board (hereafter "Board") to read as follows:

POLICE OVERSIGHT BOARD

Sec. _____	Creation, Establishment and Purpose.
Sec. _____	Appointment.
Sec. _____	Qualifications of Board Members.
Sec. _____	Terms of office.
Sec. _____	Powers and Duties of the Civilian Police Oversight Board
Sec. _____	Cooperation of the Division of Police and Other Departments
Sec. _____	Board Member Confidentiality and Training.
Sec. _____	Meetings.

Sec. _____ – Creation, establishment and purpose.

- (a) There is hereby established a Civilian Police Oversight Board. The purpose of the Board shall be to increase the accountability of, and public confidence in, the Las Cruces Police Department.
- (b) The following rules and procedures implement Section 2.14 of the City Charter for the creation and operation of the Civilian Police Oversight Board ("the Board"), which reports to the Mayor and City Council. The Board does not report to the City Manager.

- (c) It is the objective of the Board to give citizens a fair and impartial appeal process for complaints of police misconduct or allegations in which a citizen is dissatisfied with the findings of Police Internal Investigations.
- (d) In addition, the Board may advise the Chief of Police on various issues such as policies and procedures.

Sec. _____ -- Appointment. The Board shall consist of eleven (11) members. Each City Councilmember shall appoint one (1) Board Member. The Council shall endeavor to appoint members who are fair and impartial and represent diverse social, economic and political interests. The Council shall consider the career and life experiences of Board applicants and strive to appoint people whose experiences will most benefit the Board's ability to carry out its duties and responsibilities and build trust with the community. The City Council shall appoint four (4) additional Board Members from each one of the following organizations: the League of United Latin American Citizens (LULAC), the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), and a representative from the mental health community.

Sec. _____ --Qualifications of Board Members.

- (a) All members of the Board shall reside in Doña Ana County.
- (b) Elected or appointed officers and employees serving the City shall not be eligible for appointment to the Board.
- (c) Any person who was an employee of the Las Cruces Police Department shall not be eligible for appointment to the Board for at least one (1) year following their separation date from the City.
- (d) Any person who was employed as a law enforcement officer for any local, county, state or federal agency shall not be eligible for appointment to the Board for at least one (1) year following the date they last served in that role.
- (e) Any person who has been charged and disciplined for official misconduct in their position of employment as a law enforcement officer shall be ineligible to serve on the Board.
- (f) Any person who has a record of filing unsubstantiated complaints against police officers shall be ineligible to serve on the Board.
- (g) Any person who has filed suit, litigated or resolved a case against law enforcement officers or personnel of the Las Cruces Police Department within the past year shall be ineligible to serve on the board.

- (h) Practicing attorneys who handle, or are members of law firms or entities that currently handle criminal or civil matters involving the Las Cruces Police Department are ineligible to serve on the Board.
- (i) A Board member cannot be dismissed from the Board except for actual misconduct, as determined by a majority vote of the City Council and after notice and an opportunity to be heard in response to any allegations of misconduct.

Sec. _____ -- Terms of Office.

Each Commissioner shall serve a term of four (4) years.

Sec. _____ --Powers and Duties of the Civilian Police Oversight Board

- (a) The Board shall have the power to receive, investigate, hear, make findings, and recommend action upon complaints by members of the public (including, but not limited to complaints made by other police officers or personnel) against uniformed and sworn personnel of the LCPD that allege misconduct involving inappropriate behavior or actions, including but not limited to use of excessive force, abuse of authority, unlawful arrest, unlawful stop, unlawful searches, discourtesy or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, age, sexual orientation, gender identity or expression, and disability, theft, and any other categories protected under law. Any "Members of the public" is intended to have the broadest possible meaning and interpretation.
- (b) At the conclusion of the LCPD's investigation of a complaint or behavior, the Board shall have the power to conduct a review of the findings, conclusion and recommendations of the LCPD (Investigation Review). The Board shall report its findings of the Investigation Review to the Police Chief. An annual report of the Investigation Reviews shall be submitted to the Las Cruces City Manager, Police Chief, and City Council. The Board may utilize all the powers set forth in this Section to carry out the Investigation Reviews.
- (c) Jurisdiction of the Board shall be concurrent with that of the LCPD to investigate complaints or behavior.
- (d) The Board shall have the power and authority to consider and make recommendations to the Police Chief, Mayor, Council, and the public with regard to policies and procedures concerning the general investigation of complaints by the LCPD as well as its Internal Affairs procedures.

The Board shall also have the power and authority to investigate and make recommendations regarding practices and/or patterns of behavior that are problematic with regard to the interaction of the LCPD with the public at large, public safety concerns, failures of communication with the public, or any other area regarding police practices and policy or police-community relations.

The findings and recommendations of the Board, and the basis therefor, including those that may relate to suggested general policies and procedures not specific to any particular investigation or complaint shall be submitted to the Police Chief, with copies to the City Manager and the City Attorney. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such finding or recommendation with regard to a particular complaint, but such findings or recommendations shall be grounded in a residuum of some competent support or evidence.

(e) Changes and/or amendments to the Rules of Procedures and/or the Rules of the Board set forth herein may be proposed by the Board. A public hearing of the Board shall be convened to accept public comments of the proposed changes and/or amendments. The proposed changes and/or amendments as recommended by the Board shall be submitted to the Las Cruces City Manager no later than 10 days after the public hearing was held. The City Manager shall review the proposal and may make changes and amendments to the proposal prior to submitting it to the City Council for approval which shall be not later than 45 days after receipt from the Board. The proposal shall be submitted to the City Council for review and approval. The Rules of Procedure shall prescribe the manner in which investigations are to be conducted and recommendations made and the manner by which a member of the public is to be informed of the status of his or her complaint.

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(g) The Board shall establish a mediation program pursuant to which a complainant may voluntarily choose to resolve a complaint by means of informal conciliation.

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(j) The Board shall use an established discipline matrix and guidelines to recommend discipline for outcomes resulting from investigations and complaints filed with the Board and/or the LCPD. Said discipline matrix and guidelines shall act as safeguards to ensure the consistent application of discipline and should include aggravating and mitigating factors. The discipline matrix and guidelines should be developed by the Police Chief and affected bargaining units, in consultation with the CCRB, and must accord with Federal and State law and Las Cruces Ordinances.

(k) The Board shall provide its findings of fact to the Police Chief and, absent clear error, the Chief shall accept those findings of fact. The Board shall also make disciplinary recommendations and the Police Chief shall make all final disciplinary decisions.

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(m) If the Police Chief approves, the Board and LCPD shall cooperate in reasonable educational programs designed to educate members of the public concerning the actual situations and choices police officers face in the field, and the sometimes limited time available to respond to apparent danger. Part of the Board's mission shall be to assist community members in communicating more clearly with the police and to assist LCPD in communicating more clearly with the public.

Sec. _____. Cooperation of the Police and Other Departments

- (a) It shall be the duty of the Police Chief to provide such assistance as the Board may reasonably request, to cooperate fully with investigations by the Board, and to provide to the Board upon request records and other materials which are necessary for the investigation of complaints submitted pursuant to this section, except such records or materials that cannot be disclosed by law.
- (b) The Police Chief, shall ensure that officers and employees of the LCPD appear before and respond to inquiries of the Board and its civilian investigators, if any, in connection with the investigation of complaints.
- (c) In any case substantiated by the Board in which the Police Chief finds clear error in the findings of fact or intends to impose discipline that is of a lower level than that recommended by the Board, the Police Chief shall notify the CCRB in writing, prior to the imposition of such discipline, detailing the specific reasons for the decision not to accept the CCRB's findings of fact, or to impose the discipline recommended by the CCRB.
- (d) The provisions of this section shall not be construed to limit or impair the authority of the Police Chief to discipline members of the LCPD nor obviate the responsibility of the LCPD to investigate citizen complaints or incidents which are made known to the LCPD, involving uniformed and sworn members of the LCPD, and to promptly inform the Board of all such complaints or incidents. Nor shall the provisions of this section be construed to limit the rights of members of the LCPD with respect to disciplinary action, including, but not limited to, the right to notice and a hearing, which may be established by any provisions of law or otherwise, and/or any existing appeal rights.
- (e) The provisions of this section shall not be construed to prevent or hinder the investigation or prosecution of a member of the LCPD for violations of law by any court of competent jurisdiction, a grand jury, District Attorney or State Prosecutor, or any other authorized officer, agency, or body.
- (f) The processing and review of civilian complaints shall not be deferred because of any pending or parallel disciplinary proceeding or criminal investigation unless such request for deferment is made by the office of a District Attorney or a State or Federal law enforcement agency or prosecutor or by a court order.

(g) The Police Chief shall ensure that any adverse action by a member of the LCPD towards an individual which is due to an action taken to exercise his or her rights to file a misconduct complaint, or which likely would deter an individual from exercising their rights or making or supporting a complaint, is prohibited.

(h) All City officials and departments shall fully cooperate with the implementation of this section.

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(a) Prior to attending his or her first Board meeting, each Board Member shall take an oath and execute a confidentiality agreement stating that he or she will not divulge confidential information, including identities of witnesses and contents of confidential testimony and documents, either during their term of office or thereafter to ensure that private personnel information and other information subject to state law protections is not released or shared.

(b) No later than forty-five (45) days after appointment, each Board member shall:

- (1) Participate in a “ride along” with the Las Cruces Police Department;
- (2) Attend a “citizen police academy” training sponsored by the National Association for Civilian Oversight of Law Enforcement or similar entities. The training should include such topics as constitutional rights and civil liberties, fundamentals of procedure, evidence, due process, and police department operations.

Sec. _____.—Meetings.

The Commission shall hold its first meeting within thirty (30) days after all of its members have been appointed. At such meeting, the Commission shall fix the time and place of regularly scheduled meeting which shall not be less than once each month. The Police Chief or a person designated by the City Manager shall attend all regular and special meetings of the Commission. Meetings shall generally be open, but shall be closed when confidential personnel information, and/or other information exempted from IPRA by that law, are being discussed.

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SECTION _. If any section, subsection, sentence, clause or phrase or word of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Las Cruces

hereby declares that it would have passed this Ordinance and each and every section,, subsection, sentence, clause or phrase or word not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

PASSED AND ADOPTED this _____ day of _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

AYES _____

NAYS _____

Cancelled



CITY OF LAS CRUCES

Amended Public Safety Select Committee Meeting Agenda

June 7, 2023 @ 10:30 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda
- III. Discussion Items
 - A. Project Lifesaver.
 - B. OIR Contract.
 - C. Monthly Crime Stats.
 - D. Crisis Triage Center Update.
- IV. Future Discussion.
 - A. Change in Public Safety Select Committee Ordinance.
- V. Next meeting date and time – July 5, 2023 at 10:30 a.m.
- VI. Adjourn Meeting.

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
AttyClientPriv	NMSA 1978 § 14-2-1(G) attorney-client privileged information	13(2)

cancelled



CITY OF LAS CRUCES

Public Safety Select Committee Meeting Agenda

July 5, 2023 @ 10:30 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda
- III. Discussion Items
 - A. Project Lifesaver.
 - B. OIR Contract and Amendment Regarding Use of Force.
 - C. Monthly Crime Stats.
 - D. Crisis Triage Center Update.
- IV. Future Discussion.
 - A. Change in Public Safety Select Committee Ordinance.
- V. Next meeting date and time – August 2, 2023 at 10:30 a.m.
- VI. Adjourn Meeting.

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*



CITY OF LAS CRUCES

Public Safety Select Committee Meeting Agenda

August 2, 2023 @ 10:00 a.m.

Meeting held in person (City Clerk's Conference Room) and remotely via Teams

- I. Call to Order
- II. Acceptance of the Agenda
- III. Discussion Items
 - A. Project Lifesaver.
 - B. OIR Contract and Amendment Regarding Use of Force.
 - C. Monthly Crime Stats.
 - D. Crisis Triage Center Update.
- IV. Future Discussion.
 - A. Change in Public Safety Select Committee Ordinance.
- V. Next meeting date and time – September 6, 2023 at 10:30 a.m.
- VI. Adjourn Meeting.

protective
custody
stats

Salva accreditation

**In accordance with LCMC Chpt. 1, Div. 6, Sec. 2-174, et seq., this meeting is not a public meeting and does not include a quorum of elected officials or representatives.*



LAS CRUCES POLICE DEPARTMENT MONTHLY CRIME REPORT



MONTH		June 2023	YEAR TO DATE		
June 2023	June 2022		2023	2022	Percent
Actual Cases	Actual Cases		Year to Date Cases	Year to Date Cases	Increase Decrease
0	0	Crim. Homicide / Neg. Mansl	4	7	-43%
6	6	Force Rape / Att Force Rape	26	21	24%
3	4	Robbery	32	47	-36%
0	6	Robbery, Shoplifting & Assault	3	8	**
36	54	Aggravated Assault	184	307	-40%
45	70	TOTAL VIOLENT CRIME	249	390	-36%
18	0	Residential Burglary	174	175	-1%
40	6	Commercial Burglary	181	186	-3%
16	4	Non-Residential Burglary	136	81	68%
11	6	Breaking and Entering	69	116	-41%
87	54	Auto Burglary	619	572	8%
27	0	Felony Larceny / Theft	158	272	-42%
111	6	Misd. Larceny / Theft	612	560	9%
128	4	Misd. Shoplifting	732	584	25%
69	6	Vehicle Theft	399	470	-15%
2	54	Arson	6	15	-60%
509	140	TOTAL PROPERTY CRIME	3,086	3,031	2%
554	210	TOTAL VIOLENT & PROPERTY	3,335	3,421	-3%

PEAK Strategic Results

Annual Crime Rate at or Below Five Year Average

Actual YTD 2023

Strategic Result Violent Crime Target of 440	249
Strategic Result Property Crime Target of 4181	3,086

Calls For Service	June	Year to
	CFS	Date CFS
Police Department	10,061	62,074
Codes/ACO	2,420	14,681

Statistics are subject to further review and analysis

** Sub -Category data from 2022 incomplete. Count included in overall Robbery percent change

LCPD CTC UPDATE

2022-2023 Comparison

Month	2022	2023
January	6	13
February	8	9
March	10	16
April	6	15
May	8	22
June	9	15
July	7	20

2022 YTD Totals (Jan-July)	54
2023 YTD Totals (Jan-July)	111

**March 2023 is when we re-trained on NMSA 43-1-10.*

- Since the CTC opened in July 2021 LCPD has dropped off 284 total people.
 - 111 so far in 2023.
- There has been 325 total drop off during that time by all law enforcement agencies.

LCPD Protective Custody (PC) Comparison

Month	2022	2023
January	53	42
February	50	50
March	63	31
April	51	32
May	58	22
June	50	18
July	61	<i>Pending</i>