



New Mexico D.R.E Committee Meeting Minutes

September 4th, 2019
Las Cruces, New Mexico

I. Call to order:

Charles Files called to order the 2nd meeting of the New Mexico D.R.E Committee at 0904 on September 4th, 2019 inside the Tularosa Room at the Hotel Encanto Suites, in Las Cruces, New Mexico.

II. Roll call:

Conducted a roll call. The following D.R.E. Committee members were present:

Ashley Schweizer	Carmelita Chavez	Kevin Bruno
Micah Doering	Tina Garcia	Joel Holt
Brian Hobbs	Charles Files	Fabian Fernandez
Eva Fontanez	Ryan Postenrieder	Gregory Gaudette
Tim McCarson (Via Phone)		

The following D.R.E. Committee members were not present:

Aaron Baca Robert Shilling

The following guests were present:

Kimberly Wildharber Janell Files

III. Approval of minutes from last meeting:

Motion made to approve: Micah Doering **Seconded:** Fabian Fernandez

IV. D.R.E. Committee Board Alternates:

The following alternates were presented to the Committee by voting members:

Micah Doering- Jamie Gonzales	Joel Holt- Tim McCarson
Josh Montano- Fred Duran	Fabian Fernandez- Andrew Walker
Brian Hobbs- Joel Holloway	Ryan Postenrieder- Eden Flores

Motion made to approve: Tim McCarson **Seconded:** Brian Hobbs

V. Motion to Vote on Josh Montano:

Tim McCarson was reinstated as a DRE Instructor and therefore left his position on the Committee Vacant. A recommendation was made for Josh Montano (Albuquerque P.D.) to fill the vacancy. Vote was conducted by Committee members.

Motion made to approve: Micah Doering **Seconded:** Fabian Fernandez

VI. Update on NMDRE Toxicology Report:

The Following items have been added to the Toxicology report

- a) Rolling Log Number
- b) DRE Number added with Name
- c) DRE Email Address
- d) Agency Phone Number

SLD was contacted in regards to sending completed Toxicology Reports to Substations and that request was denied

Could we take off the personal information and send over

Can SLD send an email when that respective departments Toxicology report is sent out?

VII. YTD Stats:

- a) There have been 106 Evaluations entered into the System to date for 2019
- b) Marijuana and Xanax are on the rise
- c) Request for National Statistics
- d) We are currently at 7% No Impairment and 6% Medical R/O. Can we see where the 7% are coming from?
- e) Joel Holt advised that If a DRE is called out and it is determined that the subject is not under the influence educate the Officer on what they see to make that determination to release.
- f) The Toxicology report may come back with no substance detected but SLD does not test for every substance that may cause impairment (Spice)

VIII. 2019 DRE School:

- a) We Enrolled 18 Students plus TSRP.
- b) One Student failed Phase I
- c) Two Students failed Phase II
- d) 5 Dropped before class started

Make an alternate list to fill seat from last minute withdraws

Look into moving towards more classroom instruction/Tests On-Line

IX. D.R.E.s and D.R.E.s Instructors

- a) We are anticipating losing 14 D.R.E.'s across the State by the end of 2019
- b) Instructors Brandon Gomez and Rob Liccione will no longer be here
- c) Our DRE's that are Military usually get orders to move every four years. Should we still allow them to utilize this program
- d) Can we utilize our resources within Albuquerque to get the needed evaluations to be proficient. Possibly set a 3 day window for DRE's that are out of town to give the opportunity to get them done Contact APD Chain Of Command to set up. What would the cost be associated with this.
- e) Can we utilize APPO to do Evaluations?

X. DRE Retention

- a) We need to go out and promote the Program, possibly visit Department in person
- b) Get more support from Prosecutors and offer more training opportunities
- c) Can we utilize the Grant money to Pay for Overtime if the DRE is Called out
- d) Put out a Media release for each ARIDE and get the word out through the media
- e) Get More cases into the courtroom and increase presence of DRE Program

XI. DRE School 2020

- a) January 1st Application will open for Applicants
- b) Possible dates April 13-24 or April 20th May 1st
- c) Possibly hold in the area of Chavez County/ Roswell. Possibly get in contact with Barry Dixon (Tim McCarson) Clovis? Alamogordo?
- d) Get a plan together on how we would coordinate the school there without a DRE in that area
- e) Possibly speak to LEL(Bruno)

XII. DRE Officer Of The Year

- a) Send information of the Top 3 Candidates to include what they are doing to promote the DRE program
- b) do not make the decision just on numbers
- c) Have DRE's make their recommendations
- d) The DRE of the Year will be invited to attend the DRE Conference

XIII. How Do We Improve

- a) We are relying too much on the results of the toxicology report. We need to send the message that blood isn't what the case should stand on but the Totality and the impression of fields given to the DRE not the PBT or Blood

Officer needs to articulate in a way that shows that they are the expert in this area

- b) We need to offer constant yearly training and also pull Prosecutors aside and show them frame by frame to make them understand.
- c) Possible get with Admin over at the UNM Judicial Education Center
- d) Get with Supervisors of the ADA's there is less of a turn over rate
- e) Contact the Defense Bar
- f) Get in contact with the National Association of County Sheriffs. They meet twice a year
- g) Get in contact with the County Commissioners

XIV. Open Discussion

- a) Provide encouragement for DRE's to push forward and do not back down from ADA/Prosecutors
- b) Can we look into more online classes?
- c) Can we provide Webinars for ADA's?
- d) Can we look into the Funding from DOT for our DRE's to be On-call?
- e) Show presence on the legislative floor to push Senate Bill 575
- f) Offer class On the Federal bases their turnover rates are low
- g) Offer training to Park Service, Forest Service, and Fish and Wildlife training to this demographic would put DRE's in those remote locations
- h) New Judges so speak again in 2020
- i) Shouldn't be a win/lose but rather has justice been served Law Office of the Public Defender.
- j) Once a year there is a Defense Conference look into attending that

XV. Date/Location of next Meeting

Tentatively set for 0900 March in Albuquerque, New Mexico (Monday)

X. Meeting Adjourn

Charles Files adjourned the meeting at 1155

Motion made to adjourn: Micah Doering ***Seconded:*** Fabian Fernandez

Minutes submitted by: Janell Files, BRV Consulting

Minutes approved by: Micah Doering Seconded: Brian Hobbs *March 16th, 2020 0900 Albuquerque, New Mexico