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Police academy board alters rules affecting public access

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By Uriel J. Garcia
The New Mexican

The board that certifies police officers in New Mexico approved rule changes Tuesday that limit comment at public meetings and restrict public access to plans for police training programs.

Groups that advocate openness in government quickly criticized the moves, saying the Law Enforcement Academy Board had effectively curtailed public access.

“To go from less transparency to no transparency does not seem justified,” said Susan Boe, director of the nonprofit New Mexico Foundation for Open Government.

Peter Simonson, executive director for the New Mexico chapter of the American Civil Liberties Union, also disagreed with the board’s decision, saying it needs to be more transparent in order to win the public’s trust.

“At a time when communities all over the country are devoting more scrutiny to their police departments’ use of force, the board’s decision to remove use of force curriculum changes from its public website is a step in the wrong direction,” he said in an email. “The truth is the board has nothing to lose by publicly posting those changes and everything to gain by winning the public’s trust with their commitment transparency.”

The nine-member board, which met Tuesday in Ruidoso and will continue meeting Wednesday, voted to adopt various rule changes regarding how the academy operates. But organizations zeroed in on two changes that affect how the public interacts with the board that oversees the academy.

The New Mexico Law Enforcement Academy trains cadets from across the state and also sets the tone for most smaller academies in New Mexico.

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On Tuesday, the board struck language from the rules that said the director must upload police training lesson plans to the academy website. Another action Tuesday allows the board chairman or the academy director to deny a request from the public to place a topic for discussion on a board meeting agenda. Boe had written a letter asking board members to reconsider those proposals.

The changes come during an era of heightened public scrutiny of police departments nationwide because of video recordings showing police officers fatally shooting members of minority communities across the county. Nationwide protests have been part of a public push for departments to reform police training to prevent fatal shootings and to work on community relations.

In New Mexico, after former academy director Jack Jones initially refused to release his lesson plans in 2013, the board approved a rule that required the director to upload lesson plans to the academy website. Only a few lesson plans were uploaded, and they no longer are available on the site.

“That’s really disappointing,” Boe said. “That’s a step backward.”

Kelly Burnham, a board member who serves as a citizen representative, was the only member who commented for the story.

Burnham said the public still may address the board during a time-limited portion of the board’s public meetings. She said that if the director prevents an individual from speaking to the board about a specific issue, that denial will be part of the public record and the public will “notice that it has been neglected or ignored.”

None of the other eight board members responded to emails from *The New Mexican* seeking comment Tuesday, including state police Chief Pete Kassetas.

The current academy director, Stephan Marshall, previously said that anyone in the audience could address board members. If no one filters agenda topics, he said, it makes it difficult for board members to finish a meeting in a timely manner.

The state Law Enforcement Academy came under fire a couple of years ago after it adopted a use-of-force curriculum that gave officers more leeway on when to use their firearms. That tactic was taught under the former academy director, Jones, who left the position in December.

Chris Mechels, a retired Los Alamos National Laboratory employee who has heavily criticized Law Enforcement Academy officials during previous meetings, has a pending lawsuit against the board over the way it has adopted police training tactics.

“It’s disappointing but not surprising,” Mechels said Tuesday when he learned of the rule changes.

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Much of the blame for these failures are due to Attorney General Hector Balderas, who is "responsible" for the OMA law, but, in fact violates OMA frequently, in this case as LEA Board Chairman. After Balderas, and his attorney, Board Counsel Dworak, fail to catch the missing notice, they then advise the Board to ignore the violation, as they did Tue... [See More](#)

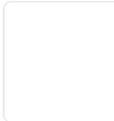
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