

## [EXT] Rule Hearing Content Questions

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Tue 11/24/2020 4:09 PM

To: PIPolygraphBd, RLD <pipolygraphbd@state.nm.us>

Hi Austin,

Here is a passage in the announcement for the Rule Hearing on the 30<sup>th</sup> of December.

Members and Meeting Page

### Summary of Proposed Changes:

#### 16.48.2 NMAC – Requirements for Licensure

revised the rule to require a Department approved curriculum for security guard level one, level two, and level three training;

**The Department must approve the curriculums provided by the instructors or companies. What is the rule change being made? Does "approved" mean "provided"?**

**What kind of revision is envisioned here?**

**GOING TO THE [16.48.4.8](#) MANDATORY FIREARMS TRAINING:**

- A. [After July 1, 2007, any] A private investigator, a private patrol operator, a private investigations employee, or a level three security guard [or a private patrol operations employee] may carry a firearm upon successful completion of the mandatory firearm training required by the department. Any licensee who carries a firearm on duty shall be required to provide proof of being firearm certified by an instructor recognized by the department pursuant to [16.48.2.20](#) (B)(3) NMAC [and certified by the New Mexico law enforcement academy or the national rifle association law enforcement activities division prior to carrying a weapon on duty, **and annually thereafter.**

Whoever did this, did they mean to eliminate the annual qualification requirement?

The Superintendent and staff are they open to more rule changes than the ones indicated on the announcement?

Can the public request rule changes at this hearing? What is involved?

Thank you,

Fred Behnken

**[EXT] Local Security Instructor Program**

info@traintoprotect.com <info@traintoprotect.com>

Fri 11/27/2020 11:28 AM

To: Basham, Austin, RLD <Austin.Basham@state.nm.us>

Cc: PIPolygraphBd, RLD <pipolygraphbd@state.nm.us>; Trujillo, Linda, RLD <Linda.Trujillo3@state.nm.us>; Gary B Silva <garysofnd@gmail.com>

 1 attachments (83 KB)

Fred Behnken Affidavit.pdf;

Austin and All,

The security instructor course situation is changing. The NRA LEAD and Department of Public Safety may not be able to support the security program here in New Mexico. The NRA has stopped conducting instructor classes for the foreseeable future. NMDPS Firearms and Defensive Tactics Instructor Certification Classes have been reduced to one or two classes a year. Currently NMDPS Advanced Bureau has stopped running classes. Those classes are not available to non-law enforcement because slots are given to law enforcement as a priority. It is nearly impossible to attend these classes. NMPDS directors have consistently stated NMDPS training is not approved for security certification by their agency and is not endorsed for that purpose. In being a former NMDPS police instructor the content of the program is marginally related to security and is 25 years without update. The NRA LEAD Program much improved does not have any material related to security. In fact security officers are not even mentioned in the current manual.

Don Jochum, former Advisory Board President in the 2005-6 time frame asked me to put together a program since I was doing a lot of firearms instructor training with the NRA for the expansion of the Concealed Carry Program. I did run the program but I decided to discontinue it for business competition reasons. However, the time is possibly right to field it. I thought I would run the concept through RLD and see what people thought and if it could be used towards the security licensing here in NM.

I trained 500 instructors and 40 instructor trainers for the NRA. I attached my affidavit used for bureau approval of my licensing program so you can see my background.

This program is designed to be flexible for the requirements of state licensing and the needs of security organizations. This is for this is for the security industry and incorporates the legalities and practices for administering and conducting training. I am reviewing it for fielding nationally. Here is a summary of the program.

In addition, I noticed the recommendation for instructors to have four hours of continuing education. Instead, I would recommend a program concept used by the NMDPS Concealed Carry Unit for an agency specific up-date program done biannually online or at an in-person venue. This would be of much more benefit to the Bureau and Instructors. Just doing four hours of some related training has lesser value to the goals of having control over the program.

In the rule hearing on the 30<sup>th</sup> of December I would like this to be a topic for the hearing.

## Security Instructor Certification Course Outline

Course Goal: To develop security instructors who possess the knowledge, skills, and attitudes necessary to organize basic security use of force training programs and general security training.

Length of the Course is four days, 24 hours

Class size: 6 to 10 for Classroom, Distant Learning Venue

Course Participants: Instructor Candidates must have cumulative three years of operational security experience. Instructors must also have been for three years certificated in the area teaching. Three professional letters of recommendation to character and potential for being an instructor

- I. Security Instructor Responsibilities and Safety, 8 hours
- II. Using an Instructor Team, 2 hours
- III. Training Materials and Training Aids, 2 hours
- IV. Organizing Your Course, 2 hours

- V. Preparing to Teach and Instructor Candidate Presentation Exercises, 8 hours
- VI. Testing and Evaluation of Security Instructor Candidates, 2 hours

Please let me know your thoughts and if this can be included in the rule hearing on the 30<sup>th</sup>.

Thank you,

Fred Behnken

505-453-4966

Fred Behnken  
PO Box 19232  
Albuquerque, NM 87119  
505-453-4966

To: Private Investigators Advisory Board

C/O Nicholas Karnes, Board Administrator

Subject: Response for Instructor Information and Affidavit of Certifications and Experience

This letter/affidavit is for my instructor renewal-approval. I have been an RLD instructor, approved or licensed since 1989. I have trained about several thousand bureau licensees in that time period. I am also an approved concealed carry since 2001 and trained about four thousand licensees there.

My resume is attached but does not have the following on it.

I have basic instructor certification through the US Army (ITC), NRA basic instructor course, Training Counselor (instructor trainer) and Senior Training Counselor rank (instructor training instructor). A Master's Degree in Security Management that relates to security program content development and consulting I do. I also served on the RLD training committee in 1998. Have attended the Department of Public safety firearms (2014) and defensive tactics instructor (1991) courses. PPCT instructor 1991 (another type of defensive tactics instructor course), National Law Enforcement Training Center OC, Ground Control- (Defensive Tactics), Kodokan Judo Instructor, National ranked competitor. 1990's, ASP instructor class.

I am a certified NRA LEAD Instructor in Handgun and Shotgun currently(attached). Have attended NRA LEAD Rifle, Long Range Rifle and Submachine Gun Instructor courses.

Another affidavit to John Francis with a summary of hours of training in four years under the old guidelines the department was using, and I calculated about 1200 hours of training. This year the pattern is the same have run each month at least a Level One, Two and Three class per month in 2020. RLD certificates from 2007 to present are attached.

My last assignment in the Army 1998 I was an Operations Officer for the 490<sup>th</sup> CA Battalion. I managed and ran training, deployment for 300 Special Operations officers and enlisted. This included weapons qualifications, security areas and Civil Affairs Operations (such as refuge protection). In 1982 I commanded a tank unit in the start of my 15 years as an officer in the Army.

DPS DT cert attached and NRA LE Cert Attached. Let me know this meets your new requirements, please contact me at the above address.

