

[EXT] Comments on proposed amendment to 16.48.6 Continued Education

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

Good morning,

I am Steve Foldy. I am a retired Chief of Police and I have an issue with the continued education requirement. I spent just over 30 years in LE. I spent 18 1/2 years as a Military Policeman where I performed the job of every position found in civilian LE. I was also a pretty good investigator during my military career. As a civilian LE officer, I spent 13 years with the Dona Ana County Sheriff's Office (DASO). In 2011, I was hired as the Chief of Police for the City of Anthony and I built the police department from the ground up and activated it in 2012. In other words, I am a subject matter expert in LE.

While in the military, I obtained 93 semester hours and received an Associates degree in General Studies with an emphasis on LE. Between 2002 and 2012 I attended the University of Phoenix and received a Bachelor degree in Business Administration and a minor in Business Management, a Master degree in Criminal Justice, and have 59 of 62 credit hours for a Doctorate degree in Organizational Management and Leadership. I have written 3 courses to date (physical fitness, ethics, and first line supervision) that are accredited with DPS and am soon to be published in the Police1 magazine for LE specific articles I am writing such as emergency management, using statistics for patrol operations, if LEOs need a college education, and etcetera.

Though I have no comments on the proposed changes marked in Red and view them as correct, the issue I have with section 16.48.6 and the continued education requirement is first, I don't feel that any officer with 10 or more years (especially if they are retired) should be required to attend any course since we already have the expertise to conduct an investigation. If a person licensed as a P.I. is young and sees college as a means of obtaining additional knowledge outside the scope of conducting an investigation (such as starting their own business) then I can see why they would attend. I can also see the need if a licensed P.I. is young because they have not received the experience, knowledge, skill-sets, and know-how more seasoned LEOs have. Second, when you have the training and education that I have it is almost impossible to find a resource to obtain the required CE hours for recertification. Currently, I use "I Spy PI", which provides on-line CE's for P.I.'s. I have used this company to renew my license the past two times I needed to since I have had my license a total of 4 years and this year I almost had to re-take a course I already completed to obtain the 8 CE's necessary for renewal because the majority of the courses are not relevant or are for other states outside of NM.

I also do not see the available courses all that relevant to the duties and performance of a P.I.. I would love to take a course on how to obtain the information of a persons drivers license or VIN number. I am very adept with obtaining information using resources available to active duty officers like the NCIC but obtaining a complete background on a person in an investigation without the LE resources is VERY difficult. I did reach out to a fellow P.I. I knew back in the day but he refused to give any information because I have the potential to take (or steal) clients from him and therefore, take away his livelihood-money.

I request that you bring these topics to the board for discussion to see if changes can be made and recommend the following changes:

1- Applicants and licensed P.I.'s with less than 10 years of LE experience are required to obtain the required CE courses as per the regulation.

- 2- Applicants and licensed P.I.'s determined to be in need of additional education due to complaints would be required to obtain the required CE courses for two consecutive renewal cycles. The courses must be related to the reason for the Board's action so the training is commensurate to the infraction.
- 3- Licensed P.I.'s with more than 10 years of LE experience are exempt from the CE requirement unless the Board directs otherwise.
- 4- Licensed P.I.'s with a Master degree, Doctorate, or PhD related to criminal justice or a JD are exempt from the CE requirement.

In summary, I find the CE requirement as nothing more than an unsupported and unjustified condition of licensing to support a requirement emplaced by an individual or individuals and a needless condition that costs the licensee money they could use for more purposeful reasons. With my education, I believe I am getting to the point where I will no longer be able to find a course or courses that will give me the necessary CE's unless I pay for and retake a course I have already completed.

Please, if you have information on other resources I can use I will graciously accept it.

Also, since the Post Office and other business have suspended some of their services, I have been unable to find a place to get a new passport type photo for a renewed license. Do you have any recommendations?

Respectfully submitted,

Steven A. Foldy