



D.R.E. Committee Meeting

Minutes

September 22nd, 2025

Albuquerque, New Mexico

Quick recap

The meeting covered discussions about evaluating and improving the Drug Recognition Expert (DRE) program, including criteria for participants and tracking response times for DWI cases. The group explored various legal training and procedural topics, focusing on jury trials, expert testimony, and the challenges of proving impairment cases, particularly regarding marijuana. There was also discussion about upcoming instructor classes and the need for better communication regarding turnaround times and evidence deadlines.

Roll Call:

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

Jaime Gonzales

Michael Wells

Fabian Fernandez

Candace Coulson

Roy Martinez

Eden Flores

Charles Files

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

David Gonzales

Kevin Bruno

Judge Kevin Fitzwater

Amber Sanchez

The following guests were present:

Armando Duran

Judge Tina Garcia

Micah Doering

Nicholas Diaz

Dr. Richard Gilliland

Carl Ustupski

Janell Files

Approval of minutes from last meeting:

Committee members were presented with a copy of the draft minutes for the July 7th, 2025 Emergency Committee Meeting for review.

*0923 **Motion to approve** July 7th, 2025 meeting minutes was made by Michael Wells. **Seconded** by Candace Coulson. Motion passed unanimously.*

Next steps

- Charles to circle back with Brett about AUSA Committee Seat.
- Charles to ensure Officer Andres Lucero receives his 2024 DRE of the Year plaque.
- Candace to reach out to the prosecutors in Lincoln County to get more information about the DRE cases that resulted in not guilty verdicts.
- Committee to consider addressing marijuana impairment evidence presentation in future DRE training classes.
- Committee to implement nominations for DRE of the Year through all DREs first. Following nominations, we will reach out to supervisors for supporting information. The Committee will focus on nominations and activity.
- Charles to develop recognition beyond DRE of the Year and share with the Committee.
- Charles to make a document explaining best practices for calling out DREs (include this on USB drives for new DREs).
- Charles to follow up with Amber regarding the DRE Database and available funding for ipads and a call-out program

Summary

Call to Order

Charles Files called the meeting to order at 0910. Brief introductions were made by those present.

Committee Seat Recommendations

Charles identified vacant Committee seats for both DRE representatives and ex-officio seats. Recommendations were made to fill the following seats with the following personnel:

DRE Instructor Central Region- Linda Smith (Albuquerque PD)

DRE Instructor Southern Region Alternate- Chyenne Bunker (Alamogordo PD)

DRE Southern Region- Armando Duran (Sunland Park PD)

DRE Northern Region Alternate- Nicholas Diaz (Rio Arriba County SO)

Judicial Representation- Judge Tina Garcia (Retired Valencia County Magistrate)

Defense Representation- Ms. Dorie Smith (Dorie Smith Law)

*0915 **Motion to approve** the aforementioned personnel for the respective seats was made by Michael Wells. **Seconded** by Candace Coulson. Motion passed unanimously.*

*At 1145 a **Motion to approve** Carl Ustupski to fill the DRE Central Region Alternate seat was made by Michael Wells. **Seconded** by Candace Coulson. Motion passed unanimously.*

Enhanced Standard Waiver 3.4

The Committee discussed the previous decision to allow an expiring DRE to submit a memo to the Committee requesting a waiver if they are unable to complete the 2-enforcement evaluation standard. The decision was made to continue reviewing these memos as they are submitted.

2024 DRE of the Year Recognition

Officer Andres Lucero (Albuquerque PD) was identified as the 2024 DRE of the Year. He had received an invitation to the meeting to be formally recognized by the Committee. He was not present. Charles will ensure his plaque gets delivered to him.

2025 DRE of the Year

The group discussed criteria for evaluating DRE (Drug Recognition Expert) of the Year nominations, emphasizing the importance of additional work beyond evaluations. They debated the merits of self-nomination versus nominations from others, with Charles expressing a preference for external validation. The conversation also touched on the need to consider various activities beyond traditional DRE roles, such as mentoring and public education, when assessing program effectiveness. It was decided that Charles will poll all DREs for nominations for DRE of the Year (excluding self-nominations). Once nominations are received, Charles will reach out to individual supervisors and department heads for additional information. Charles will share his findings with the Committee, who will in turn vote on a DRE of the Year. Discussions also included recognition beyond one singular DRE of the Year, including possibly DRE Instructor of the Year, Regional awards and awards for most enforcement evaluations. The conversation then veered to DRE Call-Out procedures and

DRE Call-Out

The discussion focused on tracking and evaluating responses to calls for DRE evals. Charles explained agency's processes of documenting individual DRE cases but noted that accountability for response times varies depending on the department and regional coordination. They also discussed the procedures for handling DWI cases, including breath sample requirements and the role of supervisors in determining the need for a DRE. The conversation touched on the challenges of tracking response times and the need for clear policies. The Committee agreed that a standardized call-out system for the State would be beneficial in tracking DRE activity and instances where a DRE has shown a pattern of not responding to requests for their assistance.

2025 DRE School

Charles presented the Committee with a list of applicants for the upcoming DRE School. Charles explained that the October course could only seat sixteen students due to constraints at Field Certifications. The Committee was asked to review all applications and select applicants who would not be invited to attend the October course. The Committee submitted their votes electronically. Charles informed the Committee that he would be sending confirmations to those selected this afternoon. The School is still on schedule for October 20th-31st in Albuquerque.

Break between 1013 and 1034

2026 DRE School

The 2026 DRE School is scheduled for April 13th-24th, 2026. Applications for the April school will open February 1st, 2026, and remain open throughout the month of February. The Committee will vote on the 2026 School's roster at the next Committee Meeting.

New Mexico DRE Instructor Candidates

Applications for the position of DRE Instructor were open to all qualified New Mexico DREs from August 1st to August 31st, 2025. Charles compiled the applications submitted by qualified candidates and shared them with the Committee. The Committee discussed the applicants based on personal knowledge and the information provided in the applications, including letters of recommendation, as applicable. The Committee was asked to review all applications and select and rank the applications in order of their recommendations. The Committee submitted their votes electronically. Charles compiled the information and will extend offers to the selected candidate(s) and will report back to the Committee at the next meeting.

DRE Sub-Committee Update

The Committee discussed the goals of the Aleman Sub-Committee. Candace reported that she had not heard back from the attorneys' in San Juan County regarding the case that was identified at the previous meeting. Information was provided on personnel to contact to try to get an update on that particular case. Charles reported that the national expert has been briefed and is still willing to assist. Candace advised the Committee that she would report back to them when she receives an update. The Committee will continue to review potential cases as they come in.

DRE Jury Trial Trends Analysis

Judge Garcia shared insights from a recent judicial training, noting that Lincoln County has had over six DRE (Drug Recognition Expert) jury trials, with all cases resulting in not guilty verdicts. The judge attributed these outcomes to jurors being unsure about the influence of marijuana, given its shorter window of effect. Charles suggested exploring these cases further, possibly involving the DA or officer involved, to understand the reasons behind the consistent jury decisions. He emphasized the importance of discussing these trends with the committee to improve prosecution strategies and jury understanding of DRE cases. Candace told the Committee she would reach out to the prosecutor in Lincoln County to try to gather additional insight.

NMDRE Program Update

Charles shared that there are currently sixty certified DREs in New Mexico. Charles shared that we currently have fourteen DREs in 'expired' status, which are lacking one or more standards for recertification. Charles advised the Committee that he reached out to these fourteen DREs to inquire about their intent to either try to retain their certification or let it go altogether. Charles has not received any information in response to that request. Charles said he would share this list of expired DREs with the Regional Coordinators to see if they have any insight or contact with them.

Currently, the program has thirteen certified DRE Instructors, all of whom, except for one, are assisting with the upcoming DRE School.

Charles shared that there have been six ARIDEs completed since the award of the contract in June, totaling eighty officers and prosecutors who have been trained. Charles shared that he is working with the Administrative Office of the District Attorneys to promote ARIDE courses to prosecutors. There is one ARIDE left in 2025 (October- Rio Rancho), which is already full, indicating that word is spreading that the program is back up and running. Seventeen ARIDE courses have been scheduled for 2026, with registration open on the Integrity Shield website.

Charles shared numbers relating to this year's enforcement evaluations, highlighting a drastic dip in evaluations for the same time period the year prior. It was suggested that some evaluations may not be entered into the National Database, claiming responsibility for some of the dip. The conversation then shifted to the National Database and the Governments' intent to discontinue supporting it in 2026.

National Updates

The National Highway Traffic Safety Administration (NHTSA) recently announced it would no longer be supporting the DRE National Database. As this is where New Mexico DREs go to enter their evaluations, New Mexico will need to find a substitute way to enter and collect data. Charles reported that NHTSA has reported highway safety funding may be utilized to support a States' own Database, and this information has been shared with Amber. Charles will follow up with Amber on the States' plan for DRE data collection, as well as the project offering funding for tablets and call-out programs.

Charles reiterated the free, online, trainings available to law enforcement through the DOJ COPS Office's Training Portal (online ARIDE refresher, Better Encounters, and Expert Testimony).

Committee Updates

The meeting concluded by sharing updates. Judge Garcia shared that the Municipal and Magistrate Judges conferences in New Mexico will be combined in March 2026 as one conference. Dr. Gilliland shared that House Bill 8 is impacting the Scientific Laboratory Division and the agency is seeing up to 20-30 cases a day. Dr. Gilliland shared his recommendation for law enforcement to continue keeping communications open with the lab. Dr. Gilliland shared that the laboratory is working towards a test for inhalants, in inhalant cases, and that DREs should be sharing their opinions of inhalants when applicable. The next Committee Meeting has been confirmed for March 26th, 2026 in Albuquerque.

Minutes submitted by: Charles Files, Integrity Shield Consulting. Minutes approved by:
Jaime Gonzales Seconded: Michael Wells *March 23rd, 2026 @ 0913 Albuquerque, New Mexico