



D.R.E. Committee Meeting

Minutes

March 23rd, 2026

Albuquerque, New Mexico

Quick recap

The New Mexico Drug Recognition Expert (DRE) Committee meeting focused on program updates and challenges, particularly around marijuana-impaired driving cases and prosecutor education. The committee approved changes to the enhanced standard for DRE certification, specifically modifying the language around waivers for expired certifications. They discussed issues with marijuana cases in Ruidoso where 6 trials resulted in not guilty verdicts, attributed to both jury confusion about marijuana's impacts and prosecutor willingness to pursue these cases. The committee reviewed the 2025 DRE school results, which certified 11 new DREs out of 16 applicants, and introduced a new ITSMR database system to replace the previous NHTSA database. They also discussed the DRE call-out program that went live in March and is designed to ensure all DREs receive fair opportunities for evaluations. The meeting covered updates on the Lasworth initiative, which aims to find cases where national experts can help establish HGN admissibility in court, though only five cases have been reviewed since December 2021.

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	Linda Smith	Armando Duran
Kevin Bruno	Judge Kevin Fitzwater	Ms. Dorie Biagianti

The following D.R.E. Committee Members were present via Zoom (online meeting platform):

Judge Tina Garcia	Chyenne Bunker
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The following D.R.E. Committee Members were not present:

Carl Ustupski

Nicholas Diaz

Amber Sanchez

The following guests were present:

Micah Doering

Dr. Richard Gilliland

Ryan Gray (Virtual)

Orlando Carillo (Virtual)

[Approval of minutes from last meeting:](#)

Committee members were presented with a copy of the draft minutes for the September 22nd, 2025 Meeting for review.

*0913 **Motion to approve** September 22nd, 2025 meeting minutes was made by Jaime Gonzales. **Seconded** by Michael Wells. Motion passed unanimously.*

[Next steps](#)

- [Charles: Follow up with AODA, Safer, and MADD stakeholders regarding opportunities for prosecutor and public education on drug-impaired driving, and report back at the next meeting.](#)
- [Charles: Look into what is required to get CLE \(Continuing Legal Education\) approval for an hour-long video/webinar for prosecutors on marijuana impairment and driving.](#)
- [Charles: Resend the DOJ COPS office self-paced expert testimony training information to the listserv and consider pursuing accreditation for it.](#)
- [Charles: Follow up with Brett Barnes regarding the possibility of serving as Assistant United States Attorney \(AUSA\) representative on the committee and update the committee before the next meeting.](#)
- [Charles: Send reminders and solicit nominations for the DRE Central Region Alternate and DRE Northern Region seats prior to the September meeting.](#)
- [Charles: Report back to the committee when there is an update from the State regarding the Traffic Safety Resource Prosecutor \(TSRP\) position.](#)
- [Charles: Open DRE school applications August 1 and close August 31; summarize applications for committee review before the September meeting.](#)
- [Charles: Do not make DRE recommendation mandatory for DRE school applications. Add requirement for applicants to submit their best DWI arrest report with their application.](#)
- [Charles: Open instructor applications in May \(May 1-May 31st\), summarize received applications, and send to committee for electronic voting.](#)
- [Charles: Send Officer Lujan \(new instructor candidate\) to observe and teach at DRE school/field certifications as soon as possible, if budget allows, before the next school.](#)
- [Charles: Expand outreach for Lasworth case submissions to SFST instructors and DREs, and request submission of reports and videos for case review.](#)
- [Charles: Update the DRE call-out program text message template to highlight requesting agency information.](#)

- Charles: Distribute tablets with new ITSMR database app to all DREs and instructors after May 5th training.
- Charles: Send calendar invites to Committee and guests for the next meeting on September 21.
- All committee members: Promote ARIDE and CITE (recertification) course attendance to prosecutors and law enforcement in their regions.
- All DREs/instructors: Share DRE call-out program information with colleagues and dispatch to increase program awareness and utilization.
- All committee members: Submit nominations for DRE Central Region Alternate and DRE Northern Region Alternate before the September meeting.
- All committee members: Keep eyes open for potential Last Worth cases and submit reports/videos to Charles or the committee for review.
- Charles: Send calendar invite for the next meeting scheduled for September 21. (repeated, but confirmed in transcript)

Summary

Call to Order

Charles Files called the meeting to order at 0903. Brief introductions were made by those present in person and virtually (members online).

Committee Introductions

The committee meeting began with introductions and attendance checks, including both in-person and remote participants. The group approved the meeting minutes from September 22nd without discussion. A new defense attorney, Dorie Biagianti, was introduced and welcomed to the committee, bringing prosecutor experience to the role. The committee discussed vacant seats, including the DRE Northern Region seat which does not need immediate filling, and the DRE Central Region seat where they plan to revisit a nomination (Officer Erik Galindo NMSP) in September, as Officer Galindo was unable to attend today due to a conflict.

New Member Introduction

Dorie Biagianti was welcomed as the new defense attorney representative on the committee. She brings valuable experience as both a prosecutor and defense attorney, having graduated from University of South Dakota Law School in 2003. She currently maintains a practice that is approximately 90% defense work and 10% prosecution.

Current Vacancies

- DRE Northern Region Seat - recently vacated, no immediate action required
- DRE Central Region Seat - nomination for Officer E. Galindo tabled until September meeting due to absence
- DRE Central Region Alternate - open for nominations
- Traffic Safety Resource Prosecutor (TSRP) – two TSRPs not yet hired
- Assistant United States Attorney - Brett Barnes (former TSRP) being considered, pending approval from United States Attorneys' Office

2025 DRE of the Year Recognition

Sergeant Armando Duran of Sunland Park Police Department was recognized as the 2025 DRE of the Year. He was awarded a plaque and invited to the 2026 International Association of Chiefs of Police Impaired Driving & Traffic Safety Conference in August.

Other Recognitions

Sergeant Michael Wells and Detective Linda Smith (both DRE Instructors) were recognized for their outstanding service in 2025. Both were awarded a plaque and publicly recognized before

the Committee. Chief Carl Ustupski was not present, but recognized for his outstanding service in 2025. He will receive his plaque at a later date.

Enhanced Standard Waiver 3.4 Amendment

Charles shared with the Committee concerns that DREs had been submitting waiver requests for required evaluations long before their certification had expired, rather than making good faith efforts to complete the required enforcement evaluations while their certification was still active. In response, the committee approved an amendment to the enhanced standard specifying that waiver requests may only be submitted after a certification has expired. The waiver memo still must include documentation demonstrating an inability to complete the required enforcement evaluations. The committee noted that this change is intended to ensure DREs make genuine efforts to obtain field evaluations before requesting waivers for training evaluations, while maintaining the existing 12-month grace period after expiration in accordance with international standards.

*0947 **Motion to approve** amended language to enhanced standard 3.4 was made by Roy Martinez. **Seconded** by Candace Coulson. Motion passed unanimously.*

Lincoln County DRE Cases & Prosecution Assistance

The committee revisited an issue raised at the previous meeting regarding six DRE-related cases in the Ruidoso/Lincoln County area that resulted in not guilty verdicts following full trials. At that time, the committee agreed to look further into the circumstances surrounding those cases. Findings presented at this meeting indicated that several factors contributed to the outcomes, including jury confusion about marijuana's impact on driving ability, a broader public disconnect between marijuana use and impairment, and reluctance among prosecutors to pursue drug-impaired driving cases. Concerns were also raised regarding the willingness of the District Attorney's office to prosecute certain cases.

It was reported that the presiding judge found the DRE's testimony to be competent and professional, indicating that the outcomes were not due to deficiencies in DRE performance, but rather issues related to jury understanding and prosecutor preparation.

In response, the committee discussed several actions moving forward. These included expanding prosecutor education through coordination with the Administrative Office of the District Attorneys (AODA), Safer New Mexico Now, and MADD stakeholders, exploring Continuing Legal Education (CLE) opportunities related to marijuana impairment, redistributing DOJ COPS Office Expert Testimony training resources, and evaluating the potential for accreditation of existing training materials. Opportunities to present at the AODA conference were also identified.

The importance of enhanced officer testimony was also emphasized, particularly the need for arresting officers to clearly articulate specific dangerous driving behaviors, connect observed impairment indicators to driving performance, and provide detailed facts to better assist juries in understanding the relationship between marijuana use and impairment.

Finally, the committee discussed the need for increased public awareness efforts, including the development of public service announcements, expanded use of social media for education, partnerships with Safer and MADD for community outreach, and clearer public messaging regarding what constitutes impairment under current law.

Break between 1002 and 1017

ARIDE Training Concerns

Charles brought concerns related to ARIDE training that were brought forward at a training evolution. A SFST/DWI instructor at the Albuquerque Police Academy had discouraged cadets from attending ARIDE unless they intended to pursue full DRE certification, citing anticipated courtroom challenges. The concerns discussed included questions about the scientific validation of ARIDE-related tests compared to SFSTs, the limited duration of the 16-hour course for adequately preparing officers to recognize drug impairment, challenges officers face when questioned about their expertise in drug impairment, defense arguments related to distinguishing medication effects from impairment, and perceived gaps in prosecutor responses to those challenges.

In response, Charles clarified that while ARIDE tests are not scientifically validated like standardized field sobriety tests such as HGN, Walk-and-Turn, and One-Leg Stand, they are derived from credible NHTSA sources and supported by research. The course is designed to help officers recognize potential impairment and serve as a bridge between initial observations and more advanced evaluation, rather than positioning officers as drug impairment experts.

The committee noted that these concerns align with previously identified issues regarding prosecutor preparation and officer testimony. The previously established action items, including enhanced prosecutor education, officer testimony improvement, and public awareness efforts—remain applicable as steps to address these challenges.

2025 DRE School Report Out

The committee reviewed student selection and attendance for the most recent DRE school. Sixteen qualified applicants were initially selected; however, four students withdrew with short notice, and the resulting vacancies could not be filled from the list of applicants who were not initially accepted. As a result, twelve students from six agencies and three New Mexico State Police districts ultimately began the course in October 2025.

The Phase Zero mentorship program was also discussed, which involved experienced DREs reaching out to candidates prior to the start of 2025 School. While the initiative experienced a low response rate from candidates, the DRE Instructor Cadre agreed to continue implementing and refining the program for future classes.

Regarding academic performance, all twelve students successfully completed the first two-day classroom portion of the course (Phase I). The cohort achieved a 92% average on initial testing, exceeding the 80% passing requirement; however, four students initially did not achieve an 80% score on the 100-question examination. In accordance with international standards, all four students were offered to take the remedial (between 15-30 days from the initial test), after which three of four successfully passed. Following completion of academic requirements, eleven students advanced to field certification.

Field certification training was conducted in San Francisco in coordination with the California Highway Patrol. The training included visits to two separate substations and provided a strong student-to-instructor ratio that allowed for individualized instruction. All 12 required evaluations were completed within the first two days, and students were exposed to at least three drug categories confirmed through urinalysis. All students met the 75% accuracy requirement, and the third day was dedicated to report writing and instructor review. All remaining candidates successfully completed the Certification Final Knowledge examination, resulting in eleven new certified DREs for New Mexico.

The committee also discussed logistical challenges and lessons learned. The Program will be exploring lodging options with kitchenettes to improve student experience for the two week classroom portions. The first group that traveled to San Francisco experienced flight cancellations that resulted in delayed arrival, highlighting the need to build in additional travel time. It was noted that the purchasing of refundable tickets (initially, then downgrading to economy once the candidate successfully completed Phase II) proved beneficial in managing uncertainty related to student progression. For future schools, the committee recommended arriving one day earlier to avoid same-day travel to evaluation sites, which will be considered with the budget.

Curriculum-related concerns were also raised regarding discrepancies between topics emphasized in the instructor manual and content included on the updated 100-question test. The IACP confirmed there is no direct correlation between manual emphasis areas and test content. The committee noted the importance of not teaching solely to the test while ensuring instruction adequately covers areas that will be emphasized.

2026 DRE School

The committee discussed planning for the 2026 DRE school. The course is scheduled for October 12th–23rd, 2026, at the Regional Training and Management Center (RTMC) in Albuquerque. A spring session was determined to be infeasible due to budget constraints stemming from the 2025 school. Field certifications are scheduled to take place in November 2026 in San Francisco in coordination with the California Highway Patrol.

The committee also discussed anticipated class size for 2026. Planning is underway for a larger class than in 2025; however, the final number of students will be dependent on instructor availability and budget. Charles is gathering information regarding which instructors will be supported through grant funding versus agency time in order to determine overall training capacity.

DRE School Application Requirements

The committee discussed updates to the 2026 DRE school application process, including adjustments to the timeline and selection requirements. Applications will open on August 1 and close on August 31. Committee review of applicants will take place prior to the September 21 meeting, with final candidate selection to be voted on during the September meeting. A delayed confirmation strategy will be implemented to improve management of the alternate candidates and candidate availability.

The committee approved several new application requirements. While a DRE recommendation is not mandatory, a lack of such may prove concerning if the applicant is in an area with DRE representation. To accommodate jurisdictions without DRE availability, recommendations may be provided by either a DRE or an SFST instructor. Applicants will also be required to submit their best DWI arrest report or narrative, with the option to select the case they believe best represents their experience.

Existing application components remain in place and include contact information, years at current agency and current assignment, prior agency experience, disciplinary history related to false or misleading testimony, Brady/Giglio list status, number of DWI arrests in the previous year and year-to-date, SFST instructor status, ARIDE completion date and score (if available), narrative responses regarding program value and experience, and supervisor contact information.

DRE Database/Tablets

The committee discussed the transition to the new database system, replacing the previous NHTSA database, which was discontinued on March 31, 2026. The committee noted that the

old database had significant limitations, including redundant data entry after completing evaluations, chronic underreporting due to DREs not entering evaluations, limited reporting capabilities, and the need for developer assistance to generate custom reports.

The new system, designed by DREs for DREs, features a tablet-based application that allows real-time data entry during evaluations, with automatic upload once an internet connection is available. This eliminates the need for post-evaluation data entry, improves evaluation tracking accuracy, and provides comprehensive reporting capabilities.

For implementation, 75 tablets were acquired through a separate grant to provide one device for each DRE and instructor. Vendor training was scheduled for May 5th, 2026 in Albuquerque, and DRE instructors will assist with statewide tablet distribution. DREs have been instructed not to enter 2026 evaluations into the old database; all evaluations up to the transition date will be entered directly into the new system.

New Mexico Statewide DRE Call-Out Program

The committee reviewed the DRE Call-Out Program, which launched on March 3, 2026, as a text-based system designed to ensure equitable distribution of evaluation opportunities across all DREs.

The program operates by having agencies text a hotline number with the agency name, subject location, BAC (if available), and relevant facts. Requests are initially sent to all DREs within the county. DREs respond “yes” if available within ten minutes. If no responses are received at the county level, the request expands to all DREs in the corresponding New Mexico State Police district. The system also provides guidance on when a DRE callout is appropriate.

Since launch, two callouts have been received. The first, in Dona Ana County, was successfully handled by Sergeant Duran, while the second, in the northern region, was determined not to require a DRE.

Outreach efforts include information sent to the Department of Public Safety for dispatcher distribution, requests for DREs to share with their dispatch centers, distribution via the program listserv, and encouragement for committee members to share information with colleagues.

Program benefits noted by the committee include ensuring all DREs have fair access to evaluation opportunities, addressing complaints regarding non-response to callouts, providing documentation to monitor and address response patterns, and assisting DREs in meeting certification evaluation requirements.

Identified issues include the need to update the text message template to better highlight requesting agency information. Individual DREs may wish to review emergency bypass options for phone settings and determine personal versus work phone numbers.

New Mexico DRE Committee Lasworth Initiative

The committee received an update on the Lasworth Initiative. The committee noted that HGN is considered the most accurate of the three standardized field sobriety tests in identifying impairment by substances that cause HGN.

It was also noted that Dr. Karl Citek, a nationally recognized optometrist who has testified in numerous states in support of HGN admissibility, is available to assist with the initiative.

Since December 2021, only five cases have been reviewed over a period exceeding six years, with case identification largely limited to DRE instructors and committee members. The committee agreed that broader outreach is needed to increase case submissions.

To improve case identification, the committee revised the selection criteria. Eligible cases will include misdemeanor DWI cases with dangerous or poor driving indicators, observable impairment at initial contact, and documented administration of HGN and VGN. The previous requirement for toxicology results was removed, and video documentation is now requested to verify proper HGN administration.

The committee also approved an expanded outreach strategy, which will include statewide distribution to all DREs and inclusion of SFST instructors in case submission requests.

Submissions should include both reports and video evidence for review, with an emphasis on earlier identification to allow for coordination with prosecutors. Dr. Gilliland will review cases submitted to the Laboratory, as part of the evaluation process.

While all members of the Committee will review these cases as they come through, Candace Coulson will have the final approval on expanding to Dr. Citek. Once a case is identified that both Candace and Dr. Citek feel provides the best opportunity for success, Candace will move forward with the appropriate jurisdiction.

NMDRE Program Update

The committee reviewed current program statistics and trends. It was reported that there are currently 75 certified DREs statewide and 12.5 instructors, noting that one additional instructor candidate, Brandon Lujan, has completed instructor school but is pending certification.

Geographic distribution of DREs continues to show gaps along a northeast to southwest diagonal, and it was noted that smaller agencies often face challenges meeting the three-week training time commitment.

The committee also reviewed 2026 certification expirations, noting a particularly heavy year with approximately 30–40 DREs expected to expire. At the time of the meeting, 11 DREs were registered for the Albuquerque recertification course, 9 were registered for the next Albuquerque recertification, and one DRE was registered each for the Las Cruces Southern Region recertification.

Enforcement evaluation statistics were presented comparing 2024 and 2025 data. In 2024, a total of 219 enforcement evaluations were completed. For 2025, 137 total evaluations had been recorded (a 37.4% decrease), with the decrease attributed to a temporary program suspension during the transition period while programmatic logistics between the State and contractors were reassigned. It was noted that evaluation numbers are expected to increase as the program stabilizes.

The committee also reviewed drug category trends from 2025 evaluations. Cannabis were identified as the most prevalent category, followed by CNS Stimulants, Narcotic Analgesics, CNS Depressants, Dissociative Anesthetics, Inhalants and Hallucinogens, with Hallucinogens being the least frequently observed category.

Impacts of Recreational Cannabis Legislation

The committee discussed the impact of cannabis legalization in New Mexico, which occurred in 2022. It was noted that the anticipated increase in cannabis-impaired driving cases did not materialize following legalization. In fact, cannabis-related cases have decreased post-legalization, while stimulants have remained the primary drug category identified in DRE evaluations throughout the same period.

Several possible explanations were discussed for this trend, including the possibility that the public may be exercising greater caution regarding driving after cannabis use, that officers may be less likely to pursue cannabis-related DWI cases, and that prosecutors may be more reluctant to charge cannabis-impaired driving offenses. The committee also noted the potential influence of a broader cultural shift in perceptions of cannabis impairment.

2026 & 2027 Training Calendars

The committee reviewed the 2026 training calendar, including upcoming ARIDE and CITE course offerings across the state. ARIDE courses are scheduled at multiple locations throughout New Mexico, with varying registration levels by site. It was noted that some classes are experiencing low enrollment, and committee members were encouraged to promote these opportunities within their respective regions.

The committee also discussed CITE courses, previously known as “DRE recertification,” which have been rebranded as Comprehensive Impaired Driving Traffic Enforcement training. These

courses are now open to all New Mexico law enforcement officers, not solely DREs. The training is eight hours and covers updates in drug-impaired driving enforcement, including courtroom testimony components. CITE courses are scheduled in multiple regions, including Albuquerque (multiple sessions), and Las Cruces.

Registration challenges were also discussed, including low enrollment in certain courses. The committee emphasized the need for increased promotion of training opportunities by committee members, with a focus on reaching patrol officers in addition to DREs. It was also noted that prosecutors are encouraged to attend when possible.

New Mexico DRE Instructor Cadre

The committee reviewed instructor development and current instructor status within the program. It was reported that there are currently 12.5 certified instructors statewide, with Brandon Lujan having completed instructor school but still requiring final certification. To complete certification requirements, Lujan must teach during a DRE school and field certification process. If it is possible to send Lujan out of State to complete these requirements before the next New Mexico School, budget will allow for this.

The committee also discussed the instructor application process for 2026. Applications will open in May, after which Charles will compile and summarize submissions for committee review. The committee will then conduct an electronic vote on instructor candidates. The goal is to have any selected instructors sent through a DRE Instructor Course prior to the October 2026 DRE school.

Instructor workload and availability were also discussed as key factors impacting program capacity. Charles is gathering information on instructor availability and determining which instructors will be supported through grant funding versus agency time. It was noted that instructor availability will directly affect maximum class size for the DRE school, and that a balance must be maintained between instructor capacity and overall program needs.

National Updates

Charles provided updates from the National DRE community regarding recent developments in international standards and ongoing research. It was reported that the International Association of Chiefs of Police (IACP) has implemented an amendment to the certification requirements of waiting 15 days to administer the remedial 100-question test. An immediate remedial option has been introduced, eliminating the prior 15–30 day waiting period. The existing 12-month grace period following certification expiration remains unchanged.

Updates were also provided on ongoing research and development efforts within the DRE community. These include continued studies on drug impairment indicators, feasibility of an

alternative SFST, research focused on marijuana impairment detection, and analysis of polydrug impairment patterns. The committee noted that these efforts support the continuous improvement and refinement of evaluation protocols.

Committee Discussion on Program Improvements

Mock Trial Training Initiative

Detective Linda Smith raised the idea of developing mock trial training for law enforcement. It is noted that the concept is supported by recurring feedback from mock trial exercises at the basic academy level as well as multiple requests submitted through ARIDE course critiques. The committee expressed strong support for the initiative and agreed that it directly addresses a consistent need for additional courtroom testimony preparation. Candace, Dr. Gilliland, and Detective Smith agreed to collaborate to further explore and develop the proposal. The committee discussed potential components of the training, including realistic trial scenarios involving judges, prosecutors, and defense attorneys, structured opportunities for officers to practice testimony, and facilitated feedback sessions focused on courtroom performance. Members also noted the potential for both virtual and in-person delivery formats, as well as the importance of integrating the training into the existing training calendar.

Committee Updates

The meeting concluded with a series of updates from committee members. Sergeant Wells reported an increase in DRE-related activity in the northern region following a recent ARIDE course, along with the certification of four new DREs within the Farmington Police Department. He also noted strengthened relationships with local lawmakers who may be able to support future program initiatives.

Dr. Gilliland provided an update from the laboratory, reporting a 200–300% increase in case submissions associated with House Bill 8 related to search warrants for misdemeanor DWI cases. He noted that current turnaround times for blood analysis are approximately 6–8 months, while alcohol results are typically available within days. He also shared that the laboratory has secured funding for additional equipment and reiterated his availability to assist law enforcement as needed.

Judge Fitzwater reported that the state is currently undergoing an SFST assessment and that stakeholders may be asked to provide supporting information. He also shared information regarding the Florida TSRP Program's weekly webinars on traffic safety topics and offered to distribute links upon request. Additionally, he raised ongoing discussion regarding statutory requirements for blood draws in impaired driving cases, including consideration of expanding authorization to certified phlebotomists.

The next committee meeting is scheduled for September 21, 2026, in Albuquerque.

Meeting Adjournment

Charles Files thanked all committee members for their participation, both in-person and remote, and expressed appreciation for their continued engagement and support of the program. He acknowledged the challenges faced during the transition year and recognized the committee's commitment and steady progress despite those obstacles.

He reminded members that the next meeting is scheduled for September 21, 2026, in Albuquerque, and encouraged participants to reach out in advance with any questions, concerns, or items for discussion. The meeting was then adjourned with unanimous agreement on the identified action items and overall strategic direction of the program moving forward.

*1147 **Motion to adjourn** was made by Candace Coulson. **Seconded** by Michael Wells. Motion passed unanimously and the meeting adjourned.*

Minutes submitted by: Charles Files, Integrity Shield Consulting. Minutes approved by:
Jaime Gonzales Seconded: Michael Wells * September 21, 2026 @ 0910 Albuquerque, New Mexico