

**Agenda Item 10
Felons Hunting With A
Firearm:
Administrative or Criminal?**



Field Operations Division

Audit Applications Prior To Draw

- New Mexico has an average of 150,000 applicants for hunts which include hunt codes other than archery hunts each year.
- There are several thousand applicants that apply for any combination of archery, muzzle loader and any legal sporting arm hunts on the same application.
- There are approximately 50,000 individuals annually who purchase licenses over the counter that are any legal sporting arm hunts.
- Enforcement agencies are not allowed to run an individual through the DPS system unless the officer is doing so pursuant to an open criminal investigation or for employment purposes in safety sensitive positions.



Auditing applications is expensive

- The time frame to complete the audit from application to draw is approximately two months.
- It would take an estimated 50,000 man hours to complete.
- That would take over 140 employees working 8 hours a day for those two months to complete a felony check on special hunt applicants.
- The cost to the agency would be approximately 1.3 million dollars each year.
- Private criminal databases require full social security numbers to aid with accurate results.
- Currently the Department does not collect full social security numbers with applications.
- This equates in spending more time to thoroughly investigate any person appearing to be felon or require complete social security numbers to be collected.



NMDGF Authority

- Currently 30-7-16 NMSA makes it illegal for a felon to possess a firearm but it is legal for a felon to hunt with archery equipment during a rifle hunt (any legal sporting arm).
- New Mexico Conservation Officers do not have direct authority over the felon in possession of a firearm violation.
- Currently there are people who have been convicted of felonies that apply for and draw any legal sporting arm hunts and legally hunt with archery equipment.



Addressing the Issue

- 17-1-14 NMSA 1978 states that GC shall have authority to adopt rules establishing procedures for the suspension or revocation of license privileges of a person charged with violating the provisions of Chapter 17.
- 17-3-34 NMSA states that a holder of any license or permit that persistently, flagrantly or knowingly violates any of the provisions of Chapter 17 or regulations referred to in 17-2-10 NMSA 1978 shall have their license or permit revoked.



Future Planning & Considerations

- Consultation with State Attorney's; (AG, DA, NMDGF Counsel)
- Possible Manner and Method modification
- Potential Commission / Department Legislative Initiative (CO Authority, Statutory change.)



Questions?



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