

Agenda Item 10

License Revocations



Field Operations Division

License Revocations

Before you today are six separate groups of individuals subject to revocations for your approval.

- **Group 1** – One Registered Outfitter who has accumulated 20 or more Violation Points, and 20 or more Misconduct Points in a three year period. He requested a hearing. The Hearing Officer's recommendation is included.
- **Group 2** – Reciprocal revocation of 1 individual who has been referred by the Wildlife Violators Compact. He requested a hearing. The Hearing Officer's recommendation is included.
- **Group 3** – Nine individuals who have accumulated 20 or more Violation Points in a 3 year period. They requested a hearing, and have submitted exceptions to the Hearing Officer's recommendations. The Hearing Officer's recommendations and the exceptions are included.



License Revocations Continued

- **Group 4** – Nineteen individuals who have accumulated 20 or more Violation Points in a 3 year period. They requested a hearing. The Hearing Officer's recommendations are included.
- **Group 5** – One individual who has accumulated 20 or more Violation Points in a 3 year period. This individual has elected to enter into a Stipulated Agreement with the Department. This agreement is presented to the Commission for consideration and approval.
- **Group 6** - Suspension of 127 individuals that are subject to the Parental Responsibility Act (PRA).



Group 1 - Revocation of 1 Registered Outfitter

- Arthur R. Baca is a registered outfitter. He has accumulated 20 violation points and 20 misconduct points in a three year period. He was served a Notice of Contemplated Action advising him that he was subject to having his Outfitter and Guide registration privileges and his Hunting, Fishing and Trapping License privileges revoked.
- Mr. Baca requested a hearing. The Hearing Officer's reports and recommendations are included.



Motion



Field Operations Division

Group 2 – Reciprocal revocation of 1 Individual's License privileges under the Interstate Wildlife Violators Compact

- Justin Walker was convicted of wildlife violations that, if they were in New Mexico, would have accrued at least 20 points, thus making him subject to having his Hunting, Fishing, and Trapping license privileges revoked.
- He went through the original state's due process before having his privileges revoked.
- The recommended time period is determined by the end date of the original revocation.
- Mr. Walker requested a hearing. The Hearing Officer's recommendation for reciprocal revocation is included.



Motion



Field Operations Division

Group 3

- Daniel Alcon was convicted of Criminal Trespass while engaged in hunting activities. In accordance with statute, this conviction results in a mandatory 3 year revocation.
- Mr. Alcon requested a hearing. The Hearing Officer's recommendation is included.
- Mr. Alcon's attorney has submitted a written exception, which is included.



Motion



Field Operations Division

Group 3

- Antonio Archuleta was convicted of Hunting with a License Unlawfully Procured (Residency). This violation is assessed 20 points.
- Mr. Archuleta requested a hearing. The Hearing Officer's recommendation is included.
- Mr. Archuleta has submitted a written exception, which is included.



Motion



Field Operations Division

Group 3

- Christopher Crowther was convicted of Hunting with the Aid of an Artificial Light and Illegally Killing an Elk Out of Season. This resulted in 40 points being assessed.
- Mr. Crowther requested a hearing. The Hearing Officer found that Mr. Crowther's violation was flagrant or egregious. The Hearing Officer's recommendation is included.
- Mr. Crowther has submitted a written exception which is included.



Motion



Field Operations Division

Group 3

- Adam Martinez was convicted of killing a deer and a pronghorn antelope out of season, illegally possessing a deer and a pronghorn antelope out of season and hunting while his privileges were revoked. This resulted in 100 points being assessed.
- Mr. Martinez requested a hearing. The Hearing Officer found that Mr. Martinez' violation was flagrant or egregious, and that he had previously been revoked. The Hearing Officer's recommendation is included.
- Mr. Martinez' attorney has submitted a written exception, which is included.



Motion



Field Operations Division

Group 3

- Reyes Montoya was convicted of Hunting with the Aid of an Artificial Light. This resulted in the assessment of 20 points.
- Mr. Montoya requested a hearing. The Hearing Officer's recommendation is included.
- Mr. Montoya has submitted a written exception which is included.



Motion



Field Operations Division

Group 3

- Gary Murphy was convicted of Hunting with a License Unlawfully Procured (Residency), and Unlawfully Killing an Oryx-in Season. This resulted in the assessment of 30 points.
- Mr. Murphy requested a hearing. The Hearing Officer's recommendation is included.
- Mr. Murphy has submitted a written exception which is included.



Motion



Field Operations Division

Group 3

- Joe Rael was convicted of 2 counts of interfering with lawful sportsmen. This resulted in 40 points being assessed.
- Mr. Rael requested a hearing. The Hearing Officer's recommendation is included.
- Mr. Rael has submitted a written exception which is included.



Motion



Field Operations Division

Group 3

- Tobias Romero was convicted of Hunting Big Game in the wrong Unit or Area. This resulted in 20 points being assessed.
- Mr. Romero requested a hearing. The Hearing Officer's recommendation is included.
- Mr. Romero has submitted a written exception which is included.



Motion



Field Operations Division

Group 3

- Jordan Rutherford submitted a false or fraudulent harvest report for cougar. In accordance with rule, this violation is subject to license revocation, and is assessed 20 points.
- Mr. Rutherford requested a hearing. The Hearing Officer's recommendation is included.
- Mr. Rutherford and his attorney each submitted a written exception which are included.



Motion



Field Operations Division

Group 4 - Revocation of 19 individuals who requested a hearing.

- The Department has presented a list of 19 individuals that meet the established criteria for initiation of the suspension process for hunting, fishing and trapping license privileges.
- Each of these individuals has been served with a Notice of Contemplated Action, and have been offered the opportunity for a hearing to rebut or explain the violation points that they have accumulated.
- These individuals requested a hearing. The Hearing Officer's recommendations for revocation of each individual is included.



Motion



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Group 5 – Revocation of 1 individual with a stipulated agreement

- In accordance with Commission Rule 19.31.2.13 C “Stipulated Agreements.” By signing the stipulated agreement the individual agrees with the terms set forth and they waive their right to a hearing and filing of a written exception.
- One individual elected to enter into a Stipulated Agreement with the Department.
- This agreement has been approved by the Department and is presented to the Commission for consideration and approval.



Motion



Field Operations Division

Group 6 - Revocation of individuals due to the Parental Responsibility Act (PRA)

- 127 obligors that the Human Services Department reported as being out of compliance with PRA in January, February and March
- The Commission is required to suspend all license privileges for non-compliant obligors until they return into compliance.



Motion



Field Operations Division

Questions?



Field Operations Division