

# **THE AMADOR GROUP LLC CCW Course Handout**

## **Table of Contents**

Concealed Carry Course Qualifiers .....	2
Concealed Carry Course Disqualifiers.....	2
Classroom Information & Pricing .....	3
Attendance requirements:.....	3
Instructor Led Online Training Fee:.....	3
In-Person Classroom Training Fee:.....	3
Refund Policy: .....	3
Classroom Course Agenda:.....	3
Instructor Led Online Classroom .....	4
Connectivity Troubleshooting Guide .....	5
Range Information & Pricing.....	6
Items needed for range day: .....	6
The Range Training Agenda:.....	7
Passing: .....	7
Failing:.....	7
Ammunition Requirements.....	7
State Application & Fingerprint Fees.....	8
Fingerprint & Background Check Registration:.....	8
Steps after successful completion of Classroom and Range: .....	8
Appeals .....	9
Use of Force Law .....	9
Range Commands: .....	9
Rules of Firearm Safety .....	10
Summary Of New Mexico Firearm Laws.....	11
Transporting Firearms On A Plane .....	14
NMSA Crime Definitions.....	15
Non-Violent Dispute Resolution .....	18
Non-Violent Communication.....	18
Four Components of Non-Violent Communication.....	18
Keys To Redirecting Negative Behavior .....	19
P.A.C.E. ....	19

## Concealed Carry Course Qualifiers

You must meet all the following qualifiers in order to be eligible to take our concealed carry course:

- United States Citizen
- Resident of New Mexico **or**,
- Member of the armed forces stationed in New Mexico **or**,
  - Dependent(s) of armed forces member stationed in New Mexico
- 21 years old or older
- Not a fugitive from justice
- No felony convictions in New Mexico or any other state
- Not under indictment for a felony charge in New Mexico or any other state
- Is not prohibited by federal law or the law of any other jurisdiction from purchasing or possessing a firearm
- Has not been adjudicated mentally incompetent or committed to a mental institution
- Not addicted to alcohol or controlled substances

## Concealed Carry Course Disqualifiers

If you meet any of the following criteria, you will not be permitted to take our concealed carry course:

- Received a conditional discharge, a diversion or a deferment or has been convicted of, pled guilty to or entered a plea of nolo contendere to a misdemeanor offense involving a crime of violence within 10 years before the course start date.
- Been convicted of a misdemeanor offense involving driving while under the influence of intoxicating liquor or drugs within 5 years before the course start date.
- Been convicted of a misdemeanor offense involving the possession or abuse of a controlled substance within 10 years before the course start date.
- Been convicted of a misdemeanor offense involving assault, battery or battery against a household member.

---

**\*\*Conviction Definition:** a formal declaration that someone is guilty of a criminal offense, made by the verdict of a jury **or** the decision of a judge in a court of law. Includes:

- Guilty plea
- No contest
- Nolo Contendere
- Conditional plea of guilty

Or any other plea that would result in an adjudication of guilt in any court of competent jurisdiction. A conviction includes a deferred sentence and a conditional discharge prior to satisfaction of the conditions and after satisfaction of conditions where required by the act.

## Classroom Information & Pricing

**\*COVID-19 UPDATE\*** Effective June 8<sup>th</sup>, 2020, classroom portions of the Concealed Carry Course can be offered fully online or in-person.

The in-person range qualification will be scheduled on Sundays in your given location. Instructors will have range dates posted on the company website.

Pricing is currently flat rate for all, no discounts provided at this time. If in-person class size is less than 8 people, a \$30 private course fee will be applied per person\*. Please visit our website for additional pricing details.

**Online or In-Person Classroom Length:** 10 hours (Two 5 Hours Sessions)

**Range Qualification:** 6 hours

### Attendance requirements:

- Students must meet all class attendance and participation requirements in order to qualify for the range qualification.
- Students must complete (at a minimum) the state required 15 hours of the course and have the course paid in full to receive Training Certificate to complete the state application.

**\*\*The following prices are for the classroom portions only!\***

**Instructor Led Online Training Fee: \$75 per person**

**In-Person Classroom Training Fee: \$75 per person**

(A \$30 private course fee per person may apply for in-person class sizes of less than 8 people \*See Above\*)

### Refund Policy:

Requests must be made within 48 hours from the date of registration to receive full refund of online course fee.

Requests made after 48 hours will not receive a refund but will have the option to transfer the fee/deposit to the next available course date.

### Classroom Course Agenda:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>➤ Attendance &amp; Connectivity Quality Check</li> <li>➤ Introduction</li> <li>➤ Rules of Safety</li> <li>➤ Dry Fire Practical</li> <li>➤ Concealed Carry Terms &amp; Conditions</li> <li>➤ Rights &amp; Responsibilities</li> <li>➤ Situational Awareness</li> <li>➤ Morals vs Laws</li> </ul> | <ul style="list-style-type: none"> <li>➤ Third Party Defense</li> <li>➤ Police Encounters</li> <li>➤ Firearm Maintenance &amp; Storage</li> <li>➤ Firearm Fundamentals               <ul style="list-style-type: none"> <li>○ Stances</li> <li>○ Grip</li> <li>○ Aiming</li> <li>○ Trigger Control</li> </ul> </li> <li>➤ Child Safety &amp; Precautions</li> </ul> |
|--|---|

## Instructor Led Online Classroom

You must have **one** of the following devices in order to participate in the online course:

1. Phone
2. Tablet
3. Laptop
4. Desktop Computer

You must have a good internet connection and a quiet area you can use to participate in the online instructor led course.

### Program Requirements

The online video screen sharing platform being used is [Microsoft Teams](#). ←Using the blue "hyperlink" will direct you to the Microsoft Teams website to download the app to your mobile device.

1. **For laptops or desktops**, you can choose to use the web option and do not need to download the program.
2. Instructors will follow up via phone call 3-4 days prior to course start date to verify attendance.
  - a. Instructors will send Microsoft Teams invite to the email you provided
  - b. Instructors will perform a functionality check to ensure you can connect.
  - c. Join the meeting as a guest and enter your full name.

The interactive knowledge check program is Microsoft Forms. There is no need to register for this and you **do not** need to download any app for this either. Instructors will send a link to the email address you provided during registration.

1. Ensure you have a device available to access the links that will be sent
2. Instructors will send:
  - a. Pre-Course Survey
  - b. Chapter Knowledge Checks (4)
  - c. Post Course Survey

### Participation Requirements

- Classroom Discussion in Microsoft Teams
  - Unmute & Ask
  - Microsoft Teams Chat
- Knowledge Check
  - Students must answer and participate in **ALL** assigned Chapter knowledge checks
  - Instructors may ask students to reschedule the course if more there is no participation in the Knowledge Checks and/or Group Discussion.

## Connectivity Troubleshooting Guide

Connectivity issues may arise during the conference call. If you begin to experience connectivity issues do the following:

1. Make an attempt to let the instructor know you are experiencing issues
  - a. "Unmute and ask"
  - b. Send a chat message and/or,
  - c. Send a text message to the instructor
    - i. Instructors will provide their phone number in the Microsoft Teams chat at the beginning of the course.
2. Microsoft Teams Connectivity Test ([Click Here](#))
3. Internet Connectivity Check ([Click Here](#))
4. If you are on a mobile device:
  - a. Close out all open apps (Including Microsoft Teams)
  - b. Turn airplane mode on for 10 seconds, then turn it back off
  - c. If the above does not work, restart your device and attempt to reconnect to the course.
  - d. Only have course pertinent apps/programs open.
5. If you are on a laptop or desktop:
  - a. Close out all programs and apps (Including Microsoft Teams)
  - b. Attempt to reconnect to the classroom,
  - c. If the above does not work, check your modem to ensure it is receiving internet.
  - d. Restart your device
  - e. If the above does not work, unplug your modem and plug it back in

\*If none of the above work, let your instructor know and the instructor will work to rescheduling your classroom at a later date. Contact your Internet Service Provider to ensure there are no connectivity issues that need to be addressed on their end.

Full link for Microsoft Teams Test: <https://connectivity.office.com/>

Full link for Internet Connectivity Test: <https://www.speedtest.net/th>

## Range Information & Pricing

The Amador Group provides a comprehensive firearm training. This course is a focused firearm training and not just a qualifier. Our course (at a minimum) meets all state requirements for Classroom and Range Qualifications.

### Range Fee:

Student
<ul style="list-style-type: none"> <li>• \$75</li> <li>• \$100 (Roswell, Carlsbad, Clovis, Hobbs)</li> </ul>

Student range qualification fee will be paid on your scheduled range qualification date in cash.

### Firearm Rentals: \$20 each firearm

Instructors have a selection of firearms available to rent. The rental includes:

- Firearm
- Ear Protection
- Spare Magazines
- Eye Protection
- Holster (OWB)
- Magazine Pouches

### Incidental Costs:

Students will be responsible for any damage or missing equipment that is rented from The Amador Group LLC resulting from negligence and/or misuse.

### Items needed for range day:

- Safety Glasses
- Hearing Protection
- Holster
- (2) spare magazines
- Firearm
- 200 rounds of ammunition

### Recommended Items:

- Pants with belt (helps hold your firearm and holster in place)
- Baseball cap (keeps shell casings from hitting the face)
- Snacks/Food (there will be no formal lunch break)

### Students will divide themselves into one of three categories:

1. Intro/Basic entry level (little to no experience with a firearm)
2. Intermediate (some experience with a firearm)
3. Advanced (has had formal or ongoing firearm training)

The groups allow instructors to provide the appropriate level of 1:1 training specific to your needs. The instructor's intent is to provide each student with equal amount of skill building training.

## The Range Training Agenda:

1. Student Check-In
2. Equipment (Firearm & Ammunition) inspection
3. Range safety briefing and Range call review
4. Dry Fire Drills
5. Malfunction Identification/Clearing & Reloading Drills
5. Teuller Drill – Time vs Distance (Demonstrated by Instructors)
6. Grouping/Practice Shots – (20 rounds total)
7. 3-yard drill (one handed) – Dominant & Non-Dominant hands (50 rounds total)
8. 5-yard drill (two hand grip) – Large Silhouette (50 rounds total)
9. 7-yard drill (Two Hand Grip) – Small Silhouette (50 rounds total)
10. Top Shots play with

### Passing:

Each round is (4) points each for the 25 qualifying rounds at 3 and 7 yards  
Students must have an accumulative passing accuracy score of 72% or higher for the following:

- 15 rounds at 3 yards
- 10 rounds at 7 yards

### Failing:

- Accumulative accuracy scores below 72%
- Automatic disqualification/failure for blatant disregard to safe firearm handling and range safety protocols.

## Ammunition Requirements

Ammunition must be factory. Re-loads will not be accepted due to safety & liability reasons. Ammunition will be inspected.

Our course is a firearm training that requires at least 200 rounds of ammunition.

#### Training & Qualification (1 Caliber & Category)

- 200 Rounds
- This is for students who choose to only conceal carry one caliber and category

#### Higher Caliber Qualification

- 25 additional rounds
- This is for students who choose to carry a higher caliber than what they used for their 200 round training

#### Other Category Qualification (Revolver or Semi-Auto)

- 25 additional rounds
- This is for students who choose to carry a firearm in another category from their initial 200 round training.

## State Application & Fingerprint Fees

### State Concealed Carry Application Fee:

- Civilian: \$56 (Paid directly to NMDPS)
- Military/Veteran/LEO: Free

Application Link: [Click Here](#)

A digital copy of the application will also be provided to students via email.

Instructors will review the application with students during class and how to fill out paperwork.

### Fingerprint Registration Fee

- Civilian: \$44
- Military/Veteran/LEO: \$8.30

\*You MUST have your fingerprints electronically filed with the state specifically for Concealed Carry. The state will not accept fingerprints that were completed for your employer.

## Fingerprint & Background Check Registration:

1. Registration Link: [Click Here](#)
2. Read & Accept the terms and click continue
3. Enter all information in the highlighted areas
4. ORI information as follows:
  - a. Civilians – NM920200Z
  - b. Military/Veteran/LEO – NM920272Z
5. Pay using a credit card
6. Print out receipt (You will need to include a copy of the receipt with your application packet)
7. Bring receipt in for your digital fingerprinting
  - a. Find your closest fingerprinting location ([Click Here](#))

## Steps after successful completion of Classroom and Range:

- Instructors will send out training certificate 5-7 days after the range day is completed to all students who passed the course
- Instructors will contact students to verify all information on the certificate is accurate
- Students complete their packets and send to:
  - 6301 Indian School Rd NE #310  
Albuquerque, NM 87110



## Appeals

The department will mail an order of denial, suspension and instructions for requesting a hearing to the respondent. The order shall become final on the 30<sup>th</sup> day after the date the notice was postmarked unless the department receives a request for a hearing, or the notice is returned to the department as undeliverable before that date.

## Use of Force Law

### **Threats as Justifiable Force:**

The threat of force is justified when the use of force is justified. For purposes of this section, a threat to cause death or serious bodily injury by the production of a weapon or otherwise, as long as the actor's purpose is limited to creating an apprehension that he will use deadly force if necessary, does not constitute the use of deadly force.

### **Reckless Injury of Innocent Third Person:**

Even though an actor is justified under this chapter in threatening or using force or deadly force against another, if in doing so he also recklessly injures or kills an innocent third person, the justification afforded by this chapter is unavailable in a prosecution for the reckless injury or killing of the innocent third person

### **Civil Remedies Unaffected:**

The fact that conduct is justified under this chapter does not abolish or impair any remedy for the conduct that is available in a civil suit.

## Range Commands:

**Cease Fire:** This command can be given by anyone. All firing is to stop immediately, and everyone must safely re-holster their firearm.

**Down Range:** This command is given when there is a need to move passed the line of fire for a specific reason, only after all firearms have been unloaded, checked and cleared by an instructor and safely re-holstered.

**Firing Drill:** This command is given when all students are on the line and ready for the course of fire. Students will unholster their firearm, load a magazine and rack their slide to load a round, check chamber, then will re-holster and stand in the ready position.

**Unloading Drill:** This command is given when a course of fire has ended. Students will remove the magazine, unload the chamber and wait for an instructor to check and clear the firearm, then re-holster when cleared by an instructor.

**Line Is Clear:** This command is given when instructors have verified that students have completed an unloading drill. (see definition above)

## Rules of Firearm Safety

### ALWAYS:

- **Keep the gun pointed in a safe direction**
  - This is the primary rule of gun safety. Common sense dictates the safest direction, depending on different circumstances.
- **Keep your finger off the trigger until ready to fire**
  - When holding a firearm, rest your finger alongside the frame and outside the trigger guard. Until you are actually ready to fire, do not touch the trigger.
- **Keep the firearm unloaded until ready to fire**
  - If you do not know how to open the "action" or inspect the chamber, leave the firearm alone and get help from someone who does.
- **Know your target and what is beyond it**
  - Be absolutely sure you have identified your target beyond any doubt. Equally important, be aware of the area beyond your target. This means observing your sector of fire before you shoot. Never fire in a direction in which there are people or any other potential for mishap. **Think First, Shoot Second**
- **Be sure the firearm is safe to operate**
  - Just like other tools, firearms require regular maintenance to remain operable. These are mechanical devices that wear down. Know your equipment and inspect before and after each training.
- **Use only correct ammunition for your firearm**
  - Refer to the firearm manual as well as the stamped indicator on the firearm barrel to ensure you are using the correct ammunition. Some ammunition has added pressure (P, P+), be sure your firearm is designed to handle it.
- **Wear eye and ear protection as appropriate**
  - Constant exposure to high decibels can cause hearing loss. Bullet fragments can also ricochet and cause eye injury.
- **Never use alcohol, over the counter drugs or prescription medication while operating a firearm**
  - These can cause impairment and can also lead to
- **Safely store firearms to prevent unauthorized access**
  - Ensure you unload all firearms before storing them
  - Ensure your storage device has an appropriate level of security to prevent unauthorized access
- **Cleaning**
  - Ensure firearm is unloaded and no other ammunition is present in your firearm cleaning area
  - A clean firearm will reduce the chances for firearm malfunctions.

## Summary Of New Mexico Firearm Laws

There is no permit or firearms registration required when buying a handgun from a private individual. However, per 30-7-7.1, as of July 1, 2019, background checks are required for private sales of firearms. Under this new law, it is a misdemeanor crime to sell a gun without a background check administered by a licensed federal firearms dealer, although there are some exceptions to the law. A background check is not required for sales between law enforcement officers or immediate family members.

New Mexico has established the **Castle Doctrine** on a *limited basis*. According to a 1946 state supreme court ruling in *State v. Couch*, "A person who is threatened with an attack need not retreat. In the exercise of his right of self-defense, he may stand his ground and defend himself." A defendant who kills another in self-defense while standing his or her ground must show that he/she:

1. Was placed in reasonable fear of immediate death or great bodily harm
2. Used a reasonable amount of force to avoid the threat
3. Did not instigate the encounter

Open Carry & Concealed Carry Basics	
<b>Constitutional Carry?</b>	No. New Mexico does not allow constitutional carry
<b>Open Carry Permitted?</b>	Yes, without a permit. Any person who is at least 19 years old and legally entitled to carry a firearm can open carry.
<b>Gun Permit Licensure?</b>	New Mexico is a shall-issue state.
<b>Minimum Age for Concealed Carry?</b>	The minimum age to concealed carry in New Mexico is 21.
<b>Can you conceal weapons other than handguns allowed for concealed carry</b>	No. However, state law limits concealed carry license holders to carrying one concealed gun at any given time. However, any number of firearms can be openly carried. [N.M. Admin. Code 10.8.2.16]
<b>Tasers or Stun Guns?</b>	Yes. Stun guns and tasers are legal to purchase and possess without a permit.
<b>Chemical Spray/Pepper Spray?</b>	Yes. There is no statute prohibiting the purchase or use of pepper spray in New Mexico.
<b>Public Access to Concealed Carry Registration?</b>	No, however, the information is available for law enforcement.
Carry Locations	
<b>Carry in Vehicle?</b>	Yes, without a permit for anyone 19 or older who is not otherwise prohibited from possessing a firearm. However, if

	you don't have a permit, <b>you may not have the weapon concealed on your person when you exit your vehicle.</b>
<b>Carry at Roadside Rest Areas?</b>	Yes, with a New Mexico Concealed Handgun License or a permit from a state that New Mexico honors.
<b>Carry in State/National Parks, State/National Forests and Wildlife Management Areas?</b>	Yes, with a New Mexico CHL or permit from honored state for state/national parks and forests. [N.M. Admin Code 19.5.2.21]  No for Wildlife Management Areas
<b>Carry in Restaurants That Serve Alcohol?</b>	Yes, with a New Mexico CHL or permit from state that New Mexico honors, exclusively in restaurants licensed to sell only beer and wine, unless posted. Carry is not permitted in restaurants that <b>serve</b> hard liquor.
<b>Store in a Vehicle in an Employee Parking Lot?</b>	Extended domain law. <ul style="list-style-type: none"> <li>• Vehicle (Car/RV)</li> <li>• Motorcycle</li> <li>• Bicycle</li> <li>• Boat</li> <li>• Horseback</li> </ul> Are all an extension of your home.
<b>Additional Related State Laws</b>	
<b>Must Notify Officer You're Carrying?</b>	No. New Mexico is not a duty to inform state.
<b>Magazine Limits for Handguns?</b>	No. New Mexico does not have any restrictions
<b>Ammunition Restrictions?</b>	No. New Mexico does not have any restrictions
<b>Handgun Purchase &amp; Possession</b>	
<b>Purchase Permits?</b>	No. A permit is not required to purchase a handgun in New Mexico
<b>Background checks for private gun sales?</b>	Yes. As of July 1, 2019, private sales must be administered by a licensed federal firearms dealer who will run a background check. A background check will not be required for sales between law enforcement officers or immediate family members.
<b>Waiting Period?</b>	No. New Mexico does not have a waiting period after purchasing a handgun.

<b>Handgun Registration?</b>	No. Handguns do not need to be registered in New Mexico.
<b>Minimum Age to Possess and Transport?</b>	The minimum age to possess and transport in New Mexico is 19 years old.
<b>Minimum age to purchase a firearm</b>	You must be 21 years old or older
<b>“No Weapons Allowed” Signs Enforced?</b>	<p>Yes, A licensee may not carry a concealed handgun on or about his person on private property that has signs posted prohibiting the carrying of concealed weapons or when verbally told so by a person lawfully in possession of the property.</p> <p>Permit holders may carry at restaurants license to sell only beer and wine that derive no less than 60% of their annual gross receipts from the sale of food for consumption on the premises. This is unless the restaurant has a sign posted in a conspicuous location at each public entrance prohibiting the carrying of firearms, or the person is verbally instructed by the owner or manager that the carrying of a firearm is not permitted in the restaurant.</p> <p>[N.M. Admin. Code 10.8.2.16] [N.M. Ann. Stat 30-7-3]</p>
<b>Brandishing?</b>	New Mexico does not have a law defining brandishing. However, it is illegal to endanger the safety of another by handling or using a firearm or other deadly weapon in a negligent manner.
<b>Red Flag Law?</b>	Yes. SB5 for extreme-risk protection orders was signed and will take effect on May 20, 2020. It allows law enforcement officers to file a petition ordering the respondent to surrender all firearms which the respondent then controls, owns or possesses and further enjoins the respondent from purchasing, receiving or attempting to purchase, possess or receive any firearm while the order is in effect.
<b>Carry while using alcohol or prescription medication?</b>	<p>Not while consuming or under the influence.</p> <p>[N.M. Stat. Ann. 30-7-4] [10.8.2.16B N.M. Admin. Code]</p>
<b>If I am a New Mexico resident can use my Concealed Carry license from another state?</b>	No, all New Mexico residents must have a concealed license issued from New Mexico. Reciprocity defined in New Mexico is for non-residents visiting or passing through.

## Transporting Firearms On A Plane

The Transportation Security Administration detects firearms and other weapons at security checkpoints daily. Travelers may only transport ammunition and unloaded firearms in a locked, hard-sided container as checked baggage and are prohibited in carry-on baggage. Below are guidelines for transporting firearms and ammunition.

### Firearms

- Firearms must be unloaded and locked in a hard-sided container and transported as checked baggage only. Firearm parts, including firearm frames and receivers, are prohibited in all carry-on baggage and must also be placed in checked baggage.
- All firearms, ammunition and parts in checked baggage must be declared at the airline ticket counter during the check-in process.
- Replica firearms may be transported in checked baggage only.
- Travelers are encouraged to check regulations related to carrying firearms where they are traveling from and to, as laws may vary by destination.
- Rifle scopes are permitted in carry-on and checked bags.

### Ammunition

- Firearm magazines and ammunition clips, whether loaded or empty, must be securely boxed or included within a hard-sided case containing an unloaded firearm.
- Small arms ammunition, including ammunition not exceeding .75 caliber for a rifle or pistol and shotgun shells of any gauge, may be carried in the same hard-sided case as the firearm, as described in the package guidelines above.

For Additional information contact the TSA at:  
(571) 227-2929/ [tsamedia@tsa.dhs.gov](mailto:tsamedia@tsa.dhs.gov) / visit [tsa.gov](http://tsa.gov)

## NMSA Crime Definitions

### NMSA

#### **30-2-1. Murder.**

- A. Murder in the first degree is the killing of one human being by another without lawful justification or excuse, by any of the means with which death may be caused:
- a. by any kind of willful, deliberate and premeditated killing;
  - b. in the commission of or attempt to commit any felony; or
  - c. by any act greatly dangerous to the lives of others, indicating a depraved mind regardless of human life.
- Whoever commits murder in the first degree is guilty of a capital felony.
- B. Unless he is acting upon sufficient provocation, upon a sudden quarrel or in the heat of passion, a person who kills another human being without lawful justification or excuse commits murder in the second degree if in performing the acts which cause the death he knows that such acts create a strong probability of death or great bodily harm to that individual or another.

Murder in the second degree is a lesser included offense of the crime of murder in the first degree. Whoever commits murder in the second degree is guilty of a second-degree felony resulting in the death of a human being.

#### **30-3-1. Assault.**

Assault consists of either:

- A. An attempt to commit a battery upon the person of another.
- B. Any unlawful act, threat or menacing conduct which causes another person to reasonably believe that he is in danger of receiving an immediate battery; or
- C. The use of insulting language toward another impugning his honor, delicacy or reputation.

Whoever commits assault is guilty of a petty misdemeanor

#### **30-3-2. Aggravated assault.**

Aggravated assault consists of either:

- A. Unlawfully assaulting or striking at another with a deadly weapon.
- B. Committing assault by threatening or menacing another while wearing a mask, hood, robe or other covering upon the face, head or body, or while disguised in any manner, to conceal identity; or
- C. Willfully and intentionally assaulting another with intent to commit any felony.

Whoever commits aggravated assault is guilty of a fourth-degree felony.

**30-3-4. Battery.**

Battery is the unlawful, intentional touching or application of force to the person of another, when done in a rude, insolent or angry manner.

Whoever commits battery is guilty of a petty misdemeanor.

**30-3-5. Aggravated battery.**

- A. Aggravated battery consists of the unlawful touching or application of force to the person of another with intent to injure that person or another.
- B. Whoever commits aggravated battery, inflicting an injury to the person which is not likely to cause death or great bodily harm, but does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the body, is guilty of a misdemeanor.
- C. Whoever commits aggravated battery inflicting great bodily harm or does so with a deadly weapon or does so in any manner whereby great bodily harm or death can be inflicted is guilty of a third-degree felony.

**30-7-4. Negligent use of a deadly weapon.**

- A. Negligent use of a deadly weapon consists of:
  - a. discharging a firearm into any building or vehicle or so as to knowingly endanger a person or his property;
  - b. carrying a firearm while under the influence of an intoxicant or narcotic;
  - c. endangering the safety of another by handling or using a firearm or other deadly weapon in a negligent manner; or
  - d. discharging a firearm within one hundred fifty yards of a dwelling or building, not including abandoned or vacated buildings on public lands during hunting seasons, without the permission of the owner or lessees thereof.
- B. The provisions of Paragraphs (1), (3) and (4) of Subsection A of this section shall not apply to a peace officer or other public employee who is required or authorized by law to carry or use a firearm in the course of his employment and who carries, handles, uses or discharges a firearm while lawfully engaged in carrying out the duties of his office or employment.
- C. The exceptions from criminal liability provided for in Subsection B of this section shall not preclude or affect civil liability for the same conduct.

Whoever commits negligent use of a deadly weapon is guilty of a petty misdemeanor.



**30-2-7. Justifiable Homicide by Citizen.**

Homicide is justifiable when committed by any person in any of the following cases:

- A. When committed in the necessary defense of his life, his family or his property, or in necessarily defending against any unlawful action directed against himself, his wife or family;
- B. When committed in the lawful defense of himself or of another and when there is a reasonable ground to believe a design exists to commit a felony or to do some great personal injury against such person or another, and there is imminent danger that the design will be accomplished; or
- C. When necessarily committed in attempting, by lawful ways and means, to apprehend any person for any felony committed in his presence, or in lawfully suppressing any riot, or in necessarily and lawfully keeping and preserving the peace.

**30-7-2. Unlawful carrying of a deadly weapon.**

- A. Unlawful carrying of a deadly weapon consists of carrying a concealed loaded firearm or any other type of deadly weapon anywhere, except in the following cases:
  - a. in the person's residence or on real property belonging to him as owner, lessee, tenant or licensee;
  - b. in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property;
  - c. by a peace officer in accordance with the policies of his law enforcement agency who is certified pursuant to the Law Enforcement Training Act [ [29-7-1](#) NMSA 1978];
  - d. by a peace officer in accordance with the policies of his law enforcement agency who is employed on a temporary basis by that agency and who has successfully completed a course of firearms instruction prescribed by the New Mexico law enforcement academy or provided by a certified firearms instructor who is employed on a permanent basis by a law enforcement agency; or
  - e. by a person in possession of a valid concealed handgun license issued to him by the department of public safety pursuant to the provisions of the Concealed Handgun Carry Act [ [29-19-1](#) NMSA 1978].
- B. Nothing in this section shall be construed to prevent the carrying of any unloaded firearm.
- C. Whoever commits unlawful carrying of a deadly weapon is guilty of a petty misdemeanor.

## Non-Violent Dispute Resolution

### Communication

For Communication to be effective we must know the best way to get our message across.

In conflict situations, people tend to focus on the anger and the blame. One should respond rather than react to what the other person says. Be cautious with the first words that rise readily to your lips.

Communication can fail when we do not look at each other when speaking, when we do not listen to what is being said, and when we do not respond with the appropriate words to make sure that the message was received correctly.

### Non-Violent Communication

There are (3) common mistakes that provide a breeding ground for anger, resentment and frustration.

1. **Moralistic Judgments:** We make judgments of others to make us feel better about why everything went wrong. Terms used include: selfish, lazy, idiots...etc.
2. **Making Comparisons:** Comparing others to what we would do in the same situation. By doing so, we justify our anger by claiming others did not do it the same way we would have.
3. **Denial of Responsibility:** Blaming everyone else and everything else. Accepting no responsibility for the problem and claiming, that "I had to".

### Four Components of Non-Violent Communication

1. Observe without judging
2. Evaluate your feelings
3. Acknowledge what you need
4. Make your reasonable request

## **Keys To Redirecting Negative Behavior (L.I.S.T.E.N.S.)**

L – Look at the person

I – Show an Interest

S – Summarize what was said and repeat it back

T – (Territory) Keep a comfortable space

E – Empathize, try to see it from their perspective

N – Nod to show that you are trying to understand

S – Smile

Four elements in a confrontation that must be analyzed and understood by any citizen who carries a firearm:

### **P.A.C.E.**

**P**roblem – What has brought about the conflict?

**A**udience – Who are the actual players?

**C**onstraints – Are there any barriers to effective communication?

**E**thical Presence – This is a total expression of self-control.