

**New Mexico Counties  
Law Enforcement Contributions**

<b>County</b>	<b>2020</b>	<b>2026</b>	<b>% Change</b>
Bernalillo	5,015,443	15,881,945	216.7%
Catron	30,553	165,445	441.5%
Chaves	259,929	1,209,226	365.2%
Cibola	169,872	284,955	67.7%
Colfax	63,225	334,673	429.3%
Curry	707,384	780,690	10.4%
De Baca	97,892	220,336	125.1%
Dona Ana	2,313,688	3,202,981	38.4%
Eddy	586,569	1,896,114	223.3%
Grant	396,406	600,667	51.5%
Guadalupe	28,155	48,199	71.2%
Harding	15,006	7,726	-48.5%
Hidalgo	314,372	342,300	8.9%
Lincoln	126,882	286,304	125.6%
Luna	265,158	705,034	165.9%
McKinley	370,008	641,365	73.3%
Mora	59,339	59,039	-0.5%
Otero	238,216	746,273	213.3%
Quay	122,129	200,224	63.9%
Roosevelt	233,473	517,248	121.5%
San Miguel	276,827	524,163	89.3%
Sandoval	790,034	830,280	5.1%
Santa Fe	1,281,612	2,030,261	58.4%
Sierra	243,390	122,354	-49.7%
Socorro	164,988	518,419	214.2%
Taos	419,264	535,211	27.7%
Torrance	143,195	227,694	59.0%
Union	19,287	85,169	341.6%
Valencia	1,841,977	1,403,783	-23.8%
<b>TOTAL</b>	<b>16,594,274</b>	<b>34,408,077</b>	<b>107.3%</b>

Note 1> All at 50K deductible uncapped contributions, and a 75% confidence level in 2026

**New Mexico Counties  
TCA and State Civil Rights Claims  
As of 4/20/2026**

**Federal Claims**

<b>Row Labels</b>	<b>Count of Claim Number</b>	<b>Sum of Total Incurred (Total Cost)</b>
2016	121	10,658,742.79
2017	145	8,738,324.44
2018	119	8,374,527.06
2019	114	16,716,414.34
2020	89	7,778,872.92
2021	104	14,073,387.39
2022	95	19,358,378.20
2023	56	17,774,288.21
2024	42	11,341,419.97
2025	49	1,187,916.89
2026	8	187,000.00
<b>Grand Total</b>	<b>942</b>	<b>116,189,272.21</b>

**State Claims**

<b>Row Labels</b>	<b>Count of Claim Number</b>	<b>Sum of Total Incurred (Total Cost)</b>
2021	52	11,034,936.49
2022	109	27,546,629.43
2023	116	29,436,882.41
2024	119	23,665,837.96
2025	148	9,809,476.37
2026	19	286,000.00
<b>Grand Total</b>	<b>563</b>	<b>101,779,762.66</b>

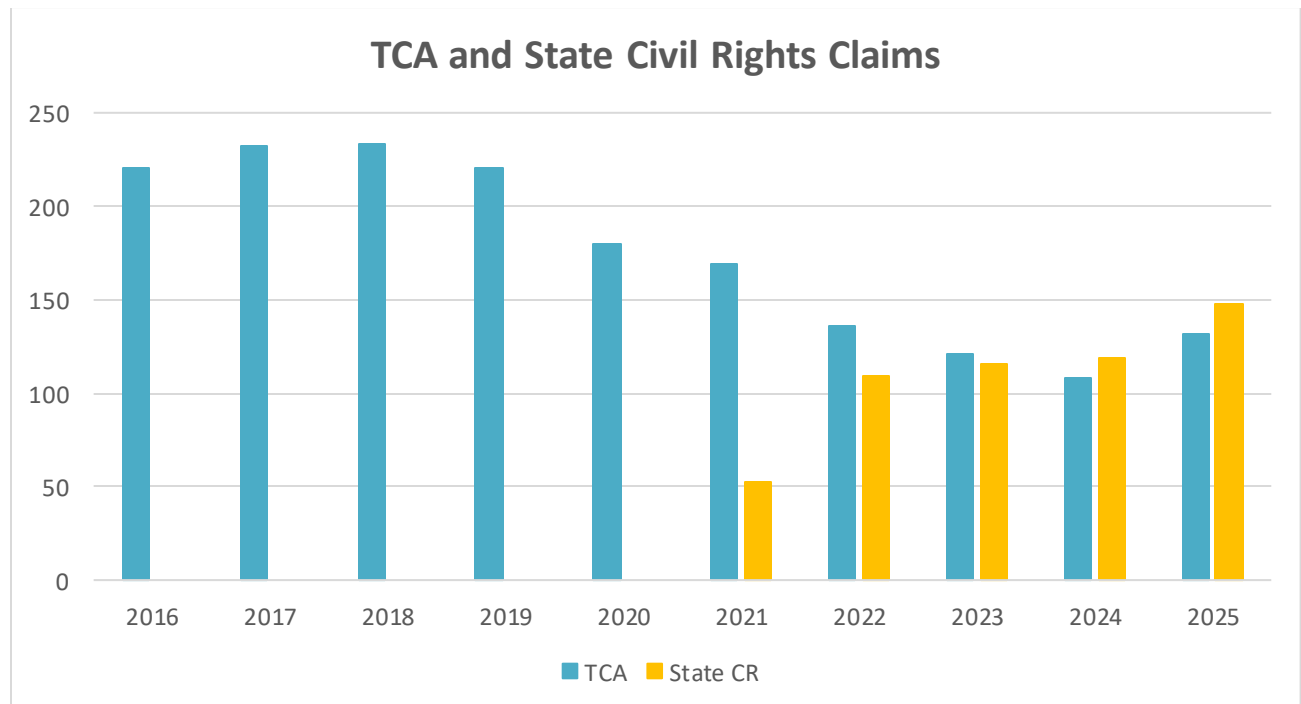
## SB146

The New Mexico Civil Rights Act (NMCRA) has profoundly impacted the cost of law enforcement civil rights claims since its enactment in 2021.

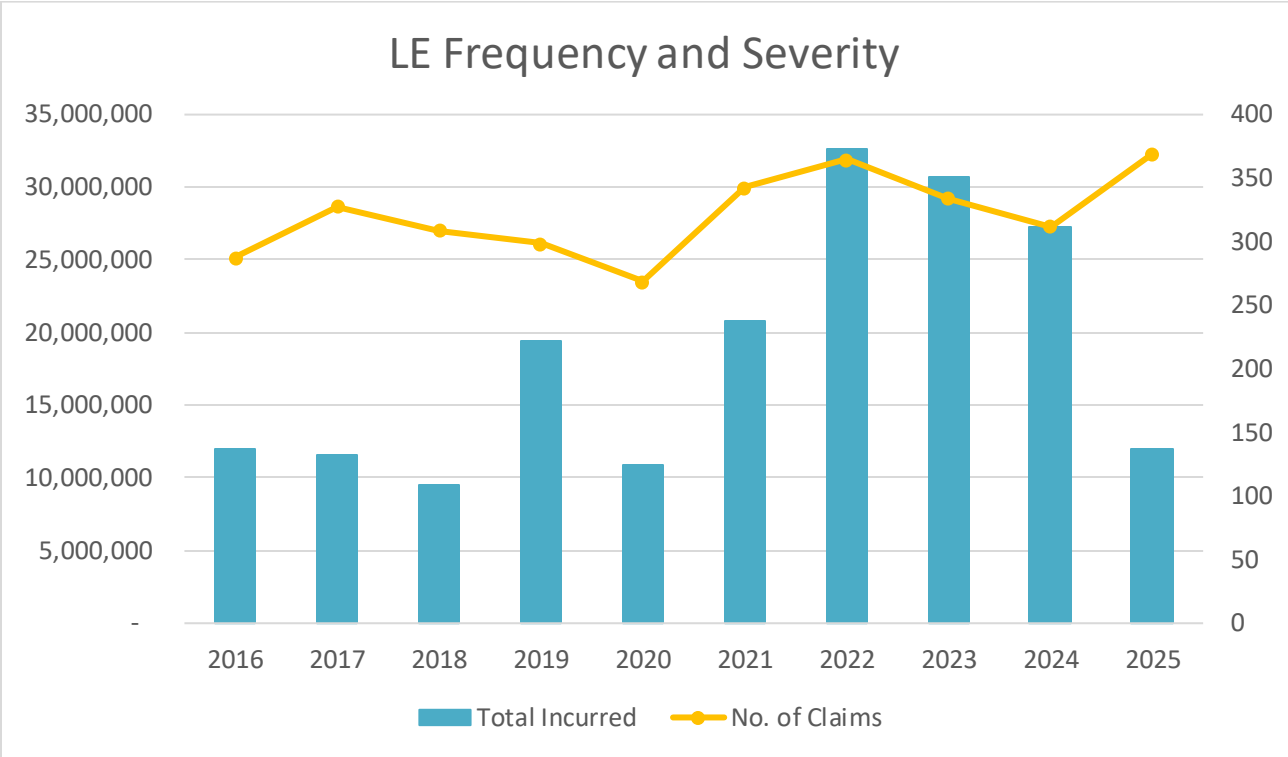
New Mexico County Insurance Authority is a self-insurance pool that provides law enforcement liability coverage for member counties, which are subject to a \$2 million cap on state law enforcement liability claims.

While the pool has not experienced a material increase in the number of claims, the cost of those claims has increased exponentially. Total costs incurred increased from \$10,903,808 in 2020 to \$20,770,151 in 2021 and \$32,666,264 in 2022. More recent years remain undeveloped, but all indications suggest that this disturbing trend will continue. Total costs incurred for 2023 are \$30,647,305; however, the actuary calculates that this only includes 78.5% of claims for that year, and to date the pool has only paid 42.5% for 2023 claims.

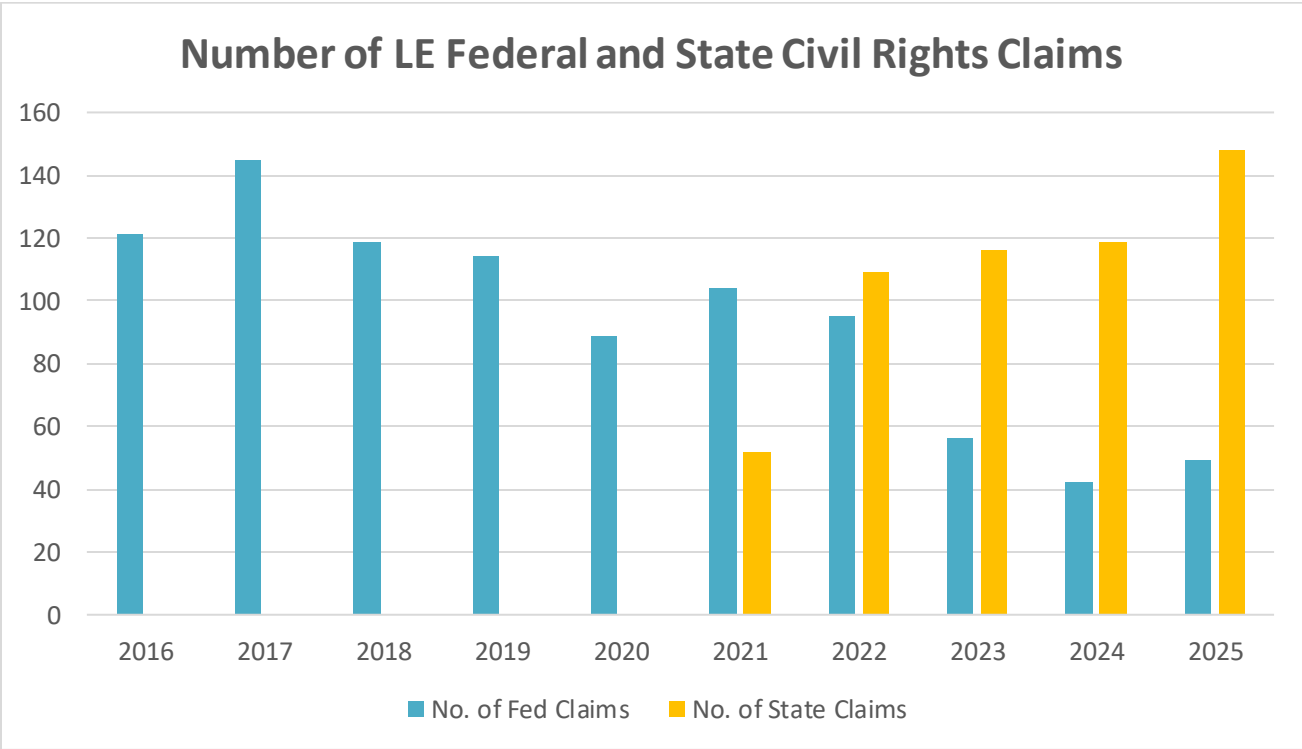
The NMCRA created an environment that facilitates escalating costs through automatic liability cap increases, the ability to stack damages under both the NMCRA and the Tort Claims Act, and the provision for allowing multiple caps based on the number of claimants. In addition, because the standard of proof is unclear, it encourages litigants to seek enhanced civil rights damages and attorney fees for claims arising from mere negligence.



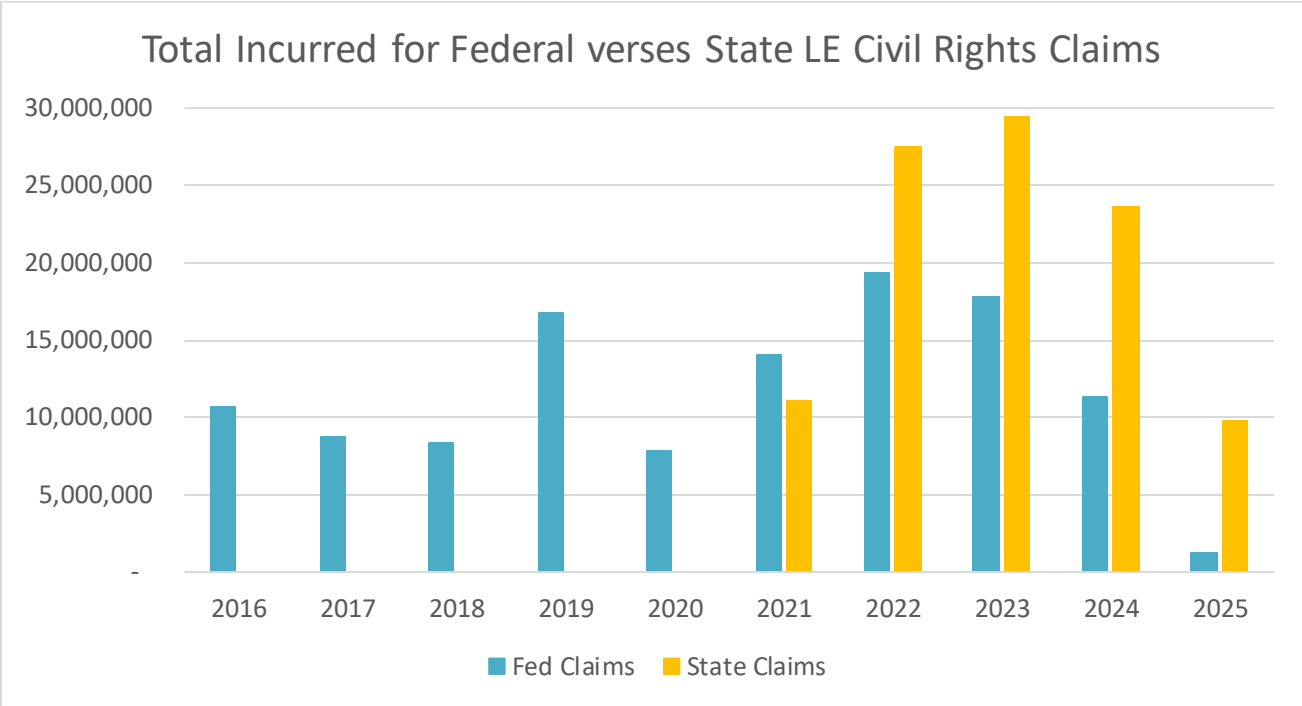
Valued as of 4/20/2026



Valued as of 4/20/2026



Valued as of 4/20/2026

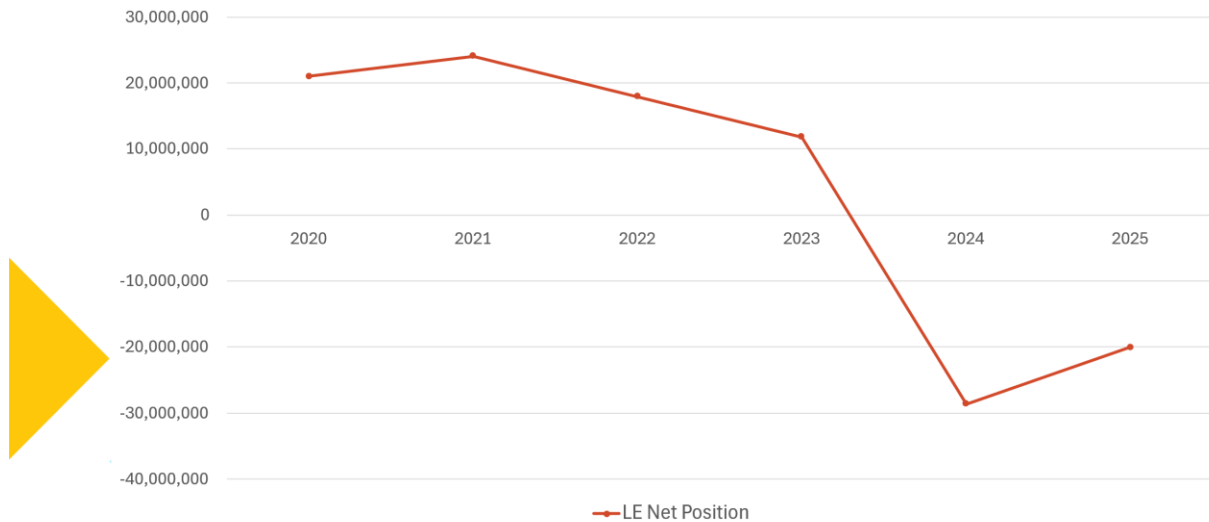


Valued as of 4/20/2026

Following enactment of the NMCRA, commercial carriers fled the LE liability market. Today, commercial coverage is only available to counties willing and able to absorb a \$500,000 deductible.

The sharply escalating cost of LE liability claims has forced the pool to substantially increase member contributions, which rose by 106% (\$17.5M) from 2020 to 2026. These fixed recurring costs are expected to continue increasing at an annual rate of approximately 25% unless legislature undertakes meaningful reform of the NMCRA. The resulting claims cost trajectory is unsustainable. Despite these significant contribution increases, the Pool’s LE program’s net position has dropped by over \$40 million.

# Law Enforcement Net Position



SB146 will address the challenges created by the NMCRA in several important ways. First and foremost, it will restore a reasonable cap on damages. It will clarify that damage awards cannot be “stacked” and it will make explicit the appropriate standard of proof for a civil rights claim.

“Average cost of state LE claims over the past 10 years. It does not include any LE claims that included both federal and NM civil rights act claims even though those tend to be much more costly because of the federal exposure. It also does not include any claim for which file was opened if it was closed at \$0.

Without Zero \$0 Claims			
Policy Year	Claim Count	Total Incurred	Cost Per Claim
2016	74	2,054,018	27,757
2017	62	2,847,393	45,926
2018	68	1,186,461	17,448
2019	54	2,764,641	51,197
2020	62	3,124,935	50,402
2021	82	6,788,393	82,785
2022	90	13,242,886	147,143
2023	103	12,886,787	125,114
2024	87	18,657,474	214,454
2025	73	13,024,394	178,416
Total/Average	755	76,577,383	94,064

The average cost per state LE claim over 10 years is \$94,060 and you can see how much the average claim cost has gone up beginning in 2021. Also keep in mind that claims from 2023 forward are still underdeveloped. The incurred amount will be going up and so will the average cost per claim.”