

City of Lordsburg
409 W. Wabash
Lordsburg, New Mexico 88045
Minutes of Special Meeting
January 23, 2024

Meeting called to order at 5:30 p.m.

Welcome

- a). Pledge of Allegiance
- b). Approval of Agenda

Present: Mayor Glenda F. Greene; Dusti Conover, Finance Director; Linda S. Farnsworth, City Clerk; Councilor Irene Galvan; Councilor Martin Neave; Mayor Pro-Tem Manuel D.V. Saucedo; Councilor Krystal Delao and Councilor Sean Lindsay.

Absent: Councilor Julie Montenegro

Attendance: None

Statement: Councilor Galvan asked permission to approach Mayor Greene and Council to make a statement regarding past Councilor Rodney Plowman. Councilor Galvan stated the following – “I commend Mr. Plowman in foreseeing the risks in serving one interest and failing to properly serve the other. I am confident he will be an effective administrator and will establish goals and objectives to deliver an efficient and effective department to the community”. Councilor Neave voiced his agreement with Councilor Galvan.

Approval of Agenda

Mayor Pro-Tem Saucedo moved to approve the Agenda as written, 2nd by Councilor Neave. Council was polled. Motion passed.

New Business

a). Resignation of Rodney Plowman as City Councilor

Mr. Plowman recently accepted a position as Chief of Police of the Lordsburg Police Department and has resigned his position on City Council effective immediately. Mayor Pro-Tem Saucedo moved to accept his resignation, 2nd by Councilor Neave. Council was polled. Motion passed.

b). Appointment of Krystal Delao as City Councilor

Mayor Pro-Tem Saucedo moved to approve the appointment of Krystal Delao to the City Council and to replace Rodney Plowman, 2nd by Councilor Neave. Council was polled. Motion passed.

c). Approval of Police Officer Standard of Conduct Policy

Verbiage corrections have been made to the policy. Councilor Lindsay asked that Section J be corrected to read “that all Law Enforcement reports, records and evidence are privileged and confidential and shall be released only upon written permission by the Mayor and Chief of Police”. The City Clerk addressed this and stated that with or without this being added to the policy, it is already part of her process regarding IPRA/records requests. Councilor Lindsay then stated that he would also like to see Section N be changed to “the Mayor, upon recommendation of the Chief of Police, shall order a physical or psychological examination to assure compliance of this rule”. Councilor Neave moved to approve this policy, with corrections (Section J and Section N), 2nd by Councilor Delao. Council was polled. Motion passed.

Councilor Galvan AYE

Councilor Neave AYE

Councilor Montenegro Absent

Mayor Pro-Tem Saucedo NAY

Councilor Delao AYE

Councilor Lindsay AYE

d). Termination of Employee


Discussion only, no action. Mayor Greene asked the City Clerk to add this to February 21, 2024 agenda to be approved.

Adjourn

With nothing further to be discussed, a motion was made by Councilor Lindsay to adjourn, 2nd by Councilor Delao. Council was polled. Motion passed and meeting was adjourned at 5:39 p.m.

Approved this 20th day of March, 2024.





Glenda F. Greene, Mayor



Linda S. Farnsworth, City Clerk

**POLICE
OFFICER
STANDARD
OF
CONDUCT
POLICY**

LORDSBURG POLICE DEPARTMENT

STANDARD OF CONDUCT FOR COMMISSIONED PERSONNEL

POLICE OFFICER STANDARD OF CONDUCT POLICY

All officers are expected to adhere to the provisions of this rule and are subject to such disciplinary action for violation of any of these rules as deemed appropriate by the Mayor and Chief of Police.

A. Officers shall:

- (1) obey all laws of the United States, or any state and local jurisdiction in which the officers are present;
- (2) obey all rules and regulations, policies, procedures, directives and lawful orders issued by supervisors;

B. Officers shall satisfactorily perform their duties and assume the responsibilities of their positions. Unsatisfactory performance shall be demonstrated by violating any one of the following provisions.

- (1) a lack of knowledge of the application of laws required to be enforced;
- (2) an unwillingness or inability to perform assigned tasks;
- (3) the failure to conform to work standards established to the officers rank, grade or position as set forth in the job specifications.

C. Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer as a member of the department, or that which impairs the operation or efficiency of the department or officer. These shall include but not be limited to the following:

- (1) Officers shall not consort with or, in any way, fraternize with persons of known bad character or ill repute in a manner which clearly conflicts with the duties of the officers or functions of the department unless such association is a necessary part of the officers official duties.
- (2) Officers shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.
- (3) Officers shall carry out all proper orders given them by supervisors in the line of duty without hesitation or criticism. Officers shall take up matters affecting themselves, their position and departmental business with their immediate supervisor only, or through proper channels.
- (4) Officers shall promptly obey any lawful orders of any supervisor. This shall include orders relayed from a supervisor by an officer of the same or lesser rank, or transmitted via the police radio, telephone, or teletype or other form of communication. The failure or refusal to obey any lawful order shall be deemed insubordination.
- (5) Officers who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or directive shall respectfully inform the supervisor issuing the conflicting order. If the supervisor issuing the order does not alter or retract the conflicting order, the new order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor. Officers shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation or directive previously issued.
- (6) Officers shall not obey any order which they know or shall know would require them to commit any illegal act. If in doubt as to the legality of an order, officers shall request the issuing supervisor to either clarify the order or to confer with higher authority.
- (7) All officers shall be courteous to the public, supervisors and all other officers, as well as any person the officer has contact with during the performance of his/her duties and responsibilities. Officers shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, officers

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shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, sex, lifestyle or similar characteristics. When any person requests assistance or advice, all pertinent information shall be obtained in an official and courteous manner and shall be properly and judiciously acted upon.

(8) Officers shall maintain a level of good moral character in their personal and business affairs, which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident which impairs their ability to perform their duties or impedes the operation of the department or causes the department to be brought into disrepute.

(9) Officers shall not set or accept appearance bonds regardless of any delegation of presumed authority by a magistrate or judge permitting the officer to accept appearance bonds.

- D.** Officers shall properly care for and maintain all state equipment issued to or used by the officer.
- E.** An officer shall not represent himself/herself as speaking on behalf of the Lordsburg Police Department, in any court proceeding, civil or criminal, for purpose of being a character witness.
- F.** All officers are expected to conduct themselves accordingly as specified.
- G.** Officers shall concern themselves strictly with tasks assigned.
- (1) Sleeping on duty is not permitted.
 - (2) Forms of entertainment which distract the officers from the performance of their duty are not allowed.
 - (3) Unless otherwise authorized, officers shall not leave assigned locations during a tour of duty.
 - (4) Officers shall speak the truth at all times and in cases where they would not be allowed to divulge facts, they shall so state.
 - (5) Officers shall not engage in any form of gambling while on duty except as required in the performance of duty or shall not engage in any form of illegal gambling while off duty.
 - (6) Officers shall not use chewing gum or tobacco by any method when in direct contact with the public in an official capacity.
- H.** Officers shall be punctual in reporting for duty at the time designated by their supervisor and not be absent from duty without authorized leave.
- (1) An officer shall not leave this state for official business without permission from the chief. If the out-of-state trip is in response to subpoena, a copy of the subpoena shall be sent to the chief's office. If the trip was to testify and no subpoena was served, a copy of a subpoena shall be brought back and forwarded to the chief's office.
 - (2) An officer shall not leave his/her district or station, while on duty, until notification has been given to his/her immediate supervisor. The officer shall furnish his/her supervisor with an itinerary and places where he/she can be contacted in case of emergency calls. In cases of fresh pursuit of a fugitive, it is not necessary to secure permission to leave the district or station.
- I.** Officers shall carry their badges and commissions on their person at all times, while on duty or while carrying a loaded concealed firearm off duty as provided by DPS policy and procedures.
- (1) They shall furnish their name to any person requesting that information when they are on duty or while representing themselves in an official capacity.
 - (2) Exception: When the withholding of such information is necessary for the performance of police duties.
- J.** Officers shall submit all necessary reports and official documents on time and in accordance with established documents on time and in accordance with established departmental or other procedures. Reports and documents submitted by officers shall be truthful and complete, and no officers shall knowingly enter or cause to be entered any inaccurate, false, or improper information. All Lordsburg law enforcement reports, records and evidence are privileged and confidential and shall be released only upon written authority of the Mayor after consultation with the Chief of Police, or his/her verbal authority, if written authority cannot reasonably be obtained except as required by court order.

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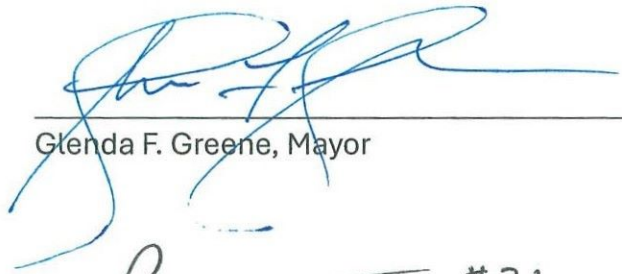
- K.** [RESERVED]
- L.** All officers are expected to meet their financial obligations in a timely manner and live within their financial means. This does not preclude any officer from properly proceeding in bankruptcy.
- M.** Any officer wishing to secure any type of supplemental employment must secure written permission from the Mayor. This supplemental employment includes any tasks performed for which the officer is compensated.
- (1) Such supplemental employment shall not interfere in any way with the officers primary duties and responsibilities as a department of public safety officer.
 - (2) When requesting permission from the Mayor, the officer must specify hours expected to be worked, type of business, location and duration of employment.
 - (3) If permission is granted, the Mayor Shall impose conditions on the supplemental employment.
 - (4) This regulation applies to all officers including those on any type of leave or suspension.
- N.** All officers shall be physically and mentally fit at all times. The Mayor, upon the recommendation of the Chief of Police shall order a physical or psychological examination to assure compliance with this rule.
- O.** Financial gain by officers. Officers shall not accept gifts, gratuities, bribes, loans or rewards which are intended to influence the officer in the performance of their duties and responsibilities or for tasks performed as part of their duties. The officer cannot retain rewards for personal use, but rather shall forward the reward to the secretary's office for appropriate disposition.
- P.** Officers shall not make any statements in any form which adversely impacts or impairs the efficient operations of the department.
- Q.** The following regulations are for the purpose of providing direction and guidance to all officers as concerns political activity.
- (1) While off duty and out of uniform, officers shall be permitted to:
 - (a) express opinion as individual's on political issues and candidates;
 - (b) attend political conventions, rallies, fund raising functions and similar political gatherings in an unofficial capacity;
 - (c) actively engage in any non-partisan political function, partisan meaning an adherent to a party, faction, cause or person; actively engaging in activities of private, fraternal and/or social organizations which do not conflict with the mission of the department of public safety and associated responsibilities is permissible;
 - (d) sign political petitions as individuals;
 - (e) make financial contributions to political organization;
 - (f) perform non-partisan duties as prescribed by state or local laws;
 - (g) hold membership in a political party and participate in its functions to the extent consistent with the law and consistent with this regulation;
 - (h) otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.
 - (2) Officers are prohibited at all times from:
 - (a) using their official capacity to influence, interfere with, or affect the results of an election;
 - (b) assuming active roles in management, organization or financial activities of partisan political clubs, campaigns or parties;
 - (c) serving as officers of partisan political parties and clubs;
 - (d) becoming candidates for, seeking election to, or running for, or campaigning for, a partisan elective public or political office;
 - (e) soliciting votes in support of, or in opposition to, any partisan candidates;

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- (f) serving as delegates to a political party convention;
 - (g) endorsing or opposing a partisan candidate for public office in a political advertisement, broadcast or campaign literature;
 - (h) initiating or circulating a partisan nominating petition;
 - (i) organizing, selling tickets to, or actively participating in a fund-raising function for a partisan political party or candidate;
 - (j) addressing political gatherings in support of, or in opposition to, a partisan candidate;
 - (k) otherwise engaging in prohibited partisan activities on the federal, state, county or municipal level.
- R.** Officers shall not seek self-publicity through the news media or furnish information for the primary purpose of personal publicity.
- S.** Every officer who has a financial interest which he believes, or reasonably shall have known, shall be affected by the actions of the department shall disclose the precise nature and value of such interest. The disclosure shall be made in writing to the Mayor and Chief of Police before entering employment, and during the month of January every year thereafter.
- T.** Officers shall not use their position or permit use of their position for personal or financial gain whether directly or indirectly for themselves or any other individual or group.
- U.** The following apply to regulate the authorized use of a firearm:
- (1) to kill a critically wounded or dangerous animal, when other disposition is impractical; or
 - (2) to give an alarm or call for assistance for an important purpose when no other means can be used; or
 - (3) for practice, preferably on an approved range under the auspices of an approved rangemaster; however, shall an approved rangemaster not be available, the officer shall, at his discretion, still utilize the approved range for target practice;
 - (4) an officer shall draw or display his firearm only for a legal use or for inspection (including cleaning, oiling and storing);
 - (5) as authorized by department use of force and carrying of firearms policies or any other departmental policy and procedure.
- W.** All officers shall use the utmost care and caution in handling firearms at all times in an effort to prevent the accidental discharge of their weapons or any weapons.
- X.** In every instance in which an officer discharges a firearm while on duty, other than provided in Paragraph (3) of Subsection U of 10.5.100.8 NMAC, whether the discharge is accidental or not, the officer shall, without delay, make a written report through channels to the Chief of Police. The office of professional standards and internal affairs shall be apprised of all incidents of discharged firearms other than target practice.
- Y.** The duty issued weapon shall not be used off-duty except for duty related matters.
- Z.** Officers shall maintain a neat appearance in groom and dress.

Passed, approved and adopted this 23rd day of January, 2024



Glenda F. Greene, Mayor



Rodney Plowman, Chief of Police



Linda S. Farnsworth, City Clerk