

Los Alamos County Police Department  
GENERAL ORDER

<b>239.00 Bias-Based Profiling - Prohibited</b>			
<b>Effective Date:</b>	April 1, 2012	<b>Rescinds: Amends:</b>	All Prior
<b>Distribution:</b>	ALL PERSONNEL	<b>Re-evaluation Date:</b>	March 1, 2013
<b>Related NMLEPSC Standards:</b>	OPR.01.10		

**I. PURPOSE**

The purpose of this General Order is set guidelines for all members of the Los Alamos County Police Department as it relates to profiling and interacting with others, either in an enforcement mode or in routine official contacts.

Members of the Los Alamos County Police Department are required to serve the public without bias towards anyone – regardless of their age, sex, color, ethnicity, national origin, veteran status, political affiliation, sexual preference, physical disabilities, religion or other belief system.

**II. POLICY**

It is the policy of the Los Alamos County Police Department that members shall, without exception, treat all persons with professionalism, dignity and respect regardless of their age, sex, color, ethnicity, national origin, language or accent, veteran status, political affiliation, sexual preference, physical disabilities, religion or other belief system. Nothing in this policy is meant to deter officers from taking appropriate enforcement action or conveying a strong deterrent message to actual or potential violators of the law that such actions are likely to result in police contact. Officers are expected to patrol in a proactive manner, to aggressively investigate suspicious persons, circumstances, crimes and unusual activities, and take appropriate enforcement or other actions. The treatment, assistance, and enforcement actions taken by members of the Department shall be based solely upon an individual's behavior or actions. Individuals will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit a violation of the law.

Members of the Los Alamos County Police Department found to be involved in bias profiling will be subject to disciplinary action up to and including termination.

### III. DEFINITIONS

**BIAS** – means an attitude resulting in actions either for or against an individual or group of individuals based on differences from one's own beliefs or characteristics such as age, sex, color, ethnicity, national origin, language or accent, veteran status, political affiliation, sexual preference, physical disabilities, religion or other belief system.

**BIAS-BASED PROFILING** – The interdiction, detention, arrest or other nonconsensual treatment of an individual because of a characteristic or status, such as race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious medical condition, or economic status.

**REASONABLE SUSPICION** – means that an officer must have a specific and articulable basis in fact for suspecting illegal activity or circumstances has occurred, is occurring, or is about to occur. Such actions must be reasonable when viewed objectively in the light of the circumstances, and the scope and character of the actions must be reasonably related to the actions and behaviors.

### IV. PROCEDURES

- A. Members of the Department will treat all individuals with professionalism, dignity and respect at all times. They shall neither engage nor participate in any actions as defined in **bias-based profiling** (See Section III -- **DEFINITIONS**, above) or that is contrary to the intent of this General Order.
- B. Supervisors will review this General Order and its intent with all of their direct reports at least once a year and forward documentation of such review, to include the date and time of such review and the names of personnel present to the Manager of the Staff Services Division for inclusion in each member's training file. This will be in adherence to this policy and the Prohibition of Profiling Practices Act NMSA 1978 § 29-21-1-4 et seq.
- C. Supervisors who become aware of violations of this General order will take immediate corrective action, document the violation and forward it through the chain of command to the Chief of Police for action as s/he may deem appropriate. Such action may include training for individual members or the entire Department or disciplinary action up to and including termination.

The Chief of Police or his designee will submit a redacted copy of all complaints and a description of their disposition to the New Mexico Attorney General. The documents submitted to the Attorney General shall disclose the

nature and disposition of the complaint but shall not disclose personal identifying information of a law enforcement officer or complainant.

- D. All complaints in regards to the violation of this policy, will be investigated regardless of whether they are oral or in writing, anonymous or made by 3<sup>rd</sup> parties. Complaints must be made within 90 days of the original incident.

Violations of this General Order, including any citizen complaints or concerns, will be reviewed by the Deputy Chief of Police or Division Commander/Manager and the Chief of Police within 30-days of notification.

The Department will provide complaint forms and personnel will make them available to the public in compliance with **General Order 108.00 – Professional Standards.**

**Approved by:**

/\_signature on file\_/  
Wayne D. Torpy  
Chief of Police





# *Los Alamos Police Department*

**Wayne D. Torpy, Chief of Police**

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## **Directions** **Personnel Complaint and Affidavit**

In keeping with our Mission Statement the Los Alamos Police Department strives to provide quality pro-active law enforcement services to our community that promotes an atmosphere of safety and security for both our residents and visitors while protecting the rights and guarantees provided under the Constitution of the United States of America and the State of New Mexico. As part of its core values, The Los Alamos Police Department recognizes the need to be responsive to the citizens, professional in our actions, and accountable in accomplishing the Mission of the Department.

Anyone who believes a member of the Los Alamos Police Department has acted inappropriately may file the attached complaint either in person, by telephone, in writing, by regular mail, e-mail, or fax. Complaints may be made by the person affected or by any third party.

Complaints can be made anonymously. Anonymous complaints will be investigated and treated just as any other complaint. However, investigative efforts may be hindered if the complainant cannot be re-contacted for follow up questions.

Please fill out the complaint in its entirety with as much detail as possible. Use additional sheets as necessary to be sure all information related to the complaint is included.

Complaints should be made as early as possible to ensure a complete investigation can be conducted. Biased based profiling complaints must be made within 90 days of the incident.



# Los Alamos Police Department

Wayne D. Torpy, Chief of Police

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## Personnel Complaint and Affidavit

Complainant: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Home Phone:( ) \_\_\_\_\_ Business Phone:( ) \_\_\_\_\_

Time & Date of Occurrence: \_\_\_\_\_

Location of Occurrence: \_\_\_\_\_

Type of Complaint: \_\_\_\_\_

Officer(s) involved: \_\_\_\_\_

Description of Officer(s) if name is not known:  
\_\_\_\_\_  
\_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Address: \_\_\_\_\_

Witness Home Phone:( ) \_\_\_\_\_ Witness Business Phone:( ) \_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Address: \_\_\_\_\_

Witness Home Phone:( ) \_\_\_\_\_ Witness Business Phone:( ) \_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Address: \_\_\_\_\_

Witness Home Phone :( ) \_\_\_\_\_ Witness Business Phone :( ) \_\_\_\_\_



