Doña Ana County Code of Conduct Compliance Office
845 N Motel Blvd
Las Cruces, NM 88007

Rec
SEP 17 2024
BY:

AMENDED
Code of Conduct Complaint

(Amended ONLY to cite additional Code of Conduct policy violations, specifically §14-5.H & §14-5.I, respectively)

PRINT COMPLETE AND HAVE NOTARIZED PRIOR TO FILING

(Information detailed in this Report will be shared with the Respondent and is a Public Record)

DATE: 09/16/24 NAME OF COMPLAINANT: Rebecca A. Madrid

MAILING ADDRESS: 845 N. Motel Blvd. CITY Las Cruces STATE NM ZIP 88007

EMAIL: rebeccam@donaanacounty.org PHONE: (575)525-5916 ALTERNATE (575)621-7411

FULL NAME OF ACCUSED Nelson J. Goodin

DATE OF INCIDENT: May 2024 - July 18, 2024

SECTIONS OF CODE OF CONDUCT POTENTIALLY VIOLATED:

- HR Policy 6-4(23): **Bullying/Abusive Conduct:** "Acts and/or omissions that a reasonable person would find hostile based on the severity, nature and frequency of such conduct including but not limited to: 1)repeated infliction of verbal abuse such as the use of derogatory remarks, insults and epithets; 2) **verbal** or physical **conduct which is threatening,** humiliating or intimidating in nature; 3) work interference, undermining, or sabotage of one's work which prevents work from being completed or performed; or 4) exploitation of a known psychological or physical vulnerability. A single act normally will not constitute bullying or abusive conduct, but an especially severe or egregious act may meet this standard."

- HR Policy 6-28(c) (1) defines a **threat as any oral** or written expression **or gesture** that would be interpreted by a reasonable person as conveying **intent to cause** physical harm or **intimidation.**

- HR Policy Definitions page defines **Intimidating behavior** as defined in the HR policies, includes **threats or other conduct that frightens, alarms,** inhibits others, or impairs operations. **Verbal intimidation may include making false statements that are malicious, disparaging,** derogatory, disrespectful, abusive, or rude.

- Code of Conduct Section 14-8K(l)(2)(5). County Operations. Which states, "Department heads, managers, and supervisors shall build and maintain a culture of responsible public service by:

  (1) Leading by example, using their behavior as a model for all employees.

  (2) Encouraging employees to bring forth questions, concerns, and suggestions relating to the operation of the County government.

(5) Providing affirmative and appropriate reinforcement for positive accomplishments.

- Code of Conduct Section 14-5.H. Responsibilities of public service. Elected officials and **employees shall not engage in any activity that would compromise the fulfillment of their responsibilities or create an appearance of impropriety when dealing with public policy.**

- Code of Conduct Section 14-5.I. Responsibilities of public service. Elected officials and **employees shall treat each other and the public with respect, decorum, and fairness at all times.** Elected officials and employees shall not make any allegations of misconduct by elected officials or employees, unless they provide, at the time they make the allegation of misconduct or in response to requests by those responsible for the investigation, factual bases for their allegations, including information as to the source of such information.

DESCRIPTION OF MISCONDUCT OR WRONGDOING WITNESSED:

See attached Exhibit A, *Complaint Alleging Violation of Doña Ana County Code of Conduct filed on 08/02/24.*

I, Rebecca A. Madrid, do affirm under oath and say that the information disclosed herein is true and accurate to the best of my knowledge on this 17th day of September 2024

Rebecca A. Madrid
Signature of Complainant

JESSICA R YANCY
Notary Public
State of New Mexico
Comm. # 1128956
My Comm. Exp. Jun 23, 2028

SUBSCRIBED AND SWORN TO before me this 17 day of Sept, 2024 by Rebecca A. Madrid

NOTARY PUBLIC

My Commission Expires: 06/23/28