



Susan Pamerleau  
Sheriff  
Bexar County, Texas

**NOTICE OF PROPOSED SUSPENSION**

TO: Cpl. David Scott, Badge #4277, Emp.#30521, Detention

DATE: October 13, 2015

You are hereby notified that the Bexar County Sheriff's Office is proposing to suspend you for Fifteen (15) Days from the position of Detention Corporal.

According to **PSI Investigation #IA-2015-0367**, you have violated the Bexar County Sheriff's Civil Service Rules, said rules having been adopted on March 14, 1985 and thereafter from time to time amended by the Bexar County Sheriff's Civil Service Commission. The particular Civil Service Rules violated by you are as follows:

**Bexar County Sheriff's Office Civil Service Rules CHAPTER VIII - PERSONAL CONDUCT AND AFFAIRS**

**SECTION 8. SEXUAL HARASSMENT**

8.11 Sexual Harassment will not be tolerated at the Bexar County Sheriff's Office. It hinders professional working relationships because it generates mistrust between staff members; and, supervisors lose the respect of fellow employees when such behavior is permitted. This policy and procedure is intended to eliminate sexual harassment in this Office.

**Bexar County Sheriff's Office Civil Service Rules Chapter IX, section 9.02:**

- P. Conduct which has proven to be detrimental or has an adverse effect on the Sheriff's Office.

In addition, you have violated the following Bexar County Sheriff's Office Policies and Procedures:

**5.19 SEXUAL HARASSMENT**

A. Sexual Harassment will not be tolerated in the Bexar County Sheriff's Office. It hinders professional working relationships because it generates mistrust among staff members, and supervisors lose the respect of fellow employees when such behavior is permitted. This policy and procedure is intended to eliminate sexual harassment in this Sheriff's Office.

B. "Sexual Harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

#### **5.24 CONDUCT UNBECOMING AN OFFICER**

A Deputy Sheriff shall always conduct himself/herself in a manner which reflects most favorably on the Sheriff's Office, whether in a duty or off-duty status. Unbecoming conduct includes unjustified behavior which brings the Sheriff's Office into disrepute, discredits a member of the Sheriff's Office, impairs the operation of the Sheriff's Office, or has an adverse effect on the Sheriff's Office.

**The factual basis for the disciplinary action is as follows:** On or about August 26, 2015, you were assigned to 2<sup>nd</sup> Detail/Main Jail along with Cpl. Julie Lee Badge #1288. While Cpl. Lee was sitting at the desk in the Sergeant's Office, you approached her and told her "umm, umm, you look so good, but I bet you already knew that right?" You later stated "I'm not even getting paid for this but I'm so glad I requested to work with you" During this time, you were rubbing your hands on the top and inner area of your thighs. Cpl. Lee left the office and you later went to look for her and found her in Unit CB relieving Deputy Vernon Guillory, Badge #1614. At this time, you stated to Cpl. Lee, "There you are, why are you talking to this guy?" as you swayed your hips back and forth, licking your lips and looking at Cpl. Lee up and down, you further stated "I wanted to talk to you more and ask you some questions".

At approximately 1230 hours, while Cpl. Lee was eating her lunch and talking to Sgt. Dennis Velazquez in the Sergeant's Office, Sgt. Velazquez asked you a question regarding your next round. At this time, you entered the Sergeant's Office and reached across Cpl. Lee's lap to obtain a piece of paper from the Sergeant's desk, invading her personal space. Your behavior and comments towards Cpl. Lee were sexual in nature, inappropriate, unprofessional, disrespectful and created an offensive work environment for Cpl. Lee which prevented her from effectively performing her duties on this day. Your behavior is unacceptable and will not be tolerated by the Sheriff's Office.

**Corrective Action Required:** In the future, you will adhere to all the policies and procedures listed above. Be advised that you will conduct yourself in a professional manner on and off duty. Be further advised that Sexual Harassment will not be tolerated in the Bexar County Sheriff's Office. It hinders professional working relationships because it generates mistrust among staff members, and supervisors lose the respect of fellow employees when such behavior is permitted.

Your performance will be closely monitored and persistence in the behavior, which resulted in this Notice of Proposed Suspension, may result in more serious disciplinary action, which may include dismissal from the Sheriff's Office.

**Persons with knowledge of these incidents:**

Deputy Chief Raul S. Banasco, Jail Administrator  
Sgt. Angela Freveletti, Badge #660, Professional Standards and Integrity Division  
Sgt. Dennis Velazquez, Badge #1340, Detention  
Deputy Benjamin Hernandez, Badge #1864, Detention  
Deputy Reginald Flowers, Badge #1833, Detention  
Deputy Vernon Guillory, Badge #1614, Detention  
Cpl. Julie Lee, Badge #1288, Detention  
Cpl. David Scott, Badge #4277, Detention

Be advised that pursuant to the Loudermill requirements, you may grieve this Notice of Proposed Suspension to the undersigned in person or in writing, to explain or countervail said specific charges. Your written response, if submitted, must be received and time stamped by Detention Administration no later than the fifth (5<sup>th</sup>) business day following receipt of this document.

If you have any questions on your Civil Service Rules and rights, you may call the Sheriff's Civil Service Commission at 210-335-0728.

  
Deputy Chief Raul S. Banasco  
Jail Administrator

The foregoing Notice of Proposed Suspension was served upon Cpl. David Scott, Badge #4277 on October 22nd, 2015.

By: Capt. Brian Barabara <sup>1500</sup>  
Server's Signature

Cpl. David Scott <sup>#</sup> 4277  
Employee's Signature

1) Original -HR file 2) Employee 3) Administrative file