


due: 9/15



DETENTION ADMINISTRATION
IN-CUSTODY DETENTION

2016 SEP -8 PM 2:16

Susan Pamerleau
Sheriff
Bexar County, Texas

Approved 
Date 9/21/16

NOTICE OF PROPOSED SUSPENSION

EMPLOYEE: Deputy Michael Fernandez #1225; Third Detail – Main Jail

DATE: August 24th, 2016

You are hereby notified that the Bexar County Sheriff's Office proposes to suspend you without pay for a total of Fifteen (15) days from the position of Detention Officer for violation of the following subsections(s) of Paragraph 9.02 of the Rules of the Bexar County Sheriff's Civil Service Commission:

K. Physical or verbal abuse of a person in custody of the Sheriff's Office

And violation of the Bexar County Sheriff's Manual of Policy and Procedures, Detention Manual of Policy and Procedures subsection(s)

9.02 (G) – Use of Force

And violation of the Bexar County Sheriff's Detention Manual of Policy and Procedures, Detention Manual of Policy and Procedures subsection(s)

900.13 (D) – Unnecessary and Excessive Force Prohibited

The specific reason(s) for this action: On Wednesday, June 15th, 2016 you became involved in a use of force situation with Inmate Gilbert Ramos (SID #836358) while working the PR Desk in the Intake/Release section of the main jail. In your submitted report you state that you approached Inmate Ramos when he would not comply with verbal orders to sit down. You further state that Inmate Ramos pulled away from you "in a fast and threatening manner while both his hands were in a clinched fist position" and that based on his actions you utilized force to get him to comply with your orders. Following his release Inmate Ramos filed a complaint with Professional Standards & Integrity claiming that the force you used was not justified. Based on the investigation and a review of video footage of the incident it was determined that Inmate Ramos was in fact sitting on the bench in compliance with your orders at the time you utilized force on him and that your use of force was in response to verbal provocation and not to an actual threat.

Corrective Action Required: In the future you shall act in a professional manner at all times while on duty and dealing with inmates. You shall comply with section 9.02 (G) of the Sheriff's Office Manual of Policy & Procedure which states in part "Generally, the use for force against another is not justified in response to verbal provocation alone." In addition you shall comply with section 900.13 (D) of the Bexar County Detention Manual of Policy & Procedure which states "Staff shall only use justifiable and reasonable force." Be advised persistence in this type of behavior which resulted in this Notice of Proposed Suspension, may result in more serious disciplinary action, which may result in termination from the Bexar County Sheriff's Office.

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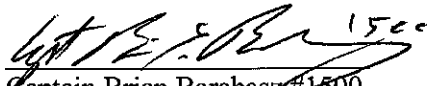
Notice of Proposed Suspension
Deputy Michael Fernandez #1225

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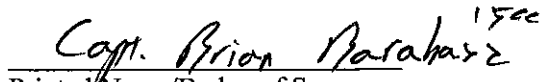
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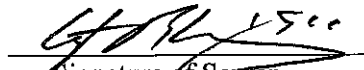
Documentation: FIR 061516-04
PSI Investigation #IA-2016-0290

You are further advised that you may grieve this Notice of Proposed Suspension in writing to the undersigned. Your written response, if submitted, must be received and time stamped in the Shift commander's Office no later than the fifth (5th) business day following receipt of this document. Send copies of your grievance to: 1) the Bexar County Sheriff's Civil Service Commission, 211 S. Flores, San Antonio, Texas, 78204; 2) and to the Bexar County Sheriff's Personnel Office. Any further information regarding your Civil Service rights may be obtained from the Director of the Civil Service commission, at (210) 335-0728.



Captain Brian Barabasz #1500
Third Detail Shift Commander

The Foregoing Document was served upon Deputy Michael Fernandez #1225 on Sept 8th, 2016 at 0300 hours by:


Printed Name/Badge of Server


Signature of Server

I acknowledge receipt of this Document:


Signature of Employee

Distribution: Original: 1) Personnel File
Copy: 2) Employee 3) Section File

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