

Reduced to 1 day

11-5-14



Susan Pamerleau

Sheriff

Bexar County, Texas

NOTICE OF PROPOSED SUSPENSION

TO: LE Deputy Pedro Garcia, Badge #1623, Patrol

DATE: October 17, 2014

You are hereby notified that the Bexar County Sheriff's Office is proposing to suspend you for Three (3) Days from the position of Law Enforcement Deputy.

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:

SECTION 4. USE AND CONDUCT OF COUNTY OWNED PROPERTY

8.05 Intentional or negligent damage of County equipment or property will be grounds for disciplinary action or dismissal depending on the severity of the incident.

Chapter IX, Section 9.02:

- O. Conduct or action that would seriously impair job effectiveness.
- P. Conduct which has proven to be detrimental or has an adverse effect on the department

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

Specifically described below:

The Policies and Procedures of the Bexar County Sheriff's Office which you have violated are as follows:

5.37B OPERATION OF COUNTY MOTOR VEHICLES

Each employee of this Department is charged with the responsibility of operating a county motor vehicle in a careful and prudent manner. Each employee shall obey all laws of the various municipalities, the State of Texas, and pertinent Department orders pertaining to operation of motor vehicles. No employee of this Department shall allow, at any time, any unauthorized person to operator a county owned motor vehicle or to have in their possession the keys to such motor vehicle.

13.03B Response to "Emergency" Calls

Vehicles shall be operated in a safe and prudent manner. Operators should be cognizant of their surroundings to include physical and climate conditions, traffic conditions, and potential actions of other drivers that could adversely affect the emergency response. Vehicles shall never be operated intentionally, knowingly, or recklessly in an unsafe manner.

The factual basis for the instant disciplinary action is as follows:

On or about August 1, 2014, at approximately 2125 hours, while operating unit 9419, you attempted to make a traffic stop and approached a red light intersection. You failed clear the intersection and proceed with caution causing another vehicle that had the green light to collide with your county own vehicle. The damage to the county vehicle was estimated at \$9,694.29. The Crash Review Board convened on September 26, 2014, and determined that this crash was preventable.

Persons with knowledge of these incidents:

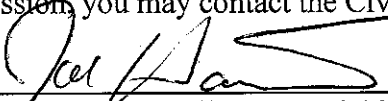
Deputy Chief Joe Hamilton, Patrol
Lt. Ronald Tooke, #211, Patrol
Sgt. Mario Cervantes, #690, Patrol
Deputy Pedro Garcia, # 1623, Patrol

Corrective action: In the future while operating a county owned vehicle, you will be more aware and cautious of your surroundings, especially when engaged in emergency driving.

You will adhere to all Sheriff's Office policies and procedures cited above. In addition, you are to take the next available Remedial Driving Course. Be advised that your job performance will be monitored and further persistence in the behavior, which resulted in this Notice of Proposed Suspension, may result in a more serious disciplinary action, which may include dismissal from the Sheriff's Office.

You are advised that you may respond to 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 Sheriff's Administration no later than the fifth (5th) business day following receipt of this document.

If you have any questions on your rights under the Bexar County Sheriff's Civil Service Commission, you may contact the Civil Service Commission, at 210-335-0728.


Deputy Chief Joe Hamilton, Patrol Division

cc: 1) Original -Personnel file 2) Employee 3) administrative file

The foregoing Notice of Proposed Suspension was served upon Pedro Garcia on 23 day of October 2014.

By: [Signature] #1320
Server's Signature

[Signature] #1623
Employee's Signature

2014 OCT 23 PM 4:05