



Copy

Susan Pamerleau
Sheriff
Bexar County, Texas

NOTICE OF PROPOSED SUSPENSION

TO: Deputy Roland Garza, Badge #1879, Patrol

DATE: January 29, 2014

You are hereby notified that the Bexar County Sheriff's Office is proposing to suspend you for Five (5) 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:

5.02 PERFORMANCE OF DUTIES

All employees of the Department shall render their services to the County of Bexar with loyalty, enthusiasm, discretion and courage. They shall also obey the various ordinances of the cities located within the State of Texas, as well as the laws of the State itself, not only during their duty hours but also during their time away from county employment.

5.30 CONDUCT UNBECOMING

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

5.43 CARE OF COUNTY PROPERTY AND EQUIPMENT

All employees of this Department shall be responsible for the proper care, maintenance, and serviceable condition of any Bexar County property, either fixed or movable, which is issued for, or assigned to the employee's use. All employees are required to report to their supervisor the loss of, damage to, or unserviceable condition of any Bexar County property which is issued for or assigned to the employee's use.

5.45 OPERATION OF COUNTY MOTOR VEHICLES

The County of Bexar provides to this Department a complement of motor vehicles for use by our employees. All of these motor vehicles are property of the County and duly recorded as such on an inventory. Each employee who uses one of these motor vehicles becomes obligated and responsible for the proper care, maintenance, and serviceable condition of this county property, as enumerated in paragraph 5.43 supra. In addition, 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

The factual basis for the instant disciplinary action is as follows: On Thursday, December 12, 2013, at approximately 2229 hours, you were responding to a "Code-3" call for a stabbing in progress. You were traveling on Loop 1604 North in Unit 9428, you swerved to the right in order to avoid a collision with another patrol unit who was also responding to the code, you swerved more to the right in order not to stick a motorcyclist on the roadway which caused you to strike a metal guardrail on the passenger's side and struck a concrete barrier resulting in major damage causing a total loss of a county vehicle.

Persons with knowledge of these incidents:

Deputy Chief Joe Hamilton, Patrol

Lt. Philip Dryer, Patrol

Sgt. Mario Cervantes, #690, Patrol

Deputy Jacob Rodriguez, #1843, Patrol

Deputy Charles Glaze #1383

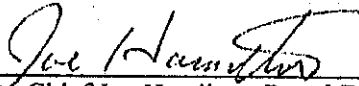
Deputy Roland Garza, #1879, Patrol

Corrective action: In the future while operating a county owned vehicle, you will be more cautious of your surroundings and be more attentive in the execution of your duties. Furthermore, you will adhere to all departmental 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.

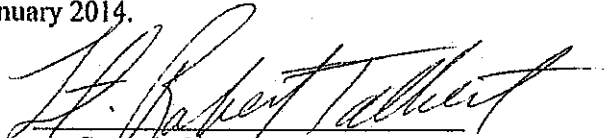
If you have any questions on your rights under the Bexar County Sheriff's Civil Service Commission, you may contact the Civil Service Commission, at 210-335-2688.


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 Roland Garza on 30 day of January 2014.

By:


Server's Signature


Employee's Signature