

Reduced to 5 days 3-15-16

319

FEB 24 REC'D



Susan Pamerleau

Sheriff

Bexar County, Texas

APPROVED
DATE

[Signature]

NOTICE OF PROPOSED SUSPENSION

EMPLOYEE: Deputy Michael Mata #1776, Third Detail, Detention, Annex

DATE: February 05, 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 subsection chapter IX of Paragraph 9.02 of the Rules for the Bexar County Sheriff's Civil Service Commission:

C. INSUBORDINATION

In addition to the following violations of the Bexar County Sheriff's Office Detention Division Manual of Policy and Procedure:

900.08-07 IV. B. 9. CONTRABAND PROHIBITED ITEMS IN THE SECURED AREAS

The specific reason(s) for this action: On Monday, January 25, 2016, you were assigned to Corridor 325 as a SERT Team member. On January 26, 2016 at approx. 0410 hours Lt. E. McCrea #1181 was walking through Corridor 325 and observed an IPOD connected to an electrical outlet on your desk. You had responded to a Code 2 in Unit 2B and were in Medical Security with the SERT Team at the time. Lt. McCrea observed the IPOD had e-mail and texting capabilities along with photographs, movies, and games on it in violation of the above section. Lt. McCrea confiscated the IPOD and took it to his office. At the end of shift at 0700 hours you had not contacted Lt. McCrea regarding your IPOD missing from your desk. On Tuesday, January 26, 2016, a short time after roll call, you advised Lt. McCrea your IPOD was taken off your desk the night before and you had assumed another SERT officer had taken it and was playing a joke on you. You said you contacted all the SERT members and after several times asking each of them if they had taken your IPOD you realized someone else had taken it.

SEE REPORT # ADCA012616-02

The corrective action required: In the future, you will comply with any supervisor's orders. You will not bring an IPOD that has texting and/or email capabilities into the secured areas of this facility. You will leave this type of electronic device in your vehicle or locker. You shall also ensure you are attentive in the execution of your duties and adhere to all Sheriff's Office Policy and Procedures. During the performance of your duties, you shall not perform your job assignment by displaying reluctance on your part to properly perform your duties, act in a manner which would tend to bring discredit upon yourself or the Sheriff's Office as a whole; fail to assume the necessary responsibility; or fail to exercise diligence, proper demeanor, intelligence, and interest in the pursuit of your duties. Be advised that repetition of the action (or lack of action) which resulted in this Notice of Proposed Suspension, may result in more serious disciplinary action, which may include dismissal from the Sheriff's Office.

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.

NOTICE OF PROPOSED SUSPENSION
Deputy Michael Mata #1776

Page 2/2

Cpt B E 1500
Captain Brian E. Barabasz #1500
3rd Detail Shift Commander

The Foregoing Document was served upon **Deputy Michael Mata #1776** 02-24, 2016 at 0303 hours by:

LT. EDWARD B. MCCREA #1181
Printed Name/Badge of Server

LT. Edward B. Mccrea #1181
Signature of Server

I acknowledge receipt of this Document.

[Signature]
Signature of Employee

FEB 24 REC'D

Original: 1) Personnel File Copy: 2) Employee 3) Section File 4) Employee Disciplinary/Grievance Technician



Susan Pamerleau

Sheriff

Bexar County, Texas

APPROVED
DATE 2/1/16

NOTICE OF PROPOSED SUSPENSION

EMPLOYEE: Deputy Michael Mata #1776, Third Detail, Detention, Annex
DATE: February 05, 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 subsection chapter IX of Paragraph 9.02 of the Rules for the Bexar County Sheriff's Civil Service Commission:

C. INSUBORDINATION

In addition to the following violations of the Bexar County Sheriff's Office Detention Division Manuel of Policy and Procedure:

900.08-07 IV. B. 9. CONTRABAND PROHIBITED ITEMS IN THE SECURED AREAS

The specific reason(s) for this action: On Monday, January 25, 2016, you were assigned to Corridor 325 as a SERT Team member. On January 26, 2016 at approx. 0410 hours Lt. E. McCrea #1181 was walking through Corridor 325 and observed an IPOD connected to an electrical outlet on your desk. You had responded to a Code 2 in Unit 2B and were in Medical Security with the SERT Team at the time. Lt. McCrea observed the IPOD had e-mail and texting capabilities along with photographs, movies, and games on it in violation of the above section. Lt. McCrea confiscated the IPOD and took it to his office. At the end of shift at 0700 hours you had not contacted Lt. McCrea regarding your IPOD missing from your desk. On Tuesday, January 26, 2016, a short time after roll call, you advised Lt. McCrea your IPOD was taken off your desk the night before and you had assumed another SERT officer had taken it and was playing a joke on you. You said you contacted all the SERT members and after several times asking each of them if they had taken your IPOD you realized someone else had taken it.

SEE REPORT # ADCA012616-02

The corrective action required: In the future, you will comply with any supervisor's orders. You will not bring an IPOD that has texting and/or email capabilities into the secured areas of this facility. You will leave this type of electronic device in your vehicle or locker. You shall also ensure you are attentive in the execution of your duties and adhere to all Sheriff's Office Policy and Procedures. During the performance of your duties, you shall not perform your job assignment by displaying reluctance on your part to properly perform your duties, act in a manner which would tend to bring discredit upon yourself or the Sheriff's Office as a whole; fail to assume the necessary responsibility; or fail to exercise diligence, proper demeanor, intelligence, and interest in the pursuit of your duties. Be advised that repetition of the action (or lack of action) which resulted in this Notice of Proposed Suspension, may result in more serious disciplinary action, which may include dismissal from the Sheriff's Office.

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.

NOTICE OF PROPOSED SUSPENSION
Deputy Michael Mata #1776

Page 2/2

Capt Brian E. Barabasz
Captain Brian E. Barabasz #1500
3rd Detail Shift Commander

The Foregoing Document was served upon **Deputy Michael Mata #1776** _____, 2016 at _____ hours by:

Printed Name/Badge of Server

Signature of Server

I acknowledge receipt of this Document.

Signature of Employee

Original: 1) Personnel File Copy: 2) Employee 3) Section File 4) Employee Disciplinary/Grievance Technician