

Reduced to one day

3-16-16



Susan Pamerleau
Sheriff
Bexar County, Texas

2/10/16

Approved

Date

[Signature]
2/10/16

NOTICE OF PROPOSED SUSPENSION

EMPLOYEE: Deputy Steven Mendez #4328, Second Detail – Main Jail

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 Five (5) days from the position of Detention Officer for violation of the following subsection(s) of Paragraph 9.02 of the Rules of the Bexar County Sheriff's Civil Service Commission:

C. Insubordination – Unwilling to submit to authority

P. Conduct which has proven to be detrimental or has an adverse effect on the Department

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

5.03 OBEDIENCE

The specific reason(s) for this action: On Sunday, January 31, 2016, Lt. Edward McCrea #1181 contacted you at approx. 2215 hours and told you that you would be needed to work your scheduled mandatory overtime (MOT) on 3rd Detail at the Annex in Unit 2D. You asked Lt. McCrea if you could work your MOT at the Main Jail. Lt. McCrea told you the Main Jail was not using any MOT officers but you could call the Main Jail Shift Commander, Lt. E. Adams #4401, and see if you could be switched with a 3rd Detail Main Jail officer. Lt. McCrea reminded you it was your responsibility to either get someone to work for you at the Annex or work Unit 2D yourself (see attached Roster for 3rd Detail Annex).

At approx. 2340 hours, 2nd Detail 2D Living Unit Officer L. Rojo #4297 called Lt. McCrea and asked when he (Rojo) was going to be relieved. Lt. McCrea contacted Lt. Adams who said you did check in with her but was told you were not being used at the Main Jail and to report to Lt. McCrea. At approx. 2345 hours Lt. McCrea contacted you, via telephone, at your residence. Lt. McCrea asked you why you were at home instead of in Unit 2D where you were assigned. You told Lt. McCrea that when you went to the Annex you saw several 2nd Detail Main Jail officers, who were on the MOT list, sitting outside Lt. McCrea's office. You told Lt. McCrea you did not know where Unit 2D was located even though you had worked the Annex during your Academy training. You stated there were no officers around to ask where Unit 2D was located so you sat down with the other officers.

At approx. 2330 hours, Lt. McCrea returned to his office after responding to a Code 2 in Unit 3D and saw six or seven officers sitting outside his office. Lt. McCrea asked the officers what they were doing. He was told they were MOT officers and were told to report to the Annex for possible MOT assignment. Lt. McCrea told the officers all MOT positions had been filled and they were not needed for MOT and could go home. You said you were in this group of officers and went home. You never approached Lt. McCrea to tell him you did not know where Unit 2D was located or if you could go home, knowing you were assigned to Unit 2D. Lt. McCrea ordered you to come back to work as Officer Rojo, who was not on MOT, needed to be relieved. You told Lt. McCrea you were not coming back to work. Lt. McCrea told

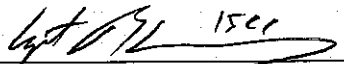
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Deputy Steven Mendez #4328

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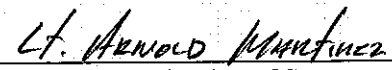
you that you would be subject to a five day suspension for Insubordination and refusing to report for MOT. You again told Lt. McCrea you were not coming back to work. Lt. McCrea asked you if you were on probation and you said you were. Lt. McCrea advised you that your actions could be grounds for termination for Insubordination and refusing to work your required MOT assignment. You said you understood and again refused to return to your assigned post. **See Report #ADCA020616-04.**

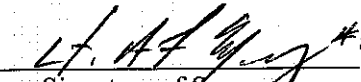
Corrective Action Required: In the future, you are advised that it is your responsibility to ensure that you report for your scheduled mandatory overtime post as assigned. Be advised, persistence in this type of behavior which resulted in this Notice of Proposed Suspension, may result in additional disciplinary action to include termination from the Bexar County 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.

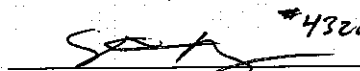

Captain Brian Barabasz #1500
Third Detail Shift Commander

The Foregoing Document was served upon Deputy Steven Mendez #4328 on 2/13, 2016 at 1851 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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