

Agreed - Reduced to 1 day 10/27/15



Susan Pamerleau
Sheriff
Bexar County, Texas

NOTICE OF PROPOSED SUSPENSION

Date: 10/06/2015

LE/Deputy: Statton, Aerin #4217

Emp ID#: 32867

You are hereby notified that the Bexar County Sheriff's Office proposes to suspend you without pay for (3) days from the position of Deputy Sheriff - Law Enforcement for violation of the following:

Bexar County Sheriff's Office Civil Service Rule:

Chapter IX – Discipline/Disciplinary Action

Section 1. General

Subsection 9.02

(J.) – Poor job performance.

(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 Sheriff's Office.

By your actions, you are also in violation of the following rules and regulations in the Department General Manual of Policy and Procedure:

5.02 – Performance of Duties

5.32 – Court Attendance

Specifically, the reason for this action is:

On Monday, August 10, 2015 10:25 AM, an email was received from DC Tammy Burr advising that CC2 had made several attempts to contact you regarding an upcoming trial date, to no avail. As of Monday, August 10, 2015 5:06 PM, still no contact was made. Notification to you via email had been made on Sunday, August 02, 2015 10:30 AM and Sunday, August 02, 2015 10:34 AM, advising of the upcoming trial date of 08:00 AM, Mon, Aug 10, 2015.

On Tuesday, August 11, 2015 3:56 PM, an email was received from DC Tammy Burr advising that CC5 was requesting your appearance for Thursday, 8/13/2015 at 10:30am. In that email, the ADA advised that this was a reset due to you failing to appear on a previous date. It was also noted that failure to appear will result in a forced dismissal of the case.

Due to being on duty on August 11th, Lt. Talbert was contacted in order to determine reasons for failing to appear. Your response to the CC2 inquiry was that you did not check your email. Regarding the CC5 appearance, Lt. Talbert advised that you were aware of this one for August 13th.

10/15-001



Susan Pamerleau

Sheriff

Bexar County, Texas

An inquiry was made with other Supervisors regarding your failure to appear for court appearances. Lt. Casillas provided an email from DPS Field Supervising Attorney Cecilia E. Brown-Garcia, dated April 21, 2015, regarding ALR dismissals due to you failing to appear, pursuant to a subpoena. She indicates that this is "some" of the dismissed cases, which totaled (13). Lt. Casillas also stated that this, among others, was a reason for removing you from the STEP program availability, citing that you had told him you never check emails.

On Thursday, August 13, 2015 4:25 PM, an email was received from ADA Neha Casturi advising that you failed to appear as requested (to which you even acknowledged on the 11th.) As a result, this case was dismissed.

On Monday, August 31, 2015 1:20PM, you were sent an email requesting to appear for a trial date: 09:30 AM, Wed, Sep 9, 2015 for County Court 4. In the comment section of the email, you were requested to contact the DA and advise of your availability, no later than 2:00pm on Thursday September 3, 2015. An email received by DC Tammy Burr, indicated you still had not contacted the DA as of Friday, September 04, 2015 3:09 PM. This criminal case has also been dismissed.

The following persons have may have knowledge or information on this incident:

Lt. Robert Talbert – 2nd shift East
Lt. Dennis Casillas – Traffic
Martinez, Elizabeth – ADA Bexar County CC#12
Guerra, Richard – ADA Bexar County CC#2
Reynolds, Casey – ADA Bexar County CC#2
Casturi, Neha – ADA Bexar County
Brown-Garcia, Cecilia – TX DPS San Antonio ALR
Byrd, Amanda – ADA Bexar County CC#4
DC Tammy Burr – Judicial Services

The following documents are attached to and are a part of this action:

Email Thursday, September 03, 2015 3:17pm
Email Monday, August 10, 2015 5:06pm
Email Thursday, August 13, 2015 6:39pm
Email Tuesday, August 11, 2015 4:18pm
Email Tuesday, August 11, 2015 3:24pm
Email Tuesday, August 11, 2015 4:15pm
Email Wednesday, August 12, 2015 9:26am
Email Friday, September 04, 2015 3:40pm
Email Monday, August 31, 2015 1:20pm



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Sheriff

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Corrective action on your part is required. You will comply with Chapter 5:32 regarding Court Attendance. In addition, understanding your role as a Deputy Sheriff. Making a good arrest includes the understanding that testifying in court is essential to completing the case.

You are further advised that your performance will continue to be monitored. Patterns of abuse on your part will result in more serious disciplinary action, to include termination, according to Civil Service Rules.

You may respond in person or in writing to the undersigned, explaining or countervailing said specific charge. Said response must be made within five (5) business days after service of this notice to you.

Cpt. T. Roach #500
Captain Tom Roach #500
Patrol – East

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

The foregoing Notice of Proposed Suspension was served upon on the 7th day of October, 2015.

By: [Signature]
Server's Signature

LT. PHILIP DREYER
Printed Name

Receipt acknowledged:

[Signature]
Employee Signature

Alex Statten
Printed Name