

Reduced to 3 days 10-9-15

9130



Susan Pamerleau
Sheriff
Bexar County, Texas

NOTICE OF PROPOSED SUSPENSION

TO: **Deputy Esequiel Romero Badge #4068, Emp.#37074, Detention**

DATE: **September 22, 2015**

You are hereby notified that the Bexar County Sheriff's Office is proposing to suspend you for Thirty (30) Days from the position of Detention Deputy K-9 Handler.

According to **PSI Investigation #IA-2015-0197**, 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:

Bexar County Sheriff's Office Civil Service Rules Chapter IX, section 9.02:

- J. Poor Job Performance
- P. Conduct which has been proven to be detrimental or has an adverse affect on the Sheriff's Office

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

5.38 USE OF COUNTY MOTOR VEHICLES

A. County owned motor vehicles are supplied to employees for "official county business" use only. They are not substitutes for an employee's personally owned motor vehicle and should not ever be considered as such.

B. Employees of the Sheriff's Office shall not permit family members or other unauthorized persons to ride in county owned motor vehicles as a general rule. Permitted occupants are authorized employees of the Sheriff's Office, persons who are required to be conveyed as a result of the regular performance of duty, or persons specifically authorized by supervising authority.

15-356

And Detention Policy and Procedures:

900.25 SECURITY AND CONTROL (CANINE OPERATIONS)

IV. PROCEDURES:

A. Requirements Governing the use of the:

3. The canine(s) will remain under the control of the handler(s) at all times.

6. The Detention Canine Handler shall complete a Facility Incident Report of all incidents involving the use of the canine team to include regular routine searches or patrols with or outside of the BCADC. If contact with an inmate(s) occurs or injuries result from the use of the canine, the name of such person(s) injured or having contact shall appear in the report, which shall be submitted to the Shift Commander as soon as possible unless otherwise authorized by the Shift Commander.

The factual basis for the disciplinary action is as follows: On or about May 29, 2015, you entered unit 5D with your assigned K-9-Moka to conduct a Sniff of the unit. You admit that Moka was not on lead/leash when walking in the unit or walking out of the unit thereby, out of your control. You further admit that this is a common practice.

On or about June 22, 2015, you entered the visitation area where several visitors had already filled the visitation area awaiting to visit inmates. Again, you did not have your assigned K-9-Moka on a lead/leash at the time and thereby, out of your control. According to surveillance video of the visitation area, K-9-Moka ran ahead of you to exit the visitation area, thereby, not under your control.

On or about May 29, 2015, you admit to picking up your son in your county issued Tahoe and transporting him to his grandmother's house thereby, substituting your county issued vehicle with for your own motor vehicle.

On or about July 21, 2015, you again admit to picking up your son in your county issued Tahoe and transporting your son to the San Antonio Police Department (SAPD) Substation off 410 to meet his mother so that he can make a dentist appointment and again picking your son up from the SAPD Substation after his dentist appointment in your county issued Tahoe thereby, substituting your county issued vehicle for your own motor vehicle.

Corrective Action Required: In the future, you will adhere to all the policies and procedures listed above and you will maintain your assigned K-9 under your control at all times. In addition, you will use your county issued vehicle for "official county business" use only and are not to use your county issued vehicle as a substitute for your own personally owned motor vehicle. Be advised that you will conduct yourself in a professional manner on and off duty. Be further advised that your performance will be closely monitored and persistence in the behavior,

which resulted in this Notice of Proposed Suspension, may result in more serious disciplinary action, which may include dismissal from the Sheriff's Office.

Persons with knowledge of these incidents:

Deputy Chief Raul S. Banasco, Jail Administrator
Captain Timothy Walston, Badge 1300, Special Operations
Sgt. Jennifer Baeza, Badge # , Professional Standards and Integrity Division
Former Sgt. Michael Jarzombek, Special Operations
Sgt. Robert Rodriguez, Work Release (Former K-9 handler)
Cpl. Andrae Motayne, Badge #1402, Special Operations
Deputy Esequiel Romero, Badge #4068, K-9 Handler
Civilian Andrea Garcia, witness

Be advised that pursuant to the Loudermill requirements, you may grieve 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 Detention Administration no later than the fifth (5th) business day following receipt of this document.

If you have any questions on your Civil Service Rules and rights, you may call the Sheriff's Civil Service Commission at 210-335-0728.


Deputy Chief Raul S. Banasco
Jail Administrator

The foregoing Notice of Proposed Suspension was served upon Deputy Esequiel Romero Badge #4068 on September 23, 2015. (1335)

By:

Server's Signature


R. Baeza

Employee's Signature


Esequiel Romero

1) Original -HR file 2) Employee 3) Administrative file