

Reduced to 3 days

2-27-15



Susan Pamerleau  
Sheriff  
Bexar County, Texas

### NOTICE OF PROPOSED SUSPENSION

TO: LE Deputy Juan Rodriguez, Badge #1872, Patrol

DATE: February 5, 2015

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:

#### 5.37 B. OPERATION OF COUNTY MOTOR VEHICLES

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.

### 13.03 B. Response to "Emergency" Calls

Vehicles shall be operated in a safe and prudent manner. Operators should be cognizant of their surroundings to include physical and climate conditions, traffic conditions, and potential actions of other drivers that could adversely affect the emergency response. Vehicles shall never be operated intentionally, knowingly, or recklessly in an unsafe manner.

**The factual basis for the instant disciplinary action is as follows:** On or about Saturday, October 11, 2014, at approximately 2315 hours, while operating unit 8505, you state that while going southbound on IH 35, you took the exit for the Median River Turnaround. As you turned under the bridge, you further state that a black dog ran in front of your vehicle and you swerved to the right sending your Tahoe sliding into the guardrail. The right front bumper area, right side, right front wheel, and right rear bumper area were all damaged by the curb and guardrail contact. The damage estimated at \$3,155.69. The Crash Review Board convened on November 24, 2014, and determined that this crash was preventable.

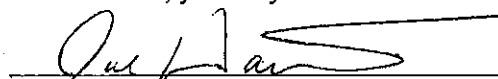
#### **Persons with knowledge of these incidents:**

Deputy Chief Joe Hamilton, Patrol  
Sgt. Brian Barrick, #690, Patrol  
Deputy Juan Rodriguez, #1872, Patrol  
Deputy Dennis O'Steen #360, Patrol

**Corrective action:** In the future while operating a county owned vehicle, you will be more aware and cautious of your surroundings. You will adhere to all Sheriff's Office 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.

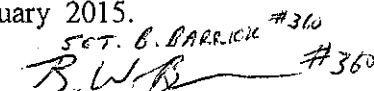
You are advised that you may respond to this Notice of Proposed Suspension to the undersigned, in person or in writing, to explain or countervail said specific charges. Your written response, if submitted, must be received and time stamped by Sheriff's Administration no later than the fifth (5<sup>th</sup>) business day following receipt of this document.

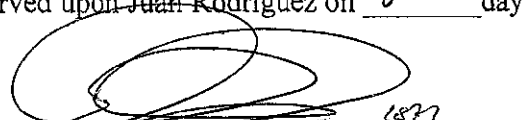
If you have any questions on your rights under the Bexar County Sheriff's Civil Service Commission, you may contact the Civil Service Commission, at 210-335-0728.

  
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 Juan Rodriguez on 8<sup>th</sup> day of February 2015.

By:   
Sgt. B. Barrick #360  
Server's Signature

  
Employee's Signature