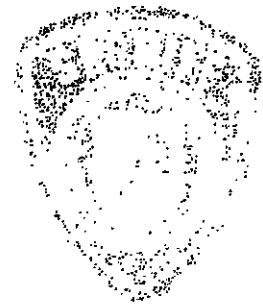




Bexar County Sheriff's Office
Javier Salazar, Sheriff



AGREED ORDER AND ENACTMENT OF SUSPENSION

EMPLOYEE: Deputy Fernando Luna # 354, Employee # 33278
DATE: November 28, 2017

This is a reduced action ordered by Deputy Chief Dennis Casillas, Strategic Operations Division. You have consented to this reduced action and agreed to waive further grievance and appeal procedures.

You are hereby notified that the Bexar County Sheriff's Office proposes to suspend you without pay for One (1) day(s) from the position of Law Enforcement Deputy for violation of the following section(s) of Chapter IX of Paragraph 9.02 of the Rules for the Bexar County Sheriff's Civil Service Commission:

- O. Conduct or action that would seriously impair job effectiveness.**
- P. Conduct which has proven to be detrimental or has an adverse affect on the Sheriff's Office.**

In addition to the following violation of the Bexar County Sheriff's Office Manual of Policy and Procedure, Paragraph(s):

5.37 Operation of County Motor Vehicles

And Sheriff's Directive 17-01 Vehicle Pursuits:

- 1. Deputies will not engage in a pursuit involving only Non-Hazardous Traffic violations**

Specifically, the reason for this action is: On Thursday, May 18, 2017, at approximately 1457 hours, you were operating a marked BCSO Patrol Tahoe (Unit 8508) as part of your duties with the Street Crimes Unit near Hamilton & Elmendorf. According to your report, you initiated a traffic stop on a Gray 4-door Cadillac due to the driver not wearing his safety belt. The vehicle initially stopped, and as you got out of your Tahoe to approach the violator, he drove away. You then pursued the suspect vehicle, with lights and sirens activated, until you were involved in a crash at the intersection of Lombrano Street & Adaes Avenue.

As a result of this pursuit and vehicle crash, BCSO Unit 8508 was unable to be repaired and was considered a 'total loss'.

Additionally, pursuant to paragraph 5.37 of the Bexar County Sheriff's Office Manual of Policy and Procedure, "Each employee of the Sheriff's Office is charged with the responsibility of operating a county motor vehicle in a careful and prudent manner." Your conduct pertaining to the proper operation of motor vehicles and pursuits is unacceptable and will not be tolerated.

The corrective action required: In the future, you will read and be familiar with the Sheriff's Office Manual of Policy and Procedure, specifically Chapter 5, as well as Sheriff's Directive 17-

AGREED ORDER OF SUSPENSION (1 DAY)
Deputy Fernando Luna

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01, which offers guidance on Chapter 13. You will be cognizant of the circumstances surrounding each traffic stop, and whether or not sufficient reason exists to engage in a vehicle pursuit.

Be advised that any and all future actions and/or inactions performed by you that prove to violate policies and directives of the Sheriff's Office will result in progressive disciplinary action up to and including termination.

On November 2, 2017 you were served with a Notice of Proposed Suspension for five (5) days, for the violations cited above. You requested a hearing, accordingly a grievance hearing was held on November 21, 2017.

Present at the hearing were the following:

Deputy Chief Dennis Casillas, Strategic Operations Division
Laura Martinez, HR Technician
Deputy Fernando Luna, Grievant
Karl Brehm, CLEAT Attorney

After hearing your case, I offered to reduce the Order of Suspension (5 days) to an Agreed Order and Enactment of Suspension One (1) day. You have accepted the action therefore I am issuing this Agreed Order and Enactment of Suspension (1). Be advised that by agreeing to this reduced action you are also agreeing to waive further grievance and appeals procedures regarding this issue.

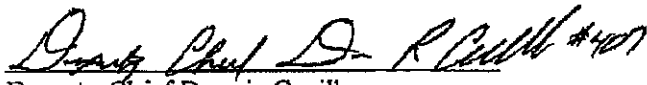
Accordingly, you will **SERVE** your Suspension in accordance with the 8 hour working schedule, which is currently in effect. Be advised that pursuant to Civil Service Rule 5.53, you may opt to forfeit leave up to a total of five (5) days, or the equivalent to forty hours, in one calendar year. If you choose to forfeit your accumulated leave you must complete the specific information requested on the document titled Request to Forfeit Leave in Lieu of Suspension.

12	14	2017	8	DAYS @ 8.0 hours
MONTH	DAYS	YEAR		each day.
			Total: 8	HOURS

AGREED ORDER OF SUSPENSION (1 DAY)
Deputy Fernando Luna

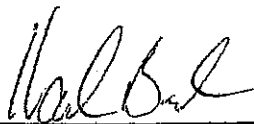
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I have read the above. I fully understand my rights of grievance and appeal in disciplinary issues as outlined under Civil Service Rules. I wish to waive further grievance and appeal procedures regarding this issue and agree to accept the Reduced Action as outlined above.


Deputy Chief Dennis Casillas
Strategic Operations Division

The foregoing document was sent via facsimile to Karl Brehm, CLEAT Attorney on Nov. 30, 2017. Please acknowledge receipt of said document and return by fax to Sheriff's HR Office at (210)335-5083.

Agreed and Accepted:


Signature of Representative

1. Original- Personnel File 2) Employee 3) Shift Commander 4) HR Technician