



Bexar County Sheriff's Office
Javier Salazar, Sheriff



AGREED ORDER OF SUSPENSION

EMPLOYEE: Detention Deputy Michel'le Garcia #1719, 3rd Detail-Annex

DATE: December 21, 2017

This is a reduced action which will supersede the discipline issued by Deputy Chief Laura Balditt and served on December 5, 2017. You have consented to this reduced action and agreed to waive further grievance and appeal procedures regarding this issue.

You are hereby notified that the Bexar County Sheriff's Office is suspending you without pay for a total of **Twenty (20) days** from the position of Detention Deputy 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

And violation of the Detention Manual of Policy and Procedures subsection(s)

BC No: 900.08-7 Items Prohibited in the Secured Areas

The specific reason(s) for this action: On Wednesday, October 4, 2017 you were discovered by the 1st Shift Sergeant Patricia Salazar #1630 to have your own personal cellular phone while at your assigned post (2C). Sergeant Salazar then directed you to secure your cell phone in your locker. You acknowledge in your report (ADCA100417-09) that you had brought your cellular phone into the secured area and you could not offer an explanation for violating policy. You were served a Notice of Proposed Suspension 15 Days back in November 4, 2016 that was issued by Captain Louis Valdez #1900 (1st Shift Commander) relative to FIR #ADCA101016-20. You .In December 28, 2016 you were again observed with your cell phone in the secured area (ADCA122816-05). Your continued disobedience will not be tolerated.

Corrective Action Required: You are prohibited from bringing cellular phones or any other electronic devices into the secured area of the facility. Furthermore, you shall comply with BC No. 900.24.01 which prohibits staff from bringing in certain electronic equipment, notably cellular phones, into the secured area. All employees have been advised that bringing cellular phones into the secured area shall be subjected to a mandatory fifteen (15) day suspension. You will not continue to mock the policies and procedures set in place for this offense.

Be advised persistence in this type of behavior which resulted in this Agreed Order of Suspension may result in additional disciplinary action to include termination from the Bexar County Sheriff's Office.

On Monday, December 18, 2017, a grievance hearing was held in my office. Present at the hearing were the following:

Bobby Hogeland, Assistant Chief Deputy
Michel'le Garcia, Grievant
Karl Brehm, Representative
Maria Levine, HR Supervisor

After further review and consideration, I offered to reduce the discipline to a twenty (20) day suspension. You have agreed and accepted my offer. Accordingly, the enactment will follow.

for Chief Laura Balditt
Bobby Hogeland, Assistant Chief Deputy
Adult Detention Bureau

I acknowledge receipt of this document

Karl Brehm

Attorney Karl Brehm
For Michel'le Garcia

12-21-17
Date

cc: 1) Human Resources

Distribution: Original: 1) Personnel File Copy: 2) Employee 3) Shift Commander 4) Employee Disciplinary Technician

ENACTMENT OF SUSPENSION

TO: Deputy Michel'le Garcia, Badge #1719, Detention

DATE: December 21, 2017

On December 21, 2017, through your attorney, you were served with an Agreed Twenty (20) Day Suspension. You have agreed to this action.

Please be advised pursuant to Civil Service Rule 5.53 you may opt to forfeit leave up to a total of five (5) days in one calendar year.

Accordingly, the Agreed Order of Suspension is being enacted on the following day (s):

JANUARY 2018 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 31
Month Day (s)

FEBRUARY 2018 01, 02
Month Day (s)

C. EDWARD B. MCLEEN

St. Edward B. McLean #1181

Server's Signature

Employee's Signature

01-05-18

Date

1) HR File 2) Employee 3) Section Supervisor