



Bexar County Sheriff's Office
Javier Salazar, Sheriff



AGREED ORDER OF SUSPENSION

EMPLOYEE: Deputy Fernando Cuellar, Employee # [REDACTED] Detention
DATE: July 23, 2018

You are hereby notified the Bexar County Sheriffs' Office is suspending you without pay for a total of Five (5) days from the position of Detention Deputy for the following violations of Chapter IX, Section 9.02 of the Rules of the Bexar County Sheriffs Civil Service Commission:

J. Poor job performance.

P. Conduct which has proven to be detrimental or has an adverse effect on the Sheriff's Office.

And violation of the following sections of the Bexar County Sheriff's Office Manual of Policy and Procedures:

6.04 ALERTNESS

In addition to the following sections of the Bexar County Sheriff's Office Manual of Policy & Procedure, paragraph(s):

900.08 (IV) B Uniformed Detention Staff
900.16 IV C (1) Security and Control
900.24 (G) Security and Control

The specific reason(s) for this action: On January 4, 2018 at approximately [REDACTED] was found to be missing from the booking area between the female clothing exchange room and the banking entrance at the main jail. [REDACTED] was able to walk out of the facility unescorted, without leg restraints and in civilian clothing.

On the aforementioned date, you were assigned to Master Control, Station 3, which controls all 3 elevators in the Main Jail. When questioned regarding this incident, you stated you did not recognize or recall seeing the inmate pass through the basement doors. You failed to be attentive in properly securing your area of responsibility and in challenging the identity of the inmate. Your conduct caused a breach in security and will not be tolerated.

The corrective action required: In the future, you will be vigilant and attentive to all aspects of your duties, to include security and traffic flow through entry and exit doors. You must remain cognizant of your surroundings at all times, as it affects the security of the facility, inmates and employees of the Sheriff's Office. You will become familiar with and follow all policies and procedures of the Sheriff's Office. Be advised that persistence in the behavior, which resulted in this Agreed Order of

Suspension, may result in more serious disciplinary action, which may include dismissal from the Sheriff's Office.

A grievance hearing was held in my office.

Present at the hearing were the following:

Deputy Chief R [REDACTED] Vela, Adult Detention Bureau
Laura Martinez, HR Technician
Deputy C [REDACTED] Flynn, Sheriff's Administration
Deputy Fernando Cuellar, Grievant
Tanner Barnes, CLEAT Attorney

I offered a reduction and you have accepted an Agreed Order of Suspension of Five (5) days. You have accepted the action; therefore, I am issuing this Agreed Order of Suspension of Five (5) days. Be advised that by agreeing to this reduced action you are also agreeing to waive further grievance and appeals procedures regarding this issue.

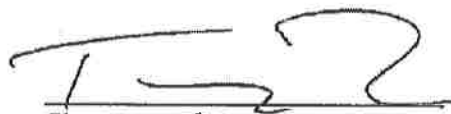
I have read the above. I fully understand my rights of grievance and appeal in disciplinary issues as outlined under Civil Service Rules. I wish to waive further grievance and appeal procedures regarding this issue and agree to accept the Reduced Action as outlined above.



Deputy Chief R [REDACTED] Vela
Adult Detention Bureau

The foregoing document was sent via facsimile to Tanner Barnes, CLEAT Attorney on July 31, 2018. 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

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