



Susan Pamerleau
Sheriff
Bexar County, Texas

2016 SEP 29 PM 3: 52

NOTICE OF PROPOSED DISMISSAL

TO: Deputy Raul T. Cervantes, Badge #1903, Emp.#19933, Detention
DATE: September 23, 2016

You are hereby notified that the Bexar County Sheriff's Office is proposing to dismiss you from the position of Detention Deputy.

Your discharge is General and you are being terminated for a documented performance problem and not because of a reduction in workforce or an at-will employment decision.

According to PSI Investigation #IA-2016-207 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:

Chapter IX, Section 9.02:

- D. Dishonesty - Characterized by lack of trust, honesty or trustfulness.
- J. Poor job performance.
- O. Conduct or action that would seriously impair job effectiveness.

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

5.24 CONDUCT UNBECOMING AN OFFICER

A Deputy Sheriff shall always conduct himself/herself in a manner which reflects most favorably on the Sheriff's Office, whether in a duty or off-duty status. Unbecoming conduct includes unjustified behavior which brings the Sheriff's Office into disrepute, discredits a member of the Sheriff's Office, impairs the operation of the Sheriff's Office, or has an adverse effect on the Sheriff's Office.

5.34 USE OF COMMUNICATION FACILITIES

A. As a general rule, no employee of the Sheriff's Office shall use county communications facilities for personal, social, or unofficial purposes.

5.45 BRINGING DISCREDIT

No employee of the Sheriff's Office shall act or behave publicly or privately in such a manner as to bring discredit, distrust, or a lack of esteem upon themselves personally as a peace officer or corrections officer, or upon the Sheriff's Office as a whole.

5.46 IMMORAL CONDUCT

Employees of the Sheriff's Office shall maintain a level of moral conduct in their personal affairs in keeping with the highest standards of the law enforcement profession. No employee shall participate in any incident or act involving moral turpitude which might impair one's ability to perform as a Deputy Sheriff or in any other position within the Sheriff's Office, nor shall they participate in any act which might cause damage to the good reputation of the Sheriff's Office as a whole.

5.53 PERSONS IN CUSTODY

A. Employees of the Sheriff's Office shall not associate or fraternize with, perform favors for, engage the service of, or accept service or favors of any type from any person who is in custody of the Sheriff's Office or any law enforcement agency or corrections facility. The same applies also to family members, friends, and/or acquaintances of any persons in custody.

B. Employees of the Sheriff's Office shall not socialize or otherwise associate with the spouse or relatives of any person while that person is in the official custody of the Sheriff's Office or in the custody of any law enforcement agency or corrections facility.

5.54 CONSORTING WITH PERSON OF QUESTIONABLE CHARACTERS

A. Employees of the Sheriff's Office shall not consort with, fraternize with, or otherwise associate with persons the employee knows or should know, are racketeers, gamblers, prostitutes, convicted felons, persons under criminal investigation or indictment by a Grand Jury, persons in the community with a reputation for felonious criminal behavior, or, other persons of bad character or ill-repute.

B. No portion of the above is intended to act as a bar to prevent contact with a person of questionable character while on official county business. Good law enforcement often dictates a necessity to speak with such persons and sometimes, solicit their cooperation from an official standpoint. When such is the case, a Deputy Sheriff should insure their supervisor is aware of the nature of their intended contact with a person of questionable character.

The factual basis for the disciplinary dismissal is as follows: On or about April 10, 2016, at approximately 0144 hours, while at your residence, you called the Bexar County Dispatch Center 911 line and reported a family disturbance/shooting. You identified yourself as a Bexar County Sheriff's Deputy and reported that your son who is a convicted felon and lives in your residence, Raul Mike Cervantes, was intoxicated and had taken your weapon, threatened his girlfriend, Ms. Angelique Campos, with your weapon and shot the weapon at your home and had fled the scene in your vehicle.

Patrol Deputies and two Criminal Investigators along with Sgt. Shane Hubner arrived at the scene and made contact with your son who eventually surrendered. It was at this time that your

son notified Sgt. Hubner that his girlfriend Ms. Angelique Campos, a convicted felon, was in possession of heroin. Ms. Campos eventually surrendered the heroin to Investigator Patricia Nava.

In your residence were also two other females, Ms. Sonia Reyna, a convicted felon, who had a PROSTITUTION WARRANT-FELONY and was arrested at the scene and Ms. Lisa Lara who was released at the scene.

During the Professional Standards and Integrity (PSI) investigation, it was discovered that while Inmate Karen San Miguel, SID #806015, was in custody of the Bexar County Detention Center you accepted a total of 44 collect calls from this inmate commencing on May 11, 2015 through June 22, 2015.

On May 18, 2016, you admit that you had a relationship with Inmate San Miguel during her incarceration for PROSTITUTION-3 OR MORE PRIORS at the Bexar County Detention Center from May 8, 2015 until June 23, 2015.

Evidence indicates that you assisted Ms. San Miguel with obtaining her bond, provided her financial monies for her commissary, relayed information to her mother, utilized the Communication Sheriff's Office System for your own personal use by obtaining and providing Inmate San Miguel warrant information on a relative listed on her visitation list (nephew), received phone calls from Bexar County inmates, and performed favors by providing three-way calls for Inmate San Miguel.

1. Your actions in performing favors for a person in custody, consorting, fraternizing or otherwise associate with persons of bad character or ill-repute, behave publicly or privately in such a manner as to bring discredit distrust, or a lack of esteem upon themselves personally as a peace officer of corrections officer or upon the Sheriff's Office as a whole is conduct or action that would seriously impair job effectiveness. (CS-J.O.SO-5.53,5.54)
2. Your actions in performing favors for a person in custody, consorting, fraternizing or otherwise associate with persons of bad character or ill-repute, behave publicly or privately in such a manner as to bring discredit distrust, or a lack of esteem upon themselves personally as a peace officer of corrections officer or upon the Sheriff's Office as a whole is unbecoming conduct and unjustified behavior which brings the Sheriff's Office into disrepute, discredits a member of the Sheriff's Office, impairs the operation of the Sheriff's Office, or has an adverse effect on the Sheriff's Office. (SO-5.24, 5.34)
3. Your actions in performing favors for a person in custody, consorting, fraternizing or otherwise associate with persons of bad character or ill-repute, behave publicly or privately in such a manner as to bring discredit distrust, or a lack of esteem upon themselves personally as a peace officer of corrections officer or upon the Sheriff's Office as a whole is unbecoming conduct and unjustified behavior which brings the Sheriff's Office into disrepute, discredits a member of the Sheriff's Office, and demonstrates a lack of trust, honesty and trustfulness. (CS-D.-SO-5.45,5.46)

Persons with knowledge of these incidents:

Deputy Chief Raul S. Banasco, Jail Administrator
Deputy Chief Henry Reyes, Assistant Jail Administrator
Sgt. Robert Rodriguez, Professional Standards and Integrity Division
Inmate Karen San Miguel, SID #806015
Deputy Raul T. Cervantes, Detention
Citizen Raul M. Cervantes, SID #701654 (son)
Citizen Angelique Campos, SID #858445
Citizen Lisa Lara, SID #902622
Citizen Sonia Reyna, SID #766878
Citizen Jessica Zuniga

You are advised that you may respond to this Notice of Proposed Dismissal 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 (5th) business day following receipt of this document. You will be placed on Administrative Leave Without Pay pending your response; ***however, you may request through this office in writing that any or all of your accumulated compensatory time, annual leave or personal leave be applied.*** You are to immediately surrender all Department issued property, such as your badge, official identification, magnetic key card, and building key(s) to the serving authority.


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 Raul S. Banasco

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

The foregoing Notice of Proposed Dismissal was served upon Raul T. Cervantes on 29 day of September 2016.

By:  #1320
Server's Signature


Employee's Signature