

# Alamosa Police Department Disciplinary Action Form

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1. Joey Spangler  
Name of Supervisor Initiating Action
2. Ivan Garcia  
Name of Employee against whom action is initiated
3. March, 2020  
Date and Time of alleged violation
4. April 17, 2020  
Date of Disciplinary Action Form being filled out
5. Brief Statement as to alleged violation:

On Wednesday, 3/18/2020, I received a supplemental report from Corporal I. Garcia, case #18-2275, in reference to a child abuse from 10/17/18. The report stated case closed due to not being able to locate the suspect, who is the mother in a child abuse where the baby was flown out after being born on opiates and suboxone. I advised Corporal I. Garcia that I reactivated the case because I don't see the need to talk to the suspect, if he has enough information on the case to apply for a warrant. Corporal I. Garcia immediately told me there was more to the story he did not tell me. Corporal I. Garcia stated he worked with the mother to close out a couple of bigger cases so agreed to let her go on the child abuse case. The issue is on an official RMS report he stated he was not able to contact the alleged suspect, but told me he worked with her.

On 3/20/2020, I was conducting inventory of the armory and noticed Officer Mario Valdez used 350 rounds of ammo on a class that was cancelled after the first day. I called Officer Valdez and he stated he only used 150 for class. I contacted Corporal I. Garcia and asked him about the inventory and he stated Officer Valdez used 350 rounds and he checked in 650. I told him that I already spoke to Officer Valdez and he told me he only used 150 round. At this time Corporal I. Garcia stated he'll be honest with me and said he gave Officer Valdez 200 rounds for being honest with him and returning the original 850 rounds. This was confirmed with Officer Valdez. I advised Corporal I. Garcia that we cannot do things like this, especially with the accountability standard that we have.

On 3/22/2020, Corporal I. Garcia was advised of a driving violation by Community Service Officer F. Juarez and S. Earls. Instead of responding to the violation Corporal I. Garcia took it upon himself to start calling in different code and animal violations, eventually other officers under his supervision assisted, overwhelming the calls for CSO's. CSO F. Juarez and S. Earls believed this was retaliatory due to their initial driving violation complaint and felt they "learned their lesson" and won't be calling in violations they see. Eventually, Corporal I. Garcia contacted another agency CSO, Shelly Rodman, and asked her for assistance in training CSO Juarez. Corporal I. Garcia made it seem like our CSO F. Juarez was not understand his job description. Shelly Rodman agreed to assist but she wanted to clear it with her supervisors first.

6. Cite Police Department Rules and Regulations, Police Department Orders and City of Alamosa Rules and Regulations allegedly violated (Section, subsection, paragraph, line - if applicable):

STANDARD OF CONDUCT

339.5.7 EFFICIENCY

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.

339.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.

(c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department related business.

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members

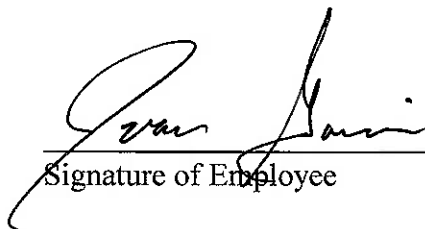
(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members

(i) Any act on- or off-duty that brings discredit to this department

7. Type of Discipline (Verbal, written and/or suspension, termination or demotion):  
~~Written~~ Suspension, any further violation of any and all policy or directive will lead to further discipline to include demotion and/or termination.

8. Type of Reprimand (verbal, written and /or suspension.)

Written- Disagree with reprimand, Requesting 40 hours suspension without pay.

  
\_\_\_\_\_  
Signature of Employee

Date 4/17/20

**To show receipt of all paperwork, i.e., Personnel Action Form, Disciplinary Action Form, reports, or letters, memos on investigation of incident.**

9. I, Joey Spangler, recommend/agree with the above discipline.

[Signature] 4-17-2020  
(Signature of Immediate Supervisor) Date

10. I, Joey Spangler,  agree  disagree with the above reprimand.

[Signature] 4-17-2020  
(Signature of Division Commander) Date

11. I, Chief Ken Anderson,  agree  disagree with the above reprimand.

[Signature] 04-17-2020  
(Signature of Chief of Police - if applicable) Date

The Chief of Police having agreed to the recommendation for discipline action as stated above is forwarding this disciplinary action form and all relevant documentation to the City Manager for review. A copy of all information forwarded has been given to the officer.

12. Having conducted a pre-disciplinary hearing into the alleged violation, I find that the allegations are:  sustained  not sustained

Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Having sustained the allegations, I  agree  disagree with the recommended disciplinary action:

Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. [Signature] 5-4-20  
(Signature of City Manager) Date

**Having sustained the allegation(s) as specified and approved the disciplinary action as specified, you are advised you have fifteen (15) days to file an appeal to the Personnel Board through the City Manager. The Personnel Boards decision is final and binding on all parties.**