

Alamosa Police Department Disciplinary Action Form

1. Orlando Dordan
Name of Supervisor Initiating Action

2. Ivan Garcia
Name of Employee against whom action is initiated

3. 6/10/15 @ 1650hrs
Date and Time of alleged violation

4. 6/12/15
Date of Disciplinary Action Form being filled out

5. Brief Statement as to alleged violation:

On June 10, 2015 at approximately 1650hrs. Officer Garcia was backing into a parking space on the south side of the Police Department. Officer Garcia was driving his assigned patrol vehicle at the time. While backing up Officer Garcia struck the right front bumper of another parked patrol vehicle with his left rear bumper. There was only very minor damage and no injuries were sustained. Upon speaking with Officer Garcia he advised he misjudged the amount of space he had between the vehicles.

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):

Officer Garcia was driving a city owned vehicle in the rear parking lot of the Police Department backing into a parking space. Officer Garcia struck another parked vehicle. Officer Garcia failed to give himself sufficient room to complete the backing maneuver. Officer Garcia is in violation of policy #640.3.6 (e) entitled SAFETY and it reads:

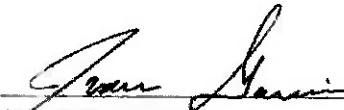
"Any personal action contributing to the involvement in a preventable traffic collision, or other unsafe or improper driving habits or actions in the course of employment."

7. Type of Discipline (Verbal, written and/or suspension, termination or demotion):

Written

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

Written



Signature of Employee

6/12/15

Date

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

9. I, Orlando Dordan, recommend/agree with the above discipline.



(Signature of Immediate Supervisor)

6/12/15

Date

10. I, Samuel Maestas, agree disagree with the above reprimand.

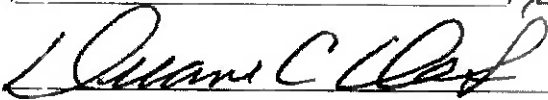


(Signature of Division Commander)

6/12/15

Date

11. I, Duane Oakes, agree disagree with the above reprimand.



(Signature of Chief of Police - if applicable)

6/12/15

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 of City Manager)

6-15-15
Date

Having sustained the allegation(s) as specified and approved the disciplinary action as specified, you are advised you have thirty (30) days to file an appeal to the Personnel Board through the City Manager. The Personnel Board's decision is final and binding on all parties.



Alamosa Police Department

425 4th Street
Alamosa, Colorado 81101

Duane Oakes, Chief of Police

June 11, 2015

Ivan Garcia;

On Thursday, June 11, 2015 I was directed by Captain Maestas to conduct an Administrative Investigation into a traffic accident you were involved in on June 10, 2015 in the rear parking lot of 425 4th St. The investigation will focus on all actions that occurred during the incident.

The allegation is that you were the at fault driver in a traffic accident that occurred on June 10, 2015 in the rear parking lot of 425 4th St. at approximately 1650hrs. The accident involved two (2) City owned vehicles, one driven by you and the other was parked.

Because of the directive from Captain Maestas, I, as your direct supervisor, have initiated an Administrative Investigation for possible violation of Department policy, specifically policy #3403.6 entitled SAFETY.

As a member of the Alamosa Police Department, you have the right to be notified of the complaint, that an investigation has been initiated and if the investigation is criminal or administrative. I believe all requirements have been met per policy. I have advised you of your rights as outlined per Alamosa Police Department Disciplinary Policy.

I will be contacting you soon to speak with you about this incident. If you have any questions or concerns, please feel free to contact me.

Respectfully

Orlando Dordan
Sergeant

Police Headquarters
425 4th Street
Alamosa, Colorado 81101
(719) 589-2548

"Protect & Serve"

Mailing Address
P.O. Box 1101
Alamosa, CO 81101
Fax: (719) 589-5257

Alamosa Police Department

Policy Manual

Disciplinary Policy

- (af) Establishing an inappropriate social relationship, as a result of an investigation, with a known victim, witness, suspect or defendant of a Department case while such case is being investigated or prosecuted.

340.3.6 SAFETY

- (a) Failure to observe posted rules, signs and written or oral safety instructions while on-duty and/or within Department facilities or to use required protective clothing or equipment.
- (b) Knowingly failing to report any on-the-job or work-related accident or injury within 24 hours.
- (c) Substantiated employee record of unsafe or improper driving habits or actions in the course of employment.
- (d) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (e) Any personal action contributing to involvement in a preventable traffic collision, or other unsafe or improper driving habits or actions in the course of employment.
- (f) Violating Department safety standards or safe working practices.

340.3.7 SECURITY

- (a) Unauthorized and inappropriate intentional release of confidential information, materials, data, forms or reports.

340.3.8 SUPERVISOR RESPONSIBILITIES

If an employee's conduct is a cause of action for discipline, the supervisor shall inform the employee promptly and specifically of the improper conduct.

Supervisors and Command Personnel are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to take appropriate action to ensure that employees adhere to the policies and procedures of this department and that the actions of all personnel comply with all laws.
- (b) Failure to report in a timely manner any known misconduct of an employee to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.

340.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated pursuant to state or local law and in accordance with the Personnel Complaint Procedure Policy. The investigation should be completed within six months of the discovery of the allegation or within a reasonable time thereafter based upon the complexity or conditions of the investigation.

340.4.1 WRITTEN REPRIMANDS

Any employee wishing to formally appeal a written reprimand must submit a written request to his/her Division Commander within 30 days of receipt of the written reprimand. The

Orlando Dordan

From: Ivan Garcia
Sent: Wednesday, June 10, 2015 5:41 PM
To: Orlando Dordan
Subject: Ref: Very Very Extremely Minor 10-50

Sgt. Dordan, today on 06-10-15 at approximately 1650 hours, I returned to the Police Department for briefing. I was backing my assigned unit T2-25 with Colorado plate# 163VBR into our parking area. As I was doing that I thought I had enough clearance from unit T2-20 with Colorado plate# 277UHB. But I was wrong, my rear left bumper did make contact with unit T2-20's front right bumper. There was no injury to myself and the other unit was unoccupied. Pictures of both vehicles were obtained. I did go to the ER for a MEDTOX screen per Cecilia's (HR) instructions.

Thanks, Ivan Garcia