



VICTORIA COUNTY SHERIFF
JUSTIN MARR

101 N. GLASS ST. · VICTORIA, TX · PH: 361-575-0651 · FAX 361-574-8019

Richard Alvarado,

This letter serves as notice to you that your employment with the Victoria County Sheriff's Office is set to be terminated, effective 1700hrs, Friday, August 21st, 2020. This meeting also serves as your Pre-Termination Hearing per policy.

You have been accused of inappropriate misusing your county issued cell phone and engaging in conduct unbecoming of a Victoria County Sheriff's Office employee. The accusations are from a 2018 internal affairs investigation as well as recent allegation. Captain Charles Williamson was assigned to conduct an internal affairs investigation (E20-08042020). The findings of the investigation are as follows:

- You systematically misused your county issued cell phone as a personal phone and appeared to conduct all personal business through the county issued cell phone
- You did use your county issued cell phone to engage in text conversations with multiple parties that were not work related
- During the course of these text conversations the following was detected:
 - You used derogatory language towards co-workers
 - You engaged in conversations about strip clubs and taking alcohol to parties
 - You used language that was derogatory toward ethnic/racial groups
 - You engaged in conversations concerning the procurement of steroids which a prudent person could construe as illicit activity
 - You engaged in a conversation which appears to show you obtaining a personal or financial benefit as a result of your position as a deputy sheriff
 - You had stored as personal contacts individuals who are known felons and drug users.



VICTORIA COUNTY SHERIFF JUSTIN MARR

101 N. GLASS ST. · VICTORIA, TX · PH: 361-575-0651 · FAX 361-574-8019

As a result of the investigation it was determined that you violated the following policies:

*There are multiple documented incidents of Alvarado using foul language and derogatory slurs while utilizing a county cell phone to send text messages. These messages include the words fuck, mother fucker, fags and homo.

1. Code of Ethics/Code of Conduct

a. Personnel and associates of the Victoria County Sheriff's Office are official representatives of Victoria County, this office and the Sheriff. Accordingly, they shall always strive to do the following:

1) Demonstrate exemplary conduct and character at all times and never discredit the Victoria County Sheriff's Office or its personnel.

3. Rules of Conduct

IV) Obedience to rules, orders and law:

K) Conduct unbecoming: Conduct that adversely affects efficiency, erodes public respect, or reduces confidence in government service is unbecoming and is prohibited.

8) Engaging in infamous, notorious or disgraceful conduct that adversely affects the legitimate interests in Victoria County.

V) Attention to Duty:

D) Conduct and Behavior: Personnel will, at all times, follow the ordinary and reasonable rules of good conduct and behavior and will not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or the VCSO. Personnel will follow established procedures in carrying out their duties as employees of the VCSO.



VICTORIA COUNTY SHERIFF JUSTIN MARR

101 N. GLASS ST. · VICTORIA, TX · PH: 361-575-0651 · FAX 361-574-8019

*On 03/09/2018, Alvarado engages in a text conversation utilizing his county issued cell phone. This conversation discusses making plans to go to a strip club, bringing alcoholic beverages to a loft for a party. Alvarado acknowledges he bought a 12 pack of beer but a person named Mary Jane will only allow liquor at the party. Another reference is made that anything will be allowed at the party but no meth which is a reference to methamphetamine.

1. Code of Ethics/Code of Conduct

b. Personnel and associates of the Victoria County Sheriff's Office are official representatives of Victoria County, this office and the Sheriff. Accordingly, they shall always strive to do the following:

1) Demonstrate exemplary conduct and character at all times and never discredit the Victoria County Sheriff's Office or its personnel.

3. Rules of Conduct

IV) Obedience to rules, orders and law:

K) Conduct unbecoming: Conduct that adversely affects efficiency, erodes public respect, or reduces confidence in government service is unbecoming and is prohibited.

8) Engaging in infamous, notorious or disgraceful conduct that adversely affects the legitimate interests in Victoria County.

V) Attention to Duty:

D) Conduct and Behavior: Personnel will, at all times, follow the ordinary and reasonable rules of good conduct and behavior and will not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or the VCSO. Personnel will follow established procedures in carrying out their duties as employees of the VCSO.



VICTORIA COUNTY SHERIFF JUSTIN MARR

101 N. GLASS ST. · VICTORIA, TX · PH: 361-575-0651 · FAX 361-574-8019

* There are multiple incidents of Alvarado participating in conversation about the use, procurement and distribution of anabolic steroids. Anabolic steroids are controlled substances which are prescribed by a physician. Anabolic steroids require a physician's prescription. Some of the anabolic steroids which Alvarado discusses are not intended for human use and are used by veterinarians. Others are not lawfully sold or distributed in the United States.

1. Code of Ethics/Code of Conduct

c. Personnel and associates of the Victoria County Sheriff's Office are official representatives of Victoria County, this office and the Sheriff. Accordingly, they shall always strive to do the following:

1) Demonstrate exemplary conduct and character at all times and never discredit the Victoria County Sheriff's Office or its personnel.

4. Rules of Conduct

IV) Obedience to rules, orders and law:

K) Conduct unbecoming: Conduct that adversely affects efficiency, erodes public respect, or reduces confidence in government service is unbecoming and is prohibited.

8) Engaging in infamous, notorious or disgraceful conduct that adversely affects the legitimate interests in Victoria County.

V) Attention to Duty:

D) Conduct and Behavior: Personnel will, at all times, follow the ordinary and reasonable rules of good conduct and behavior and will not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or the VCSO. Personnel will follow established procedures in carrying out their duties as employees of the VCSO.



VICTORIA COUNTY SHERIFF JUSTIN MARR

101 N. GLASS ST. · VICTORIA, TX · PH: 361-575-0651 · FAX 361-574-8019

* On 02/09/2018, Alvarado engaged in a text conversation concerning his receiving \$11 for every "cadet" he sent to a nutrition store. The store is believed to be Complete Nutrition. The cadets would be Victoria College Police Academy cadets which Alvarado instructed at the academy as a part time job. Alvarado is able to perform this job by the virtue of his being a licensed and commissioned peace officer for the Victoria County Sheriff's Office. This means he is receiving a benefit due to his position within the office.

1. Code of Ethics/Code of Conduct

a. **Personnel and associates of the Victoria County Sheriff's Office are official representatives of Victoria County, this office and the Sheriff. Accordingly, they shall always strive to do the following:**

12) Never accept gifts, favors or promises that can be interpreted as influencing performance of official responsibilities, nor receive private or special advantage due to official status.

It is my decision to dismiss you from employment at the Sheriff's Office in accordance with Victoria County Sheriff's Office Policy on Accountability, Chapter G, Section 5, which states the following:

- 1) Policy: All representatives of the Victoria County Sheriff's Office (VCSO) shall use their best effort to live up to the ideas expressed in our Mission Statement and Code of Ethics/Conduct. Additionally, all members of the Sheriff's Office are to obey VCSO policies and procedures, written and verbal orders, rules, and directives. Noncompliance with these goals and standards may result in disciplinary action in order to improve individual and group performance.

Discipline in law enforcement and detention professions is essential to our very survival and is the determining factor in securing the trust of those we serve. To maintain a high level of discipline, employees are required to conduct themselves in accordance with standards of conduct, which a reasonable person would know is expected of someone in the workplace who is granted the authority of the State.

II) Procedures:

- A) Any noncompliance or violation of conduct that interferes with operations, discredits the Sheriff's Office, or is offensive or dangerous is grounds for disciplinary action, whether or



VICTORIA COUNTY SHERIFF JUSTIN MARR

101 N. GLASS ST. · VICTORIA, TX · PH: 361-575-0651 · FAX 361-574-8019

not such behavior is specifically prohibited by written goal, objective, policies or procedures, order rule or directive.

H) Discharge from the VCSO may be imposed for a first offense and may be imposed at any point in a progressive chain, whether or not any other step(s) of progressive discipline have first been imposed.

I) The Chief Deputy is designated to oversee disciplinary actions...

IV) Steps of Progressive Disciplinary Action: The following are progressive steps that can be taken in efforts to discipline employees of the VCSO. It is not necessary to start at step one if the seriousness of the employee's conduct exceeds that form of discipline. At the discretion of the Chief Deputy, the following manners of discipline may be pursued:

D) If all other forms of discipline fail to correct the conduct of the employees, termination will be the last resort.

The effective date of your termination is set for Friday, August 21st, 2020.

You may contact the Victoria County Administrative Services for information regarding the status of fringe and retirement benefits.

You are hereby instructed to coordinate the return of all County property you have with Captain Pat Aitchison and Quartermaster Donna Andres.

You are hereby advised that the content of your record, relating to the termination, will be made available to you according to state public law upon your request and completion of internal documents relating to the termination.

In accordance with section VIII of the Accountability Policy, you may file a written appeal specifying your reasons for objecting to the decision to dismiss within ten days of receiving this notice. Should you decide to appeal, documentation should be addressed to the Sheriff and delivered to the Sheriff's Executive Assistant. If you do not file a written appeal on or before noon on Monday, September 4th, 2020, your employment with the Victoria County Sheriff's Office will be automatically terminated as stated previously.

Between now and the final disposition date of this matter, you are to remain under the conditions of Administrative Leave with the following orders:



VICTORIA COUNTY SHERIFF
JUSTIN MARR

101 N. GLASS ST. · VICTORIA, TX · PH: 361-575-0651 · FAX 361-574-8019

- You are to remain at home between the hours of 0800hours and 1200 hours, and from 1300 hours and 1700 hours, Monday through Friday, excluding recognized Victoria County holidays;
- You are to be available by telephone during the above listed hours,
- If you need to leave home during the specified hours, you must notify the CID Captain or his designee and obtain approval;
- If you desire to take any leave during this period, you must obtain approval from the Jail Captain or his designee: and
- While on Administrative Leave, you are not to take any action as a commissioned Peace Officer or as an employee on behalf of the Victoria County Sheriff's Office.

Respectfully,

Will Franklin
Chief Deputy
Victoria County Sheriff's Office

Cc: Sheriff Justin Marr
Captain Charles Williamson
Captain Michael Behrends
County Administrative Services
Personnel File