

To Whom it May Concern,

I am Richard L. Alvarado and I am writing this letter to appeal the decision made by the Victoria County Sheriff's Office to fire me from my position with the office as a Sergeant in the Criminal Investigations Division along with being the SWAT Commander.

On Tuesday, August 4th, 2020 I was contacted by Captain Michael Behrends who advised me to be at the Sheriff's Office for a meeting with Chief Deputy Will Franklin. Upon arriving at the office, I was advised the meeting would be held in the CID Captains Office and upon entering for the meeting in which I believed to be in reference to SWAT, I was greeted by Captain Charles Williamson and Captain Behrends. I was then asked to turn over my Victoria County Cellular Phone along with, VCSO Badge, and VCSO work ID Card. I was then presented with paperwork stating that I would be placed on Administrative Paid Leave due to an open Internal Investigation. I then asked Captain Williamson what the complaint was that was filed against me and he advised that he could not tell me at that time.

To my concern in which I expressed to Captain Behrends and later both the Sheriff and Chief Deputy the person involved in conducting the internal investigation was of not moral character. I expressed my concern due to the same Investigator Charles Williamson previously being assigned an internal investigation on an allegation in February of 2018. During his preliminary investigation on the complaint filed against me, he began to defame my professionalism and integrity with the VCSO. He told my co-workers that he was going to have me fired and arrested on said complaint. He advised my peers that one of them needed to tell me that I needed to quit the VCSO because he was going to ruin me. During the course of said investigation as is routine he called in potential witnesses who were also my subordinates on the SWAT Team. During the interview process with these "witnesses" he claimed that I was a bad character and advised me was in charge of my background investigation prior to me being hired at the agency and it was his recommendation that I not be hired and when my work record, prior evaluation's, and resume superseded his recommendation from former administration he was upset. In at the Victoria County Sheriff's Office I worked alongside with said investigator when I was promoted to the rank of Sergeant Investigator. It was common knowledge that when this investigator was assigned Internal Investigations his personal opinions, not the facts, were stated throughout the sheriff's office on investigations assigned to this specific investigator. I have in my law enforcement career been assigned Internal investigations and attended a training on becoming an Internal investigator. The number one rule in holding said position is that investigator is unbiased, fair, and collects and presents facts on said allegations or complaints.

A few weeks into the 1st internal investigation, I was contacted by said investigation to bring my County Issued Cell phone to be forensically downloaded in which I complied and the device was unlocked and downloaded. In my 14 year law enforcement career, I have worked several hundred investigations, during that time span I have never worked an alleged crime for theft of property allegation and requested a search warrant for a forensic download of a person's cell phone or electronic devices due to the irrelevance of said warrant which probable cause is required. I understand the property that was forensically downloaded belonged to Victoria County but under what grounds was the relevance other than an attempt to find a violation separate of what is being initially investigated. During the forensic download of the phone, said investigator located text messages that he believed were a violation of County Policy and perceived to be illegal in nature. Due to previously stated paragraph he advised my peers that he located conversations on my cell phone that were about anabolic steroids. Said investigator stated to my peers that he attempted to provide said information to the Department of Public Safety Texas Rangers to look into. I was advised that the Texas Rangers would not accept due to there being no violation of Texas Penal Code, Health and Safety Code. This same investigator that I had previously had open discussions about my medical history and my use of Testosterone Replacement Therapy in which I have been under a doctor's care for low testosterone for almost a decade. The same investigator disclosed to me that he was also on Testosterone in which we spoke about dosage, frequency, site injections, ect. It should be noted at no point during said investigation was I ever asked to submit a sample of breath, urine, or blood for a drug test if I was committing said violation of substance abuse policy.

Five months following the opening of said investigation, on June 7th, 2018 at the time Chief Deputy Roy Boyd came into my investigations office and provided me with a document absolving me of the internal investigation that had been on going. He also stated that during the course of said investigation there was a potential second violation found from cell phone dump, but it too was closed out and unfounded. I received no verbal or written reprimand for any usage of county cell phone or any other disciplinary action.

On 08/10/2020 I was contacted by Captain Behrends after being on paid leave for 6 days at this time to come to the VCSO to sign a document from Internal Affairs. In said document it stated that my internal investigation was being conducted due to violation of VCSO Policy that occurred on 02/22/2018. The violations stated were that of a group text message from being a groomsman in a relative's wedding. It stated that it was the planning of attending a strip club, bringing alcohol to a loft, and a person stated that liquor was ok but METH was not. In said group chat I did not have any responses of attending any function related to being a

groomsman due to my position at the VCSO and being a law enforcement officer that holds a high level of integrity in both my personal and professional life. In said document there was no indication that the IA that was going on had any implication of substance abuse or the use of any illegal drugs.

On 08/13/2020 I was called in to provide a statement on said incidents in which I complied. In the interview I was asked about a conversation from 2018 in regards to steroids and verbiage used in said conversation. It was also presented that while being an instructor at the Victoria College Police Academy I had a conversation about anabolic steroids with the class and that was how this IA was initiated. I advised that as a part of TCOLE there are learning objectives that cover the use of anabolic steroids and other drug abuse in the law enforcement community. I stated that I could provide the TCOLE learning objectives along with my power point that I have been using as an instructor for the past four years. I was advised that there was no violation of any policy found after interviews had been conducted with police academy cadets. I was then told that the violations of policy that were being investigated were from that of the cell phone download in 2018 in the first internal investigation. I advised that I was aware that in an administrative investigation there was no such thing as double jeopardy, but I had already been cleared from the 2018 IA and I could provide a copy of said absolution. I was advised that there was no documentation in my personal file and that was why said investigation had been reopened. I then provided a copy of the closing documentation from the 2018 internal investigation.

On 08/20/2020 at 1630 hours, I was summoned to meet with Chief Deputy Franklin and Captain Behrends. At said meeting I was provided with my letter of termination/ separation from employment with Victoria County. Said findings of the investigation were for violation of county issued cell phone from the 2018 investigation. I was advised that violations that were listed could have been used by a defense attorney as a part of the Brady Doctrine as open record, but so could a personal cell phone that was used to access work related items on said device including text message conversations. The scope of the investigation where the findings were located should have been addressed at an earlier date. It was common knowledge through my peers, chain of command, finance, etc. that I did not carry a personal cell phone once a county cell phone had been issued in 2015. In the 5 years of being in possession of said equipment, I had never received any verbal or written documentation/ disciplinary action about said usage. I believe and hope that the decision for my separation from employment with the Victoria County would be reconsidered. I have provided 6 years of total devotion of service to the citizens of this county and have never received any disciplinary action in my years of service and have received numerous exemplary performance evaluations in my career and was even recommended for a promotion to the rank of Lieutenant and starting the process to becoming

a Task Force Officer with the Alcohol Tobacco Bureau just days before the investigation was brought forward.

My years of service have been greatly appreciated and would like an opportunity to continue to serve the members of the community I was born and raised in and support the newly elected Sheriff and Chief Deputy and the Victoria County Sheriff's Office begins its transition into the future.

Humbly Submitted,

Richard L Alvarado Jr

A handwritten signature in blue ink, appearing to be 'R. Alvarado Jr', with a stylized, flowing script.

9-5-8020