

Recommendation

RE: Inmate Buffa, Andrew - Indemnification Request

Sergeant:

COMMENTS: _____

Signature

Date

Lieutenant:

COMMENTS: _____

Signature

Date

Captain:

COMMENTS: _____

Signature

Date

Commander:

COMMENTS: Forward to County Auditor's Office for review.

Michael Sepulvado

Digitally signed by Michael Sepulvado
Date: 2023.03.17 15:58:17 -05'00'

Signature

Date

Asst. Chief:

COMMENTS: _____

Signature

Date

Chief Deputy:

COMMENTS: _____

Signature

Date

Sheriff:

COMMENTS: _____

Signature

Date

Collin County Texas 07.14
COUNTY FUNDS INDEMNIFICATION REQUEST FORM

Official's Name Jess Christensen	Current Date 3/17/23	Amount of Loss \$61.02
Department/ Division Name Collin County Detention Facility	Date of Loss 7/14/22	Police Report Attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Commissioners Court
Collin County, Texas

Local Government Code §157.903 authorizes the commissioners court of a county by order to provide for the indemnification of an elected or appointed county officer against personal liability for the loss of county funds, or loss of or damage to personal property, incurred by the officer in the performance of official duties if the loss was not the result of the officer's negligence or criminal action. Therefore, I respectfully request Commissioners Court to approve this indemnification request and authorize the Collin County Auditor to charge off the above amount of County funds or property, which have been determined to be missing or stolen.

Cause of Loss (Attach additional sheet if necessary)

Officer Michael Bourgeois unknowingly let another inmate in to inmate Buffa's cell and the inmate stole commissary.

Position of Official Regarding Loss (Attach additional sheet if necessary)

Officer Bourgeois was at fault by not verifying the inmates identity before allowing him to enter the cell.

Current Internal Controls to Prevent Loss (Attach additional sheet if necessary)

Collin County Detention Facility Policy 110.140 Detention Bureau Structure: (11) Pod Officer V. Operate and monitor pod control console. Additionally, position post orders dictate nonscheduled duties, to include monitoring and controlling inmate movement within the pod, and controlling access into and out of each individual cell. The FTO training program includes direction and training on maintaining the above policy and adherence to the listed pod post order.

Additional Controls Implemented to Prevent Future Losses (If applicable) (Attach additional sheet if necessary)

Reiteration of the Collin County Detention Facility Policy 110.140 Detention Bureau Structure: (11) Pod Officer V. Operate and monitor pod control console, and adherence to post orders was provided by shift supervision.

Action Taken to Recover Funds (Attach additional sheet if necessary)

Detention Command has attempted to consult Human Resources Risk Management, for guidance with reimbursement due to officer negligence.

Signed By Jess Christensen	Title Captain
Official's Signature Captain Jess Christensen <small>Digitally signed by Captain Jess Christensen Date: 2023.03.17 15:05:45 -05'00'</small>	Date 3/17/23

TO BE COMPLETED BY COUNTY AUDITOR

Based upon the Auditor's Office review, the above listed loss amount being requested for indemnification: <input type="checkbox"/> X DOES appear to be accurate. <input type="checkbox"/> DOES NOT appear to be accurate. Based upon our review, the loss amount is	After review of the circumstances, the Auditor's office recommends: <input checked="" type="checkbox"/> X Indemnification <input type="checkbox"/> Not Indemnifying
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County Auditor Signature <i>Linda Riggs</i>	Date 03/30/2023
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ACCOUNT CODING TO BE USED

	FUND/DIVISION	OBJECT	AMOUNT	CHECK OR JOURNAL ENTRY
DR				
CR				

TO BE COMPLETED BY COMMISSIONERS COURT

Indemnification • APPROVED • NOT APPROVED by Commissioners Court

Signed By	Date
County Judge Signature	Date

Michael Sepulvado

From: Elizabeth Carlberg
Sent: Friday, March 10, 2023 2:35 PM
To: Christopher Perepiczka; Michael Sepulvado
Cc: Type text here Jessica Gramly
Subject: Collin County: Sheriff's Office Inmate - Buffa, Andrew Lost Commissary Items, DOL: 07/14/2022
Attachments: 40565_Indemnification Policy final 10-05-15.pdf; Theft of Commissary - Buffa, Andrew # 384562.pdf; 12302022_Aramark_Reimbursement Buffa.pdf

Good afternoon Commander,

Risk Management has discussed the attached claim with my senior leadership as well as the County Auditor Linda Riggs. I have been advised that the Sheriff's Office will need to follow the indemnification process and submit this to court for approval. I have attached the indemnification policy for your review.

Risk Management will not be taking any further action on this matter.

Should you have any further questions about the indemnification process, please reach out to Linda Riggs. Thank you.

Respectfully,

Elizabeth Carlberg
Human Resources Generalist – Collin County
2300 Bloomdale Rd #4117
McKinney, TX 75071
972-548-4633
972-547-1817 (Risk Management fax)



Collin County Human Resources— Creating New Standards, Building Relationships, Achieving Exceptional Results

Recommendation

RE: Andrew Buffa #SO 384562-Theft of Commissary

Sergeant:

COMMENTS:

Signature

Date

Lieutenant:

COMMENTS:

Signature

Date

Captain:

COMMENTS: After review of Bourgeois opened the door allowing another I/m to steal I/m
Buffa's Commissary. I recommend this be forwarded to Risk Management for replacement due
to this being officer error

Signature

8/10/22
Date

Commander:

COMMENTS: I have been trying since 8.11.22 to consult H.R. for guidance,
but have not been able to receive any. Forward to PSS for consultation
with H.R.

Signature

9.13.22
Date

Asst. Chief:

COMMENTS:

Signature

Date

Chief Deputy:

COMMENTS:

Signature

Date

Sheriff:

COMMENTS:

Signature

Date



OFFICE OF THE SHERIFF
COLLIN COUNTY, TEXAS

JIM SKINNER, SHERIFF

Date: August 8, 2022

To: Human Resources Risk Management

From: Sergeant Tommy Hague *TH*

RE: Inmate Andrew Buffa SO#384562-Theft of Commissary

On August 3, 2022, Lieutenant Ritchie gave me an inmate grievance regarding property missing for Inmate Andrew Buffa SO#384562. I began investigating into the circumstances surrounding the missing property and discovered that Officer Michael Bourgeois failed to follow Collin County Detention Procedures by not reviewing what inmate he was opening the cell door for.

Officer Bourgeois has confirmed that he unknowingly let Inmate Neal, Kamrin SO #384711 enter cell #9 in pod 1D, which was not Inmate Neal's assigned cell. Attached is a copy of Officer Bourgeois's memo for the incident and a copy of the complaint, which list the items that were stolen.

I will continue to investigate Officer Bourgeois's actions to determine if any disciplinary actions concerning this incident is necessary.

I recommend Risk Management review and cover the cost to Aramark so we can provide Inmate Buffa with his stolen commissary items.



TO PREVENT FRAUD, WE WILL **NEVER**
CALL TO REQUEST PAYMENT OF FINES
OR WARRANTS OVER THE PHONE.

4300 Community Avenue, McKinney, TX 75071
Sheriff's Office (972) 547-5100 | Detention (972) 547-5200
www.collincountysheriff.org



OFFICE OF THE SHERIFF
COLLIN COUNTY, TEXAS

JIM SKINNER, SHERIFF

Date: 08/07/2022

To: Lieutenant Ritchie, Lieutenant Griffin, and Sergeant Hague

From: Officer Bourgeois

RE: Theft Incident in 1-D on 07/14/2022

This memo is in regards to a grievance made by Inmate, Andrew Buffa SO#384562, due to another inmate stealing commissary items from his assigned cell.

I was assigned as Cluster 1 Movement Radio #2119, and this was my second day back returning to work from being off on paternity leave. I had relieved 1D's pod officer for lunch break, and med pass was going on in that pod. I was not familiar with all the inmates assigned to Pod 1-D, or which cell that they were assigned to.

I had found out the inmate's names later after I had talked to Officer Cottle on the 15th day of July, 2022.

I do remember for a fact that Inmate, Kmarin Neal SO#384711, requested to have Cell #9 opened at my desk. Thinking that was the inmate's assigned cell, also when I conducted a round in the pod that same inmate was in front of Cell #23 waiting for it to be opened. Instead that inmate backed away from that cell jokingly saying "sorry boss man that's not my cell", and I replied back to that inmate saying "that's right you live in Cell #9, because you asked for it to be opened".

I was not aware that anything was stolen until the following day on 07/15/2022 when Officer William Cottle brought it to my attention. I was informed that Inmate Buffa had stolen commissary from his cell. I was questioning the officer about the inmates assigned to Cell #9, and he told me that it was Inmate Buffa and his cellmate Inmate, Cornelius Hall SO#389546. After being being informed about I then inquired the officer about Inmate Neal in where I gave him descriptions about the inmate asking the officer if he knows anyone that is assigned to Cell #23 with that information. Officer Cottle told me that inmate was Inmate Neal whom I thought was assigned to Cell #9. I had explained to Officer Cottle about what happened on that day, and informed him that it must have had been Inmate Neal who stole the other inmate's commissary.

Nothing further.



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www.collincountysheriff.org

Collin County Vehicle Accident and Stolen or Damaged Property Form

Employee Involved in Incident: Michael Bourgeois Department: Housing
Date of Incident: 7 / 14 / 2022 Time of Incident: 8 : 20 a.m. ☐ p.m. ☒
Location of Incident: Pod 10 Cell 9

If you were involved in an accident while DRIVING a county vehicle/equipment complete this section:

Vehicle Inventory #:	Year:	Make:	Model:	Road Surface:
Speed Before Accident: _____ MPH Damage to County Vehicle: _____				
Driver of Other Vehicle:		Address:		Phone #:
Owner of Other Vehicle:		Address:		Phone #:
Insurance CO./Agent:		Policy #:		Phone #:
Year:	Make:	Model:	License #:	
Describe Damage to Other Vehicles: _____				
Witness(s) (Name and Phone #): _____				
If other property was damaged; Name of Owner: _____				
Address:		Phone #:	Damage:	
Describe the Accident (Use Back of Form if Necessary)				

If you were NOT DRIVING and property was damaged or stolen complete this section:

Property was: Damaged _____ or Stolen/Vandalized* <input checked="" type="checkbox"/>	AND	County Issued _____ or Personal <input checked="" type="checkbox"/>
* If stolen or vandalized, was a police report filed? _____ Yes <input checked="" type="checkbox"/> No _____ City where filed: <u>N/A</u>		
Officer Name: <u>Michael Bourgeois</u>	Case Number: <u>N/A</u>	
Description of Incident: <u>Inmate was let in a cell of another Inmate and \$100.00 of Commissary was Stolen</u>		
Type of Property Stolen/Damaged: <u>Commissary</u>	Vehicle, Serial or Model #: <u>N/A</u>	
Original Purchase Date: <u>7-12-22</u>	Estimated Cost of Repair/Replacement: <u>\$100.00</u>	

To Be Completed By Supervisor for ALL incidents that occur:

In your opinion, what caused the incident; and what may be done to prevent recurrence of a same or similar accident?

check roster to be certain which cell the inmates are assigned

Employee Signature: AFC. Bourgeois Date Completed: _____
Supervisor Signature: Det. [Signature] Date Reported: 8-7-2022

* If repairs are estimated to exceed \$20,000.00, please forward a copy of this form to county Auditor Jeff May.

Rev: 01.04.2019

INMATE'S NAME: Andrew Buffa SO#: 384562
POD: 1 D CELL: 9-01 DATE OF BIRTH: 10-27-1992
DATE: 7-21-22

(To caption - Christenson)

COLLIN COUNTY JAIL GRIEVANCE/COMPLAINT FORM

Any inmate desiring to file a grievance/complaint must fill out the following:

1. State what right or privilege you feel has been violated.

My commissary was stolen out of my cell
I followed all protocol & all procedure.
My commissary was taken due to an officer
for Ortega on 7-14-22 -
The Break guard believed an Inmate
believed when the inmate told him to let
him into cell #9 at which time he stole
about \$100 worth of stuff from me.

2. State the name(s) of the person(s) involved. charged with theft
Night Shift Guard 7-14-22, Break guard for 7-14-22
Inmate from 23 cell - now removed to another pod

3. State the name(s) of any witness(es).
Officer Cottle - 7-15-22 [Reporting officer]
Break guard for Night Shift guard on Thursday 7-14-22
Cornellius Hall - My cell mate -- but please question in private

4. The date and time that this occurred. 7-14-2022 on Night Shift

5. Any other pertinent details. Break guard
one hot tamale, two cherry pie, two apple pie, five jalapeno, one M&M
one 25 count of winter green dip, one hot pickle, one fish hot sauce,
one hometown jalapeno sausage, [one honey pepper turkey sausage] Revised 04/06/11

two nutrai grain bars
one chocolate doughnuts

INMATE'S NAME: Andrew Butler SO#: 384562
POD: 1D CELL: 9-01 DATE OF BIRTH: 10-27-1992
DATE: 7-18-2022

COLLIN COUNTY JAIL GRIEVANCE/COMPLAINT FORM

Any inmate desiring to file a grievance/complaint must fill out the following:

1. State what right or privilege you feel has been violated.

My commissary has been stolen out of my cell & it is not due to any thing I had control of. The relief guard gave a statement to officer Cottle. That he allowed the Inmate into my cell. The Inmate from cell 23 admitted to my cellmate he then went into my cell on 7-14-2022 and stole all of commissary a list of commissary is written on the back. This officer needs to replace the stolen items with his pay

2. State the name(s) of the person(s) involved.

Inmate removed from cell 23, my cell mate Cornelius Hall, Officer Cottle-written report, Relief guard

3. State the name(s) of any witness(es).

For 7-14-2022 Officer Cottle, Cornelius Hall- 9-02, Relief guard

4. The date and time that this occurred.

around 8pm 7-14-2022

5. Any other pertinent details.

This would have never occurred had done his due diligence I kept my door lock - he allowed someone to steal he should be responsible for replacing Revised 04/06/11 the stolen items. That is my property and he allowed someone to steal it.
I also want to press theft charges against the Inmate for stealing my stuff - as listed on the back

Inmate Incident # 000034232022

Booking Number: 2022-BK-07350

Inmate Information

Name:	Buffa, Andrew Austin	SO Number:	384562
Date of Birth:	10/27/1992	Social Security:	644326326
Gender:	Male	Driver's License:	TX-26764171
Race:	White		

Incident Information

Date:	07/15/2022	Time:	5:00 PM
Badge #:	06-003		
Officer Name:	Cottle, William M		
Violation Type:	Rule Violation	Location:	1D Cell 23 Bunk 2
Incident Type:	Category 3		

<u>Party</u>	<u>Connection</u>	<u>Violations</u>
Buffa, Andrew Austin	Inmate	
Neal, Kamrin Amarie	Inmate	Theft
Cottle, William M	Platoon 3 Officer	

Incident Report # 000067492022

Date:	07/15/2022	Time:	5:00 PM
Badge #:	06-003	Officer Name:	Cottle, William M
Report Type:	Incident Report		
Status:	Complete		
Status Badge #:	16-019	Status Officer Name:	Leahy, James Joseph

Narrative: On the date of July 15, 2022 I Officer Cottle was assigned to Pod 1D. At approximately 0730 hours Inmate Buffa, Andrew SO # 384562 Informed me that his commissary had been stolen from his cell during the evening of July 14, 2022. He claimed that Officer Bourgeois had opened his cell door for the wrong inmate. Upon rolling the cameras back I did not see anyone enter Cell 9, however I did talk with Officer Bourgeois in staff dining at approximately 0440 hours. Officer B did confirm he did in fact let Inmate Neal, Kamrin SO # 384711 into cell 9 during med pass. The list of stolen items listed by Inmate Buffa include 1 hot tamale, 2 cherry pies, 2 apple pies, 5 Jalapeno, 1 m and m, 1 wintergreen dip packet of 25, 1 hot pickle, 1 fish steak in hot sauce 1 home town jalapeno and 1 pepper turkey sausage, 2 nutria grain bars, 1 chocolate donuts, 2 glazed honey buns. Inmate Neal will served a 23 hour in cell restriction for Cat 3 Rule 12 Theft to start on 7-16-22 at 0700 hours and end on 7-17-22 at 0600 hours. I am also recommended he be moved to another pod assignment. End of report.

Questionnaire

Q.1 Is this a Disciplinary (In Pod) action?



Invoice 938-002

12/30/2022

Item	Quantity	Unit Price	Total Price
Hot Tamale	1	3.09	3.09
Cherry Pie	2	2.39	4.78
Apple Pie	2	2.39	4.78
Jalapeno	5	1.29	6.45
M & M's	1	4.33	4.33
25 Count Wintergreen Nicotine Pouch	1	10.99	10.99
Hot Pickle	1	2.38	2.38
Fish Steak in Hot Sauce	1	2.59	2.59
Hometown Jalapeno Sausage	1	6.09	6.09
Honey-Pepper Turkey Sausage	1	6.09	6.09
Nutri-Grain Bar	2	1.29	2.58
Chocolate Donut	1	2.09	2.09
Glazed Honey Bun	2	2.39	4.78

\$61.02

Reimbursement for lost commissary-Andrew Buffa