

**HILMAR G. MOORE**  
MAYOR

**CITY OF RICHMOND**

402 MORTON STREET  
RICHMOND, Texas 77469  
(281)342-5456



**JIM GONZALES**  
**GEORGE B. WINGATE**  
COMMISSIONERS

February 3, 1998

Mr. Nathan M. Rymer  
Carlson & Smith  
Three Riverway Suite 1550  
Houston, TX 77056

Ref: Termination of Officer Troy Nehls

Dear Mr. Rymer:

This has reference to your letter dated February 3, 1998 regarding the termination of Officer Troy Nehls.

After a review of his file, I concur with Chief Whitworth's decision to terminate Officer Nehls.

The date for the March Commissioner's meeting will be set at the February 9th meeting. You may contact me anytime after February 9th for the March Commission meeting date and time.

Very truly yours,

A handwritten signature in cursive script, appearing to read "R. Gilmore".

R. Gilmore  
City Manager

A handwritten signature in cursive script, appearing to read "Bill Whitworth".

Chief W. Whitworth  
Police Chief

CARLSON & SMITH  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
THREE RIVERWAY SUITE 1550  
HOUSTON, TEXAS 77056  
TEL: 626-1550  
FAX: 626-1558

NATHAN M. BYMER

February 3, 1998

**Facsimile (281) 342-5456 and Certified Mail/RRR**

Mr. Glen Gilmore  
City Manager  
City of Richmond  
402 Morton St.  
Richmond, Texas 77469

Re: Termination of Officer Troy Nehls

Dear Mr. Welch:

Please allow this correspondence to serve as our Notice of Appeal of Officer Nehls' termination to your office, as well as to the City Counsel. Mr. Nehl denies that any of the alleged conduct warrants termination. Further, the disciplinary action is selective and arbitrary and results from prejudice, difference of opinion, and envy within the department. Finally, the disciplinary action is unduly harsh and unjustified. Mr. Nehls has committed no acts which justify termination under the policies and procedures of the Richmond Police Department. The termination is also inconsistent with the general practice of the department.

Mr. Nehls is a decorated, respected peace officer and is an asset to the City of Richmond. He has a great deal of support from the citizens of Richmond due to his exemplary service.

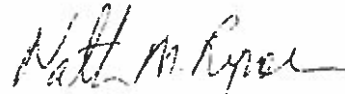
Mr. Glen Gilmore  
February 3, 1998  
Page 2

We will forward you information that is relevant to our position in the near future. We are requesting that this issue be placed on the agenda for the March meeting of the Richmond City Council. We will provide your office with our position and supporting documentation well in advance of that meeting.

Please notify me of the scheduled date for the March meeting. In the meantime, if you have need any additional information, please do not hesitate to contact me.

Sincerely,

CARLSON & SMITH



NATHAN M. RYMER

NAM:br  
Def Nehls/Gilmore-1  
5/1/98

cc: Troy Nehls



## Richmond Police Department

### NOTICE OF TERMINATION

1601 Liberty Street  
Richmond, TX 77469  
Phone (281) 342-2849  
FAX (281) 232-8327

January 28, 1998

Bill Whitworth  
*Chief of Police*

George Paruch  
*Captain*

Steve Waterbury  
*Patrol Lieutenant*

Donald Kovar  
*C.I.D. Lieutenant*

Ivory Holcomb  
*Communications  
and Records Supervisor*

Officer Troy Nehls:

Your repeated violations of the policies and procedures of this department, as well as your continuing disregard for orders issued to you by your supervisors, has resulted in this termination which is based on the Richmond Police Department's General Orders Section 300.08. Attached you will find a listing of the incidents that are the basis for this action.

You are required to turn in, to Captain Paruch, all items issued to you by the City of Richmond before your last pay check will be released to you.

You have five days to make a written appeal of the action to the City Manager of Richmond, if you so desire.

*Bill Whitworth*

Bill Whitworth  
Chief of Police

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1/31/97 Failed to contact a victim to obtain additional information for a report as directed by Sergeant Kovar. The sergeant was told there was no further information. The sergeant then contacted the victim himself and got the information

3/23/97 Charged a wall plaque to the police department without any authorization.

3/3/97 Failed to properly handle evidence after receiving a memo explaining the proper methods of evidence handling due to past mishandling.

4/4/97 Verbal counseling by Sergeant Dawson for improper handling of evidence.

4/23/97 Verbal counseling for issuing an improper traffic citation to avoid making an arrest.

5/16/97 Written counseling for failing to comply with written instructions on the handling of class C arrests.

5/20/97 Written memo after you were found at a store several blocks from where you checked out with dispatch.

6/3/97 Destroyed evidence after being told by Sergeant Dawson to enter it as found property.

9/26/97 Failed to follow the order of Sergeant Kovar to return property to its owner.

10/8/97 Written reprimand for failure to submit the needed information for a report by the required deadline as ordered by Lt. Waterbury through Sgt. Dawson.

10/22/97 Written counseling for being out of your vehicle in a restaurant without notifying the dispatcher as required.

10/22/97 Three day suspension without pay for disregarding a written directive denying an extra job request and misleading another supervisor about the circumstances.

11/4/97 Written request for completed response to memo dated 10/08/97 regarding city ordinance violations in assigned beat. Less than half of the issues were addressed.

11/25/97 to 12/11/97 Received three verbal and one written order from Sgt. Butinski to write citations for an ordinance violation before the proper action was taken.

12/10/97 Received a verbal reminder to fill out a liability release before taking a civilian rider in the patrol vehicle. On 1/8/98 took a rider without a release.

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12/5/97 Verbal instructions to do more house watches as required. 12/18/97 Second verbal reminder to do the house watches as required. 1/14/98 Verbal counseling for not doing house watches on 12/24 - 12/26, 12/28 - 01/98.

12/29/97 One day suspension for an improper arrest.

1/8/98 Written warning for going to a restaurant without checking out with dispatch as required.

1/14/98 Verbal warning for working an extra job without prior approval as required.

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**Richmond Police Department**  
**Interoffice Correspondence**

TO : Officer Nehls

FROM: Lt. Waterbury

VIA : Sgt. Dawson

DATE: October 14, 1997

SUBJECT: Time Cards

Your Time card for this last pay period indicates that you were late reporting for work one half hour on both Friday and Saturday nights. A review of the time cards indicates that this occurs frequently on these nights of the week. Please explain in writing through the chain of command why you are consistently late. This is due in my office on 10/15/97.

Attached is a copy of the Garrity Warning please sign it and return it with your explanation.

Thank You

*Steve Waterbury*

Lieutenant

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RICHMOND POLICE DEPARTMENT

Notice of Suspected Violation  
of  
Administrative Rules or Regulations

DATE: October 14, 1997

EMPLOYEE: Troy Nehls

Summary of allegation or complaint:  
30 minutes late for duty on several occasions

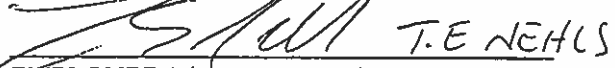
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Notice to Employee

*Following is the Garrity Warning*

1. You are required to respond to the allegations or submit to tests or examinations regarding the allegations of violations of administrative rules or regulations.
2. Failure to respond or submit can result in disciplinary action up to and including termination.
3. Such questions, tests or examinations will be narrowly and specifically related to your performance of duties or fitness for office.
4. Such statements, tests or examinations results cannot and will not be used against the employee in a criminal matter.

*I acknowledge that I have received a copy of this Notice.*



EMPLOYEE (Signature and Print Name)

\_\_\_\_\_  
SUPERVISOR



**Richmond Police Department**  
**Interoffice Correspondence**

TO: CHIEF WHITWORTH

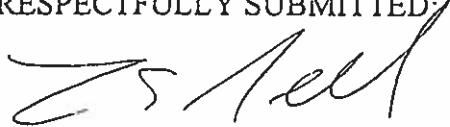
DATE: OCTOBER 15, 1997

VIA: SGT DAWSON  
LT WATERBURY

SUBJECT: TIME CARDS

IN REFERENCE TO YOUR MEMORANDUM CONCERNING TIME CARDS. I EXPLAINED TO SGT EITEMAN THAT I HAVE A JOB THAT WORKS UNTIL APPROXIMATELY 11:00P.M.. I RECEIVED APPROVAL FROM SGT EITEMAN TO COME IN TO WORK ON FRIDAY AND SATURDAY NIGHTS AT 11:30P.M. SGT EITEMAN IS THE SUPERVISOR ON FRIDAY AND SATURDAY NIGHTS AND SGT EITEMAN INFORMED ME THAT HE DID NOT HAVE ANY CONCERN OVER ME ARRIVING TO WORK AT 11:30P.M. AND WORKING UNTIL 7:30A.M.. I HOPE THIS ANSWERS YOUR QUESTION.

RESPECTFULLY SUBMITTED:



OFFICER T.E. NEHLS

**Richmond Police Department**  
**Interoffice Correspondence**

TO : Officer Nehls

FROM: Lt. Waterbury

VIA : Sgt. Dawson

DATE: October 15, 1997

SUBJECT: Extra Jobs

Sgt. Eiteman stated that he was lead to believe that you were requesting a change in the schedule for one weekend only. Sgt. Eiteman said that he was unaware that you were requesting a permanent change. I am very disturb by the your actions. Sgt. Dawson has advised me that he denied your request for a schedule change and explained to you that it was a violation of the general orders Sec 300.06 (300.07 Old General Orders) for outside employment to conflict with existing work schedules. See attached memo. Effective immediately you will report to work as scheduled. Your extra job is denied and any further violations of policy will result in a loss of all extra job privileges. You may still be subject to disciplinary action from Sgt. Dawson. You may appeal this decision, however do not violate the chain of command as you have done in the past.

Thank You

*Steve Waterbury*

Lieutenant

SIGNED

*TS Nes*

**RICHMOND POLICE DEPARTMENT**  
**INTEROFFICE CORRESPONDENCE**

TO: Bill Whitworth  
Chief of Police

FROM: Troy Nehls  
Officer - Patrol Division

VIA:

DATE: October 26, 1997

REF: Response to Reprimand

I would like to formally respond to the written reprimand given me dated October 8, 1997, in regards to Beat 4 Ordinance Violations and the events preceding it. The reprimand memo issued by Sgt. Dawson (referenced above) states that the reason as "the fact that [I] was given six days to prepare a report answering ...a request and [I] failed to comply". I wish to contend this on several points (substantiating documentation attached):

1. A memo dated October 1, 1997, originated by Lt. Waterbury to Sgt. Dawson addressing the issue of Beat Ordinance Violations with follow-up memo from Sgt. Dawson to myself (same date).

These memo's address the issue of ordinance violations within various beats. The memo stipulates that "officers submit in their reports the names and addresses of the owners of the properties in question" by "9:00 am on the 7th of October 1997."

2. Written response memo dated October 5, 1997, from Officer Nehls which addressed the issue of the property owner report.

At this point, it is important to note that the day of the October 1 memo was a Wednesday. As I work the night shift, any documentation compiled during a workday is disseminated and not received by myself until the close of such date. Due to prior work and personal commitments on Friday, I was unable to address the memo contents. At this point, the calendar date is October 3, 1997. City Hall offices are closed on Saturday and Sundays, which prevented further follow-up. So as to notify my superiors that I was concerned with the issue, I drafted a memo during my night shift duty rotation dated October 5, 1997 (reference #2).

The memo I originated requested additional time during daytime hours to complete the task I had been assigned. I received no verbal or written response to the issue of time limitations. Furthermore, Sunday October 5 and Monday October 6, 1997, are my regular off-duty days.

3. Memo dated October 8, 1997, drafted by Lt. Waterbury via Sgt. Dawson following up on Ordinance Violations.

This memo states "[I] have failed to follow a direct order" as a result of not submitting a list of property owners by the 9:00am deadline on October 7, 1997.

I make mention of the fact that I had requested an allowance to work during the "daylight hours" to complete the task and also make a "personal visit with the property owners" (memo reference #2). Again, had I received some response to my request, the task could have feasibly been accomplished prior to the 9:00am deadline.

4. Written Reprimand Memo dated October 8, 1997, from Sgt. Dawson in reference to incidents arising from Ordinance Violations.

This memo stated I was "given six days to prepare a report ... and failed to comply".

I believe that documentation and calendar reference dates will show that I did not violate an order, nor did I fail to comply to a request. I provided a response, prior to the stipulated deadline, which requested an accommodation by my superiors to allow me an opportunity to complete the task. If any failure of duty occurred, I believe it was on the part of my superior officers who themselves failed to communicate effectively and willingly to ensure that the issues were addressed in the best possible manner. It is an established procedure within the department that any and all requests for overtime be submitted in writing and must have prior approval. My memo represents my attempt to comply with administrative practices. Had the time been approved, I would have been able to come in on my day off to complete the assignment. As any shift officer will vouch, an evening or night shift schedule does not allow for sufficient "duty hours" to complete many tasks - one of which is visiting city offices for record information.

Since my employment with the Richmond Police Department I have wholeheartedly embraced the Community Oriented Policing Philosophy - despite the obstacles imposed by working a non-standard shift. Again, I hold my response memo up to scrutiny as further proof that I was practicing this philosophy which is preached by the administration.

It is my opinion that the reprimand is unjust and another attempt to discredit my professional integrity. As such, I request that the written reprimand be removed from my personal folder. In any event, I would like to have this formal notification placed in my permanent file folder for future reference and record.

Respectfully submitted,

Troy E. Nehls  
Patrol Officer

**RICHMOND POLICE DEPARTMENT**  
INTEROFFICE CORRESPONDENCE

To: Officer Nehls

From: Sgt. Dawson

Via:

Date:10/01/97

Sub:Beat 4

Attached you will find a memo given to me by Lt. Waterbury. Please read and adhere to the request. Also in inventorying you beat several ordinance violations were found on the below listed streets.

- 1.Preston St.
- 2.Newton St.
- 3.N. Third St.
- 4.N. Fourth St.
- 5Ferry St.
- 6.Fields St.
7. N. Tenth St.
- 8.Collins St.
- 9.Cub Lane
10. Maiden Ln.

Thanks



Sgt. J. Dawson  
Patrol Division

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**Richmond Police Department**  
**Interoffice Correspondence**

TO : Sgt. Dawson

FROM: Lt. Waterbury

VIA :

DATE: October 1, 1997

SUBJECT: Ordinance Violations

Attached are photos taken by Chief Whitworth concerning longstanding violations. Please distribute them to the proper Beat Officers and have each officer prepare a written report explaining any actions that they have taken to contact the property owners and solve the specific problems and what actions they are planning. Have the officers submit in their reports the names and addresses of the owners of the properties in question. These reports will be submitted through the chain of command and are to be in my office by 9:00 am on the 7<sup>th</sup> of October 1997.

Thank You

*Steve Waterbury*

Lieutenant

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## Richmond Police Department

Interoffice Correspondence

TO: CHIEF WHITWORTH

FROM: OFFICER T.E. NEHLS

VIA: SGT DAWSON  
LT WATERBURY

DATE: OCTOBER 5, 1997

SUBJECT: BEAT #4 ORDINANCE

THIS MEMORANDUM WILL ADDRESS THE CONCERNS WITH THE LONGSTANDING VIOLATIONS WITHIN BEAT #4.

AT THIS TIME I AM UNABLE TO PROVIDE THE NAMES AND ADDRESSES OF THE PROPERTY OWNERS WITH VIOLATIONS OF THE CITY OF RICHMOND ORDINANCE CODE.

I AM IN THE PROCESS OF REQUESTING THAT THE BLOCK CAPTAINS TAKE A MORE ACTIVE ROLE IN KEEPING THEIR BEAT CLEAN. I HAVE ASKED THE BLOCK CAPTAINS TO CONTACT OWNERS OF PROPERTIES WITH ASSORTED VIOLATIONS. I FEEL THAT THIS IS MY NEXT STEP IN THE COMMUNITY ORIENTED POLICING PHILOSOPHY.

THE BEAT #4 BLOCK CAPTAINS HAVE A FORM LETTER WRITTEN TO PROPERTY OWNERS WITH VIOLATIONS OF CITY ORDINANCE. THE LETTER REQUESTS THAT THE PROPERTY OWNER CLEAN UP THEIR VIOLATION OR THE RICHMOND POLICE DEPARTMENT MAY BE CONTACTED.

I WOULD LIKE TO REQUEST SOME TIME DURING THE DAYLIGHT HOURS WHERE I WOULD BE ABLE TO FOCUS TIME ON THE VIOLATIONS. I FEEL THAT I WOULD EFFECTIVELY ADDRESS THESE ISSUES WITH A PERSONAL VISIT WITH THE PROPERTY OWNERS.

PLEASE FIND ATTACHED REQUEST, WHERE I AM ASKING TO SPEND A COUPLE HOURS DURING THE AFTERNOON TO MAKE CONTACT WITH SOME OF THE PROPERTY OWNERS.

RESPECTFULLY SUBMITTED;

T.E. NEHLS

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**Richmond Police Department**

Interoffice Correspondence

TO: SGT DAWSON

FROM: OFFICER T.E. NEHLS

VIA:

DATE: OCTOBER 5, 1997

SUBJECT: BEAT #4

THE PURPOSE OF THIS MEMORANDUM IS TO REQUEST SOME TIME DURING THE DAYLIGHT HOURS, PREFERABLY AFTERNOON HOURS, WHERE I COULD MAKE CONTACT WITH SOME OF THE PROPERTY OWNERS WHO HAVE ASSORTED VIOLATIONS OF THE CITY OF RICHMOND ORDINANCE CODE. I AM HAVING DIFFICULTY CONTACTING PROPERTY OWNERS DURING THE NIGHT SHIFT.

I FEEL THAT I WOULD BE ABLE TO MAKE SOME PROGRESS SHOULD I BE PERMITTED THE OPPORTUNITY TO CONTACT PROPERTY OWNERS DURING AFTERNOON HOURS.

PLEASE RESOND TO THIS REQUEST.

I HAVE ALSO ATTACHED A MEMORANDUM WRITTEN TO LT WATERBURY REGARDING BEAT #4.

OFFICER T.E. NEHLS  
PATROL OFFICER



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## Richmond Police Department Interoffice Correspondence

TO : Officer Nehls

FROM: Lt. Waterbury

VIA : Sgt. Dawson 

DATE: October 8, 1997

SUBJECT: Weedy Lots and Unsafe Buildings

I have twice told you, through the chain of command to prepare a report on certain properties in your beat. I asked for specific information in the memo that was given to you. You have failed to follow a direct order. The information that I asked for was necessary for a report that I was ordered to do for the Chief. Due to the fact that my report is due I went to City Hall today and spent approximately ten minutes getting the names and addresses of the property owners. Below is a list of those people. You are directed to prepare letters to each of the property owners describing the conditions of their property and the ordinances that are being violated. Attach a copy of the ordinance to each letter. Ask the property owners to remedy the violations and give them a reasonable amount of time to comply.

Please see that copies of the letters are given to me so that I can keep track of the progress.

The property at 3<sup>rd</sup> and Clay is owned by Lawrence Proler who shows an address of PO Box 286, Houston Texas 77001-0286.

The property at 7<sup>th</sup> and Austin is owned by Joe Clyde Wessendorf at 700 Hillcrest, Richmond, Texas 77469.

The property in the 200 blk. of Preston is owned by the Van Slyke family and the contact person is Lester Van Slyke at 500 Morton, Richmond, Texas 77469.

The property in the 300 blk of Preston is owned by two people. Lots 1,2, 5, 6 and half of 4 are owned by Richard Joseph 202 Morton, Richmond, Texas, 77469 Lots 3 and half of 4 are owned by Lillie Mae Thomas 1712 Carver, Richmond, Texas, 77469.

Thank You

*Steve Waterbury*

Lieutenant

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**RICHMOND POLICE DEPARTMENT**  
**INTEROFFICE CORRESPONDENCE**

To: Officer Nehls

From: Sgt. Dawson

Via:

Date:10/08/97

Sub:Ordinance Violations

**Written Reprimand**

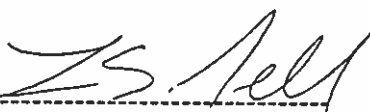
Officer Nehls, your memo in reference to beat 4 was returned to my office, due to the fact you were given six days to prepare a report answering the below listed request and you failed to comply.

- 1.Explain any actions you have taken to contact the property owners and solve the problems
- 2.Explain the actions the property owners are planning
- 3.Submit names and addresses of the owners of the properties in question

You are to have these request on Lt. Waterbury's desk by 09:00am this date.

Thanks,

Sgt. Dawson  
Patrol Division

Signed   
Officer Troy Nehls

*I do not concur with  
This reprimand.*