

**INVESTIGATION REPORT FOR THE
CITY OF MISSION and
FIRE DEPARTMENT**

CONCERNING COMPLAINT FROM JOSEPH FISHER

April 8, 2026

SUBMITTED BY:

DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, P.C.

BY: CAMELA J. SANDMANN

SEGMENT A — EXECUTIVE SUMMARY

This report reflects an independent investigation into allegations of workplace bullying, harassment, and discrimination raised by Joseph Fisher. The investigation included review of the complaint, supplemental submissions (including those submitted by a third party), the edited transcript, and written statements from the accused employees. The edited transcript reviewed in this investigation was edited only to correct names, spellings, and similar transcription errors, and not to alter the substance of the complainant's statement.

The investigation applied a preponderance of the evidence standard, meaning a fact is established only if it is more likely than not to be true based on the totality of the evidence.

Applying this standard, the investigation finds that:

- The allegations are largely supported only by the complainant's account
- The accused individuals provide direct and consistent denials
- There is no corroborating witness testimony or independent documentation confirming the alleged conduct

While the alleged conduct—if proven—would constitute inappropriate workplace behavior, the weight of the evidence does not support that the conduct more likely than not occurred.

Accordingly:

- Allegations of hostile work environment and ADA-based discrimination are **not substantiated**
- Allegations of policy violations are **not sustained** due to insufficient corroboration

SEGMENT B — INTRODUCTION, SCOPE & METHODOLOGY

1. INTRODUCTION

This investigation was initiated to evaluate allegations of workplace harassment, bullying, and discrimination involving Joseph Fisher and multiple Fire Department personnel. The purpose of this investigation is to determine whether the alleged conduct occurred, whether it violated City policy or law, and to identify any contributing organizational factors.

2. SCOPE OF THE INVESTIGATION

The investigation reviewed allegations involving:

- Verbal comments regarding physical appearance

- Repeated name-calling
- Alleged physical interaction with a medical device
- General claims of bullying and hostile work environment

The individuals identified in the complaint include:

- Willie De La Garza
- Kevin Lopez
- Eric Lopez
- Manny De La Garza
- Joey Flores
- Justin Longoria

3. METHODOLOGY

3.1 Evidence Reviewed

- Complaint and supplemental materials
- Edited transcript of complainant statement
- Written statements from accused employees

3.2 Evidence Evaluation Standards

The investigation applied a **preponderance of the evidence standard**, meaning:

- A fact is established if it is **more likely than not** to be true based on the weight of the evidence

Witness statements and evidence were evaluated using:

- Internal consistency
- Alignment with documented facts
- Degree of corroboration
- Timing of the statements (e.g., contemporaneous vs. delayed)
- Objective plausibility based on context

3.3 Credibility Considerations

The complainant's account was reviewed for internal consistency, plausibility, level of detail, and whether the allegations remained materially consistent across his complaint materials and interview. The record reflects that Mr. Fisher is an adult employee who appears able to perform his clerk duties, but that he also relies substantially on support from his mother and others in framing and discussing workplace concerns. The record further reflects that the initial complaint was filed by his mother and that Mr. Fisher reported seeking advice from outside persons, including neighbors, regarding workplace concerns. These circumstances do not establish dishonesty, but they do bear on the independence and detail of certain allegations.

In addition, the complainant's descriptions often lacked specific dates, times, and identifying details, which limited the ability to test the allegations against other evidence. As a result, while the complainant's concerns appear sincerely held, the investigation assigned greater weight to allegations that could be independently corroborated. In this matter, that corroboration was not obtained.

SEGMENT C — FACTUAL FINDINGS

4. Allegation: Physical Interaction with Glucose Monitor

Accused: Willie De La Garza

The complainant alleges that the accused touched, pinched, or attempted to remove a glucose monitoring device. In his interview, Mr. Fisher described the alleged interaction in detail and stated that the conduct occurred while he was on a lunch break.

The accused admits that he patted Mr. Fisher on the shoulder and felt the device, however denies any physical interaction with it, and denies any intentional conduct involving the medical equipment.

No witness statements or independent evidence corroborate the alleged interaction.

Finding:

The evidence presents directly conflicting accounts with no corroboration. Under the preponderance standard, the allegation is **not sustained**.

5. Allegation: Repeated Name-Calling ("Bloceph")

Accused: Kevin Lopez

The complainant alleges repeated use of a nickname. In his interview, Mr. Fisher reported that Kevin Lopez used the nickname on multiple occasions and in different locations.

Kevin Lopez denies engaging in harassment or inappropriate conduct and states that he has acted professionally.

No witness statements or independent documentation confirm the alleged repetition, frequency, or context.

Finding:

The allegation lacks corroboration and is **not sustained**.

6. Allegation: Comments Regarding Physical Appearance

Accused: Eric Lopez and Manny De La Garza

The complainant alleges comments referencing size and physical appearance. In his interview, Mr. Fisher attributed one comment to Eric Lopez and another to Manny De La Garza.

Manny De La Garza denies making the statement. Eric Lopez likewise denies engaging in bullying or inappropriate conduct and denies the substance of the allegation attributed to him.

No witness statements corroborate that either comment was made.

Finding:

The evidence is insufficient to establish that the comments more likely than not occurred. The allegation is **not sustained**.

7. Allegation: General Bullying / Hostile Conduct

Accused: Flores, Longoria

The complaint includes generalized allegations of bullying and harassment.

The investigation found:

- No specific incidents tied to these individuals
- No corroborating witness statements
- No supporting documentation

Finding:

These allegations are **not sustained**.

SEGMENT D — ANALYSIS

The central issue in this investigation is whether the evidence establishes that the alleged conduct more likely than not occurred.

Across all allegations, the complainant provides detailed accounts of events that he believes occurred, while the accused individuals provide direct denials. The critical evidentiary weakness is the absence of corroboration. No witness statements were obtained that confirm the alleged comments, repeated nickname use, or physical interaction with the glucose monitor. No independent documentation, contemporaneous records, recordings, or other objective evidence substantiate the allegations.

Applying the stated evidentiary factors, the investigation finds as follows:

Internal consistency. Mr. Fisher's account is generally consistent in theme across the complaint materials and the interview. However, the allegations often lack precise dates and times, and in some instances the details are generalized or approximate. The accused employees' denials are likewise generally consistent.

Alignment with documented facts. There is no independent documentation establishing that the specific incidents occurred. The edited transcript reflects Mr. Fisher's account, but it remains his account and not independent proof.

Degree of corroboration. This is the most significant factor in the analysis. No corroborating witness statement confirms any of the core allegations. The absence of corroboration weighs heavily against sustaining the allegations.

Timing of statements. Although the complainant raised concerns relatively close in time to some of the alleged incidents, that timing alone does not resolve the factual disputes, particularly where no witness confirms the conduct.

Objective plausibility based on context. The allegations are not inherently impossible or implausible. However, plausibility alone is insufficient to satisfy the preponderance standard where the accused provide direct denials and no corroborating evidence is present.

The complainant's credibility merits separate discussion. The investigation does not conclude that Mr. Fisher fabricated his concerns. Rather, the record suggests that he sincerely perceives the conduct as having occurred and as distressing. At the same time, the investigation must account for the fact that the initial complaint was submitted by his mother, that Mr. Fisher stated he relies on this support in framing workplace concerns, and that many of the allegations were not tied to specific dates and times. Those factors do not

negate his credibility altogether, but they reduce the ability to independently test and verify the allegations.

Accordingly, the investigation finds that the evidence does not reach the threshold required to conclude that the alleged conduct more likely than not occurred. The result is a series of unresolved credibility conflicts without evidentiary resolution, which must be classified as **not sustained** under the applicable standard.

SEGMENT E — LEGAL ANALYSIS

Even if the alleged conduct were assumed to have occurred, the evidence does not establish the legal elements required for hostile work environment or ADA discrimination claims.

With respect to **hostile work environment**, the applicable framework requires unwelcome conduct based on a protected characteristic that is sufficiently severe or pervasive to alter the terms and conditions of employment. See *Harris v. Forklift Systems, Inc.*, 510 U.S. 17 (1993); *Faragher v. City of Boca Raton*, 524 U.S. 775 (1998). The record here does not establish a corroborated pattern of severe or pervasive conduct, nor does it establish that any alleged conduct occurred because of a protected characteristic.

With respect to the **ADA**, Title I prohibits discrimination against a qualified individual on the basis of disability. 42 U.S.C. § 12112(a). The record does not establish that Mr. Fisher has a confirmed disability notation in his employment file, and more importantly, it does not establish that any alleged conduct occurred because of a disability. Even accepting that Mr. Fisher uses a glucose monitor, the evidence does not establish the required causal nexus between the alleged conduct and disability-based animus.

Accordingly, the evidence does not support a violation of federal or Texas law.

SEGMENT F — CONCLUSIONS

Based on the application of the preponderance of the evidence standard:

Hostile Work Environment: **Not Sustained**

ADA Discrimination / Harassment: **Not Sustained**

Policy Violations: **Not Sustained**

Individual Findings:

Willie De La Garza → **Not Sustained**

Kevin Lopez → **Not Sustained**

Eric Lopez → **Not Sustained**

Manny De La Garza → **Not Sustained**

Joey Flores → **Not Sustained**

Justin Longoria → **Not Sustained**

All allegations lack sufficient corroboration to meet the evidentiary threshold.

SEGMENT G — RECOMMENDATIONS

Although no violations are sustained, the investigation identifies an opportunity to reinforce workplace expectations.

Recommended actions include:

Reinforcing standards regarding professional communication

Clarifying expectations regarding jokes, nicknames, and comments about appearance

Encouraging early reporting to allow timely investigation

Providing refresher training on workplace conduct

These measures are preventative and not disciplinary.

SEGMENT H — FINAL DETERMINATION

The investigation concludes that the evidence does not establish that the alleged conduct more likely than not occurred. All allegations are therefore **not sustained**.

No disciplinary action is recommended. The appropriate response is organizational guidance and reinforcement of workplace standards.