

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

**CONCERNING COMPLAINT FROM JOSEPH FISHER
REGARDING MICHAEL REYES AND JORGE BALDERAS**

May 7, 2026

SUBMITTED BY:

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BY: CAMELA J. SANDMANN

SEGMENT A — EXECUTIVE SUMMARY

This Addendum supplements the prior Investigation Report dated April 2, 2026, concerning allegations raised by Joseph Fisher involving Michael Reyes and Jorge Balderas. This Addendum incorporates additional written statements obtained during the investigation, review of the original complaint materials, and review of the interview transcript of Joseph Fisher.

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

Following review of the materials, the investigation finds:

- Michael Reyes admitted to Fire Chief Michael Silva that he made the “desert island” comment referenced in the complaint.
- The admitted statement constituted inappropriate workplace commentary and violated standards of workplace professionalism.
- Fire Chief Michael Silva addressed the matter through corrective action and counseling measures deemed appropriate under the circumstances.
- The allegations against Jorge Balderas remain unsupported by sufficient corroborating evidence.

Accordingly:

- The allegation against Michael Reyes is **sustained** as a workplace professionalism policy violation.
- The allegation against Jorge Balderas is **not sustained**.

SEGMENT B — INTRODUCTION, SCOPE & METHODOLOGY

1. INTRODUCTION

This Addendum was prepared as an addition to the investigative materials concerning allegations involving Michael Reyes and Jorge Balderas. The purpose of this Addendum is to supplement the prior report and address these allegations independently under the same evidentiary and investigative standards previously applied.

2. SCOPE OF THE INVESTIGATION

This Addendum reviewed allegations involving:

- Alleged inappropriate comments by Michael Reyes regarding Mr. Fisher's physical appearance and weight
- Alleged comments by Jorge Balderas during a departmental meeting relating to Mr. Fisher's demeanor and conduct

3. METHODOLOGY

3.1 Evidence Reviewed

The following materials were reviewed in preparation of this Addendum:

- Original complaint materials submitted by Joseph Fisher
- Interview transcript of Joseph Fisher
- Written statement of Jorge Balderas
- Additional investigative materials and admissions reported to Fire Chief Michael Silva concerning Michael Reyes

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
- Objective plausibility based on context

SEGMENT C — FACTUAL FINDINGS

4. Allegation: Inappropriate Comment Regarding Physical Appearance

Accused: Michael Reyes

Joseph Fisher alleged that Michael Reyes made a comment stating that if they were stranded on a "desert island," Mr. Fisher would be eaten first because he "had more meat."

During the course of the investigation, Michael Reyes addressed the allegation directly with Fire Chief Michael Silva and admitted making the comment attributed to him. While there is no indication that the statement was intended as a threat, the comment referenced Mr. Fisher's physical appearance and weight and was inappropriate within a professional workplace setting.

Michael Reyes also submitted a written statement generally denying that he was mean toward Mr. Fisher or engaged in workplace harassment or bullying. However, the admission regarding the specific statement resolves the factual dispute concerning whether the comment was made.

The investigation further confirms that Fire Chief Michael Silva addressed the matter through corrective counseling and corrective measures deemed appropriate under the circumstances.

Finding:

The evidence establishes that the statement was made. The allegation is therefore **sustained** as a violation of workplace professionalism standards and expectations regarding respectful workplace conduct.

5. Allegation: Comment Made During Departmental Meeting

Accused: Jorge Balderas

Joseph Fisher alleged that Jorge Balderas stated during a departmental meeting that Mr. Fisher was the "meanest" or "toughest" person in the department and directed him to sign departmental paperwork.

In his written statement, Jorge Balderas denied engaging in harassment, denied targeting Mr. Fisher, and stated that his comments were not intended to harass or demean him. Jorge Balderas stated that any remark made during the meeting was intended jokingly and was not intended to create a hostile or abusive environment.

No independent witness statements or corroborating documentation confirm the alleged conduct or establish the precise wording, context, or tone of the alleged statement. Additionally, neither Mr. Fisher nor Jorge Balderas identified or provided witnesses to corroborate their respective accounts of the interaction, despite the allegation allegedly occurring during a departmental meeting attended by multiple personnel.

Finding:

The allegation presents conflicting accounts without sufficient corroboration to establish that the conduct more likely than not occurred as alleged. Because no independent

witness testimony or other evidence corroborates either version of events, the investigation is unable to resolve the credibility conflict under the preponderance of the evidence standard. Accordingly, the allegation is **not sustained**.

SEGMENT D — ANALYSIS

The investigation reviewed the allegations against Michael Reyes and Jorge Balderas under the same evidentiary framework utilized in the original report.

With respect to Michael Reyes, the analysis differs from the majority of allegations addressed in the original investigation because the accused admitted making the statement attributed to him. While the statement appears to have been made in a joking or informal context, the comment directly referenced Mr. Fisher's physical appearance and weight. The statement was inappropriate and inconsistent with expected standards of professional workplace conduct. Because the conduct was admitted, corroboration concerns that affected other allegations are not present here.

At the same time, the investigation does not find evidence that the statement constituted unlawful harassment or discrimination under federal or Texas law. The evidence does not establish severe or pervasive conduct, discriminatory animus, or conduct sufficiently serious to alter the terms and conditions of employment. Instead, the evidence supports a finding of inappropriate workplace commentary warranting corrective intervention at the departmental level.

With respect to Jorge Balderas, the allegation remains unsupported by corroborating evidence. Mr. Fisher's account and Mr. Balderas' denial present competing versions of events. No witness statements or independent documentation resolve the credibility conflict. Under the preponderance standard, the evidence is insufficient to sustain the allegation.

SEGMENT E — LEGAL ANALYSIS

The admitted comment by Michael Reyes does not independently establish a hostile work environment or unlawful discrimination claim under applicable federal or Texas law.

To establish a hostile work environment claim, the conduct must be sufficiently severe or pervasive to alter the terms and conditions of employment. *Harris v. Forklift Systems, Inc.*, 510 U.S. 17 (1993); *Faragher v. City of Boca Raton*, 524 U.S. 775 (1998). Isolated inappropriate comments, while unprofessional, generally do not meet the legal threshold absent evidence of pervasive or objectively hostile conduct.

Similarly, the evidence does not establish discrimination under the Americans with Disabilities Act, Title VII, or the Texas Commission on Human Rights Act because the

investigation did not identify evidence establishing discriminatory intent or conduct motivated by protected status.

The investigation does conclude, however, that the admitted statement by Michael Reyes violated departmental expectations regarding respectful and professional workplace conduct.

SEGMENT F — CONCLUSIONS

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

Michael Reyes

- Workplace Professionalism Violation → **Sustained in Part**
- Hostile Work Environment / Discrimination → **Not Sustained**

Jorge Balderas

- Workplace Harassment / Bullying Allegation → **Not Sustained**

The investigation further finds that Fire Chief Michael Silva implemented corrective action and counseling measures regarding the sustained conduct involving Michael Reyes.

SEGMENT G — RECOMMENDATIONS

Because corrective action has already been implemented regarding Michael Reyes, no additional disciplinary recommendation is made through this Addendum.

The investigation nevertheless recommends continued reinforcement of departmental expectations regarding:

- Professional communication
- Comments relating to physical appearance
- Workplace respect and professionalism
- Appropriate humor and interpersonal conduct within the workplace

SEGMENT H — FINAL DETERMINATION

This Addendum supplements the original Investigation Report and should be read in conjunction with the findings, analysis, and conclusions contained therein.

The additional information reviewed through this Addendum did not alter the overall conclusions of the original investigation regarding allegations of unlawful harassment, hostile work environment, or discrimination. However, the investigation did substantiate

that Michael Reyes made an inappropriate comment referencing Mr. Fisher's physical appearance and weight. While the comment does not rise to the level of unlawful harassment or discrimination under applicable federal or Texas law, it was inconsistent with expected standards of professional workplace conduct.

The investigation further finds that Fire Chief Michael Silva addressed the admitted conduct through corrective counseling and departmental intervention.

With respect to Jorge Balderas, the investigation was unable to resolve the conflicting accounts presented by the parties due to the absence of corroborating witnesses or independent evidence. Accordingly, that allegation remains not sustained under the applicable evidentiary standard.

No further investigative action is recommended at this time.