

Bond Case Briefs

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EMPLOYMENT - TEXAS

Hunt County Community Supervision and Corrections Dept. v. Gaston

Court of Appeals of Texas, Austin - August 6, 2014 - S.W.3d - 2014 WL 3892948

Former probation officer with county adult probation department brought action against the department, alleging department violated the Whistleblower Act when it terminated her. Department filed a plea to the jurisdiction. The District Court denied plea. Department appealed.

The Court of Appeals held that, as a matter of apparent first impression, the officer did not have an objectively reasonable good-faith belief that judge to whom she reported alleged department violations of law was an appropriate law enforcement authority under the Whistleblower Act.

Judge was not empowered to “regulate under or enforce” the allegedly violated law, as required by Act, and even if he were so empowered, there was no pleading or proof that alleged violations concerned probationers over whom judge exercised jurisdiction, or that employee had reasonable basis to believe that they did.