

SAN ANTONIO POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT
INTEROFFICE CORRESPONDENCE

TO: Officer Eman Fondren #0238 (EPC)

FROM: Captain Gus Guzman, Professional Standards Section Commander

COPIES: Patrol North Division Commander
East Patrol Section Commander
Lieutenant Michael Mosley, Internal Affairs Unit Director

DATE: February 2nd, 2016

Formal Complaint Notice

A Formal Complaint has been filed against you regarding incidents that occurred on October 17th, 2015, and October 19th, 2015. The Internal Affairs Unit has received information or documentation from an Administrative source that has resulted in allegations of: **Conduct and Behavior, City Equipment/Property; Altering Accessories, and Mobile Video Recording; Recording.**

These allegations may violate the Rules, Regulations or Procedures of the Department. The Internal Affairs Unit will conduct a thorough and objective investigation of the allegations made against you. Please refer to the following case or file numbers in connection with this incident:

FC2016-002

SAPD-2015-1024258

SAPD-2015-1024318

For an understanding of your contractual rights, relative to this investigation, please refer to the COLLECTIVE BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF SAN ANTONIO, TEXAS AND THE SAN ANTONIO POLICE OFFICERS' ASSOCIATION (October 1, 2006), (October 1, 2009), **Article 28 (Disciplinary Actions) Section 15 and Article 29 (Internal Security Interview Procedure) Section 2. Internal Affairs Investigations.**

For an understanding of your responsibilities, relative to this investigation, please refer to the San Antonio Police Department General Manual, **RULE and REGULATION 3.27, GIVING INFORMATION IN INTERNAL INVESTIGATIONS: A. DUTY TO GIVE INFORMATION and B. GARRITY WARNING.**

Please be advised that an Internal Affairs investigator will contact you regarding the aforementioned complaint. You may be eligible to request the expedited disciplinary track. Please refer to Procedure 303, Disciplinary Procedures, Section .05, Formal Complaints, Subsection C.



Captain Gus Guzman
Professional Standards Section Commander

DOCUMENT # 16

San Antonio Police Department
Internal Affairs Unit
Allegation Sheet

Complainant's Name: The Administration
Responding Officer: Eman Fondren # 0238 (EPC)
Internal Affairs Investigator: Sergeant Daniel Gonzales # 3251 (CIA)
I.A. Formal Case Number: FC 2016 - 002

During an investigation of multiple incidents that occurred in October of 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant Daniel Gonzales is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.

Allegation # 1:

On October 17, 2015 while on-duty and assigned to his regular patrol duties, Officer Eman Fondren # 0238 met up with Officer Rebecca Martinez # 0572 in the rear parking lot of the Home Depot store located at 527 Fair Ave, and engaged in sexual conduct while on-duty.

This conduct may be a violation of the SAPD General Manual:

Section 200 – Rules and Regulations

3.04 RESPONSIBILITY TO SERVE THE PUBLIC:

C. CONDUCT AND BEHAVIOR: Members, on-or off-duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit on themselves or the department.

Eman Fondren
Respondent's Signature
238 2/17/16
Badge # Date

D. R. G. #3251
Investigator's Signature
3251 2/17/16
Badge # Date

San Antonio Police Department
Internal Affairs Unit
Allegation Sheet

Complainant's Name: The Administration
Responding Officer: Eman Fondren # 0238 (EPC)
Internal Affairs Investigator: Sergeant Daniel Gonzales # 3251 (CIA)
I.A. Formal Case Number: FC 2016 - 002

During an investigation of multiple incidents that occurred in October of 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant Daniel Gonzales is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.

Allegation # 2:

On October 17, 2015 while on-duty and assigned to his regular patrol duties, Officer Eman Fondren # 0238 intentionally and knowingly disabled the GPS/AVL function on his vehicle's laptop computer.

This conduct may be a violation of the SAPD General Manual:

Section 200 – Rules and Regulations

3.18 City Equipment/Property:

G. ALTERING ACCESSORIES: Members shall not alter, deface, or in any way change any part or accessory of any city property.

Eman Fondren
Respondent's Signature
238 2/17/16
Badge # Date

Daniel R. Gonzales # 3251
Investigator's Signature
3251 2/17/16
Badge # Date

San Antonio Police Department
Internal Affairs Unit
Allegation Sheet

Complainant's Name: The Administration
Responding Officer: Eman Fondren # 0238 (EPC)
Internal Affairs Investigator: Sergeant Daniel Gonzales # 3251 (CIA)
I.A. Formal Case Number: FC 2016 - 002

During an investigation of multiple incidents that occurred in October of 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant Daniel Gonzales is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.

Allegation # 3:

On October 17, 2015 Officer Eman Fondren # 0238 was assigned to a suspicious persons call at IH10 and IH37. Officer Fondren failed to activate his mobile video recording device (COBAN) to document this call. This incident was documented under SAPD-2015-1024258.

This conduct may be a violation of the SAPD General Manual:

Section 400, Procedure 409 – Mobile Video Recording, Section 06 Recording, Subsection A

All officers shall begin recording the following events upon receipt of call and continue recording until it is concluded; any deviations will require a supervisor's approval and must be documented in the officer's report or CFS comment entry field.

- 1. DWI stops;
- 2. Code 1 Calls;
- 3. Code 2 Calls;
- 4. Code 3 Calls;
- 5. Self initiated stops:
 - a. Arrest
 - b. Field contacts
 - c. Traffic stops
- 6. Vehicle pursuits; and
- 7. Vehicle crashes.

Eman Fondren
Respondent's Signature

Daniel R. Gonzales #3251
Investigator's Signature

238
Badge #

2/17/16
Date

3251
Badge #

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San Antonio Police Department
Internal Affairs Unit
Allegation Sheet

Complainant's Name: The Administration
Responding Officer: Eman Fondren # 0238 (EPC)
Internal Affairs Investigator: Sergeant Daniel Gonzales # 3251 (CIA)
I.A. Formal Case Number: FC 2016 - 002

During an investigation of multiple incidents that occurred in October of 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant Daniel Gonzales is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.

Allegation # 4:

On October 17, 2015 Officer Eman Fondren # 0238 was assigned as a cover officer to a disturbance call at 535 Blaine St. Officer Fondren failed to activate his mobile video recording device (COBAN) to document this call. This incident was documented under SAPD-2015-1024318.

This conduct may be a violation of the SAPD General Manual:

Section 400, Procedure 409 – Mobile Video Recording, Section 06 Recording, Subsection A

All officers shall begin recording the following events upon receipt of call and continue recording until it is concluded; any deviations will require a supervisor's approval and must be documented in the officer's report or CFS comment entry field.

- 1. DWI stops;
- 2. Code 1 Calls;
- 3. Code 2 Calls;
- 4. Code 3 Calls;
- 5. Self initiated stops:
 - a. Arrest
 - b. Field contacts
 - c. Traffic stops
- 6. Vehicle pursuits; and
- 7. Vehicle crashes.

Eman Fondren
Respondent's Signature

238 2/17/16
Badge # Date

Daniel R. Gonzales # 3251
Investigator's Signature

3251 2/17/16
Badge # Date

San Antonio Police Department
Internal Affairs Unit
Allegation Sheet

Complainant's Name: The Administration
Responding Officer: Eman Fondren # 0238 (EPC)
Internal Affairs Investigator: Sergeant Daniel Gonzales # 3251 (CIA)
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Allegation # 5:

On October 19, 2015 while on-duty and assigned to his regular patrol duties, Officer Eman Fondren # 0238 met up with Officer Rebecca Martinez # 0572 at a residence located at 5746 Country Sun, and engaged in sexual conduct while on-duty.

This conduct may be a violation of the SAPD General Manual:

Section 200 – Rules and Regulations

3.04 RESPONSIBILITY TO SERVE THE PUBLIC:

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D. J. R. Gonzales # 3251
Investigator's Signature
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Internal Affairs Unit
Allegation Sheet

Complainant's Name: The Administration
Responding Officer: Eman Fondren # 0238 (EPC)
Internal Affairs Investigator: Sergeant Daniel Gonzales # 3251 (CIA)
I.A. Formal Case Number: FC 2016 - 002

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Allegation # 6:

On October 19, 2015 while on-duty and assigned to his regular patrol duties, Officer Eman Fondren # 0238 intentionally and knowingly disabled the GPS/AVL function on his vehicle's laptop computer.

This conduct may be a violation of the SAPD General Manual:

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