

Officer Leroy Medlin Jr., #0111
San Antonio Police Department
San Antonio, Texas

Fire Fighters' and Police Officers' Civil Service Commission
111 Soledad, Suite 123
San Antonio, Texas 78205

AGREED SUSPENSION

Gentlemen and Officer Leroy Medlin Jr.:

WHEREAS, Officer Leroy Medlin Jr., pursuant to Article XXVII, Section 2 of the Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association, was served on May 10, 2014, with a ten-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Medlin was given an opportunity to rebut those charges being brought against him to Police Chief William P. McManus; and

WHEREAS, said opportunity was exercised by Officer Medlin; and

WHEREAS, Officer Medlin and Chief McManus have agreed that the discipline in this matter shall be a ten-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Medlin shall be suspended without pay from the San Antonio Police Department for a period of ten days, commencing on June 26, 2014, and ending on July 5, 2014. Upon successful completion of one year, from the date this suspension is signed, without an allegation of similar misconduct which is subsequently sustained, and upon application by Officer Medlin within two weeks of such date, and approval by the Chief of Police, this suspension shall be reduced to a five-day suspension, and five days' pay and benefits will be returned to Officer Medlin. Officer Medlin waives any rights to appeal this Agreed Suspension and agrees no administrative or judicial body shall have power to review this Agreed Suspension or alter the terms of this agreement.

Officer Medlin has violated Subsection C of Rule XIII of the City of San Antonio Fire Fighters' and Police Officers' Civil Service Commission Rules, said rules having been adopted on February 23, 1998, and thereafter from time to time amended, by the Fire Fighters' and Police Officers' Civil Service Commission as the Civil Service Rules for the Fire and Police Departments of the City of San Antonio. The particular civil service rules violated by Officer Medlin and grounds for suspension are as follows:

- (12) Violation of an applicable fire or police department rule or special order.

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SAN ANTONIO, TEXAS

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The Rules and Regulations and Procedures of the San Antonio Police Department which Officer Medlin has violated are as follows:


PROCEDURE 601 - PRISONERS (.06) SEARCHING OF PRISONERS (A) Officers are responsible for conducting a search, not to include a strip search or body cavity search, of prisoners to remove all weapons, dangerous objects, contraband, or evidence. (.08) TRANSPORTING PRISONERS (M) Police Vehicles With Physical Barriers: (1) Police vehicles used primarily for transporting prisoners have physical barriers between the front and rear seats and may be used to transport a maximum of two (2) prisoners if there is only one officer. Both prisoners are secured in the rear seat with safety belts.

The factual basis for the instant disciplinary suspension is as follows:

On or about December 28, 2013, Officer Leroy Medlin, Jr. arrested Mr. Pablo Vasquez for traffic violations after detaining him during a traffic stop in the 800 block of Kirk Place. Officer Medlin placed Mr. Vasquez in the back seat of his patrol unit after performing a limited search of Mr. Vasquez' body. Officer Medlin failed to secure Mr. Vasquez in the back seat with a safety belt prior to transport in violation of SAPD procedure. Officer Medlin then transported Mr. Vasquez to the City Magistrate's Office located at 401 S. Frio Road for booking. Once Officer Medlin arrived at the Magistrate's Office, he turned Mr. Vasquez over to Detention Officer Brown. Officer Brown performed another search of Mr. Vasquez and found a loaded 9mm handgun inside Mr. Vasquez' pants. Officer Medlin had failed to remove the weapon from his prisoner Pablo Vasquez as required by SAPD procedure when he conducted his own search of Mr. Vasquez.


A copy of the instant disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.

AGREED TO BY:


WILLIAM P. MCMANUS, CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

JUN 04 2014

DATE


OFFICER LEROY MEDLIN JR., #0111
SAN ANTONIO POLICE DEPARTMENT


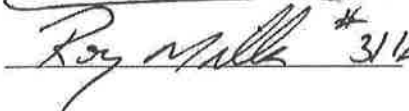
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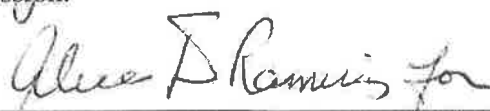
On this 6th day of June, 2014, I hereby acknowledge receipt of the original of the foregoing Agreed Suspension. I acknowledge having received notification that I have fifteen days from the date of receipt of the instant suspension during which to file a written appeal of this suspension with the Personnel Director of the City of San Antonio requesting either arbitration or the hearing of my appeal by the Fire Fighters' and Police Officers' Civil Service Commission. I acknowledge that I have been informed that if I appeal to a hearing examiner/arbitrator, I waive all rights to appeal to a district court except as provided by subsection 143.057(j) of the Texas Local Government Code. I also acknowledge that I have been informed that my right to appeal the decision of a hearing examiner/arbitrator to district court pursuant to section 143.057 of the Texas Local Government Code may have been modified by the provisions of article 28 of the current Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association. I further acknowledge that in light of my entry into this Agreed Suspension, I shall have no right to appeal said suspension nor will any administrative or judicial body have power to review same or alter its terms. I do hereby waive any and all rights to appeal said suspension and no administrative or judicial body shall have power to review same or alter its terms.


OFFICER LEROY MEDLIN JR., #0111
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

 TIME: 2240 DATE: 6-6-2014
 TIME: 2240 DATE: 6-6-2014

FILED on this the 10 day of June, 2014, with the Fire Fighters' and Police Officers' Civil Service Commission.


DIRECTOR, FIRE FIGHTERS' AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION

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