

Officer Anthony Delgado, #0233
San Antonio Police Department
San Antonio, Texas

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

LEGAL ATTORNEY OFC.
APR 28 2015
CITY ATTORNEY'S OFFICE
SAN ANTONIO, TEXAS

AGREED SUSPENSION

Commissioners and Officer Anthony Delgado:

WHEREAS, Officer Anthony Delgado, 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 April 8, 2015, with a one-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Delgado was given an opportunity to rebut those charges being brought against him to Police Chief Anthony L. Treviño, Jr.; and

WHEREAS, said opportunity was exercised by Officer Delgado; and

WHEREAS, Officer Delgado and his captain, David Scepanski, have agreed and Chief Treviño has approved of settling this matter with a one-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Delgado shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on May 11, 2015, and ending on May 11, 2015. Officer Delgado 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 Delgado 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 Delgado and grounds for suspension are as follows:

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

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

RULE 3.03 - OBEY LAWFUL ORDERS: Members shall obey all lawful orders and directions given by supervisory officers and shall comply with instructions given by the police dispatcher. Such obedience shall be prompt and willing.

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

On or about March 23, 2015, Officer Anthony Delgado was dispatched to a call for a robbery of a Little Caesar's Pizza location. Officer Delgado was assigned to a quadrant established in the 2800 block of Lake Crystal surrounding the home of the suspect in the robbery. Officer

2015 APR 29 PM 1:32

Delgado left the quadrant, returned to the substation, and ended his tour of duty without the approval of a supervisor or the dispatcher, when his assistance was needed at the suspect's residence for the identification and apprehension of the suspect.

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

AGREED TO BY:

A. Trevino
ANTHONY L. TREVINO, JR.
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

4/21/15
DATE

Anthony Delgado #233
OFFICER ANTHONY DELGADO, #0233
SAN ANTONIO POLICE DEPARTMENT

04.27.2015 1342
DATE TIME

On this 27 day of APRIL, 2015, 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.

Anthony Delgado #233
OFFICER ANTHONY DELGADO, #0233
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

R. Hill #3258 TIME: 1344

DATE: 4/27/15

Sum #3341 TIME: 1345

DATE: 4-27-15

FILED on this the 29th day of April, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.

For [Signature] Cum
DIRECTOR, FIRE FIGHTERS' AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION

APR 29 PM 1:32