



LEGAL ADVISOR DFC
APR 23 2015
CITY ATTORNEY'S OFFICE
SAN ANTONIO, TEXAS

Officer Jonathan M. Reyes, #1470
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

Commissioners and Officer Jonathan M. Reyes:

WHEREAS, Officer Jonathan M. Reyes, 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 March 24, 2015, with a three-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Reyes 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 Reyes; and

WHEREAS, Officer Reyes and Chief Treviño have agreed to reduce the discipline in this matter to a two-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Reyes shall be suspended without pay from the San Antonio Police Department for a period of two days, commencing on May 30, 2015, and ending on May 31, 2015. Upon successful completion of one year, from the date of April 14, 2015, with no complaints of Conduct and Behavior or Use of Force which are subsequently sustained, and upon application by Officer Reyes within two weeks of such date, and approval by the Chief of Police, this suspension shall be reduced to a one-day suspension, and one day's pay and benefits will be returned to Officer Reyes. Officer Reyes 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 Reyes 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 Reyes and grounds for suspension are as follows:

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

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

RULE 3.04 - RESPONSIBILITY TO SERVE THE PUBLIC: Members shall serve the public through direction, counseling, assistance, and protection of life and property. Members shall also respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment. (C) CONDUCT AND BEHAVIOR: Members, on-duty 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.

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

On or about November 10, 2014, Officer Jonathan M. Reyes took part in taking a robbery suspect into custody at the rear of a residence at 819 South Brownleaf. Officer Reyes' actions during the arrest brought reproach and discredit to both the Department and himself. Video from SAPD's EAGLE helicopter recorded the arrest. The video shows the suspect lying on his back with his hands up in the air. Officer Reyes is shown kicking the suspect in the torso, even though he had already been tackled by another officer.

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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. Treviño 4/22/15
ANTHONY L. TREVIÑO, JR. DATE
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

J. M. Reyes #1470 04.21, 2015 1350
OFFICER JONATHAN M. REYES, #1470 DATE TIME
SAN ANTONIO POLICE DEPARTMENT

On this 21 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.


#1470
OFFICER JONATHAN M. REYES, #1470
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

W. T. Fols TIME: 1353 DATE: 042115
Sgt. Rodolfo Lopez #3261 TIME: 1857 DATE: 4-21-15

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


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

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