

Officer Melissa M. Arriaga, #0095  
San Antonio Police Department  
San Antonio, Texas

RECEIVED  
CITY OF SAN ANTONIO  
HUMAN RESOURCES DEPT  
2014 JAN 29 AM 10:53

LEGAL ADMINISTRATION  
JAN 27 2014  
CITY ATTORNEY'S OFFICE  
SAN ANTONIO, TEXAS

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

### AGREED SUSPENSION

Gentlemen and Officer Melissa M. Arriaga:

**WHEREAS**, Officer Melissa M. Arriaga, 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 January 21, 2014, with a three-day contemplated suspension; and

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

**WHEREAS**, said opportunity was exercised by Officer Arriaga; and

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

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Arriaga shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on February 20, 2014, and ending on February 20, 2014. Officer Arriaga 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 Arriaga 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 Arriaga 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 Arriaga 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:

Between the dates of July 29, 2013 and September 6, 2013, Officer Melissa M. Arriaga engaged in inappropriate conduct by continuously text messaging and attempting to contact her ex-boyfriend, Martin Cantu, despite his requests for her to stop. Officer Arriaga sent hundreds of text messages to Mr. Cantu in apparent attempts to continue a relationship. Officer Arriaga also called [REDACTED]

[REDACTED] in mid-August, in an attempt to reach out to Mr. Cantu. This behavior resulted in a no-contact order being issued to Officer Arriaga to cease all contact with [REDACTED] and an additional no-contact order being issued at the request of Martin Cantu. Officer Arriaga's conduct and behavior in this incident has brought reproach and discredit upon herself and SAPD.

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

JAN 27 2014  
DATE

Melissa M. Arriaga  
OFFICER MELISSA M. ARRIAGA, #0095  
SAN ANTONIO POLICE DEPARTMENT

#95 01-27, 2014 1542  
DATE TIME

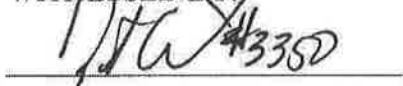

On this 27 day of Jan, 2014, I hereby acknowledge receipt of the original of the foregoing Agreed Suspension. I acknowledge having received notification that I have fifteen days from the date of receipt of this suspension during which to file a written appeal of this suspension with the Personnel Director of the City of San Antonio requesting either arbitration or the hearing of my appeal by the Fire Fighters' and Police Officers' Civil Service

RECEIVED  
CITY OF SAN ANTONIO  
HUMAN RESOURCES DEPT  
2014 JAN 29 AM 10:54

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.

 #95  
OFFICER MELISSA M. ARRIAGA, #0095  
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

 #3380  
 3349

TIME: 1542 DATE: 1/27/14  
TIME: 1542 DATE: 1/27/14

FILED on this the 29 day of January, 2014, with the Fire  
Fighters' and Police Officers' Civil Service Commission.

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

RECEIVED  
CITY OF SAN ANTONIO  
HUMAN RESOURCES DEPT  
2014 JAN 29 AM 10:54