

LEGAL ADVISOR'S OFFICE  
MAY 03 2016  
SAN ANTONIO POLICE DEPARTMENT

Detective Daniel J. Schmitt, #2541  
San Antonio Police Department  
San Antonio, Texas

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

Commissioners and Detective Daniel J. Schmitt:

Under and by virtue of the authority vested in me by Title 5, Subtitle A, Chapter 143 of the Local Government Code, V.T.C.S., said chapter entitled "Municipal Civil Service", I do hereby suspend Detective Daniel J. Schmitt from paid duty with the San Antonio Police Department, indefinitely, without pay, from his position as an officer of the San Antonio Police Department, effective immediately.

Detective Schmitt 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 rule violated by Detective Schmitt and ground for suspension is as follows:

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

The Rules and Regulations of the San Antonio Police Department which Detective Schmitt has violated are as follows:

**RULE 3.02 - TRUTHFULNESS OF MEMBERS:** Members shall speak the truth at all times. Reports and written communications from any member shall also reflect the truth.

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

Detective Daniel J. Schmitt was untruthful during the course of an interview on or about September 10, 2015, when questioned in a recorded interview at the SAPD Public Safety Headquarters by Detective Manuel Nunez of the SAPD SARIC unit regarding official U.S. Department of Transportation (DOT) Commercial Vehicle Inspections:

- 1) When he denied accepting rewards to conduct official DOT documented inspections in the performance of his duty;
- 2) When he claimed all fees and payments paid to or through him from Texas Chrome Transport (TCT) were for only consulting, training and/or mock inspections;
- 3) When he stated the location certain DOT inspections had supposedly taken place;
- 4) When he claimed drivers of trucks he inspected were present for certain DOT inspections he conducted;

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- 5) When he stated the number of inspections he supposedly performed for TCT;
- 6) When he stated his reason for conducting TCT inspections was to maintain his certification;
- 7) When he gave untruthful reasons why the e-signatures were not obtained on certain inspections; and,
- 8) When he denied circumventing official DOT Roadside Inspection Procedures.

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

Following separation from the Department, the training requirements to maintain an officer's peace officer's license for the current training cycle and unit are that officer's responsibility. An officer should refer to the TCOLE website <http://www.tcole.texas.gov/content/training-requirements> for further information and to establish a TCOLE account to review current training records.

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

5/3/16  
 DATE

On this 5 day of May, 2016, I hereby acknowledge receipt of the original of the foregoing indefinite 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 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 Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association.

[Signature]  
 DETECTIVE DANIEL J. SCHMITT, #2541  
 SAN ANTONIO POLICE DEPARTMENT

3/may, 2016 1255  
 DATE TIME

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WITNESSED BY:  
[Signature]  
[Signature]

DATE: 5/7/16 TIME: 12:55  
 DATE: 05-07-16 TIME: 1255

FILED on this the 4th day of May, 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.

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