

Detective Michael A. DeLeon, #2058
San Antonio Police Department
San Antonio, Texas

RECEIVED
CITY OF SAN ANTONIO
HUMAN RESOURCES DEPT

2015 NOV 18 PM 12:19

2015 NOV 17 2015
OFFICE
SAN ANTONIO, TEXAS

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

AGREED SUSPENSION

Commissioners and Detective Michael A. DeLeon:

WHEREAS, Detective Michael A. DeLeon, pursuant to Article XXVIII, 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 October 28, 2015, with a one-day contemplated suspension; and

WHEREAS, pursuant to said contract, Detective DeLeon 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 Detective DeLeon; and

WHEREAS, Detective DeLeon and his captain, Andrew Carian, have agreed and Chief McManus 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 Detective DeLeon shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on November 17, 2015, and ending on November 17, 2015. Detective DeLeon 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.

Detective DeLeon 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 Detective DeLeon 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 Detective DeLeon 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.

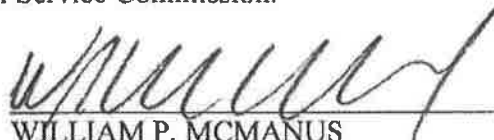
The factual basis for the instant disciplinary suspension is as follows:

On or about June 18, 2015, at approximately 6:15 p.m., at [REDACTED] Detective Michael A. DeLeon did not respect the rights of individuals and did not use sound judgment when, without the expressed consent or invitation of the responding officers, he interjected himself into the preliminary criminal mischief investigation of his [REDACTED] home. Detective DeLeon told an individual at the scene that a warrant for Aggravated Assault would be issued soon and said, "I'm gonna kick this fucking door down and I'm gonna drag him out by his balls." Detective DeLeon's participation in the preliminary investigation, continued use of profanity, and aggressive demeanor culminated into a struggle with the Criminal Mischief suspect, who was arrested for assaulting Detective DeLeon and for Resisting Arrest.

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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:


WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

NOV 16 2015
DATE


DETECTIVE MICHAEL A. DELEON, #2058
SAN ANTONIO POLICE DEPARTMENT

11-17-15 2015
DATE TIME

On this 17 day of November, 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.



DETECTIVE MICHAEL A. DELEON, #2058
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:



TIME: 10:02 A.M.

DATE: 11-17-15



TIME: 10:02 AM

DATE: 11-17-15

FILED on this the 18 day of November, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

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