

Officer Adam Azua, #1703
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 Adam Azua:

WHEREAS, Officer Adam Azua, 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 January 13, 2016, with a thirty-day contemplated suspension; and

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

WHEREAS, Officer Azua and Chief McManus have agreed that the discipline in this matter shall be a thirty-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Azua shall be suspended without pay from the San Antonio Police Department for a period of thirty days, commencing on March 16, 2016, and ending on April 14, 2016. Upon successful completion of one year, from the date this suspension is signed, without an allegation of similar misconduct which is subsequently sustained, and upon application by Officer Azua within two weeks of such date, and approval by the Chief of Police, this suspension shall be reduced to a fifteen-day suspension, and fifteen days' pay and benefits will be returned to Officer Azua. Officer Azua 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 Azua 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 Azua 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 Azua 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-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 August 30, 2015, Officer Adam Azua was at the Live Ultra Lounge located at 19314 US Highway 281 North. Officer Azua became involved in a disturbance with his girlfriend and a male patron, requiring intervention on the part of bar personnel/security at the bar. At some point, Officer Azua became physically combative, which resulted in him being subdued with a Taser and handcuffed by uniformed security personnel. This incident required on-duty SAPD resources to respond to the incident, which was handled under SAPD15186967. Officer Azua brought reproach and discredit upon himself and the department as a result of his conduct and behavior, which led to his eventual detention at the bar.

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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

FEB 2 2016

DATE


OFFICER ADAM AZUA, #1703
SAN ANTONIO POLICE DEPARTMENT

2-3, 2016 2200
DATE TIME

On this 3 day of Feb, 2016, 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 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.



OFFICER ADAM AZUA, #1703
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Rita #4010

TIME: 2202

DATE: 02.03.16

Roy Miller #3112

TIME: 2202

DATE: 02-03-16

FILED on this the 8th day of February, 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.



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

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