

LEGAL ADVISOR'S OFFICE
APR 25 2016
SAN ANTONIO POLICE DEPARTMENT

Officer Alonzio W. Hardin, #0481
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 Alonzio W. Hardin:

WHEREAS, Officer Alonzio W. Hardin, 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 27, 2016, with a one-day contemplated suspension; and

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

WHEREAS, Officer Hardin and his captain, Adolfo Zuniga, 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 Officer Hardin shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on May 7, 2016, and ending on May 7, 2016. Officer Hardin 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 Hardin 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 Hardin 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 Hardin has violated are as follows:

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JIMMYE B. BROWN, CLERK

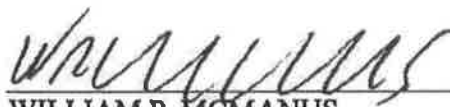
PROCEDURE 620 - VEHICLE PURSUITS AND STOP TECHNIQUES (.07) VEHICLE PURSUITS (B) Vehicle Pursuit Management (8) When any officer, supervisor, or dispatcher announces that a vehicle pursuit is terminated, all assigned officers shall turn off all emergency warning lights and siren, slow down and adhere to all traffic laws and traffic control devices. The officers in the vehicle pursuit shall notify the dispatcher of their location.

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

On or about December 30, 2015, at approximately 2:00 p.m., Officer Alonzo W. Hardin attempted to stop a white-colored 2015 Jeep Grand Cherokee on IH35N near the New Braunfels exit after he observed the driver using a handheld device. Once Officer Hardin initiated his overhead emergency lights and siren, the suspect vehicle made an abrupt lane change to exit the highway. The suspect continued to disregard Officer Hardin's attempt to stop him by maintaining or increasing the speed of his vehicle and by ignoring Officer Hardin's instructions to stop by disregarding stop signs. Officer Hardin advised the dispatcher via police radio that he had a vehicle that was not stopping. The dispatcher was able to obtain a description of the vehicle, the speed, direction of travel, and the initial reason for the stop. The dispatcher contacted Sergeant James Perdue, who was assigned as the managing supervisor. Sergeant Perdue, via the police radio, clearly terminated the pursuit due to the reason of the stop being traffic violations only. The dispatcher relayed to Officer Hardin to terminate the pursuit on two separate occasions. A review of COBAN and AVL records indicated that after Officer Hardin was advised to terminate the pursuit by the managing supervisor and dispatch, he continued the pursuit of the suspect vehicle with activated lights and siren while reaching speeds of 55 to 60 m.p.h.

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

AGREED TO BY:



WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

APR 20 2016

DATE



OFFICER ALONZIO W. HARDIN, #0481
SAN ANTONIO POLICE DEPARTMENT

DATE

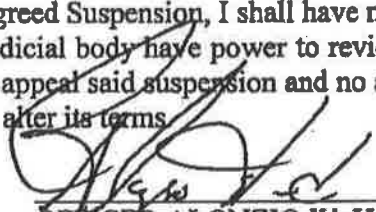
4/24, 2016

TIME

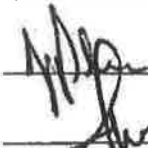

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POLICE DEPARTMENT

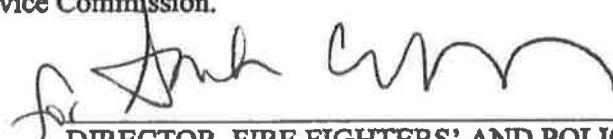
On this 24 day of April, 2016, I hereby acknowledge receipt of the original of the foregoing Agreed Suspension. I acknowledge having received notification that I have fifteen days from the date of receipt of the instant suspension during which to file a written appeal of this suspension with the Personnel 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.


OFFICER ALONZIO W. HARDIN, #0481
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

 #3053 TIME: 12:30pm DATE: 4.24.16
 #452 TIME: 12:45pm DATE: 4.24.16

FILED on this the 26th day of April, 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

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CITY OF SAN ANTONIO
PERSONNEL SERVICES DEPT