

Officer Daryl A. Carle, #0558  
San Antonio Police Department  
San Antonio, Texas

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CITY OF SAN ANTONIO  
HUMAN RESOURCES DEPT

2015 NOV -3 PM 2:11

LEGAL ADVISOR OFC.  
OCT 29 2015

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

### AGREED SUSPENSION

Commissioners and Officer Daryl A. Carle:

**WHEREAS**, Officer Daryl A. Carle, 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 6, 2015, with a thirty-day contemplated suspension; and

**WHEREAS**, pursuant to said contract, Officer Carle 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 Carle; and

**WHEREAS**, Officer Carle and Chief McManus have agreed to a thirty-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Carle shall be suspended without pay from the San Antonio Police Department for a period of 30 days, commencing on November 15, 2015, and ending on December 14, 2015. It is further ordered that Officer Carle take part in and complete the Officer Concern Program, attend Sensitivity Training when ordered at the SAPD Police Academy, and that for a period of 60 days he shall ride in the company of a Field Training Officer, and be evaluated on his performance at the end of that period. Officer Carle 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 Carle 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 Carle 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 Carle 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.

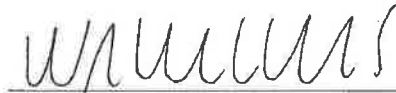
The factual basis for the instant disciplinary suspension is as follows:

Officer Daryl A. Carle posted a comment on his Facebook Page, accessible to "friends" only but including members of the San Antonio Police Department as well as non-members of the Department, that brought discredit and reproach on himself and the San Antonio Police Department. The post, reported to have been posted on August 11, 2015 but which was discovered on August 12, 2015, read, *"I love my job!!! They said you want kill people and not go to jail??? I said "Fuck ya, Who don't". They said you afraid of the jungle?? I said "I ain't scared of shit" I've been wanting go jungle since watched that Predator movie...I love my Job!!!!!! Lol"*.

Officer Carle also posted comments on his Facebook Page, accessible to the public, that brought discredit and reproach on himself and the San Antonio Police Department. The posts, although posted over the last several years, were discovered on August 14, 2015, were still accessible to the public on that date, and constitute a continuing violation. In his posts, Officer Carle described his actions and attitudes concerning his work in terms which were inappropriate in nature (including details regarding calls for service) he made as a San Antonio Police Officer.

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

AGREED TO BY:

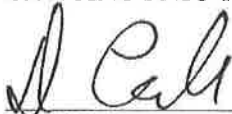


WILLIAM P. MCMANUS  
CHIEF OF POLICE  
SAN ANTONIO POLICE DEPARTMENT

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OCT 26 2015

DATE



OFFICER DARYL A. CARLE, #0558  
SAN ANTONIO POLICE DEPARTMENT

10.27, 2015/721  
DATE TIME

On this 27 day of October, 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 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.

Daryl A. Carle #0558  
OFFICER DARYL A. CARLE, #0558  
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

P. M. J. 3358

TIME: 1720

DATE: 10/27/15

[Signature] 3292

TIME: 1722

DATE: 10-27-15

FILED on this the 3 day of November, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.

Alice D. Ramirez Jr  
DIRECTOR, FIRE FIGHTERS' AND POLICE  
OFFICERS' CIVIL SERVICE COMMISSION

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