

Officer David A. Pantoja, #0205
San Antonio Police Department
San Antonio, Texas

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CITY OF SAN ANTONIO
HUMAN RESOURCES DEPT 1

2015 JUN 26 AM 10:36

LEGAL ADVISOR: CFC
JUN 23 2015
CITY OF SAN ANTONIO
SAN ANTONIO, TEXAS

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

Commissioners and Officer David A. Pantoja:

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 Officer David A. Pantoja from paid duty with the San Antonio Police Department for a period of three calendar days, commencing on July 23, 2015, and ending on July 25, 2015.

Officer Pantoja 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 Officer Pantoja 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 Officer Pantoja 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-duty 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.

PROCEDURE 409 - MOBILE VIDEO RECORDING (.06)
RECORDING (A) Officers shall begin recording the following events upon receipt of call and continue recording until it is concluded; any deviations will require a supervisor's approval and must be documented in the officer's report or CFS comment entry field. (1) DWI stops; (2) Code 1 Calls; (3) Code 2 Calls; (4) Code 3 Calls; (5) Self initiated stops; (a) Arrests (b) Field contacts (c) Traffic stops; (6) Vehicle pursuits; and (7) Vehicle crashes.

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

On or about January 16, 2015, Officer David A. Pantoja was rude, unprofessional and unreasonable during a traffic stop which occurred in the 5100 block of IH-10 W. Officer Pantoja stopped a vehicle which Matthew Rios was driving for a violation of section 545.157 of the Transportation Code, Passing Authorized Emergency Vehicle. During the course of the stop, Officer Pantoja became upset with Mr. Rios and

failed to remain professional. Officer Pantoja threatened to tow Mr. Rios' trailer out of spite and issue him a citation which had no merit.

On or about January 16, 2015, at approximately 11:21 a.m., Officer David A. Pantoja initiated a traffic stop of Matthew Rios in the 5100 block of IH-10 W, and failed to capture the entire audio interaction with Mr. Rios on his COBAN mobile video recording equipment.

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

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A. Trevino
ANTHONY L. TREVINO, JR., CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

6/17/15
DATE

On this 22nd day of June, 2015, I hereby acknowledge receipt of the original of the foregoing three-day 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]
OFFICER DAVID A. PANTOJA, #0205
SAN ANTONIO POLICE DEPARTMENT

6-22, 2015 2247
DATE TIME

WITNESSED BY:

R. 3186 DATE: 06-22-15 TIME: 2248
[Signature] 4077 DATE: 6/22/15 TIME: 2248

FILED on this the 26 day of June, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.

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