

LEGAL ADVISOR'S OFFICE

JUL 27 2016

SAN ANTONIO POLICE DEPARTMENT

Officer Gena Rodriguez, #0267
San Antonio Police Department
San Antonio, Texas

2016 JUL 28 AM 10:11

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

Commissioners and Officer Gena Rodriguez:

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 Gena Rodriguez from paid duty with the San Antonio Police Department for a period of three calendar days, commencing on August 27, 2016, and ending on August 29, 2016.

Officer Rodriguez 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 Rodriguez 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 Rodriguez has violated are as follows:

RULE 3.18 - CITY EQUIPMENT/PROPERTY (A) IMPROPER OR NEGLIGENT HANDLING - Improper or negligent handling of any city property or willful damage to city property is prohibited.

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

On or about March 28, 2016, at approximately 9:52 a.m., while on duty and operating a city-owned vehicle at the intersection of Bandera Road and E. Sunshine Road, Officer Gena Rodriguez negligently struck a vehicle.

The level of this suspension is based upon Officer Rodriguez' cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.17 of the San Antonio Police Department General Manual.

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

2016 JUL 28 AM 10:11

William P. McManus
WILLIAM P. MCMANUS, CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

JUL 25 2016
DATE

On this 27 day of July, 2016, 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.

Officer Genia Rodriguez
OFFICER GENIA RODRIGUEZ, #0267
SAN ANTONIO POLICE DEPARTMENT

July 27, 2016 0613
DATE TIME

WITNESSED BY:

Steph J. Pineda #3264 DATE: 7-27-16 TIME: 0613
[Signature] #3242 DATE: 7-27-16 TIME: 0613

FILED on this the 28th day of July, 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.

Yvette Rangel for
DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION