

Officer Jody Gonzales, #1060
San Antonio Police Department
San Antonio, Texas

2016 JAN 27 PM 2:31 1-31 JC

LEGAL ADVISOR
CITY OF SAN ANTONIO
JAN 26 2016
A. B.

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

Commissioners and Officer Jody Gonzales:

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 Jody Gonzales from paid duty with the San Antonio Police Department for a period of ten calendar days, commencing on February 1, 2016, and ending on February 10, 2016.

Officer Gonzales 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 Gonzales 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 Gonzales has violated are as follows:

PROCEDURE 918 - HARASSMENT, DISCRIMINATION AND SEXUAL CONDUCT IN THE WORKPLACE (.04) PROHIBITED ACTIVITIES (D) Members (both sworn and civilian) shall not engage in conduct that could be construed as inappropriate behavior, sexual harassment or any other significant behavioral infraction.


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

On or about August 28, 2015, Police Explorer Angelica Robledo alleged Officer Jody Gonzales acted inappropriately during her ride along conducted as part of the SAPD Police Explorer Program. Ms. Robledo stated that during the ride along, Officer Gonzales did the following acts in which she believes were inappropriate and degrading:

- Unbuckled her seatbelt and playfully pushed her on the shoulder telling her to get out of the car.

- 2016 JAN 27 PM 12:51
OK
- Asked if she had a Face-Book account then pulled her Face-Book account up and told her she was very "pretty" in the photographs.
 - Touched her hand (wrist area) several times as he spoke to her.
 - Touched her hair and accidentally loosened her "ponytail."
 - Playfully tried to take her telephone away and glided his hand across her left breast.
 - Told her that she would look cute in her glasses.
 - Asked her what she meant about "sleep" during a conversation where she told him that she just wanted to go home and sleep.
 - Commented to her that her talent was "being pretty."
 - Compared their age difference trying to imply that he was older than her like a similar situation where a female complainant told them (during a Call for Service) that her boyfriend was a lot older.
 - Asked her if she thought he was "cute."
 - Kept insisting that she put her hand against his (palm to palm) to determine the size of her hands.
 - Insisted she ride with him (five times), after he transfers to East "C" shift.
 - Provided her with his personal cell-phone number, asking her to text him.

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


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

JAN 14 2016
DATE

On this 17th day of January, 2016, I hereby acknowledge receipt of the original of the foregoing ten-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] ~~I acknowledge the suspension but wish to appeal~~
DATE: 1/19, 2016 TIME: 10:42 PM
OFFICER JODY GONZALES, #1060
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:
[Signature] 3154 DATE: 1/19/16 TIME: 2:24 PM
[Signature] DATE: 1-19-16 TIME: 10:42 PM

FILED on this the 27th day of Jan, 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.

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

2016 JAN 27 PM 12:51
1000
1000
1000