


Officer Joe Carmona, #0125
San Antonio Police Department
San Antonio, Texas

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

2 JUN 22 PM 1:40

AGREED SUSPENSION

Commissioners and Officer Joe Carmona:

WHEREAS, Officer Joe Carmona, 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 May 24, 20016, with a one-day contemplated suspension; and

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

WHEREAS, Officer Carmona and his captain, John Saucedo, 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 Carmona shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on June 30, 2016, and ending on June 30, 2016. Officer Carmona 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 Carmona 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 Carmona 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 Carmona has violated are as follows:

PROCEDURE 601 – PRISONERS (.07) SECURITY OF PRISONERS – ESCAPE PREVENTION (F) If a prisoner escapes from an officer, the officer immediately notifies his supervisor and advises the Communications Unit of the description of the prisoner, the direction of travel, and the charges against the prisoner for broadcast to other field personnel.

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

On or about March 29, 2016, Officer Joe Carmona was dispatched to Castroville Road and S.W. 25th Street for a vehicle that crashed into a pole. Both occupants of the vehicle were subsequently arrested. Officer

Carmona failed to notify the Communications Unit and his supervisor when one of his two prisoners escaped.

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

AGREED TO BY:

[Signature]
WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

JUN 10 2016

DATE

[Signature]
OFFICER JOE CARMONA, #0125
SAN ANTONIO POLICE DEPARTMENT

6/13/ 2016 2243
DATE TIME

On this 13 day of June, 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.

[Signature]
OFFICER JOE CARMONA, #0125
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

[Signature] #3311 TIME: 2243 DATE: 6-13-16
[Signature] #3061 TIME: 2243 DATE: 6-13-16

FILED on this the 22nd day of June, 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.

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