

Officer Joel H. Freeman, #0181
San Antonio Police Department
San Antonio, Texas

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LEGAL ADVISOR OFC.
OCT 19 2015
CITY ATTORNEY'S OFFICE
SAN ANTONIO, TEXAS

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

AGREED SUSPENSION

Commissioners and Officer Joel H. Freeman:

WHEREAS, Officer Joel H. Freeman, 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 7, 2015, with a one-day contemplated suspension; and

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

WHEREAS, Officer Freeman and Chief McManus have agreed upon a one-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Freeman shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on November 3, 2016, and ending on November 3, 2016. Upon successful completion of one year, from the date this suspension is signed, without an allegation of similar misconduct which is subsequently sustained, and upon application by Officer Freeman within two weeks of such date, and approval by the Chief of Police, this one-day suspension will not need to be served by Officer Freeman and he will suffer no loss in pay. Officer Freeman 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 Freeman 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 Freeman 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 Freeman has violated are as follows:

PROCEDURE 409 – MOBILE VIDEO RECORDING (.07) REPORTS/RECORDING DATA ENTRY (C) If an unexpected failure occurs during an officer’s tour of duty, he/she will notify their supervisor and document inoperable video/audio equipment with the generation of a CFS number. Also, officers will document the incident in the “Comments Section” of the CAD System.

PROCEDURE 620 – VEHICLE PURSUITS AND STOP TECHNIQUES (.06) EMERGENCY RESPONSE MANAGEMENT (A) General Rules: (2) Officers will not drive emergency vehicles the wrong way on an expressway, an expressway exit or entrance ramp, a divided highway, or any other street or highway designated for one-way traffic.

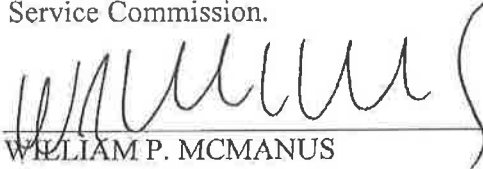
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The factual basis for the instant disciplinary suspension is as follows:

On or about April 18, 2015, Officer Joel H. Freeman drove his marked patrol vehicle northbound in the southbound lanes of IH35N. The incident occurred shortly after 2:00 a.m. while Officer Freeman was responding to a report of a wrong way driver on IH35N.

During the call, Officer Freeman experienced an unexpected failure of his COBAN video recording system during the call and failed to notify a supervisor, generate a CFS number for documentation purposes or document the incident in the CAD system’s “Comments Section.”

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

AGREED TO BY:  OCT 14 2015
WILLIAM P. MCMANUS DATE
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

 # 0181 10/17, 2015 2:25
OFFICER JOEL H. FREEMAN, #0181 DATE TIME
SAN ANTONIO POLICE DEPARTMENT

On this 17 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 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.

Joel H. Freeman #0181
OFFICER JOEL H. FREEMAN, #0181
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

[Signature] #3254
A [Signature] 3124

TIME: 2025 DATE: 10-17-15
TIME: 2026 DATE: 10-17-15

FILED on this the 20 day of October, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.

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

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