

Officer Justin Vasquez, #1411  
San Antonio Police Department  
San Antonio, Texas

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2016 OCT 17 AM 11:18

LEGAL ADVISOR'S OFFICE  
OCT 17 2016  
SAN ANTONIO POLICE DEPARTMENT

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

### **AGREED SUSPENSION**

Commissioners and Officer Justin Vasquez:

**WHEREAS**, Officer Justin Vasquez, 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 September 24, 2016, with a one-day contemplated suspension; and

**WHEREAS**, pursuant to said contract, Officer Vasquez 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 Vasquez; and

**WHEREAS**, Officer Vasquez and his captain, Tracy Powers, 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 Vasquez shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on October 27, 2016, and ending on October 27, 2016. Officer Vasquez 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 Vasquez 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 Vasquez 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 Vasquez has violated are as follows:

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RULE 3.04 - RESPONSIBILITY TO SERVE THE PUBLIC:

Members shall serve the public through direct 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-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.

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

On or about August 20, 2016, Officer Justin Vasquez was dispatched to handle a major traffic accident involving a nineteen-year-old female and her slightly older female friend. Officer Vasquez handled the accident in a professional manner. Upon completion of the call, Officer Vasquez sent a cell phone text message to the nineteen-year-old female stating that he thought she and her friend were cute and hoped to see them again in the future.

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

AGREED TO BY:

  
WILLIAM P. MCMANUS

CHIEF OF POLICE

SAN ANTONIO POLICE DEPARTMENT

10-10-16  
DATE

  
OFFICER JUSTIN VASQUEZ, #1411

SAN ANTONIO POLICE DEPARTMENT

10-14, 2016 6:57  
DATE TIME

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.

2-1411  
OFFICER JUSTIN VASQUEZ, #1411  
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY

[Signature] #6053 TIME: 0632 DATE: 10/14/16  
[Signature] #8733 TIME: 0632 DATE: 10-14-16

FILED on this the 17<sup>th</sup> day of Oct, 2016, with the Fire  
Fighters' and Police Officers' Civil Service Commission.

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

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