

Officer Matthew C. Luckhurst, #1714
San Antonio Police Department
San Antonio, Texas

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LEGAL ADVISOR'S OFFICE
OCT 31 2016
SAN ANTONIO POLICE DEPARTMENT

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

Commissioners and Officer Matthew C. Luckhurst:

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 Matthew C. Luckhurst from paid duty with the San Antonio Police Department, indefinitely, without pay, from his position as an officer of the San Antonio Police Department, effective immediately.

Officer Luckhurst 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 Luckhurst 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 Luckhurst has violated are as follows:

RULE 3.04 - RESPONSIBILITY TO SERVE THE PUBLIC: Members shall serve the public through direction, 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.

RULE 4.03 - REQUIREMENT TO TAKE ACTION: On-duty members are required to take prompt and effective police action conforming to departmental policies with respect to violations of laws and ordinances and matters affecting public safety coming to their attention, or of which they have knowledge.

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RULE 4.10 - DUTY TO REPORT INCIDENTS: Members shall immediately report the following categories of incidents, in addition to other incidents covered by these rules and departmental procedures, in accordance with the procedures of the Department. (E) INCIDENTS WHERE THE CITY MAY BE LIABLE: Members shall immediately report all incidents in which it appears the City of San Antonio may be liable for damages.

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

On or after May 6, 2016, Officer Matthew C. Luckhurst placed feces on bread (making a sandwich) and provided the "sandwich" to a homeless person in the area of Houston Street and the IH35 overpass. Officer Luckhurst's conduct brought discredit and reproach on himself and the San Antonio Police Department. Officer Luckhurst failed to immediately report the incident, in which the City of San Antonio might be liable, as required by Department rule.

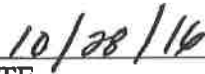
On or about July 8, 2016, Officer Matthew C. Luckhurst came into contact with Mr. Joseph Morales in the area of Houston Street and the IH35 overpass. After an admonishment regarding Criminal Trespass and conducting a warrant check on Mr. Morales, Officer Luckhurst advised Mr. Morales that he had an outstanding (active) warrant for his arrest and told him to leave the location. Officer Luckhurst failed to take prompt and effective police action by failing to arrest Mr. Morales on the active warrant.

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

Following separation from the Department, the training requirements to maintain an officer's peace officer's license for the current training cycle and unit are that officer's responsibility. An officer should refer to the TCOLE website <http://www.tcole.texas.gov/content/training-requirements> for further information and to establish a TCOLE account to review current training records.



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



DATE

I hereby acknowledge receipt of the original of the foregoing indefinite 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.

M. H.
OFFICER MATTHEW C. LUCKHURST, #1714
SAN ANTONIO POLICE DEPARTMENT

10-28, 2016 0956
DATE TIME

WITNESSED BY:

[Signature] 4008 DATE: 10/28/16 TIME: 0956
[Signature] 3000 DATE: 10/28/16 TIME: 0956

FILED on this the 31st 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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