



Officer Rene Ramirez, #0917
San Antonio Police Department
San Antonio, Texas

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LEGAL ADVISOR OFFICE
JUN 11 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 Rene Ramirez:

WHEREAS, Officer Rene Ramirez, pursuant to Article XXVII, 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 28, 2015, with a one-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Ramirez was given an opportunity to rebut those charges being brought against him to Police Chief Anthony L. Treviño, Jr.; and

WHEREAS, said opportunity was exercised by Officer Ramirez; and

WHEREAS, Officer Ramirez and his captain, Vidal Resendez, have agreed and Chief Treviño 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 Ramirez shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on June 23, 2015, and ending on June 23, 2015. Officer Ramirez 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 Ramirez 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 Ramirez 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 Ramirez has violated are as follows:

PROCEDURE 409 – MOBILE VIDEO RECORDING (.05)
START UP (A) Officers inspect and functionally test mobile video recording equipment in their assigned vehicle at the beginning of every shift by: (3) Performing a functional test by activating the camera, synchronizing their mobile microphone, and stating their name, badge number and the date. The officer will then play back the recording to ensure the system recorded correctly and that the mobile microphone is synchronized to their system and recording.
(.06) RECORDING (A) Officers shall begin recording the following events upon receipt of call and continue recording until it is concluded; any deviations will require a supervisor's approval and must be documented in the officer's report or CFS comment entry field. (1) DWI stops; (2) Code 1 Calls; (3) Code 2 Calls; (4) Code 3 Calls; (5) Self initiated stops (a) Arrests (b) Field contacts (c) Traffic stops (6) Vehicle pursuits; and (7) Vehicle crashes,

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

On or about April 14, 2015 through April 25, 2015, Officer Rene Ramirez failed to properly operate the Coban video recording system while on patrol. During the week from April 14, 2015 through April 17, 2015, Officer Ramirez made 26 calls but only recorded two videos. During the next week from April 22, 2015 through April 25, 2015, Officer Ramirez made 24 calls, but only recorded five videos. No audio was recorded on any of the Coban for either week.

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

AGREED TO BY:



ANTHONY L. TREVIÑO, JR.
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

6/9/15

DATE



OFFICER RENE RAMIREZ, #0917
SAN ANTONIO POLICE DEPARTMENT

6/10, 2015 1554

DATE TIME

On this 10 day of JUNE, 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.

 #917
OFFICER RENE RAMIREZ, #0917
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Sgt Barry G... .. TIME: 15:55 DATE: 06-10-15
W. Alvarez TIME: 15:55 DATE: 6-10-15

FILED on this the 12 day of June, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.


DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION

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