



Officer Robert Gaitan, #0984
San Antonio Police Department
San Antonio, Texas

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2015 JUN 17 AM 9:56

LEGAL ADVISOR OFC
JUN 17 2015
CITY ATTORNEY'S OFFICE
SAN ANTONIO, TEXAS

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

Commissioners and Officer Robert Gaitan:

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 Robert Gaitan from paid duty with the San Antonio Police Department for a period of one calendar day, commencing on July 11, 2015, and ending on July 11, 2015.

Officer Gaitan 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 Gaitan 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 Gaitan has violated are as follows:


RULE 3.1E - CITY EQUIPMENT/PROPERTY (A) IMPROPER OR NEGLIGENT HANDLING: Improper or negligent handling of any city property or willful damage to city property is prohibited.

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

On or about February 14, 2015, at approximately 11:02 p.m., while on duty and operating a city-owned vehicle in the 600 block of U.S. Highway 90 W., Officer Robert Gaitan negligently struck a vehicle.

The level of this suspension is based upon Officer Gaitan's cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.16 of the San Antonio Police Department General Manual.

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


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

6/11/15
DATE

On this 15 day of JUNE, 2015, I hereby acknowledge receipt of the original of the foregoing one-day 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.

R. St #0984
OFFICER ROBERT GAITAN, #0984
SAN ANTONIO POLICE DEPARTMENT

June 15, 2015 2220
DATE TIME

WITNESSED BY:

OM 3134 DATE: 06-15-15 TIME: 2220

Edwin D. Ramirez 17039 DATE: 06-15-15 TIME: 2220

FILED on this the 17 day of June, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.

Alice A Ramirez
DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION

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