

Officer Rodney L. Franklin, #0167  
San Antonio Police Department  
San Antonio, Texas

RECEIVED  
CITY OF SAN ANTONIO  
HUMAN RESOURCES DEPT

DEC 14 2015

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

2016 DEC 16 AM 10:39

Commissioners and Officer Rodney L. Franklin:

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 Rodney L. Franklin from paid duty with the San Antonio Police Department for a period of ten calendar days, commencing on January 3, 2016, and ending on January 12, 2016.

Officer Franklin 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 Franklin 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 Franklin 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.

**PROCEDURE 409 - MOBILE VIDEO RECORDING (.06) RECORDING (F)** When recording video, Officers will utilize their portable microphones on all activity which takes place outside their vehicle and will not mute the receiver microphone in presence of anyone while responding to a call or on self-initiated activity. Use of the mute function must be documented in the officer's report or CFS comment entry field. **EXCEPTION:** Use of the mute function for private conversations out of the auditory range of non-Department members does not require documentation.

**PROCEDURE 601 - PRISONERS (.12) PRISONERS' PROPERTY (A)** The arresting officer is responsible for all personal property belonging to a prisoner.

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

On or about June 1, 2015, Officer Rodney L. Franklin was assigned to a suspicious person call at 803 Castroville Road. The person was taken

into custody. While he was on the call, Officer Franklin searched the prisoner's vehicle. During the search, property belonging to the prisoner, Ernesto Torres, was displaced in the citizen's vehicle and was subsequently lost. Also, during his involvement in the call, Officer Franklin muted the audio microphone on his mobile video recording device several times in the presence of others, in violation of department policy.

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

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

DEC 14 2015

DATE

On this 14 day of December, 2015, I hereby acknowledge receipt of the original of the foregoing ten-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.

Rodney L. Franklin 167  
OFFICER RODNEY L. FRANKLIN, #0167  
SAN ANTONIO POLICE DEPARTMENT

12-14, 2015 1040  
DATE TIME

RECEIVED  
CITY OF SAN ANTONIO  
FIRE FIGHTERS' AND POLICE  
OFFICERS' CIVIL SERVICE  
COMMISSION  
2015 DEC 16 AM 10:39

WITNESSED BY:

[Signature] 3160 DATE: 12/14/2015 TIME: 1040  
[Signature] 4041 DATE: 12/14/15 TIME: 1040

FILED on this the 16 day of December, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.

Glenn D. Ramirez Jr  
DIRECTOR, FIRE FIGHTERS' AND POLICE  
OFFICERS' CIVIL SERVICE COMMISSION