

Officer Rosendo Hoyos III, #0195
San Antonio Police Department
San Antonio, Texas

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

RECEIVED
CITY OF SAN ANTONIO
HUMAN RESOURCES DEPT.
2014 SEP 26 AM 9:03

AGREED SUSPENSION

Commissioners and Officer Hoyos:

WHEREAS, Officer Rosendo Hoyos III, 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 Wednesday, September 17, 2014, with a one-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Hoyos 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 Hoyos; and

WHEREAS, Officer Hoyos and his captain, Rosalinda Vasquez, 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 Hoyos shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on Monday, October 6, 2014, and ending on Tuesday, October 7, 2014. Officer Hoyos 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 Hoyos 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 Hoyos 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 Hoyos has violated are as follows:

Proc. 503.06B: Obtaining and Executing Arrest Warrants; Verification of Warrant Information; Class C Misdemeanor Arrest Warrants.

Proc. 506.08.F.2: Traffic Law Enforcement; Special Traffic Enforcement Policies and Procedures; Drivers with No Valid Driver's License; Persons physically arrested for not having valid driver's licenses are returned to the City of San Antonio Detention Center.

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

On September 3, 2014 Officer Hoyos and Officer Scott Ambrose #0067 conducted a traffic stop at the 1600 Block of E Crockett. After checking both the driver and passenger for warrants it was determined the driver was active on three (3) Justice of the Peace Precinct 2 (JP) Warrants for traffic violations, had no driver's license and no valid insurance for the vehicle. The passenger was active on one (1) MCRT warrant for Theft under \$50. The investigation further revealed after arresting the passenger for the warrant, Officer Hoyos allowed the unlicensed driver active on three (3) JP warrants to drive away in the vehicle with three (3) small children in the rear seat not properly restrained.

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

AGREED TO BY: WILLIAMS SEP 19 2014
WILLIAM P. MCMANUS, CHIEF OF POLICE DATE
SAN ANTONIO POLICE DEPARTMENT

Rosendo Hoyos III #195 19 Sep, 2014 2:40 pm
OFFICER ROSENDO HOYOS III, #0195 DATE TIME
SAN ANTONIO POLICE DEPARTMENT

On this 19 day of September, 2014, 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.


OFFICER ROSENDO HOYOS III, #0195
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Karen M. Falke

TIME: 2:40 pm

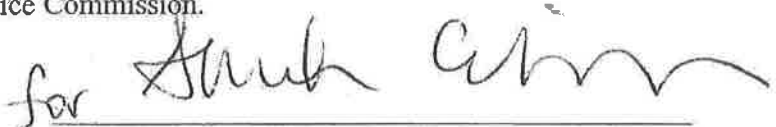
DATE: 9/19/14

Craig Cavette

TIME: 2:40 pm

DATE: 9/19/14

FILED on this the 26th day of September, 2014, with the Fire Fighters' and Police Officers' Civil Service Commission.

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

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