

Officer Travis J. Gourley, #0375
San Antonio Police Department
San Antonio, Texas

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

LEGAL ADVISOR CFC
AUG 11 2015
CITY ATTORNEY'S OFFICE
SAN ANTONIO, TEXAS

AGREED SUSPENSION

Commissioners and Officer Travis J. Gourley:

WHEREAS, Officer Travis J. Gourley, pursuant to Article XXVIII, 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 June 20, 2015, with a one-day contemplated suspension; and

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

WHEREAS, Officer Gourley and his captain, Tracy Powers, 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 Gourley shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on August 15, 2015, and ending on August 15, 2015. Officer Gourley 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 Gourley 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 Gourley 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 Gourley has violated are as follows:

PROCEDURE 601 – PRISONERS (.06) SEARCHING OF PRISONERS
(A) Officers are responsible for conducting a search, not to include a strip search or body cavity search, of prisoners to remove all weapons, dangerous objects, contraband, or evidence.

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

On or about April 13, 2015, Officer Travis J. Gourley brought a prisoner into the City Detention Center. The prisoner had not been thoroughly searched and was found to have contraband (a small plastic baggie of synthetic marijuana) in his boot.

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Officer Gourley had been given a written reprimand for a similar incident in August of 2014.

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

AGREED TO BY: A. Trevino
ANTHONY L. TREVINO, JR.
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

7/10/15
DATE

T. Gourley 0375
OFFICER TRAVIS J. GOURLEY, #0375
SAN ANTONIO POLICE DEPARTMENT

8-10, 2015 2307
DATE TIME

On this 10 day of August, 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.

T. Gourley 0375
OFFICER TRAVIS J. GOURLEY, #0375
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

B. Patton 3237 TIME: 2:307

DATE: 8-10-15

J. Patton 3191 TIME: 2307

DATE: 8-10-2015

FILED on this the 11 day of August, 2015, with the Fire Fighters' and Police Officers' Civil Service Commission.

Glenn T. Ramirez
DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION

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