

Officer Matthew C. Luckhurst, #1714
San Antonio Police Department
San Antonio, Texas

RECEIVED
CITY OF SAN ANTONIO
HUMAN RESOURCES DEP

LEGAL ADVISOR'S OFFICE
DEC 02 2016
SAN ANTONIO POLICE DEPARTMENT

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

2016 DEC -2 AM 10:42

Commissioners and Officer Matthew C. Luckhurst:

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 Matthew C. Luckhurst from paid duty with the San Antonio Police Department, indefinitely, without pay, from his position as an officer of the San Antonio Police Department, effective immediately.

Officer Luckhurst 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 Luckhurst 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 Luckhurst 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 918 - HARASSMENT, DISCRIMINATION, AND SEXUAL CONDUCT IN THE WORKPLACE (.04) PROHIBITED ACTIVITIES (D) Members (both sworn and civilian) shall not engage in conduct that could be construed as inappropriate behavior, sexual harassment or any other significant behavioral infraction.

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

On or about June 12, 2016, during the night shift, between approximately 5:30 p.m. to 3:30 a.m., after another male officer went into the women's locker room at the Bike Patrol Office and defecated in the toilet assigned to female personnel, Officer Matthew C. Luckhurst went into the same facility and defecated on top of the previously deposited excrement. The

toilet was left unflushed by both officers intentionally. Officer Luckhurst and the other officer also obtained a brown substance with the consistency of tapioca and spread it on the toilet seat, giving the appearance that there was fecal matter on the seat. Officer Luckhurst then boasted of these actions to fellow officers. This inappropriate behavior was done after a female officer requested the women's restroom be kept clean.

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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.

Following separation from the Department, the training requirements to maintain an officer's peace officer's license for the current training cycle and unit are that officer's responsibility. An officer should refer to the TCOLE website <http://www.tcole.texas.gov/content/training-requirements> for further information and to establish a TCOLE account to review current training records.

WILLIAMS
WILLIAM P. MCMANUS, CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

11/30/16
DATE

I hereby acknowledge receipt of the original of the foregoing indefinite 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.

MULT
OFFICER MATTHEW C. LUCKHURST, #1714
SAN ANTONIO POLICE DEPARTMENT

12-1, 2016 1212
DATE TIME

WITNESSED BY:

H Carlos Sanchez #4036 DATE: 12-1-16 TIME: 1212
[Signature] #1777 DATE: 12-1-16 TIME: 1212

FILED on this the 2nd day of Dec., 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.

Yvette Rain for
DIRECTOR FIRE FIGHTERS' AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION