

ADVISOR'S OFFICE
APR 15 2016
SAN ANTONIO POLICE DEPARTMENT

Officer Cody W. Haegelin, #0795
San Antonio Police Department
San Antonio, Texas

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

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AGREED SUSPENSION

Commissioners and Officer Cody W. Haegelin:

WHEREAS, Officer Cody W. Haegelin, 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 March 7, 2016, with a one-day contemplated suspension; and

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

WHEREAS, Officer Haegelin and his captain, Cris Andersen, 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 Haegelin shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on April 28, 2016, and ending on April 28, 2016. Officer Haegelin 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 Haegelin 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 Haegelin 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 Haegelin has violated are as follows:

PROCEDURE 601 - PRISONERS (.17) GUARD DUTY AT A MEDICAL FACILITY (C) Officers' Duties While Guarding Prisoners: (1) Prisoners are not moved for the convenience of the officer. (2) Prisoners are not left unattended. When relief is necessary, the officer requests the Communications Unit to send another officer. (3) When necessary to prevent escape, prisoners are secured with handcuffs and, if necessary, leg irons. Prisoners are not secured to any stationary objects.

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

On or about January 25, 2016, Officer Cody W. Haegelin took custody of a prisoner that was under arrest for theft. The prisoner had a medical issue, so EMS was called prior to Officer Haegelin's arrival. EMS transported the prisoner to the hospital. Officer Haegelin made the decision to remove the prisoner's handcuffs. While Officer Haegelin was filling out a report, he stopped watching the prisoner. The prisoner subsequently escaped, which he was made aware of by the staff at the hospital. Despite an extensive search, the prisoner was never apprehended.

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 APR 6, 2016
WILLIAM P. MCMANUS DATE
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

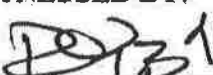
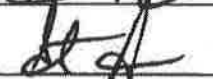
[Signature] #795 4-11-, 2016 1705
OFFICER CODY W. HAEGELIN, #0795 DATE TIME
SAN ANTONIO POLICE DEPARTMENT

On this 11 day of April, 2016, 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 CODY W. HAEGELIN, #0795
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

 3223 TIME: 1707 DATE: 4-11-16
 #3098 TIME: 1708 DATE: 4-11-16

FILED on this the 19th day of April, 2016, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

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