

LEGAL ADVISOR'S OFFICE

JUL 13 2017

Officer Mark H. Walaski, #0707  
San Antonio Police Department  
San Antonio, Texas

SAN ANTONIO POLICE DEPARTMENT

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

Commissioners and Officer Mark H. Walaski:

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 Mark H. Walaski 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 Walaski 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 Walaski 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 Walaski has violated are as follows:

RULE 3.30 - CONSORTING WITH PERSONS OF ILL-REPUTE: (B) Members shall not associate with known or suspected criminals where said associations do or tend to bring the department and/or the member into disrepute. Generally, familial associations are not prohibited by this rule. However, where an association is with a family member who still engages in criminal activity, or where the association does or tends to further criminal conduct on the part of the family member, those associations are prohibited. Associations with known or suspected criminals in furtherance of a member's duties are not prohibited by this rule.

PROCEDURE 303 - DISCIPLINARY PROCEDURES (.03) INCIDENTS INVOLVING OFFICERS (A) Officers will immediately self-report to their immediate supervisor, verbally and in writing on SAPD Form 200-OR, any disturbances that they are involved in that require a law enforcement response, or have knowledge or become aware that their involvement in a disturbance has the potential to result in a law enforcement response or a complaint. If the officer's immediate supervisor is not available, the officer shall report his involvement in the disturbance, verbally and in writing to any on-duty supervisor. Any

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supervisor who received a self-report from an officer shall, submit a report and route his report along with the officer's report utilizing Blue Team, through their chain of command to Internal Affairs for an administrative review.

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

In July 2016, Officer Mark H. Walaski met Tracy Helmke, a drug abuser who had an active warrant for her arrest on a charge of Prostitution. Officer Walaski allowed Ms. Helmke to live at his residence located at [REDACTED] and Officer Walaski began a dating relationship with her.


On or about October 27, 2016, Officer Mark H. Walaski paid \$530 to Rangel's Bonding Service to bond Tracy Helmke out of jail on warrants for two separate prostitution charges and Officer Walaski signed as the indemnitor.

On or about March 8, 2017, Officer Mark H. Walaski signed a six-month lease and began paying for an apartment at [REDACTED] for Tracy Helmke to reside.

On or about January 30, 2017, at approximately 9:56 p.m., Tracy Helmke called the San Antonio Police Department to have police officers respond to a disturbance at [REDACTED] in which Officer Mark H. Walaski and she were involved. The recording of the call to 911 indicated the necessity for a law enforcement response. When officers responded to the call, they were unable to locate Ms. Helmke. Officer Walaski contacted the officers in his front yard and identified himself as a San Antonio police officer. Officer Walaski failed to report this disturbance to any supervisor (immediate or on-duty) verbally or in writing. Additionally, Officer Walaski failed to report verbally or in writing to any supervisor his involvement in a disturbance with Tracy Helmke to which Sergeant Curtis Coolidge responded at [REDACTED] on April 14, 2017 at approximately 11:30 p.m.

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.

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

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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.

Walaski Mark  
OFFICER MARK H. WALASKI, #0707  
SAN ANTONIO POLICE DEPARTMENT

7-13-17 1054  
DATE TIME

WITNESSED BY:

[Signature] 4008 DATE: 07/13/17 TIME: 1055

T Loren M. Falke DATE: 7/13/17 TIME: 1055

FILED on this the 13<sup>th</sup> day of July, 2017, with the Fire Fighters' and Police Officers' Civil Service Commission.

[Signature]  
DIRECTOR, FIRE FIGHTERS' AND POLICE  
OFFICERS' CIVIL SERVICE COMMISSION

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