

LEGAL ADVISOR'S OFFICE

AUG 11 2017

Officer Arnoldo A. Sanchez, #0568
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

AGREED SUSPENSION

Commissioners and Officer Arnoldo A. Sanchez:

WHEREAS, Officer Arnoldo A. Sanchez, 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 July 26, 2017, with a two-day contemplated suspension; and

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

WHEREAS, Officer Sanchez and Chief McManus have agreed that the discipline in this matter shall be a two-day suspension held in abeyance for a period of one (1) year; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Sanchez shall be suspended without pay from the San Antonio Police Department for a period of two days. The two-day suspension of Officer Sanchez shall be held in abeyance for a period of one year, after which time the suspension will be vacated. Officer Sanchez shall serve the suspension if he is found to have committed any violations of similar misconduct which are subsequently sustained within twelve months of August 10, 2017. Officer Sanchez 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 Sanchez 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 Sanchez 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 Sanchez has violated are as follows:

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RULE 3.26 - TREATMENT OF PRISONERS: Prisoners shall be protected in their legal rights, given humane treatment, and shall not be subjected to verbal abuse or unnecessary physical violence.

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

On February 19, 2017, Officer Arnoldo A. Sanchez was responding to a call for service when he drove up on David Ramirez, who was walking in the roadway in a neighborhood where an adjacent sidewalk was provided. Officer Sanchez pulled over and attempted to detain Mr. Ramirez. Mr. Ramirez offered resistance when Officer Sanchez grabbed him by the arm and a struggle ensued. Officer Deleon assisted Officer Sanchez in placing him in handcuffs. The Administration alleges Officer Sanchez used unnecessary physical force by forcefully picking Mr. Ramirez up off the ground and slamming him onto the hood of the patrol vehicle. This case was handled under SAPD17039719.

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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: WILLIAM P. MCMANUS 08/11/17
WILLIAM P. MCMANUS DATE
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT



ARNOLDO A. SANCHEZ 8/11/17 1529
OFFICER ARNOLDO A. SANCHEZ, #0568 DATE TIME
SAN ANTONIO POLICE DEPARTMENT

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 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 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 ARNOLDO A. SANCHEZ, #0568
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

 TIME: 1528 DATE: 8.11.17
 TIME: 1528 DATE: 8.11.17

FILED on this the 16 day of August, 2017, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

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