

Officer Gary S. Tuli, #0517
San Antonio Police Department
San Antonio, Texas

LEGAL ADVISOR'S OFFICE
SEP 27 2017
SAN ANTONIO POLICE DEPARTMENT

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

Commissioners and Officer Gary S. Tuli:

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 Gary S. Tuli from paid duty with the San Antonio Police Department for a period of five calendar days, commencing on September 30, 2017, and ending on October 4, 2017.

Officer Tuli 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 Tuli 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 Tuli has violated are as follows:

PROCEDURE 501 – USE OF FORCE (.05) APPLICATION OF FORCE (B) Police officers finding it necessary to use force to achieve a lawful police objective shall use a reasonable amount of force to affect the objective. However, nothing in this procedure is interpreted to mean an officer must prolong any combat or struggle in order to satisfy any element of escalation rather than resort to a reasonable method that resolves the situation in the safest and most expedient fashion.

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

On or about May 15, 2017, Officer Gary S. Tuli was dispatched to 4726 Castle Rose for family violence. Upon Officer Tuli's arrival, he observed the complainant, Mr. Daniel Mares-Medina standing in the driveway in front of the house. Upon his arrival, Officer Tuli exited his vehicle and approached Mr. Mares-Medina, telling him he was going to jail and to turn around. Officer Tuli took Mr. Mares-Medina to the ground, and while Mr. Mares-Medina was lying on his back, Officer Tuli told him to roll over (onto his stomach). After warning Mr. Mares-Medina he would punch him in the face if he didn't roll over, Officer Tuli struck Mr. Mares-

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Medina in the face twice, causing Mr. Mares-Medina to lose consciousness. Mr. Mares-Medina and the Administration allege Officer Tuli used excessive force when he struck Mr. Mares-Medina in the face.

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

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

SEP 14 2017

DATE

I hereby acknowledge receipt of the original of the foregoing five-day 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.

Gary S. Tuli #0517
OFFICER GARY S. TULI, #0517
SAN ANTONIO POLICE DEPARTMENT

09/23/17
DATE

1725
TIME

WITNESSED BY:

[Signature] 3314 DATE: 9/23/17 TIME: 1726

[Signature] 4023 DATE: 9/23/17 TIME: 1727

FILED on this the 29th day of September, 2017, with the Fire Fighters' and Police Officers' Civil Service Commission.

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

CITY OF SAN ANTONIO
NOTICE OF SUSPENSION


LEGAL ADVISOR'S OFFICE
SEP 27 2017
SAN ANTONIO POLICE DEPARTMENT

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Gary S. Tuli, #0517


UNIT OF ASSIGNMENT: EPT

JOB CLASS NO. AND TITLE: 0600 Police

SAP NUMBER	TRANS. DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	09	11	17	09	30	17	10	04	17

NARRATIVE REMARKS: Five-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE #0517


DEPARTMENT HEAD

09/23/17
DATE

SEP 14 2017

DATE

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