

LEGAL ADVISOR'S OFFICE

SEP 22 2017

SAN ANTONIO POLICE DEPARTMENT

2017 SEP 22 AM 10:39

RECEIVED
CITY OF SAN ANTONIO
POLICE DEPARTMENT

Officer Miguel A. Saucedo, #0510
San Antonio Police Department
San Antonio, Texas

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

AGREED SUSPENSION

Commissioners and Officer Miguel A. Saucedo:

WHEREAS, Officer Miguel A. Saucedo, 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 August 29, 2017, with a five-day contemplated suspension; and

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

WHEREAS, Officer Saucedo and Chief McManus have agreed that the discipline in this matter shall be a five-day suspension. Further, Officer Saucedo and Chief McManus have agreed that Officer Saucedo will serve a two-day suspension as outlined below and that the remaining three days will be held in abeyance for a period of one year; **NOW THEREFORE**:

The undersigned parties hereby enter into this Agreed Suspension wherein it is provided that Officer Saucedo shall be suspended for five days. Officer Saucedo will be suspended without pay from the San Antonio Police Department for a period of two days, commencing on September 27, 2017, and ending on September 28, 2017. The remaining three days of Officer Saucedo's suspension shall be held in abeyance for a period of one year. Officer Saucedo shall serve the remaining three days if he is involved in another negligent accident within twelve months from the date of July 7, 2017. Officer Saucedo waives any right 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 Saucedo 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 Saucedo 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 Saucedo has violated are as follows:

RULE 3.18 – CITY EQUIPMENT/PROPERTY (A) IMPROPER OR NEGLIGENT HANDLING: Improper or negligent handling of any city property or willful damage to city property is prohibited.

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

On or about July 7, 2017, at approximately 1:15 p.m., while on duty and operating a city-owned vehicle in the 1400 block of Socorro Street, Officer Miguel A. Saucedo negligently struck a vehicle.

The level of this suspension is based upon Officer Saucedo's cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.17 of the San Antonio Police Department General Manual.

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 SEP 21 2017
WILLIAM P. MCMANUS DATE
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

Miguel A. Saucedo 9.21.17 1210
OFFICER MIGUEL A. SAUCEDO, #0510 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 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

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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.

M A Saucedo
OFFICER MIGUEL A. SAUCEDO, #0510
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

[Signature] TIME: 1212 DATE: 9.21.17
WJ 3283 TIME: 1212 DATE: 9.21.17

FILED on this the 22 day of September, 2017, with the Fire
Fighters' and Police Officers' Civil Service Commission.

Fori Brandis Davis
DIRECTOR, FIRE FIGHTERS' AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION

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2017 SEP 22 AM 10:39 CITY OF SAN ANTONIO
NOTICE OF SUSPENSION


LEGAL ADVISOR'S OFFICE
SEP 22 2017
SAN ANTONIO POLICE DEPARTMENT

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Miguel A. Saucedo, #0510

UNIT OF ASSIGNMENT: SPA

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	09	19	17	09	27	17	09	28	17

NARRATIVE REMARKS: Agreed Two-Day Suspension

AUTHORITY: Written Order of the Chief of Police

M A Saucedo #510
EMPLOYEE

[Signature]
DEPARTMENT HEAD

9-26-17
DATE

SEP 21 2017
DATE