

Detective Kenneth L. Valdez, #2005  
San Antonio Police Department  
San Antonio, Texas

SAN ANTONIO HR

JAN 10 '18 12:58PM

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LEGAL ADVISOR'S OFFICE  
JAN 09 2018  
SAN ANTONIO POLICE DEPARTMENT

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

Commissioners and Detective Kenneth L. Valdez:

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 Detective Kenneth L. Valdez 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.

Detective Valdez 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 Detective Valdez 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 Detective Valadez has violated are as follows:

RULE 3.03 - OBEY LAWFUL ORDERS (A)  
INSUBORDINATION: Defying the authority of any supervisory officer by obvious disrespect, disputing orders, failure and/or deliberate refusal to obey any lawful order given by them shall be deemed insubordination.

RULE 3.17 - OUTSIDE EMPLOYMENT (A) PERMISSION  
REQUIRED: Members of the Department shall not engage in any outside employment, nor own, operate, or have any financial interest in any business activity without the approval of the Chief of Police.

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

On or about the following dates (all 2017): July 14, July 28, and August 8, Detective Kenneth L. Valdez was working off-duty security and in full SAPD uniform at the Pearl Brewery located at

303 Pearl Parkway, San Antonio, Texas without the written permission of the Chief of Police.

On or about August 11, 2017, Detective Kenneth L. Valdez was issued a written order in the form of a Chief's Memo (2017-3072) from Chief of Police William P. McManus placing Detective Valdez on Administrative Duty. In that order, Detective Valdez was advised he was specifically prohibited from engaging in any off-duty or outside employment which required the wearing of a police uniform or an extension of police services. During this investigation it was discovered that Detective Valdez continued his outside employment at the Ventana Apartment Homes located at 11020 Huebner Oaks, San Antonio, Texas after receiving Chief McManus' order.

On or about August 21, 2017, Detective Kenneth L. Valdez was issued a Direct Order of No Contact with [REDACTED] from Deputy Chief Anthony Muro. In that order, Detective Valdez was advised he was to not contact or communicate with [REDACTED] at any time, on or off duty. Additionally, the order states the contact or communication not to occur includes personal contact, telephone, written communication, or voice recordings. Lastly, the order specifically states that unintentional or unavoidable contact that is beyond Detective Valdez's control does not violate the order. In subsequent interoffice correspondences, Detective Valdez admits to continuing contact with [REDACTED] to include sharing an apartment with her and communicating several days via telephone. The Administration alleges Detective Valdez deliberately disobeyed Deputy Chief Muro's order.

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

  
DATE

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.

KLV  
 DETECTIVE KENNETH L. VALDEZ, #2005  
 SAN ANTONIO POLICE DEPARTMENT

1-9-18 1158  
 DATE TIME

WITNESSED BY:

[Signature] 407 DATE: 1-9-18 TIME: 1159  
[Signature] DATE: 1-9-18 TIME: 1159

FILED on this the 10<sup>th</sup> day of January, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.

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