

CITY OF  
SAN ANTONIO HR  
JUN 5 '18 9:17AM

Officer Rosemary Caudillo, #0173  
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 Rosemary Caudillo:

**WHEREAS**, Officer Rosemary Caudillo, 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 May 5, 2018, with a one-day contemplated suspension; and

**WHEREAS**, pursuant to said contract, Officer Caudillo was given an opportunity to rebut those charges being brought against her to Police Chief William P. McManus; and

**WHEREAS**, said opportunity was exercised by Officer Caudillo; and

**WHEREAS**, Officer Caudillo and her captain, Randall Smith, have agreed and Chief McManus has approved of settling this matter with a one-day suspension without pay; **NOW THEREFORE:**

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Caudillo shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on June 2, 2018, and ending on June 2, 2018. Officer Caudillo 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 Caudillo 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 Caudillo 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 Caudillo has violated are as follows:

LEGAL ADVISOR'S OFFICE  
JUN 04 2018  
SAN ANTONIO POLICE DEPARTMENT

PROCEDURE 410 - BODY WORN CAMERAS (.06)  
RECORDING (D) Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure): (2) Upon reception of or response to CFS, whether dispatched or not.

PROCEDURE 707 - CRASH INVESTIGATION (.04)  
RESPONDING TO CRASHES (A) Responsibilities of first officer arriving at a crash scene: (5) Identify all drivers or pedestrians involved in the crash and check for valid driver's license and proof of insurance. This includes checking each person for active warrants and taking appropriate action if warrants are found.

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

On or about April 20, 2018, a male citizen, Mr. Salazar, came into the South substation to make a complaint. Mr. Salazar stated he had been involved in a minor accident on or about March 14, 2018 and claimed the handling officer, Officer Rosemary Caudillo, failed to write a citation to the other driver for no driver's license. It was determined that Officer Caudillo, in fact, did not conduct a driver's license check of the other driver. It was also determined that Officer Caudillo did not activate her body worn camera (BWC) when she received the dispatched call, and only part of the call was captured on video.

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

AGREED TO BY:	<u>WPMMS</u>	<u>MAY 17 2018</u>
	WILLIAM P. MCMANUS	DATE
	CHIEF OF POLICE	
	SAN ANTONIO POLICE DEPARTMENT	
	<u>Rosemary Caudillo #0173</u>	<u>5/26/2018</u> <u>0609 hrs</u>
	OFFICER ROSEMARY CAUDILLO, #0173	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 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.

Rosemary Caudillo #0173  
OFFICER ROSEMARY CAUDILLO, #0173  
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Alyson Campos 4010 TIME: 0608 hrs DATE: 5/26/18  
[Signature] 3080 TIME: 0608 HRS DATE: 5/26/18

FILED on this the 5th day of June, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.

Yvette Ramirez (for)  
DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION