

**NOTICE OF INDEFINITE SUSPENSION WITHOUT PAY**

CITY OF  
SAN ANTONIO HR  
JUL 16 '18 8:47AM

Fire Lieutenant Kenneth Campbell  
San Antonio Fire Department  
315 S. Santa Rosa  
San Antonio, Texas 78207

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

Commissioners and Fire Lieutenant Kenneth Campbell:

Under and by the virtue of the authority vested in me by Chapter 143, Municipal Civil Service, Subtitle A, Title 5, V.T.C.A. Local Government Code, I do hereby suspend Fire Lieutenant Kenneth Campbell from the San Antonio Fire Department without pay for an indefinite period, beginning on the 16TH day of JULY, 2018.

Fire Lieutenant Kenneth Campbell has violated Subsection C of Rule XIII of the City of San Antonio Fire Fighters and Police Officers Civil Service Commission Rules which were adopted on February 23, 1998, by the Fire and Police 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 Fire Lieutenant Campbell and which are grounds for suspension are as follows:

Rule XIII, Subsection C(12): Violation of an applicable  
fire or police department rule, or special order.

The Rules and Regulations of the San Antonio Fire Department which Fire Lieutenant Campbell has violated were those approved by the Firemen's and Policemen's Civil Service Commission on February 10, 2003, to be effective March 7, 2003. The particular rules thereof which Fire Lieutenant Campbell has violated are as follows:

**2.02 ABIDE BY LAWS AND DEPARTMENTAL ORDERS:**

B. ORDERS, RULES, REGULATIONS,  
DIRECTIVES, POLICIES AND PROCEDURES:  
Members shall abide by the Rules and Regulations,  
Departmental roles and responsibilities,  
administrative orders, directives, policies and  
procedures of the San Antonio Fire Department.

**3.01 CONDUCT AND BEHAVIOR: Members, whether on-duty or off-duty, shall be governed by the ordinary and**

reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit on themselves or the Department.

- 4.01 **INSUBORDINATION:** Members shall not engage in acts of insubordination. Defying the authority of any supervisory officer by obvious disrespect, disputing his orders, or failure or deliberate refusal to obey any lawful order given by him shall be deemed insubordination.
- 5.01 **MAINTAINING BOOKS AND RECORDS:** Supervisory officers shall maintain all books, records, and reports (including computer and database records) under their authority in conformity with the Rules and Regulations, administrative orders, directives, policies and procedures of the Department.
- 5.10 **TRAINING OF SUBORDINATES:** Supervisory officers shall be responsible for ensuring that subordinates under their command are trained to the degree necessary to maintain the competency needed to effectively fulfill the duties and responsibilities of their position.
- 8.07 **ALTERING ACCESSORIES:** No Members shall alter, deface, or in any way change any part or accessory of any city property without proper authorization.

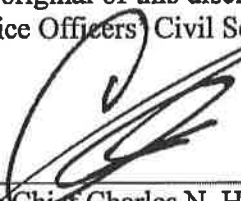
The acts committed by Fire Lieutenant Kenneth Campbell which violated the aforementioned Civil Service Rules and Fire Department Rules are as follows:

On January 26, 2018, it was discovered that Fire Lieutenant Kenneth Campbell failed to follow department policy and procedures as well as direct instructions given to him by his superiors. Specifically, Fire Lieutenant Campbell failed to review the case folders of his subordinates at least once per week as outlined in the "Supervisory Responsibilities of Lieutenants Assigned to Arson" policy which was distributed to him and all other employees of his rank in the Arson Division in the Fall of 2017. Further, Fire Lieutenant Campbell failed to ensure that a statistical data sheet was filled out by each Investigator under his supervision. Fire Lieutenant Campbell also failed to complete certain modules of the training curriculum and failed to document the processes required for "New Investigator processing" by January 31, 2018 as directed to do so. Additionally, during the last week of February 2018, it was discovered that Fire Lieutenant Campbell modified a City issued long gun rifle without authorization, and also failed to secure it as per department

protocol. This resulted in Fire Lieutenant Campbell's superior having to secure the weapon on his behalf. On or about May 8, 2018, it was discovered that another unauthorized weapon had been found in Fire Lieutenant Campbell's office in an unlocked/unsecured cabinet along with a fully loaded magazine. On May 14<sup>th</sup>, 2018, Fire Lieutenant Campbell failed to return all equipment issued to him while he was in Arson Unit directly to his Captain Raul Lopez despite being given specific instructions to do so. His actions tend to bring reproach upon himself and the San Antonio Fire Department.

Fire Lieutenant Campbell's violation of the cited rules is the basis for these charges and the reason for his indefinite suspension without pay.

An original of this disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.


  
\_\_\_\_\_  
Fire Chief Charles N. Hood

7/16/18  
Date

0730 HRS  
Time

# NOTICE OF RIGHT OF APPEAL

I hereby acknowledge receipt of a copy of the foregoing indefinite suspension without pay and further acknowledge that I have been notified that I have ten days to file a written appeal of this suspension with the Fire Fighters' and Police Officers' Civil Service Commission for hearing before the Commission or an independent third party hearing examiner. I also understand that if I appeal to the hearing examiner, I waive all rights of appeal to a District Court, except as provided by subsection (j) of Section 143.057 of Title 5, V.T.C.A. Local Government Code.

  
Fire Lieutenant Kenneth Campbell

7/16/18  
Date

0755  
Time

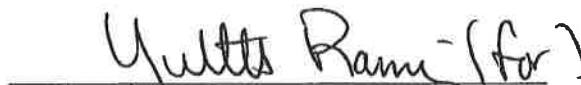
WITNESSED BY:

  
Signature

7/16/18  
Date

755 HR  
Time

FILED on this the 16<sup>th</sup> day of July, 2018, with the  
Fire Fighters' and Police Officers' Civil Service Commission.

  
Director, Fire Fighters' and Police  
Officers' Civil Service Commission

## RELEASE AND SETTLEMENT AGREEMENT

CITY OF

SAN ANTONIO HR

JUL 16 '18 8:49AM

WHEREAS, Fire Lieutenant Kenneth Campbell was issued an indefinite suspension on JULY 16, 2018, by Fire Chief Charles N. Hood for violations of civil service rules and regulations of the San Antonio Fire Department as stated in the notice of suspension; and

WHEREAS, Fire Lieutenant Kenneth Campbell has the right to appeal, but has not yet appealed, said suspension to the San Antonio Firefighters and Police Officers Civil Service Commission or a third-party arbitrator; and

WHEREAS, Chief Hood and Fire Lieutenant Kenneth Campbell have agreed to settle this disciplinary matter;

NOW THEREFORE:

FOR AND IN CONSIDERATION OF THE AGREEMENTS CONTAINED HEREIN:

SECTION 1. Fire Lieutenant Kenneth Campbell admits that he violated the rules of the Fire Fighters' and Police Officers' Civil Service Commission and of the San Antonio Fire Department set out in the Notice of Indefinite Suspension issued on JULY 16TH, 2018, and admits to the truth of the facts stated in the factual basis in said notice of indefinite suspension.

SECTION 2. The aforementioned indefinite suspension without pay of Fire Lieutenant Kenneth Campbell is hereby reduced to a sixteen day suspension without pay beginning JULY 17TH, 2018.

SECTION 3. IT IS FURTHER AGREED AND UNDERSTOOD THAT BY EXECUTION OF THIS AGREEMENT, AND IN CONSIDERATION OF SAID REDUCTION OF DISCIPLINE, FIRE LIEUTENANT CAMPBELL DOES HEREBY RELINQUISH AND WAIVE ANY RIGHT TO APPEAL SAID SUSPENSION TO THE FIREFIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION, A THIRD-PARTY ARBITRATOR, THE DISTRICT COURT, OR ANY OTHER COURT HAVING COMPETENT JURISDICTION AND THAT THIS AGREEMENT IS INTENDED TO BE A FULL AND FINAL SETTLEMENT OF ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION, WHETHER KNOWN OR UNKNOWN, WHETHER ASSERTED OR NOT HAVING YET BEEN ASSERTED, ARISING OUT OF THE AFORESAID SUSPENSION.

SECTION 4. FIRE LIEUTENANT CAMPBELL, FOR HIMSELF, HIS HEIRS, EXECUTORS, AND ASSIGNS, DOES HEREBY RELEASE, DISCHARGE, AND ACQUIT THE CITY OF SAN ANTONIO, TEXAS, ITS SUCCESSORS, ASSIGNS, OFFICERS, AGENTS, SERVANTS, AND EMPLOYEES, AND CHARLES N. HOOD, HIS HEIRS, EXECUTORS, ASSIGNS, AGENTS, SERVANTS, AND EMPLOYEES, FROM ANY AND ALL ACTIONS, CAUSES OF ACTION, INCLUDING THOSE ARISING OUT OF CHAPTER 554 OF THE TEXAS GOVERNMENT CODE, CLAIMS,

OR DEMANDS FOR DAMAGES, COSTS, EXPENSES, COMPENSATION, OR CONSEQUENTIAL DAMAGES, KNOWN OR UNKNOWN, ASSERTED OR NOT, ARISING OUT OF THE AFORESAID SUSPENSION.

CITY OF

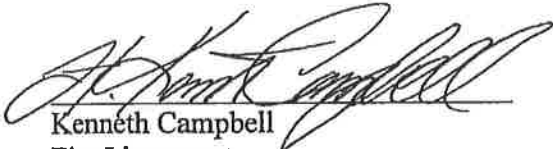
SAN ANTONIO HR

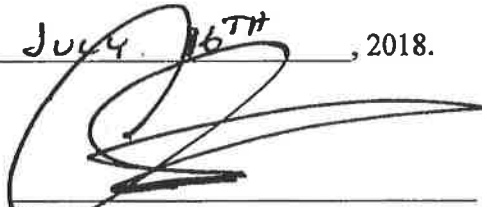
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SECTION 5. Should there be any contention, now or in the future, that the terms of this agreement conflict with or are inconsistent with those of the Collective Bargaining Agreement between the City of San Antonio and Local 624 International Association of Fire Fighters, which was executed on June 27, 2011, Fire Lieutenant Campbell agrees that the provisions of this agreement prevail.

SECTION 6. Fire Lieutenant Campbell acknowledges that he has been given an opportunity to review this agreement with the International Association of Fire Fighters, Local 624, and his attorney or other representative. Fire Lieutenant Campbell acknowledges that he has carefully read this Release and Settlement Agreement, he knows and understands the contents of the agreement, and he is satisfied with the contents of the agreement.

EXECUTED IN DUPLICATE ORIGINALS on July 16<sup>TH</sup>, 2018.

  
Kenneth Campbell  
Fire Lieutenant

  
Charles N. Hood  
Fire Chief