

Officer Kenneth Williams, #0820
San Antonio Police Department
San Antonio, Texas

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

AUG 7 '18 9:35AM

CITY OF

SAN ANTONIO HR

AGREED SUSPENSION

Commissioners and Officer Kenneth Williams:

WHEREAS, Officer Kenneth Williams, 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 July 9, 2018, with a one-day contemplated suspension; and

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

WHEREAS, Officer Williams and his captain, Chris Benavides, 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 Williams shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on August 5, 2018, and ending on August 5, 2018. Officer Williams 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 Williams 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 Williams 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 Williams has violated are as follows:

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): (1) Upon observation of suspicious or criminal behavior; (2) Upon reception of or response to CFS, whether dispatched or not; (3) Officer-initiated contacts: (a) Arrest, (b) Field Contacts, (c) Traffic/Pedestrian Stops, (d) Vehicle/Foot Pursuits; (4) During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as Public Safety Head Quarters (PSHQ) or the Magistrate's Office, the Officer may cease recording upon entering the

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facility or transferring custody of the prisoner/witness; (5) In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations; (6) Service of search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and (7) Citizen-initiated contacts or flagged down requests for public safety services.

PROCEDURE 620 - VEHICLE PURSUITS AND STOP TECHNIQUES (.08) VEHICLE PURSUITS (B) Vehicle Pursuit Management: (1) A managing supervisor will determine the number of emergency vehicles engaged in a vehicle pursuit to a maximum of four (4), inclusive of the primary and secondary vehicle. (.09) OPERATION OF EMERGENCY VEHICLES IN VEHICLE PURSUITS (A) Vehicle pursuits involve hazardous circumstances and environmental factors which create a high risk for the officers involved, as well as citizens within the vicinity of the vehicle pursuit. Officers must weigh the hazardous circumstances and environmental factors associated with a vehicle pursuit against the possibilities of serious bodily injury or death to other motorists, pedestrians, the pursuing officers, and the offender. Officers must understand there is a point at which the risks outweigh the benefits of apprehending a suspect.

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

On or about April 20, 2018, Officer Kenneth Williams engaged in a vehicle pursuit when vehicle pursuits are not authorized for traffic infractions, ordinance violations, non-violent misdemeanors (not involving the use of firearms), and non-violent felonies. As the primary vehicle driver, Officer Williams did not terminate the vehicle pursuit when authorization was not immediately received from the managing supervisor, nor did he terminate the vehicle pursuit when hazardous circumstances or environmental factors present were an unreasonable risk to public safety.

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During this incident, Officer Kenneth Williams failed to activate his body worn camera.

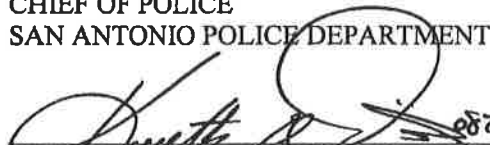
A copy of the instant disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.

AGREED TO BY:


WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

JUL 19 2018

DATE


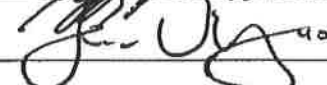

OFFICER KENNETH WILLIAMS, #0820
SAN ANTONIO POLICE DEPARTMENT

7-23-18 1301
DATE TIME

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.


OFFICER KENNETH WILLIAMS, #0820
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

 TIME: 2330
 TIME: 2330

DATE: 7-23-2018

DATE: 07-23-18

FILED on this the 7 day of August, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.


DIRECTOR, FIRE FIGHTERS' AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION

AUG7 '18 9:39AM

CITY OF

SAN ANTONIO HR

**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Kenneth Williams, #0820

UNIT OF ASSIGNMENT: TWI

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
<div style="background-color: black; width: 100%; height: 100%;"></div>	07	19	18	08	05	18	08	05	18


NARRATIVE REMARKS: Agreed One-Day Suspension


AUTHORITY: Written Order of the Chief of Police

AUG 7 '18 9:39AM

CITY OF

SAN ANTONIO HR


EMPLOYEE


DEPARTMENT HEAD

7 23 18
DATE

JUL 19 2018
DATE

LEGAL ADVISORS OFFICE
JUL 24 2018
SAN ANTONIO POLICE DEPARTMENT

LEAVE FORFEITURE FOR SUSPENSION REQUEST

To: Chief of Police

From: Williams, Kenneth
Officer's Name

0820
Badge Number

Date: 07-23-2018

Copies to: Accounting, Budget and Personnel, Pension Board, File

TYPE OR PRINT ONLY- Use Ink

I, Williams, Kenneth, hereby agree to the 1 day disciplinary
(Print Name)
suspension received on August 5, 2018 and request to forfeit leave time in lieu of
serving the disciplinary suspension.

Type of leave forfeited: ☐ Vacation
☒ Compensatory Time
☐ Holiday
☐ Bonus Day

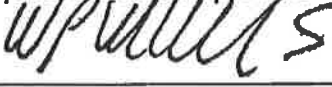

Officer's Signature

7-23-18
Date

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Request Denied/Approved.


Chief of Police

07/23/18
Date

The Chief of Police is not prohibited from denying this request.

LEGAL COUNSELOR'S OFFICE
JUL 24 2018
SAN ANTONIO POLICE DEPARTMENT