

Officer Oscar R. Perez, #0458
San Antonio Police Department
San Antonio, Texas

AUG 28 '18 11:03 AM

CITY OF

SAN ANTONIO HR

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

AGREED SUSPENSION

Commissioners and Officer Oscar R. Perez:

WHEREAS, Officer Oscar R. Perez, 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 25, 2018, with a one-day contemplated suspension; and

WHEREAS, Officer Perez and his 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 Perez shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on September 2, 2018, and ending on September 2, 2018. Officer Perez 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 Perez 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 Perez 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 Perez 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): (2) Upon reception of or response to CFS, whether dispatched or not.

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

On or about May 28, 2018, at approximately 5:50 a.m., Officer Oscar R. Perez failed to activate his body worn camera when dispatched to a call for service.

LEGAL ADVISOR'S OFFICE

AUG 20 2018

SAN ANTONIO POLICE DEPARTMENT

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

AGREED TO BY:

[Signature]
WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

AUG 15 2018
DATE

[Signature] SK #0458
OFFICER OSCAR R. PEREZ, #0458
SAN ANTONIO POLICE DEPARTMENT

08-16-18 0039
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.

[Signature] SK #0458
OFFICER OSCAR R. PEREZ, #0458
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

P. R. #3249 TIME: 2240 hrs DATE: 8-16-18

Edwin J. Pina #3039 TIME: 2243 hrs DATE: 8-16-18

FILED on this the 20 day of August, 2018 with the Fire Fighters' and Police Officers' Civil Service Commission.

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

SAN ANTONIO HR
CITY OF
AUG20 10 11:03AM


**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Oscar R. Perez, #0458

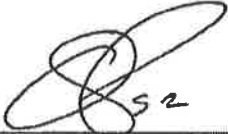
UNIT OF ASSIGNMENT: SPC

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	08	14	18	09	02	18	09	02	18

NARRATIVE REMARKS: Agreed One-Day Suspension

AUTHORITY: Written Order of the Chief of Police


52 #0458
EMPLOYEE

08-16-18
DATE


DEPARTMENT HEAD

AUG 15 2018
DATE

SAN ANTONIO HR
CITY OF
AUG20 10 11:43AM

LEGAL ADVISOR'S OFFICE
AUG 20 2018
SAN ANTONIO POLICE DEPARTMENT

LEAVE FORFEITURE FOR SUSPENSION REQUEST

To: Chief of Police

From: Oscar R. Perez 0458
Officer's Name Badge Number

Date: 08-16-18

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

TYPE OR PRINT ONLY- Use Ink

I, Oscar R. Perez, hereby agree to the 1 day actual
Suspension served on 09-02-18 and request to forfeit leave time in lieu of
serving the disciplinary suspension.

Type of leave forfeited:

- Vacation
- Compensatory Time
- Holiday
- Bonus Day

[Signature] #0458
Officer's Signature

08-16-18
Date

AUG20 '18 11:03AM
CITY OF

SAN ANTONIO HR

Request Denied/Approved.

[Signature] 08/17/18
Chief of Police Date

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

LEGAL ADVISOR'S OFFICE
AUG 20 2018

SAN ANTONIO POLICE DEPARTMENT