

Officer Anthony S. Brown, #0197  
San Antonio Police Department  
San Antonio, Texas

SEP24 '18 11:07AM

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 Anthony S. Brown:

**WHEREAS**, Officer Anthony S. Brown, 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 September 6, 2018, with an eight-day contemplated suspension; and

**WHEREAS**, pursuant to said contract, Officer Brown 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 Brown; and

**WHEREAS**, Officer Brown and Chief McManus have agreed to reduce the discipline in this matter to a three-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Brown shall be suspended without pay from the San Antonio Police Department for a period of three days, commencing on October 13, 2018, and ending on October 15, 2018. Upon successful completion of one year, from the date of September 20, 2018, without an allegation of similar misconduct which is subsequently sustained and upon application by Officer Brown within two weeks of such date, and approval by the Chief of Police, two days' pay and benefits will be returned to Officer Brown. Officer Brown 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 Brown 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 Brown and grounds for suspension are as follows:

- (12) Violation of an applicable fire or police department rule or special order.

LEGAL ADVISOR'S OFFICE

SEP 20 2018

SAN ANTONIO POLICE DEPARTMENT

The Rules and Regulations and Procedures of the San Antonio Police Department which Officer Brown has violated are as follows:

**RULE 3.18 – CITY EQUIPMENT/PROPERTY (E) WASTE OR CONVERSION:** Members shall not willfully waste or convert to their own use any city owned supplies, equipment, or services.

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

Officer Anthony S. Brown used city-owned equipment (desktop and laptop computers) on two occasions for unofficial and/or improper purposes to check the criminal history of two persons through the National Crime Information Center (NCIC)/Texas Crime Information Center (TCIC) database(s).

Violation 1: On February 28, 2017, Officer Brown made several unofficial and/or improper NCIC/TCIC inquiries on Evalinda Davila. The inquiries utilized a City of San Antonio computer located in the South Patrol Substation report writing room. The first constructive knowledge of this incident was on April 2, 2018.

Violation 2: On October 14, 2017, Officer Brown made an unofficial and/or improper NCIC/TCIC inquiry on Gabriel Castillo. The inquiry utilized a City of San Antonio laptop computer. The first constructive knowledge of this incident was on April 5, 2018.

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CITY OF

SAN ANTONIO HR

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


9-20-18  
DATE

 197  
OFFICER ANTHONY S. BROWN, #0197  
SAN ANTONIO POLICE DEPARTMENT

9-20, 2018 1:40  
DATE TIME

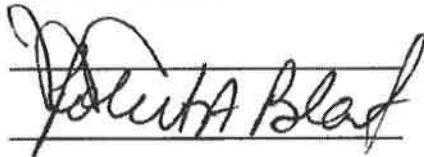
I hereby acknowledge receipt of the original of the foregoing Agreed Suspension. I acknowledge having received notification that I have fifteen days from the date of receipt of this suspension during which to file a written appeal of this suspension with the Personnel Director of the City of San Antonio 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 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 ANTHONY S. BROWN, #0197  
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:



TIME: 1340

DATE: 09-20-18

TIME: 1340

DATE: 9-20-18

FILED on this the 24 day of September, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.



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

SEP24 '18 11:07AM

CITY OF

SAN ANTONIO HR


**CITY OF SAN ANTONIO  
NOTICE OF SUSPENSION**

**\*OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME\***

EMPLOYEE NAME: Officer Anthony S. Brown, #0197

UNIT OF ASSIGNMENT: SPT

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER


TRANS DATE		
MO	DA	YR
09	20	18

BEGIN DATE		
MO	DA	YR
10	13	18

END DATE		
MO	DA	YR
10	15	18

NARRATIVE REMARKS: Agreed Three-Day Suspension

AUTHORITY: Written Order of the Chief of Police

SEP24 '18 11:07AM  
CITY OF  
SAN ANTONIO HR

  
\_\_\_\_\_  
EMPLOYEE

9-20-18  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
DEPARTMENT HEAD

\_\_\_\_\_  
DATE

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

## LEAVE FORFEITURE FOR SUSPENSION REQUEST

To: Chief of Police

From: Anthony Brown  
Officer's Name

197  
Badge Number

Date: 9-20-18

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

TYPE OR PRINT ONLY- Use Ink

I, Anthony Brown, hereby agree to the 3 day disciplinary  
(Print Name)  
suspension received on 9-20-18 and request to forfeit leave time in lieu of  
serving the disciplinary suspension.

Type of leave forfeited:

<input type="checkbox"/>	Vacation
<input type="checkbox"/>	Compensatory Time
<input checked="" type="checkbox"/>	Holiday
<input type="checkbox"/>	Bonus Day

  
Officer's Signature

9-20-18  
Date

SEP24 '18 11:07AM

CITY OF

SAN ANTONIO HR

Request Denied/Approved.

  
Chief of Police

9-20-18  
Date

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

LEGAL ADVISOR'S OFFICE

SEP 20 2018