

Officer James L. Quintanilla, #0735
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

SAN ANTONIO HR
CITY OF

Commissioners and Officer James L. Quintanilla:

WHEREAS, Officer James L. Quintanilla, 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 17, 2018, with a two-day contemplated suspension; and

OCT 9 '18 9:22AM

WHEREAS, Officer Quintanilla and his captain, Miles Earwood, have agreed and Chief McManus has approved of settling this matter with a two-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Quintanilla shall be suspended without pay from the San Antonio Police Department for a period of two days, commencing on October 22, 2018, and ending on October 23, 2018. Officer Quintanilla 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 Quintanilla 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 Quintanilla 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 Quintanilla 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-

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OCT 05 2018

SAN ANTONIO POLICE DEPARTMENT

initiated contacts: (a) Arrest, (b) Field Contacts, (c) Traffic/Pedestrian Stops, (d) Vehicle/Foot Pursuits.

PROCEDURE 620 – VEHICLE PURSUITS AND STOP TECHNIQUES (.07) FOLLOWING (2) Following a subject vehicle for more than fifteen (15) minutes requires supervisory approval. However, once a subject vehicle speeds away or takes any evasive action in an effort to distance itself from police, regardless of whether emergency warning device have been activated, the officer shall immediately discontinue following the vehicle unless it meets the criteria for a vehicle pursuit as described in this policy.

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

On or about July 18, 2018, Officer James L. Quintanilla, along with Officer Sergio Villanueva, attempted to initiate a traffic stop on a suspect vehicle that was driving erratically. When the vehicle did not stop, Officer Quintanilla deactivated his Body Worn Camera. The vehicle took evasive action and Officer Quintanilla continued to follow the vehicle and while doing so, Officer Quintanilla exceeded a code-1 response until he located the vehicle stopped off the 800 block of Price. Officer Quintanilla did not reactivate his Body Worn Camera until he was on foot while he was searching for a second suspect that fled from the scene.

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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

DATE

OCT 03 2018


OFFICER JAMES L. QUINTANILLA, #0735
SAN ANTONIO POLICE DEPARTMENT

DATE

TIME

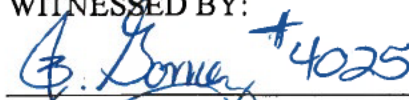
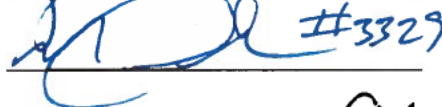
10.04.2018 1831

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 JAMES L. QUINTANILLA, #0735
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

 #4025 TIME: 1832 DATE: 10-04-18
 #3329 TIME: 1834 DATE: 10-04-18

FILED on this the 9th day of October, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

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**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer James L. Quintanilla, #0735

UNIT OF ASSIGNMENT: SCU

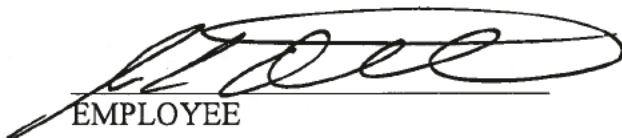
JOB CLASS NO. AND DEPARTMENT: 0600 Police

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>	10	03	18	10	22	18	10	23	18

NARRATIVE REMARKS: Agreed Two-Day Suspension

AUTHORITY: Written Order of the Chief of Police

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EMPLOYEE

10-04-2018
DATE



DEPARTMENT HEAD

OCT 03 2018

DATE

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OCT 05 2018

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