

Officer Dezi J. Rios, #0797
San Antonio Police Department
San Antonio, Texas

CITY OF
SAN ANTONIO HR

NOV15 '18 10:56AM

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

AGREED SUSPENSION

Commissioners and Officer Dezi J. Rios:

WHEREAS, Officer Dezi J. Rios, 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 October 25, 2018, with a twenty-five-day contemplated suspension; and

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

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

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Rios shall be suspended without pay from the San Antonio Police Department for a period of fifteen days, commencing on December 3, 2018, and ending on December 17, 2018. Officer Rios 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 Rios 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 Rios 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 Rios has violated are as follows:

LEGAL ADVISOR'S OFFICE

NOV 15 2018

SAN ANTONIO POLICE DEPARTMENT

RULE 3.04 - RESPONSIBILITY TO SERVE THE PUBLIC (C) CONDUCT AND BEHAVIOR: Members, on-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.

RULE 3.11 - USE OF INTOXICANTS (B) INTOXICATION: Members shall not, at any time, be intoxicated while on-duty. Members shall not be intoxicated while in public view. No member, while off-duty, shall drink intoxicating beverages to an extent which renders them unfit to report for duty.

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

On or about May 29, 2018, at approximately 9:30 p.m., Officer Dezi J. Rios, #0797 (CTA) was in the parking lot of All Stars Gentleman's Club, located at 9440 IH-10 W. While in the parking lot, Officer Rios became involved in an altercation with another male. According to Officer Rios' sworn statement, the other male said, "Hey motherfucker, you know you almost killed me back there." To which Officer Rios responded "Obviously, I fucking didn't because you're still here. You're a fucking dumbass for pulling over. Get the fuck out of here." Officer Rios' actions did not conform to the ordinary and reasonable rules of good conduct and behavior and/or brought reproach and discredit on himself and the department.

Prior to the incident at the parking lot of All Stars, Officer Rios had consumed alcoholic beverages while at dinner between the hours of 6:45 p.m. and 9:15 p.m. Officer Rios drank intoxicating beverages to the extent he was rendered unfit to report for duty.

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

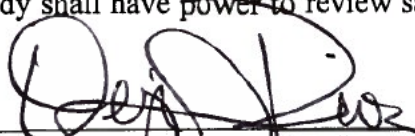
AGREED TO BY: WILLIAM P. MCMANUS
WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

NOV 14 2018
DATE

DEZI J. RIOS
OFFICER DEZI J. RIOS, #0797
SAN ANTONIO POLICE DEPARTMENT

11/15, 2018 0904
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 DEZI J. RIOS, #0797
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

C. Spatley 4019
John E. L. #3152

TIME: 0904

DATE: 11-15-18

TIME: 9:04 AM

DATE: 11/15/18

FILED on this the 15th day of Nov., 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.



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


CITY OF SAN ANTONIO NOTICE OF SUSPENSION

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Dezi J. Rios, #0797

UNIT OF ASSIGNMENT: PPT

JOB CLASS NO. AND DEPARTMENT: 0600 Police

| SAP NUMBER | TRANS DATE | | | BEGIN DATE | | | END DATE | | |
|---|------------|----|----|------------|----|----|----------|----|----|
| | MO | DA | YR | MO | DA | YR | MO | DA | YR |
|  | 11 | 09 | 18 | 12 | 03 | 18 | 12 | 17 | 18 |

NARRATIVE REMARKS: Agreed Fifteen-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE


DEPARTMENT HEAD

11/15/18
DATE

NOV 14 2018
DATE

LEGAL ADVISOR'S OFFICE

NOV 15 2018