

Officer Roberto Barrera, #0501  
San Antonio Police Department  
San Antonio, Texas

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

DEC14 '18 10:51AM

### AGREED SUSPENSION

CITY OF  
SAN ANTONIO HR

Commissioners and Officer Roberto Barrera:

**WHEREAS**, Officer Roberto Barrera, 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 November 27, 2018, with a three-day contemplated suspension; and

**WHEREAS**, Officer Barrera and his then captain, Rene Gallegos, have agreed and Chief McManus has approved of settling this matter with a three-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Barrera shall be suspended without pay from the San Antonio Police Department for a period of three days, commencing on January 8, 2019, and ending on January 10, 2019. Officer Barrera 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 Barrera 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 Barrera 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 Barrera 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:

On or about June 29, 2018, at approximately 10:58 a.m., Officer Roberto Barrera, using his personal cell phone, captured an image depicting his keycard displayed in his in-car CAD mobile system. Officer Barrera then sent the image to a City of San Antonio civilian

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employee who was not authorized to have it. After a review of the incident, it was found that Officer Barrera willfully converted to his own use a city-owned service using city-owned equipment, in violation of Rule 3.18(E) – City Equipment/Property – Waste or Conversion.

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

DEC 03 2018

  
OFFICER ROBERTO BARRERA, #0501  
SAN ANTONIO POLICE DEPARTMENT

DATE

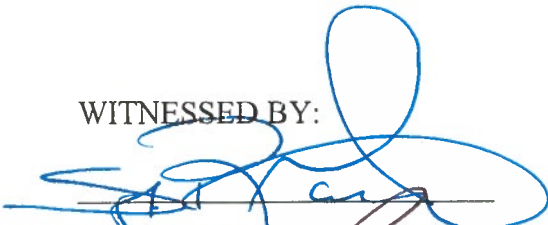

12-11-18 0620

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 ROBERTO BARRERA, #0501  
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

TIME: 0621

DATE: 12-11-18

TIME: 0621

DATE: 12-11-18

FILED on this the 14 day of December, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.

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

REC'D 12 10 51 AM  
CITY OF  
SAN ANTONIO, TX


**CITY OF SAN ANTONIO  
NOTICE OF SUSPENSION**

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

EMPLOYEE NAME: Officer Roberto Barrera, #0501

UNIT OF ASSIGNMENT: CPA

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE	BEGIN DATE	END DATE
	MO DA YR	MO DA YR	MO DA YR
	12 03 18	01 08 19	01 10 19

NARRATIVE REMARKS: Agreed Three-Day Suspension

AUTHORITY: Written Order of the Chief of Police

DEC 14 '18 10:51AM

CITY OF

SAN ANTONIO HR

  
\_\_\_\_\_  
EMPLOYEE

12.11.18  
\_\_\_\_\_  
DATE

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

DEC 03 2018  
\_\_\_\_\_  
DATE

LEGAL ADVISOR'S OFFICE  
DEC 13 2018  
SAN ANTONIO POLICE DEPARTMENT

# LEAVE FORFEITURE FOR SUSPENSION REQUEST

To: Chief of Police

From: Roberto Barrera 0501  
Officer's Name Badge Number

Date: 12-11-18

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

TYPE OR PRINT ONLY- Use Ink

I, Roberto Barrera, hereby agree to the 3 day actual  
Suspension served on January 8, 9, 10, 2019 and request to forfeit leave time in lieu of  
serving the disciplinary suspension.

Type of leave forfeited:

- ☒ Vacation  
☐ Compensatory Time  
☐ Holiday  
☐ Bonus Day

[Signature]  
Officer's Signature

12-11-18  
Date

DEC14 '18 10:51AM

CITY OF

SAN ANTONIO HR

Request Denied/Approved.

[Signature]  
Chief of Police

[Signature]  
Date

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SAN ANTONIO POLICE DEPARTMENT

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