

Officer Joshua Torres, #1357
San Antonio Police Department
San Antonio, Texas

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

JAN 15 '19 11:11ZAM

CITY OF

SAN ANTONIO HR

AGREED SUSPENSION

Commissioners and Officer Joshua Torres:

WHEREAS, Officer Joshua Torres, 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 December 14, 2018, with a three-day contemplated suspension; and

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

WHEREAS, Officer Torres and Chief McManus have agreed that the discipline in this matter shall be a three-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Torres shall be suspended without pay from the San Antonio Police Department for a period of three days, commencing on January 22, 2019, and ending on January 24, 2019. Officer Torres 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 Torres 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 Torres 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 Torres has violated are as follows:

RULE 3.18 – CITY EQUIPMENT/PROPERTY (C) SAFE OPERATION OF VEHICLES: City vehicles will be operated in a safe manner and in compliance with all traffic laws.

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

On or about October 26, 2018, at approximately 2:07 a.m., while on duty and operating a city-owned vehicle in the 15800 block of IH10W, Officer Joshua Torres negligently struck a guard rail.

LEGAL ADVISOR'S OFFICE

JAN 10 2019

SAN ANTONIO POLICE DEPARTMENT

The level of this suspension is based upon Officer Torres' cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.17 of the San Antonio Police Department General Manual.

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

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

JAN 07 2019
DATE

[Signature]
OFFICER JOSHUA TORRES, #1357
SAN ANTONIO POLICE DEPARTMENT

1-8-19 2240
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.

[Signature]
OFFICER JOSHUA TORRES, #1357
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Anthony Callo #4011 TIME: 2241

DATE: 1/8/19

R.F. 3190 TIME: 2241

DATE: 01-08-19

FILED on this the 15 day of January, 2019, 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
JAN 15 19 11:29AM


**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Joshua Torres, #1357

UNIT OF ASSIGNMENT: PPC

JOB CLASS NO. AND DEPARTMENT: 0601 Police

| SAP NUMBER |
|---|
|  |

| TRANS DATE | | |
|------------|----|----|
| MO | DA | YR |
| 01 | 04 | 19 |

| BEGIN DATE | | |
|------------|----|----|
| MO | DA | YR |
| 01 | 22 | 19 |

| END DATE | | |
|----------|----|----|
| MO | DA | YR |
| 01 | 24 | 19 |

NARRATIVE REMARKS: Agreed Three-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE

1-8-19
DATE


DEPARTMENT HEAD

JAN 07 2019
DATE

JAN 15 19 11:12AM
CITY OF
SAN ANTONIO HR

LEGAL ADVISOR'S OFFICE
JAN 10 2019
SAN ANTONIO POLICE DEPARTMENT