

Officer Tim R. Garcia, #0296
San Antonio Police Department
San Antonio, Texas

JAN 19 10:24 AM
CITY OF
SAN ANTONIO HR

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

Commissioners and Officer Tim R. Garcia:

Under and by virtue of the authority vested in me by Title 5, Subtitle A, Chapter 143 of the Local Government Code, V.T.C.S., said chapter entitled "Municipal Civil Service", I do hereby suspend Officer Tim R. Garcia from paid duty with the San Antonio Police Department, indefinitely, without pay, from his position as an officer of the San Antonio Police Department, effective immediately.

Officer Garcia 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 rule violated by Officer Garcia and ground for suspension is as follows:

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

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

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 3.26 - TREATMENT OF PRISONERS: Prisoners shall be protected in their legal rights, given humane treatment, and shall not be subjected to verbal abuse or unnecessary physical violence.

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

On July 14, 2018, at approximately 10:45 a.m., on-duty San Antonio Police Department (hereinafter "SAPD") Officer Tim R. Garcia was dispatched to a call for service at 849 East Commerce Street (River Center Mall). At that location, Officer Garcia and his partner detained a male for possible Criminal Trespassing among other possible infractions. After handcuffing the male, Officer Garcia can be heard on his body worn camera engaging in an unnecessary, unwarranted, profane and racially charged verbal exchange with the male, in public view. His conduct did not conform to the ordinary and reasonable rules of good conduct and behavior and brought reproach and discredit to himself and the San Antonio Police Department.

LEGAL ADVISOR'S OFFICE

JAN 08 2019

SAN ANTONIO POLICE DEPARTMENT

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

Following separation from the Department, the training requirements to maintain an officer's peace officer's license for the current training cycle and unit are that officer's responsibility. An officer should refer to the TCOLE website <http://www.tcole.texas.gov/content/training-requirements> for further information and to establish a TCOLE account to review current training records.


WILLIAM P. MCMANUS, CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

JAN 07 2019

DATE

I hereby acknowledge receipt of the original of the foregoing indefinite 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 Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association.

 #296
OFFICER TIM R. GARCIA, #0296
SAN ANTONIO POLICE DEPARTMENT

1-7-19

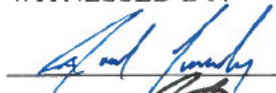

DATE

1512

TIME


JAN 08 '19 10:24AM
CITY OF

WITNESSED BY:

 DATE: 1-7-19 TIME: 1512
 408 DATE: 1-7-19 TIME: 1512

SAN ANTONIO HR

FILED on this the 08 day of January, 2019, 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 Tim R. Garcia, #0296

UNIT OF ASSIGNMENT: CFB

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	01	07	19	01	08	19			

NARRATIVE REMARKS: Indefinite Suspension

AUTHORITY: Written Order of the Chief of Police

JAN 8 '19 10:24AM
CITY OF
SAN ANTONIO HR

 #296
EMPLOYEE

1-7-19
DATE


DEPARTMENT HEAD

JAN 07 2019
DATE

LEGAL ADVISOR'S OFFICE
JAN 08 2019
SAN ANTONIO POLICE DEPARTMENT