

Detective Bernardo Torres, #2265  
San Antonio Police Department  
San Antonio, Texas

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

MAR 19 11:09AM  
CITY OF  
SAN ANTONIO HR

### AGREED SUSPENSION

Commissioners and Detective Bernardo Torres:

**WHEREAS**, Detective Bernardo 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 September 21, 2018, with a contemplated indefinite suspension; and

**WHEREAS**, pursuant to said contract, Detective 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 Detective Torres; and

**WHEREAS**, Detective Torres Chief McManus have agreed to reduce the discipline in this matter to a forty-five-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Detective Torres shall be suspended without pay from the San Antonio Police Department for a period of forty-five days, commencing on March 23, 2019, and ending on May 6, 2019. Detective 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.

Detective 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 Detective 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 Detective Torres has violated are as follows:

**RULE 3.04 – RESPONSIBILITY TO SERVE THE PUBLIC:** Members shall serve the public through direction, counseling, assistance and protection of life and property. Members shall also respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment. (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.

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

It is alleged by the Administration (based on information provided by an on-duty San Antonio Independent School District police officer) on April 24, 2018, at approximately 11:51 p.m., off-duty SAPD Detective Bernardo Torres, #2265

LEGAL ADVISOR'S OFFICE

MAR 05 2019

San Antonio Police Department

(PPT) urinated in a public place. This took place in the 100 block of La Vaca Street, and can be referred to SAPD case 18085328.

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

AGREED TO BY: WPMMS FEB 28 2019  
WILLIAM P. MCMANUS  
CHIEF OF POLICE  
SAN ANTONIO POLICE DEPARTMENT

[Signature] 2265  
DETECTIVE BERNARDO TORRES #2265  
SAN ANTONIO POLICE DEPARTMENT  
3/2, 2019 2049  
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] 2265  
DETECTIVE BERNARDO TORRES, #2265  
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:  
Sgt. STEVEN HERRERA 3098 TIME: 2049 DATE: 3-2-2019  
Sgt. BOB JONES 2287 TIME: 2050 DATE: 3-2-2019

FILED on this the 5 day of March, 2019, with the Fire Fighters' and Police Officers' Civil Service Commission.

[Signature]  
DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION

MAR 19 11:09AM  
CITY OF  
SAN ANTONIO HR


**CITY OF SAN ANTONIO  
NOTICE OF SUSPENSION**

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

EMPLOYEE NAME: Detective Bernardo Torres, #2265

UNIT OF ASSIGNMENT: PPT


JOB CLASS NO. AND DEPARTMENT: 0603 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	02	27	19	03	23	19	05	06	19

NARRATIVE REMARKS: Agreed Forty-Five-Day Suspension

AUTHORITY: Written Order of the Chief of Police

MAR 5 '19 11:09AM  
CITY OF  
SAN ANTONIO HR

  
\_\_\_\_\_  
EMPLOYEE

3-2-19  
\_\_\_\_\_  
DATE

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

**FEB 28 2019**  
\_\_\_\_\_  
DATE

LEGAL ADVISOR'S OFFICE  
MAR 05 2019  
SAN ANTONIO

# LEAVE FORFEITURE FOR SUSPENSION REQUEST

To: Chief of Police

From: BERNARDO TORRES 2265  
Officer's Name Badge Number

Date: 03/02/19

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

TYPE OR PRINT ONLY- Use Ink

I, BERNARDO TORRES, hereby agree to the 45 day actual  
Suspension will be served \_\_\_\_\_ and request to forfeit leave time in lieu of  
serving the disciplinary suspension.

Type of leave forfeited:

- Vacation
- Compensatory Time
- Holiday
- Bonus Day

[Signature] 2265  
Officer's Signature

3-2-19  
Date

MAR 5 '19 11:09AM  
CITY OF  
SAN ANTONIO HR

Request Denied/Approved.

[Signature]  
Chief of Police

03/05/19  
Date

LEGAL ADVISOR'S OFFICE  
MAR 05 2019  
SAN ANTONIO POLICE DEPARTMENT

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