

Detective Jose P. Flores, #2037
San Antonio Police Department
San Antonio, Texas

CITY OF

SAN ANTONIO HR
MAR15 '19 10:40AM

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

AGREED SUSPENSION

Commissioners and Detective Jose P. Flores:

WHEREAS, Detective Jose P. Flores, 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 February 22, 2019, with a contemplated indefinite suspension; and

WHEREAS, pursuant to said contract, Detective Flores 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 Flores; and

WHEREAS, Detective Flores and 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 Flores shall be suspended without pay from the San Antonio Police Department for a period of forty-five days, commencing on March 28, 2019, and ending on May 11, 2019. Detective Flores 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 Flores 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 Flores 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 Flores has violated are as follows:

LEGAL ADVISOR'S OFFICE

MAR 13 2019

SAN ANTONIO POLICE DEPARTMENT

RULE 3.30 - CONSORTING WITH PERSONS OF ILL-REPUTE


(B) Members shall not associate with known or suspected criminals where said associations do or tend to bring the department and/or the member into disrepute. Generally, familial associations are not prohibited by this rule. However, where an association is with a family member who still engages in criminal activity, or where the association does or tends to further criminal conduct on the part of the family member, those associations are prohibited. Associations with known or suspected criminals in furtherance of a member's duties are not prohibited by this rule.

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

On January 3, 2018, Detective Jose P. Flores ("Det. Flores") arrested a female for Possession of a Controlled Substance. The female was released and listed as a suspect in the Narcotics Offense Report written by Det. Flores. On October 5, 2018, police were called for a disturbance between Det. Flores, [REDACTED] and the female. Det. Flores reported he was driving to dinner along with [REDACTED] and the female when [REDACTED] followed them and created a disturbance. Det. Flores associated with this female, a known criminal, and brought disrepute to the San Antonio Police Department and/or himself.

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

MAR 8 2019

DATE


DETECTIVE JOSE P. FLORES, #2037
SAN ANTONIO POLICE DEPARTMENT


MAR 13, 2019 1425
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.


DETECTIVE JOSE P. FLORES, #2037
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Sgt. S. Jackson  3018 TIME: 1425 DATE: 3/13/2019
Karen M. Falke TIME: 1425 DATE: 3/13/2019

FILED on this the 15th day of March, 2019, with the Fire Fighters' and Police Officers' Civil Service Commission.


DIRECTOR, FIRE FIGHTERS AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION

CITY OF

SAN ANTONIO HR

MAR15 '19 10:41AM

**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**


CITY OF
SAN ANTONIO HR
MAR15 '19 10:41AM

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Detective Jose P. Flores, #2037

UNIT OF ASSIGNMENT: NPC

JOB CLASS NO. AND DEPARTMENT: 0603 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	03	08	19	03	28	19	05	11	19

NARRATIVE REMARKS: Agreed Forty-Five-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE

MAR 13, 2019
DATE


DEPARTMENT HEAD

DATE

LEGAL ADVISOR'S OFFICE

MAR 13 2019

SAN ANTONIO POLICE DEPARTMENT

LEAVE FORFEITURE FOR SUSPENSION REQUEST

CITY OF
SAN ANTONIO HR
MAR15 '19 10:42AM

To: Chief of Police

From: Detective Jose P. Flores
Officer's Name

2037

Badge Number

Date: 3/13/2019

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

TYPE OR PRINT ONLY- Use Ink

I, Flores, Jose P, hereby agree to the 45 day disciplinary
(Print Name)
suspension received on March 8, 2019 and request to forfeit leave time in lieu of
serving the disciplinary suspension.

Type of leave forfeited: ☒ Vacation
☐ Compensatory Time
☐ Holiday
☐ Bonus Day

Officer's Signature

3-13-19

Date

Request Denied/Approved.

Chief of Police

Date

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

LEGAL ADVISOR'S OFFICE

MAR 13 2019

SAN ANTONIO POLICE DEPARTMENT

San Antonio Police Department
SAPD Form 61-LF (06/05)