

Officer Eddie S. Chavez, #1134
San Antonio Police Department
San Antonio, Texas

MAY 15 '19 10:41 AM
CITY OF
SAN ANTONIO HR

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

AGREED SUSPENSION

Commissioners and Officer Eddie S. Chavez:

WHEREAS, Officer Eddie S. Chavez, 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 April 24, 2019, with a one-day contemplated suspension; and

WHEREAS, Officer Chavez and his captain, Randall Smith, have agreed and Chief McManus has approved of settling this matter with a one-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Chavez shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on May 19, 2019, and ending on May 19, 2019. Officer Chavez 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 Chavez 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 Chavez 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 Chavez has violated are as follows:

PROCEDURE 506 – TRAFFIC LAW ENFORCEMENT (.08)
SPECIAL TRAFFIC ENFORCEMENT POLICIES AND
PROCEDURES (F) Drivers with No Valid Driver's License (1)
Drivers found to be operating motor vehicles without valid driver's
licenses are arrested for the offense, except: (b) If a person does
not have a valid driver's license but does have evidence of

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financial responsibility on the vehicle: (1) If there is a passenger in the vehicle with a valid driver's license, the person with the valid driver's license will be allowed to remove the vehicle; (2) The driver will be allowed thirty (30) minutes (from the time the traffic stop initiated) to arrange for another driver with a valid driver's license to remove the vehicle; (3) If a licensed driver is not available within the allotted thirty (30) minute time frame, the vehicle will be impounded; (4) Failure to provide evidence of financial responsibility provides the officer authority to impound the vehicle. (TTC 601.051 – 601.124)

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

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On or about March 20, 2019, Officer Eddie S. Chavez handled a motor vehicle crash involving Mr. Castro, who had a suspended driver's license. Mr. Castro also had a previous conviction for Driving While License is Invalid (DWLI), making the offense a class B misdemeanor. Officer Chavez, knowing Mr. Castro had a suspended driver's license, issued him a class C traffic citation and allowed him to drive on a public road.

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

MAY 03 2019

DATE


OFFICER EDDIE S. CHAVEZ, #1134
SAN ANTONIO POLICE DEPARTMENT

5-8-19 1020
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 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.

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OFFICER EDDIE S. CHAVEZ, #1134
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

3026
3283

TIME: 1025 DATE: 5/8/19

TIME: 1025 DATE: 5.8.19

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

for Susan Chaves
DIRECTOR, FIRE FIGHTERS' AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION

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CITY OF

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**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Eddie S. Chavez, #1134

UNIT OF ASSIGNMENT: SPA

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	05	02	19	05	19	19	05	19	19

NARRATIVE REMARKS: Agreed One-Day Suspension

AUTHORITY: Written Order of the Chief of Police

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EMPLOYEE


DATE

MAY 03 2019


DEPARTMENT HEAD

DATE

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ATURE FOR SUSPENSION REQUEST

To: Chief of Police

From: Eddie Chavez

Officer's Name

1134

Badge Number

Date: 05-08-19

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

TYPE OR PRINT ONLY- Use Ink

I, Eddie Chavez, hereby agree to the 1 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

Officer's Signature

05-08-19

Date

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Request Denied/Approved

Chief of Police

Date

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

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