

Officer Jorge Patino, #0925
San Antonio Police Department
San Antonio, Texas

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

AGREED SUSPENSION

Commissioners and Officer Jorge Patino:

WHEREAS, Officer Jorge Patino, 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 22, 2019, with a one-day contemplated suspension; and

WHEREAS, Officer Patino and his captain, Michael Brown, 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 Patino 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 Patino 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 Patino 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 Patino 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 Patino has violated are as follows:

PROCEDURE 410 – BODY WORN CAMERAS (.06) RECORDING (D) Officers shall begin recording the following events and continue recording until the event is concluded; (Any deviations will require a supervisor's approval and must be documented in the Officer's video, report, or CFS comment entry field in accordance with Section .07 of this procedure): (1) Upon

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observation of suspicious or criminal behavior; (2) Upon reception of or response to CFS, whether dispatched or not; (3) Officer-initiated contacts: (a) Arrest, (b) Field Contacts, (c) Traffic/Pedestrian Stops, (d) Vehicle/Foot Pursuits; (4) During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as Public Safety Head Quarters (PSHQ) or the Magistrate's Office, the Officer may cease recording upon entering the facility or transferring custody of the prisoner/witness; (5) In instances where the Officer reasonably believes that the recording may provide evidence in criminal investigations; (6) Service of search or arrest warrants on the premises of a residence, business or building, if the Officer is assisting in such service of search or arrest warrants; and (7) Citizen-initiated contacts or flagged down requests for public safety services.

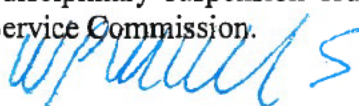
PROCEDURE 601 - PRISONERS (.12) PRISONERS' PROPERTY (A) The arresting officer is responsible for all personal property belonging to a prisoner. Officers should use all available resources to document a prisoner's property, such as photographs, in-car video and BWC, in an effort to create both a visual and audio inventory.

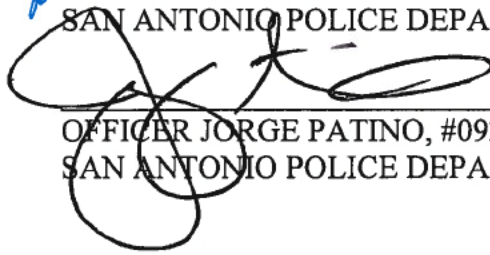
The factual basis for the instant disciplinary suspension is as follows:

On or about March 22, 2019, after making an arrest for warrants, Officer Jorge Patino failed to properly secure his prisoner's property after searching him, leaving the prisoner's property on the hood of his patrol car. As a result, the prisoner's property was lost as Officer Patino was transporting the prisoner to the detention center. When Officer Patino arrived at the Detention Center parking lot with the prisoner, Officer Patino shut off his body worn camera (BWC). Officer Patino did not reactivate his BWC when assigned to a new Lost Property case and did not record his further interaction with the prisoner outside the detention center.

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


OFFICER JORGE PATINO, #0925
SAN ANTONIO POLICE DEPARTMENT

MAY 03 2019

DATE

DATE TIME

5/6/19 2034

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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.

 5/6/19
OFFICER JORGE PATINO, #0925
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Howard Jones
Paul Lee 3310

TIME: 2235 DATE: 5/6/19

TIME: 2239 DATE: 5-6-19

FILED on this the 8 day of May, 2019, with the Fire Fighters' and Police Officers' Civil Service Commission.


DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION

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**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Jorge Patino, #0925


UNIT OF ASSIGNMENT: NPC

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	03	19	05	19	19	05	19	19

NARRATIVE REMARKS: Agreed One-Day Suspension

AUTHORITY: Written Order of the Chief of Police



EMPLOYEE


DEPARTMENT HEAD

5/6/19

DATE

MAY 03 2019

DATE

MAY 19 10:37AM
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SAN ANTONIO HR

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MAY 07 2019
SAN ANTONIO POLICE DEPARTMENT

REQUEST FOR SUSPENSION REQUEST

To: Chief of Police

From: Patino, Jorge 0925
Officer's Name Badge Number

Date: 5/6/19

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

TYPE OR PRINT ONLY- Use Ink

I, Patino, Jorge, hereby agree to the 1 day actual
Suspension will be served 5/19/19 and request to forfeit leave time in lieu of
serving the disciplinary suspension.

Type of leave forfeited:

- Vacation
- Compensatory Time
- Holiday
- Bonus Day

[Signature]

Officer's Signature

5/6/19

Date

Request Denied/Approved.

[Signature]
Chief of Police

05/07/19
Date

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

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