



## MEMORANDUM

### **Austin Police Department** *Office of the Chief of Police*

**TO:** Cathy Rodgers, Director of Civil Service  
**FROM:** Art Acevedo, Chief of Police  
**SUBJECT:** Temporary Suspension of Police Officer Gabriel Padilla # 4115  
Internal Affairs Control Number 2007-563  
**DATE:** January 15, 2008

Pursuant to the provisions of Chapter 143 of the Texas Local Government Code, Section 143.052, and Rule 10, Rules of Procedure for the Firefighter's and Police Officer's Civil Service Commission, I have temporarily suspended Police Officer Gabriel Padilla # 4115 from duty as a police officer for the City of Austin for a period of three (3) days. The temporary suspension is effective beginning on January 27, 2008, and continuing through January 29, 2008.

I took this action because Officer Padilla violated Civil Service Commission Rule 10.03, which sets forth the grounds for disciplinary suspensions of employees in the classified service, and states:

No employee of the classified service of the City of Austin shall engage in, or be involved in, any of the following acts or conduct, and the same shall constitute cause for suspension of an employee from the classified service of the City:

- L. Violation of any of the rules and regulations of the Fire Department or Police Department or of special orders, as applicable.

The following are the specific acts committed by Officer Padilla in violation of Rule 10:

On September 20, 2007, Officer Padilla was on-duty, in uniform, driving a marked police car. Officer Padilla was in the area of 1919 S. Pleasant Valley where other officers were conducting a high risk traffic stop. Officer Padilla was not assigned as a back-up officer but was driving to the location when he saw a white Chevy Lumina driving through the parking lot in what he considered to be a reckless manner. When Officer Padilla and the other driver [REDACTED] came to a 90 degree angle with one another, [REDACTED] waved him on. Officer Padilla took this hand motion as [REDACTED] telling him what to do so he got out of his vehicle and confronted her. At this time Officer Padilla remotely activated his in-car video camera. Officer Padilla claims that he thought [REDACTED] might have something to do with the high risk traffic stop but there was no factual basis upon which to base that assumption. Officer Padilla ordered [REDACTED] out of her vehicle. The audio reveals Officer Padilla becoming frustrated and he commented to [REDACTED] that she was not showing him the respect he deserved by ignoring him and blowing smoke in his face. Officer Padilla made the comment to [REDACTED] "I'm about to put handcuffs on you...because of your attitude." The Austin Police Department does not place someone in handcuffs because of his/her attitude. A few minutes into the contact, [REDACTED] cell phone rang and she tried to answer it. Officer Padilla told not to answer the phone but she did not listen to him. Officer Padilla believed that he could arrest [REDACTED] for failing to obey a lawful order, to wit, refusing to obey his order not to answer the phone. In my opinion this was not a lawful order that [REDACTED] was legally obligated to obey. Despite [REDACTED] not being a physical threat to Officer Padilla, and despite the fact that she had not committed a crime or was about to escape, Officer Padilla grabbed the phone out of her hand and threw it on the hood of his car. Officer Padilla then made the comment, "easy way to handle this," and grabbed [REDACTED] by the left arm, turned her around, and handcuffed her. During the physical contact, [REDACTED] made the comment to Officer Padilla, "you're grabbing me too damn hard." After [REDACTED] was handcuffed, Officer Padilla placed her in the back seat of his police car. While she was handcuffed, Officer Padilla made derogatory and belittling comments about her: "went from janitor to manager, shit;" "I would love to lock you up, love to;" "you got attitude, fine. I'm going to come at you with the same attitude too. I don't care...I get paid by the hour." Office Padilla also asked [REDACTED] if she had calmed down so they could start over, and when she didn't answer, he said to her that he is paid by the hour and he isn't the one in handcuffs and it doesn't matter to him. Officer Padilla left [REDACTED] handcuffed in the back seat of his patrol car and told the passenger in her vehicle that she was in "time-out." Not only was handcuffing [REDACTED] unnecessary and inappropriate, leaving her in the back seat handcuffed so she could have a "time-out" was also inappropriate. During this encounter, Officer Padilla failed to act professionally and perform his duties impartially and objectively.

By these actions, Officer Padilla violated Rule 10.03(L) of the Civil Service Rules by violating the following rules and regulations of the Austin Police Department:

➤ **Austin Police Department General Orders, Policies and Procedures: A201.03(A)(1)(2): Responsibility to the Community - Impartial Attitude**

**.03 Responsibility to the Community**

All persons in each area of the City deserve protection by fair and impartial law enforcement and should be able to expect similar police response to their behavior wherever it occurs.

Employees shall serve the public through direction, counseling, assistance, and protection of life and property. Employees of this Department will be held accountable for the manner in which they exercise the authority of their office or position. All employees shall respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.

A. Impartial Attitude

1. Employees are expected to act professionally, treat all persons fairly and equally, and perform all duties impartially, objectively, and equitably without regard to personal feelings, animosities, friendships, financial status, sex, creed, color, race, religion, age, political beliefs, sexual preference, or social or ethnic background.
2. Employees shall be tactful in the performance of their duties, shall control their tempers, exercise patience and discretion and shall not engage in argumentative discussions even in the face of extreme provocation.

➤ **Austin Police Department General Orders, Policies and Procedures: B108.13: Arrest and Booking Procedures**

**.13 Handcuffing – When Documentation is Required**

While investigating an offense or suspected offense, officers may handcuff individuals solely for the safety of the officer or others when it is appropriate, or when the risk of escape exists. This does not require special documentation unless required by another policy, such as when other force has been used or the person handcuffed complains of pain.

Officer Padilla is hereby advised that this temporary suspension may be appealed to the Civil Service Commission by filing with the Director of Civil Service, within ten (10) calendar days after receipt of a copy of this memo, a proper notice of appeal in accordance with Section 143.010 of the Texas Local Government Code.

Officer Padilla is advised that Section 143.057 of the Texas Local Government Code and the Agreement between the City of Austin and the Austin Police Association provides for an appeal to an independent third party hearing examiner, in accordance with the provisions of such Agreement. If appeal is made to a hearing examiner, all rights of appeal to a District Court are waived, except as provided by Subsection (j) of Section 143.057 of the Texas Local Government Code. That section states that the State District Court may hear appeals of an award of a hearing examiner only on the grounds that the arbitration panel was without jurisdiction or exceeded its jurisdiction or that the order was procured by fraud, collusion or other unlawful means. In order to appeal to a hearing examiner, the original notice of appeal submitted to the Director of Civil Service must state that appeal is made to a hearing examiner.

In addition, since this disciplinary suspension is for three (3) days or less, Officer Padilla is advised of the following provisions of Article 18, Section 1, of the Meet and Confer Agreement:

*The parties agree that when an officer is suspended for 1, 2, or 3 days the officer may choose one of two methods of dealing with the suspensions as listed below.*

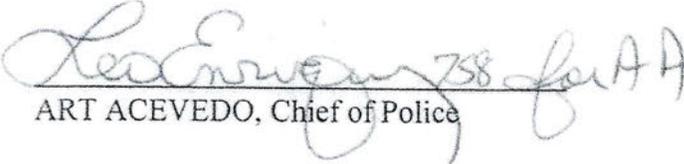
- a) **Suspensions that may not be appealed.** *The officer may choose to use vacation or holiday time to serve the suspension with no loss of paid salary and no break in service for purposes of seniority, retirement, promotion, or any other purpose. The officer must agree that there is no right to appeal if this method of suspension is chosen.*
- b) **Suspensions that may be appealed.** *The officer may appeal the suspension to arbitration or the Civil Service Commission. If the officer chooses to appeal the suspension, the arbitrator or Civil Service Commission's authority is limited to ruling on whether or not the charges against the officer are true or not true. If the arbitrator or Civil Service Commission finds the charges to be true, there is no authority to mitigate the punishment. If the arbitrator or Civil Service Commission finds the charges to be not true, the officer shall be fully reinstated with no loss of pay or benefit.*

#### **Arbitration Costs on Appealable Suspensions**

*In the event that an officer appeals a 1, 2 or 3 day suspension to arbitration, it is agreed that the party that loses the arbitration shall be responsible for all costs of the arbitrator, including travel and lodging if necessary.*

*To facilitate such payment on the part of the officer he shall submit, at the time of appeal, a signed payroll deduction agreement that if the arbitrator rules in favor of the City he authorizes up to one hundred dollars (\$100.00) per month to be deducted*

*from his regular pay until such time as what would usually be the City's portion of the arbitrator's costs have been satisfied.*

 758 for AA  
ART ACEVEDO, Chief of Police

1-15-08  
Date

TO WHOM IT MAY CONCERN:

I hereby acknowledge receipt of the above and foregoing memorandum of temporary suspension and I have been advised that if I desire to appeal that I have ten (10) days from the date of this receipt to file written notice of appeal with the Director of Civil Service in accordance with the provisions of Chapter 143 of the Texas Local Government Code. I also acknowledge the options set forth in this memorandum of temporary suspension, including my right to waive an appeal of a suspension of three (3) days or less, and my financial and contractual obligations under the Meet and Confer Agreement if I elect to appeal a suspension of three (3) days or less and do not prevail.

 4115  
Police Officer Gabriel Padilla # 4115

1-15-08  
Date

# Internal Affairs Complete History

## Internal Affairs Division

Gabriel Padilla #4115

Date of Commission: N/A

<b>1. Case # 2008-1135 *Destroyed</b>	Reported Date: 09/18/2008	Classification: S
<b>Case Description:</b> Received COC from OPI [REDACTED]  COC forwarded to Commander Hutto for his attention.		
<b>Allegation:</b> General Order Category: A201 Code of Conduct General Order Sub 1: A201.03 Responsibility to the Community		
<b>Allegation Description:</b>		
<b>Disposition:</b> Chain of Command Decision: Administratively Closed Discipline Decision: -- Suspension Period: -- Retention Period: 3 Years Retention Date: 09/26/2011		
<b>Post Appeal Decision:</b> -- Discipline Decision: -- Suspension Period: --		
<b>Settlement Agreement:</b> -- Discipline Decision: -- Suspension Period: --		
<u>APA Suspension Review:</u> Eligible: Not Reviewed Approved: Not Reviewed Update History: Not Reviewed APA Comment (Describe why eligible/ineligible): None		
Review Completed: No Review Date: None Effective written reprimand: None		
* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.		

<b>2. Case # 2008-0532</b>	Reported Date: 06/26/2008	Classification: A
<b>Case Description:</b> Lt Dukes filed a complaint alleging Ofc Padilla may have pepper sprayed a citizen's personal property. Ofc Padilla reportedly asked the other officers on scene to turn their cameras off.		
<b>Allegation:</b> General Order Category: A201 Code of Conduct Penal Code Section: 28.03. Criminal Mischief General Order Sub 1: A201.01 Compliance Required General Order Sub1 2: C		
<b>Allegation Description:</b> G.O. A201.01c to wit Penal Code 28.03; Voluntarily resigned effective 12/18/08. (note: per Chief Acevedo "Not eligible for re-hire"). Responsibility to Comply; Criminal Mischief.		
<b>Disposition:</b> Chain of Command Decision: Resigned Under Investigation Discipline Decision: Resignation Suspension Period: -- Retention Period: 15 Years Retention Date: 12/18/2023		
<b>Post Appeal Decision:</b> -- Discipline Decision: -- Suspension Period: --		
<b>Settlement Agreement:</b> -- Discipline Decision: -- Suspension Period: --		
<u>APA Suspension Review:</u> Eligible: Not Reviewed Approved: Not Reviewed		
Review Completed: No Review Date: None		

Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Effective written reprimand: None

**Allegation:**

General Order Category: A201 Code of Conduct  
General Order Sub 1: A201.02 Individual Responsibilities  
General Order Sub1 2: A

**Allegation Description:**

G.O. A201.02A; Voluntarily resigned effective 12/18/08. (note: per Chief Acevedo "Not eligible for re-hire").  
Honesty;

**Disposition:**

Chain of Command Decision: Administratively Closed  
Discipline Decision: Resignation  
Suspension Period: --  
Retention Period: 3 Years  
Retention Date: 12/17/2011

**Post Appeal Decision:** --

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement:** --

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Review Completed: No  
Review Date: None  
Effective written reprimand: None

**Allegation:**

General Order Category: A201 Code of Conduct  
General Order Sub 1: A201.03 Responsibility to the Community  
General Order Sub1 2: A

**Allegation Description:**

G.O. A201.03a; Voluntarily resigned effective 12/18/08. (note: per Chief Acevedo "Not eligible for re-hire").  
Impartial Attitude.

**Disposition:**

Chain of Command Decision: Resigned Under Investigation  
Discipline Decision: Resignation  
Suspension Period: --  
Retention Period: 15 Years  
Retention Date: 12/18/2023

**Post Appeal Decision:** --

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement:** --

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Review Completed: No  
Review Date: None  
Effective written reprimand: None

**Allegation:**

General Order Category: A201 Code of Conduct  
General Order Sub 1: A201.02 Individual Responsibilities  
General Order Sub1 2: N4  
General Order Sub1 3: A

**Allegation Description:**

G.O. A201.02N4a; Voluntarily resigned effective 12/18/08. (note: per Chief Acevedo "Not eligible for re-hire").  
Prohibited Acts; Property/Evidence/Records

**Disposition:**

Chain of Command Decision: Resigned Under Investigation  
Discipline Decision: Resignation  
Suspension Period: --  
Retention Period: 15 Years  
Retention Date: 12/18/2023

**Post Appeal Decision:** --

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement:** --

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Review Completed: No  
Review Date: None  
Effective written reprimand: None

<b>3. Case # 2008-0329 *Destroyed</b>	Reported Date: 04/18/2008	Classification: B
<b>Case Description:</b> Description: Complainant [REDACTED] was escorted to the office by Sacheen Yates (OPM)		
[REDACTED] stated Ofc Padilla was unprofessional, rude, and smark alek towards her. He also cursed at her. Summary: The complainant, [REDACTED] stated Ofc Padilla was unprofessional, rude, and smark alek towards her. He also cursed at her. Officer Padilla was a back up officer responding to the family disturbance in which [REDACTED] had called 911 on her boyfriend who was found hiding upstairs after the officers forced entry.		
<b>Allegation:</b> General Order Category: A201 Code of Conduct General Order Sub 1: A201.03 Responsibility to the Community General Order Sub1 2: A		
<b>Allegation Description:</b> Charge: ; Discipline : G.O. A201.03A Impartial Attitude		
<b>Disposition:</b> Chain of Command Decision: Inconclusive Discipline Decision: -- Suspension Period: -- Retention Period: 5 Years Retention Date: 08/08/2013		
<b>Post Appeal Decision:</b> -- Discipline Decision: -- Suspension Period: --		
<b>Settlement Agreement:</b> -- Discipline Decision: -- Suspension Period: --		
<u>APA Suspension Review:</u> Eligible: Not Reviewed Approved: Not Reviewed Update History: Not Reviewed APA Comment (Describe why eligible/ineligible): None		
Review Completed: No Review Date: None Effective written reprimand: None		
* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.		

<b>4. Case # 2008-0123 *Destroyed</b>	Reported Date: 01/14/2008	Classification: S
<b>Case Description:</b> Description: Received COC from OPM [REDACTED]		
Complainant is upset about the response time of officers in reference to calls at her house on [REDACTED] and at her brother's house on [REDACTED]. Complainant alleges the police are "zip code profiling." Summary:		
<b>Allegation:</b> General Order Category: Administrative Inquiry General Order Sub 1:		
<b>Allegation Description:</b> Charge: ; Discipline :		
<b>Disposition:</b> Chain of Command Decision: Administratively Closed Discipline Decision: No Discipline Suspension Period: -- Retention Period: 3 Years Retention Date: 02/18/2011		
<b>Post Appeal Decision:</b> -- Discipline Decision: -- Suspension Period: --		
<b>Settlement Agreement:</b> -- Discipline Decision: -- Suspension Period: --		
<u>APA Suspension Review:</u> Eligible: Not Reviewed Approved: Not Reviewed Update History: Not Reviewed APA Comment (Describe why eligible/ineligible): None		
Review Completed: No Review Date: None Effective written reprimand: None		
* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.		

5. Case # 2007-0771 \*Destroyed

Reported Date: 11/20/2007

Classification: S

**Case Description:**

Description: Received COC from OPM [REDACTED]

Complainant alleges a person was driving erratically and appeared to be texting on his phone or otherwise preoccupied with his phone. At a red light, complainant told the other driver that he needed to pay more attention to his driving. Complainant alleges the other driver showed him a badge and said, "so what!"

Complainant gave a license number of [REDACTED] Registration shows a [REDACTED] as the owner. Summary:

**Allegation:**

General Order Category: A201 Code of Conduct  
General Order Sub 1: A201.03 Responsibility to the Community  
General Order Sub 1 2: A

**Allegation Description:**

Charge ; Discipline :

**Disposition:**

Chain of Command Decision: Administratively Closed  
Discipline Decision: No Discipline  
Suspension Period: --  
Retention Period: 3 Years  
Retention Date: 12/13/2010

**Post Appeal Decision: --**

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement: --**

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

**Review Completed: No**

Review Date: None  
Effective written reprimand: None

\* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.

6. Case # 2007-0669 \*Destroyed

Reported Date: 09/27/2007

Classification: B

**Case Description:**

Description: [REDACTED] is [REDACTED]. The Office of the Police Monitor office received a letter from him on 09/24/07 and 10/29/07.

[REDACTED] is alleging that excess force was used in arresting him. Summary:

**Allegation:**

General Order Category: B101 Use of Force  
General Order Sub 1: B101.01 General

**Allegation Description:**

Charge ; Discipline :  
G.O. B101.01

**Disposition:**

Chain of Command Decision: Exonerated  
Discipline Decision: --  
Suspension Period: --  
Retention Period: 3 Years  
Retention Date: 05/19/2011

**Post Appeal Decision: --**

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement: --**

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

**Review Completed: No**

Review Date: None  
Effective written reprimand: None

\* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.

7. Case # 2007-0563

Reported Date: 09/27/2007

Classification: B

**Case Description:**

Description: Complainant was brought to the office by [REDACTED] with the OPM.

Complainant states she was stopped by the officer while driving through the Chevron parking lot. The officer was mad she almost hit him. He was disrespectful and belittled her. He also used excessive force when he put her in handcuffs. He broke her cell phone. Summary:

**Allegation:**

General Order Category: B108 Arrest & Booking Procedures  
General Order Sub 1: B108.13 Handcuffing & When Documentation is Required

**Allegation Description:**

Charge: ; Discipline : 3-day suspension given eff 01/27/08  
G.O. B108.13

**Disposition:**

Chain of Command Decision: Sustained  
Discipline Decision: Suspension  
Suspension Period: 3  
Retention Period: 15 Years  
Retention Date: 01/15/2023

**Post Appeal Decision: --**

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement: --**

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Review Completed: No  
Review Date: None  
Effective written reprimand: None

**Allegation:**

General Order Category: B101 Use of Force  
General Order Sub 1: B101.01 General

**Allegation Description:**

Charge: ; Discipline :

**Disposition:**

Chain of Command Decision: Exonerated  
Discipline Decision: No Discipline  
Suspension Period: --  
Retention Period: 3 Years  
Retention Date: 01/15/2011

**Post Appeal Decision: --**

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement: --**

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Review Completed: No  
Review Date: None  
Effective written reprimand: None

**Allegation:**

General Order Category: A201 Code of Conduct  
General Order Sub 1: A201.03 Responsibility to the Community  
General Order Sub 2: A

**Allegation Description:**

Charge: ; Discipline : 3-day suspension given eff 01/27/08  
G.O. A201.03A.1.2 - Impartial Attitude - Employees expected to act professionally, treat all persons fairly and equally and perform all duties impartially, objectively and equitably without regard... - Employees shall be tactful in the performance of their duties, shall control their temper, exercise patience and discretion and shall not engage in argumentative discussions even in the face of extreme provocation.

**Disposition:**

Chain of Command Decision: Sustained  
Discipline Decision: Suspension  
Suspension Period: 3  
Retention Period: 15 Years  
Retention Date: 01/15/2023

**Post Appeal Decision: --**

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement: --**

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed

Review Completed: No  
Review Date: None

Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Effective written reprimand: None

8. **Case # 2007-0555 \*Destroyed**

Reported Date: 09/17/2007

Classification: S

**Case Description:**

Description: Received COC from OPM [REDACTED]

Complainant alleges she was stopped on traffic and the officer told her she had a warrant for her arrest. As she was getting out of the car, she states the officer told her that he was just kidding, she didn't have a warrant. Summary:

**Allegation:**

General Order Category: A201 Code of Conduct  
General Order Sub 1: A201.03 Responsibility to the Community  
General Order Sub 1 2: A

**Allegation Description:**

Charge: ; Discipline :

**Disposition:**

Chain of Command Decision: Administratively Closed  
Discipline Decision: No Discipline  
Suspension Period: --  
Retention Period: 3 Years  
Retention Date: 09/25/2010

**Post Appeal Decision:** --

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement:** --

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Review Completed: No  
Review Date: None  
Effective written reprimand: None

\* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.

9. **Case # 2007-0086 \*Destroyed**

Reported Date: 02/03/2007

Classification: I

**Case Description:**

Description: Received Complainant Contact Form from Sgt. Liija.

Complainant alleges that on 2/3/07, officer used excessive force while taking suspect into custody.

Tapes in evidence room. Summary:

**Allegation:**

General Order Category: Administrative Inquiry  
General Order Sub 1:

**Allegation Description:**

Charge: ; Discipline :

**Disposition:**

Chain of Command Decision: --  
Discipline Decision: --  
Suspension Period: --  
Retention Period: 2 Years  
Retention Date: --

**Post Appeal Decision:** --

Discipline Decision: --  
Suspension Period: --

**Settlement Agreement:** --

Discipline Decision: --  
Suspension Period: --

APA Suspension Review:

Eligible: Not Reviewed  
Approved: Not Reviewed  
Update History: Not Reviewed  
APA Comment (Describe why eligible/ineligible): None

Review Completed: No  
Review Date: None  
Effective written reprimand: None

\* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.

<b>10. Case # 2006-0002 *Destroyed</b>	Reported Date: 01/02/2007	Classification: B
<b>Case Description:</b> Description: P.O. Gabriel Padilla #4115, was involved in a collision, when he was dispatched to a person down call. While attempting to back up to a position where he could turn around to respond to the call he struck a metal pole causing damage to right rear panel of APD unit #8108. Summary:		
<b>Allegation:</b> General Order Category: A306 Police Vehicles General Order Sub 1: A306.03 Operation Of Police Vehicles		
<b>Allegation Description:</b> Charge: ; Discipline : Written Reprimand given 02/11/07 15:20 G.O. 306.03A		
<b>Disposition:</b> Chain of Command Decision: Sustained Discipline Decision: Written Reprimand Suspension Period: -- Retention Period: 15 Years Retention Date: 01/18/2022		
<b>Post Appeal Decision: --</b> Discipline Decision: -- Suspension Period: --		
<b>Settlement Agreement: --</b> Discipline Decision: -- Suspension Period: --		
<u>APA Suspension Review:</u> Eligible: Not Reviewed Approved: Not Reviewed Update History: Not Reviewed APA Comment (Describe why eligible/ineligible): None		
Review Completed: No Review Date: None Effective written reprimand: None		
* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.		

<b>11. Case # 2006-0277 *Destroyed</b>	Reported Date: 05/31/2006	Classification: C
<b>Case Description:</b> Description: [REDACTED] was escorted to IA by OPM Flynn Lee. [REDACTED] is alleging Off. Padilla put the handcuffs on too tight and that Off. Padilla disrespected him by laughing at him for calling the police. Summary:		
<b>Allegation:</b> General Order Category: No Apparent Violation General Order Sub 1: No Apparent Violation		
<b>Allegation Description:</b> Charge: ; Discipline :		
<b>Disposition:</b> Chain of Command Decision: Administratively Closed Discipline Decision: No Discipline Suspension Period: -- Retention Period: 3 Years Retention Date: 08/09/2009		
<b>Post Appeal Decision: --</b> Discipline Decision: -- Suspension Period: --		
<b>Settlement Agreement: --</b> Discipline Decision: -- Suspension Period: --		
<u>APA Suspension Review:</u> Eligible: Not Reviewed Approved: Not Reviewed Update History: Not Reviewed APA Comment (Describe why eligible/ineligible): None		
Review Completed: No Review Date: None Effective written reprimand: None		
* Per Records Retention Schedule, IA case file is Eligible to be destroyed. Allegations(s) will continue to remain on IA history.		

<b>12. Case # 2006-0213 *Destroyed</b>	Reported Date: 05/02/2006	Classification: S
<b>Case Description:</b> Description: Received a supervisory referral from the OPM.		