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Human Resources Dept

## MEMORANDUM

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

**TO:** Joya Hayes, Director of Civil Service

**FROM:** Brian Manley, Chief of Police

**DATE:** December 12, 2018

**SUBJECT:** Indefinite Suspension of Police Sgt. Marci Laczko #3665  
Internal Affairs Control Number 2018-0584

Pursuant to the provisions of Chapter 143 of the Texas Local Government Code, Section 143.052, and Rule 10, Rules of Procedure for the Firefighters', Police Officers' and Emergency Medical Service Personnel's Civil Service Commission, I have indefinitely suspended Police Sgt. Marci Laczko #3665 from duty as a police officer for the City of Austin, Texas effective December 12, 2018.

I took this action because Sgt. Laczko 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 specific acts committed by Sgt. Laczko in violation of Rule 10:

Sgt. Laczko's [REDACTED] was dating a 17-year old female minor who shall be identified herein as Ms. X. A complaint was filed with the Austin Police Department by Ms. X's father alleging multiple acts of misconduct by Sgt. Laczko that occurred between February and July 2018. Some of those interactions are documented in APD offense reports 2018-1711503 and 2018-1711483. Essentially, and as will be described in greater detail

below, the complaint alleged that Sgt. Laczko interfered with Ms. X's parent's parental rights by taking Ms. X against her parents' instructions on an unauthorized trip to Huntsville, Texas with Sgt. Laczko and ██████ to visit Sam Houston State University (SHSU), and attempted to influence her into choosing to attend that institution rather than the University of Texas at El Paso (UTEP), which she planned on attending in the Fall of 2018.

### The Trip to Huntsville:

On or about June 10, 2018, Sgt. Laczko and her ██████ planned a trip to Huntsville. Ms. X's father was aware of the trip and that his daughter was planning on going with Sgt. Laczko and her ██████ the next day, June 11, 2018. On June 10, 2018, the father called Sgt. Laczko and left a voicemail on her cell phone discussing the planned trip and informed Sgt. Laczko that his daughter did not have permission to go with her and her ██████. Sgt. Laczko contends that she was not aware that Ms. X's parents were prohibiting her from traveling to Huntsville with her and her ██████, but rather, it was simply their wish and desire that she not go, but the ultimate decision was up to Ms. X. This assertion is based upon the voicemail that Ms. X's father left, which states in part:

*“And so with regard to tomorrow, um, going to Sam Houston State visit, um, we're going to ask that (Ms. X) kinda hold for right now because we're still tryin' to sort out the whole college thing. So I just want to get with you first, um, and just let you know, ah, that we're gonna ask her to- ah, not go tomorrow while we sort all this out. And so, um, I appreciate that and so, if you could just...um, just wanted to let you know so, um...”*

During her Internal Affairs (IA) interviews on September 26 and/or November 13, 2018, Sgt. Laczko stated that she did not know that Ms. X did not have authorization to go on the trip, that she did not know that Ms. X did not have authorization to go on the trip prior to leaving that morning, and that she did not know Ms. X's parents did not want Sgt. Laczko to take their daughter to Huntsville until after she returned from the trip. Sgt. Laczko also stated she did not have a conversation with Ms. X about whether her parents gave Ms. X permission to go to Huntsville until after they returned to the Austin area later in the evening. However, the following evidence proves that Sgt. Laczko was untruthful with IA as she knew for a fact that Ms. X was not authorized by her parents to travel with her to Huntsville prior to leaving Austin, and despite that knowledge, she not only allowed Ms. X to travel with her, but encouraged Ms. X to challenge and disregard her parents' lawful parental authority.

#### 1. Text Message between Sgt. Laczko and her ██████

Contemporaneous to the IA investigation, the APD Special Investigations Unit (SIU) conducted a related, yet separate, criminal investigation. On July 24, 2018 SIU executed a search warrant on Sgt. Laczko's phone. A review of the extraction report yielded a text thread between Sgt. Laczko and her ██████, which had been deleted from her phone. This text was relevant to the pending IA and SIU investigation and its deletion was an effort by Sgt. Laczko to interfere with and subvert these pending investigations. The text conversation

is dated June 11, 2018 and occurred while Sgt. Laczko, her [REDACTED], and Ms. X were in a vehicle driving to Huntsville.

**Sgt. Laczko 9:44 am**

*"(Ms. X) Mom and Dad each called once about an hour ago... Neither one left a message or have texted her. She's going to tell them once we get there where she is."*

**[REDACTED] 9:45 am**

*"Hope they don't blame you and [REDACTED]!"*

**Sgt. Laczko 9:47 am**

*"Oh they will. (Ms. X) said her dad will be shocked that I went against his wishes because no one ever does that."*

**[REDACTED] 9:48 am**

*"Oh boy"*

**Sgt. Laczko 9:49 am**

*"That's because he's a bully. I am not afraid to stand up to bullies. But I am concerned how he will treat (Ms. X) once she gets home"*

**[REDACTED] 9:50 am**

*"True"*

## 2. Officer Holmes In-Car video

On June 20, 2018, the Austin Police Department received a call for service from Sgt. Laczko's [REDACTED]. Officer Holmes responded to the scene and spoke with Sgt. Laczko and her [REDACTED]. This call is documented under APD Versadex Report 18-1711483. When speaking with Officer Holmes about taking Ms. X to Huntsville, Sgt. Laczko stated that Ms. X's father called her (Sgt. Laczko) the day before and left her a voice message that stated, "You're not allowed to take her." Sgt. Laczko went on to explain to Officer Holmes, "Well she is 17 years old. I wasn't kidnapping her. She's an adult she can go if she wants to." A bit later, Sgt. Laczko stated to Officer Holmes, "He was shocked that I, his words, disobeyed him and took his daughter to a college visit."

## 3. Researching the Harboring a Runaway Statute

Sgt. Laczko told IA that she considered allowing Ms. X to stay with her [REDACTED] if Ms. X's parents kicked her out of the house but she did not want her [REDACTED] or herself (Sgt. Laczko) to get in trouble for harboring a runaway. The extraction report for Sgt. Laczko's cell phone confirms that on June 29, 2018, at 11:12 am, she searched "harboring a runaway statute texas." If Sgt. Laczko truly believed a 17-year old was an adult and had authorization to travel to Huntsville, she would not have needed to research the Texas harboring a runaway statute.

Sgt. Laczko contends that Ms. X could go if she wanted to and had the legal right to disregard her parents' instructions: "*Well she is 17 years old. I wasn't kidnapping her. She's an adult she can go if she wants to.*" Sgt. Laczko's recitation of the law is incorrect despite the fact she is a police officer who is charged with knowing, understanding, and complying with the laws she enforces. Since Ms. X was a minor, Sgt. Laczko's actions in taking her to Huntsville without her parents' consent is a violation of Section 25.04 of the Texas Penal Code: Enticing a Child.

Sec. 25.04. ENTICING A CHILD. (a) A person commits an offense if, with the intent to interfere with the lawful custody of a child younger than 18 years, he knowingly entices, persuades, or takes the child from the custody of the parent or guardian or person standing in the stead of the parent or guardian of such child.

(b) An offense under this section is a Class B misdemeanor, unless it is shown on the trial of the offense that the actor intended to commit a felony against the child, in which event an offense under this section is a felony of the third degree.

In her first statement to IA, Sgt. Laczko stated if she had known that she did not have permission to take Ms. X to Huntsville on June 11, 2018, then she would have fit the elements of this offense. Since the above cited evidence proves that Sgt. Laczko knew she did not have permission for Ms. X to accompany her on the trip prior to leaving Austin, by her own unknowing admission she violated this Penal Code provision.

#### 4. Statements Made by Ms. X to SIU

Ms. X told SIU that:

*"...then a few days later, my dad called Marci. And then I was eating lunch with (her [REDACTED]). And then Marci called (her [REDACTED]), was like, "Her dad just called me and said that she can't go." And this was like the next day. So she's like, "I think like she can't go tomorrow," or something. And so I was like really terrified like oh my God. My parents are trying to like control me and so – and then I told, then (her [REDACTED]) called his [REDACTED]. And Marci was just like, "Well, she's 17 years old. She's like an adult. So she can decide whether she wants to go tomorrow or not. I'm not gonna," she's like, "she can come with us." And so I was just like, "Well, I'll go." You know, I mean, I didn't know there was anything like – I didn't – I thought I could. She gave me the impression that I wouldn't get in trouble. Like I'm okay. Or like I probably would get in trouble with my parents, obviously..."*

These actions constitute multiple policy violations, including APD Policy 900.1.1: Responsibility to Know and Comply, APD Policy 900.3.2: Acts Bringing Discredit upon the Department, and APD Policy 900.3.1: Honesty.

### **Privacy and Security of Records: Officer Holmes MDC**

On June 20, 2018, both Sgt. Laczko's [REDACTED] and Ms. X's parents called the Austin Police Department to file separate police reports. Officer Holmes realized while speaking with Sgt. Laczko and her [REDACTED] that this call was one half of a disturbance and that the other party had also called the police to file a report against Sgt. Laczko and her [REDACTED]. Officer Holmes informed Sgt. Laczko of the other related call for service. Sgt. Laczko asked Officer Holmes what the other party was alleging. Officer Holmes informed Sgt. Laczko that if she showed him her APD ID card that he would allow her to read the call on his MDC. Sgt. Laczko showed Officer Holmes her APD ID card and he allowed her to enter his police vehicle so that she could read the call text information for the other call. Although Officer Holmes allowed Sgt. Laczko to view his MDC, he did not think it was improper: however, Sgt. Laczko is a Sergeant, formerly worked in IA, and knew accessing the MDC for a non-law enforcement purpose, especially when she was the subject of a police investigation, was a violation of APD Policy 116.7 Privacy and Security of Records. When interviewed by IA, Sgt. Laczko acknowledged she violated this policy.

### **Insubordination & Cooperating with Assigned Investigators:**

On June 22, 2018, Sgt. Laczko was verbally given a Do-Not-Discuss (DND) and a Do-Not-Contact (DNC) order from Lt. Brian Jones. This was issued verbally, over the phone, because Sgt. Laczko was vacationing outside of the Austin area. When she returned on July 10<sup>th</sup>, she signed the order. An internal complaint was filed alleging that Sgt. Laczko may have violated those orders and contacted, or attempted to contact, witnesses and/or potential witnesses either directly or through third party means between June 22 and July 10, 2018. Information obtained during the Internal Affairs investigation supports sustaining this allegation, which constitutes insubordination and failing to cooperate with Internal Affairs. It is also important to note that Sgt. Laczko served in IA and issued similar orders in her capacity as an IA Sergeant.

1. Phone call with Sgt. Laczko's [REDACTED]:

Sgt. Laczko was ordered to provide her call/text logs for her personal cell phone. Those logs reveal an eight minute phone call between her and her [REDACTED] on September 27, 2018 at 4:37 pm. This call was the day after IA investigator(s) advised Sgt. Laczko not to call her [REDACTED] and discuss the case since her statement revealed him to be a potential witness in her case. Although she contended the phone call dealt with the title of a car, the [REDACTED] was a potential witness and contacting him violated the June 22, 2018 DND Order issued by Lt. Jones and the September 27<sup>th</sup> DND verbally issued by IA.

2. Deleting Text Messages

The DND that was issued to Sgt. Laczko states, in part, that she is prohibited from tampering, deleting, or concealing any evidence pertinent to or potentially pertinent to the investigation.

- Between Sgt. Laczko and her [REDACTED]

As noted above, a review of the extraction report for Sgt. Laczko's cell phone yielded a text thread between her and her [REDACTED], which had been deleted from her phone. The text conversation is dated June 11, 2018 and occurred while Sgt. Laczko, her [REDACTED], and Ms. X were in a vehicle driving to Huntsville. This text was relevant to the pending IA and SIU investigation and its deletion was an effort to interfere with and subvert these pending investigations.

- Between Sgt. Laczko and her [REDACTED]

The extraction report also showed a text thread between Sgt. Laczko and her [REDACTED]. This particular thread starts on June 29, 2018 at 5:05 pm. It is a lengthy thread that continues on for multiple pages. Only the first few texts are cited below.

[REDACTED] 5:05 pm

*"I want that chiefs number"*

**Sgt. Laczko 5:06 pm**

*"No, you will make my life worse and legitimately jeopardize my job if you call the Chiefs office"*

[REDACTED] 5:06 pm

*"Fuck hum [sic]"*

The portion of this conversation, between Sgt. Laczko and her [REDACTED], immediately preceding this text was irretrievably deleted and not able to be recovered. Not only was this text relevant to the pending IA and SIU investigations and therefore its deletion was an effort to interfere with and subvert these pending investigations, it proves that Sgt. Laczko violated the DND Order by communicating with her [REDACTED], a witness, about the pending investigation. Sgt. Laczko's assertion that she did not discuss the pending investigation with her [REDACTED] is not credible as there would be no reason for her [REDACTED] to speak with a Chief (particularly considering the context/timing of the partial conversation) except to discuss the pending investigation against his [REDACTED]. In addition, Sgt. Laczko asserts that they were not talking about her case, however, an extraction report of her search history shows that she was searching "harboring a runaway statute texas", contemporaneous to the time of this text conversation, that was deleted. Moreover, her statements to IA show she was also speaking to her [REDACTED] about the current status of his relationship with Ms. X, which IA pointed out to her was inextricably linked to the case.

### **Acts Bringing Discredit upon the Department**

Ms. X's parents knew she was an Austin Police officer. The actions described herein brought discredit upon the Department. Officers are supposed to obey the law, not break it. Sgt. Laczko's actions were a direct challenge to the parental authority of Ms. X's parents. When questioned by IA, Ms. X described the trust she had in Sgt. Laczko because she was a police officer and she violated that trust by manipulating her and encouraging her to lie to her parents:

**Ms. X:** *"I mean I don't know her intentions but again her actions showed a lot. And I feel like yeah I was definitely manipulated. Because like if they truly believed that I could make, that if they supported me on whatever decision I made why were they constantly texting me about like the situ- like me dealing with it with my parents? Or why were they constantly like asking me about it and talking with me? You know? 'Cause it kinda like if they would say one thing like, "We support you on, you know, whatever decision you make," but then at the same time they would give me all - like Marci would give me information about like moving out and the [REDACTED] did too. And so it was like, "If you really think I can make this - like if you really think I can - you just want me to do what I want to do why are you so involved?" And so it wa- yeah I - I was manipulated because they were taking - kind of taking advantage of my weaknesses and kind of taking advantage of like me not, you know, liking my parents at that time and me like thinking that they - my parents are controlling me. ... And it made me getting hurt and really - like I'm having trouble trusting people now. I'm having like - I just all - this whole situation is so hard to process for me. It's just I trusted Marci 'cause I was like, "She's a police officer. She's, a [REDACTED]." And then all of a sudden it's trying to think, "No, she - all these things were mainly I think just about (her [REDACTED]). And just trying to make him happy."*

*"Yeah, for sure when she - I would get texts from my mom like saying I had to be home at this certain time and Marci - I would tell Marci and - and she would just be like, "Well, tell your mom this." And then like, "You're not gonna come home." Like that - she would like say just - and then also like my mom called Marci saying, "Where is (Ms. X)?" And I'm pretty sure I was right next to Marci and she's just like I'm not home. I don't know - or something like that happened where I know Marci knew where I was. Like (her [REDACTED] calls her a lot and talks to her a lot and they know where we are."*

### **Dishonesty:**

Sgt. Laczko's statement during both IA interviews that she did not know that Ms. X did not have authorization to go on the trip, that she did not know that she did not have authorization to go on the trip prior to leaving that morning, that she did not know her parents did not want her to take their daughter to Huntsville until after Sgt. Laczko returned from the trip, and she did not have a conversation with Ms. X about whether her parents gave her permission to go to Huntsville until after they returned to the Austin area later in the evening are all untrue, as proven by the evidence obtained during the IA investigation. The following is just an example of the false and/or misleading statements:

**Sgt. Laczko:** *"Yeah as- that's what the message said. I think there is a big difference between - did I think her dad wanted her to go to Sam Houston at all? No. Did I think he wanted her to go to college there? No. There's a big difference between knowing that you don't really want your kid to do something but allowing them to do it and/or for me, in my - how I was looking at it as I knew he didn't really want her to go. I don't - the mom was flip flopping back and forth, but I did not know that I did not have*

authorization to take her. And that is the biggest – in my mind that's the biggest thing. I knew he wasn't excited about it, but I did not know she didn't have authorization to go, because she showed up at my house. The following morning she drove to my home at 7:30 and we got in the car and we left. I said "Oh you're going?" "Yes." We got in the car and we left. While we're on the road we start talking a little bit."

**Sgt. Laczko:** "I don't think we would ever file that charge to be honest with you in the real world. But it would've fit more than what I did because I did not - in my mind I did not know that I did not have authorization to put her in the car and go. That's the bottom line."

Sgt. Laczko was also dishonest with IA when she claimed she was confused when speaking with Officer Holmes. Specifically, when explaining her statement that she knew Ms. X was not allowed to go on the trip, she claimed confusion with a subsequent trip that never occurred. However, the following statements made by Sgt. Laczko and Ms. X are nearly identical, proving that Sgt. Laczko was not confused and knew Ms. X was not authorized to travel to Huntsville:

On June 20<sup>th</sup> Sgt. Laczko made the following statement to Officer Holmes:

(Ms. X's) dad called and left a voicemail that said, "You're not allowed to take her". Sgt. Laczko went on to explain to Officer Holmes, "Well she is 17 years old. I wasn't kidnapping her. She's an adult she can go if she wants to."

On August 3<sup>rd</sup>, Ms. X made the following statement to IA about what Sgt. Laczko told her and her [REDACTED] on the phone after receiving the voicemail from Ms. X's father:

"Yeah, I heard her say that, um, I'm 17-years-old. Um, basically like I've – I don't - I think she clarified like I wouldn't get in trouble lawfully like if I went without like - since my dad contacted her. So I felt fine about it. Like I knew I probably would have got in trouble with my parents but like she said like I can still come if I want to 'cause I'm like - I can make that decision. Um, so..."

In addition to her failure to accept responsibility, Sgt. Laczko placed blame on her [REDACTED], Ms. X, and Ms. X's parent(s), claiming that Ms. X's father was unclear in his request and/or her [REDACTED] and Ms. X deceived her. She maintained this assertion even though her text messages show otherwise and her statement(s), including those to Officer Holmes on June 20, 2018 show she had a clear understanding and was not deceived by her [REDACTED] nor Ms. X. When IA tried to get Sgt. Laczko to concede to these fact(s), she dodged and/or misdirected their questions and untruthfully claimed she was confused in her dialogue with Officer Holmes.

Moreover, not only was Sgt. Laczko dishonest with IA during her interviews, the act of deleting text messages and violating the DND and DNC Order is considered an act of dishonesty that interferes with and subverts the integrity of IA and SIU investigations. A single untruthful statement and/or action is grounds for termination and considered Brady material. Any one of the aforementioned, acts/or misleading statements compromises Sgt. Laczko's integrity as an employee and witness in the future, and make her unemployable by

the Department, therefore Sgt. Laczko leaves me with no choice but to indefinitely suspend her, which was the unanimous recommendation of her chain of command.

For the purposes of Local Government Code Chapter 143.052(h), the 180-day statutory period for me to impose this suspension began on June 20, 2018, the date the Department discovered this alleged criminal activity by Sgt. Laczko (violation of Penal Code 25.04).

By these actions, Sgt. Laczko violated Rule 10.03(L) by violating the following rules and regulations of the Austin Police Department:

➤ **Austin Police Department Policy 900.1.1: General Conduct and Responsibilities: Responsibility to Know and Comply**

**900.1.1 Responsibility to Know and Comply**

The rules of conduct set forth in this policy do not serve as an all-inclusive list of requirements, limitations, or prohibitions on employee conduct and activities; employees are required to know and comply with all Department policies, procedures, and written directives.

- (a) Employees will maintain a working knowledge and comply with the laws, ordinances, statutes, regulations, and APD written directives which pertain to their assigned duties.
- (b) Employees who do not understand their assigned duties or responsibilities will read the relevant directives and guidelines, and will consult their immediate supervisor for clarification and explanation.
- (c) A lack of knowledge of an APD written directive is not a defense to disciplinary action.

To Wit:

**Sec. 25.04. ENTICING A CHILD**

- (a) A person commits an offense if, with the intent to interfere with the lawful custody of a child younger than 18 years, he knowingly entices, persuades, or takes the child from the custody of the parent or guardian or person standing in the stead of the parent or guardian of such child.
- (b) An offense under this section is a Class B misdemeanor, unless it is shown on the trial of the offense that the actor intended to commit a felony against the child, in which event an offense under this section is a felony of the third degree.

➤ **Responsibility: Insubordination**

**110.4.4 Insubordination**

Employees will not be insubordinate. The willful disobedience of, or deliberate refusal to obey any lawful order of a supervisor is insubordination. Defying the authority of any supervisor by obvious disrespect, arrogant or disrespectful conduct, ridicule, or challenge to orders issued is considered insubordination whether done in or out of the supervisor's presence.

➤ **Austin Police Department Policy 900.3.1: General Conduct and Responsibilities: Honesty**

**900.3.1 Honesty**

Honesty is of the utmost importance in the police profession. Employees are expected to be truthful at all times in the performance of their duties.

- (a) Employees will speak the truth at all times and reflect the truth in all reports and written communications. Any statement or omission of pertinent or material information which intentionally misrepresents facts or misleads others through an official statement will be considered a false official statement. The following are examples of an "official statement":
  2. Verbal or written statements made by an officer in connection with their official duties to:
    - (a) An investigator conducting an administrative or criminal investigation of the officer or another person's conduct.
- (c) Employees will not attempt to conceal, divert, or mitigate their true culpability in a situation, nor will they engage in efforts to thwart, influence, or interfere with an internal or criminal investigation.

➤ **Austin Police Department Policy 902.4.1: Administrative Investigations: Cooperating with Assigned Investigators**

**902.4.1 Cooperating with Assigned Investigators**

- (a) Employees will cooperate with any assigned investigator as if they were addressing the Chief. Employees who fail or refuse to cooperate with an assigned investigator will be subject to disciplinary action, up to and including indefinite suspension.
- (b) Honesty is of the utmost importance in the police profession. Employees are expected to be truthful at all times during interviews

with investigators as outlined in General Order 900 (General Conduct and Responsibilities).

1. Employees who are found to have given a false official statement are subject to indefinite suspension as outlined in the Discipline Matrix ("Dishonesty - False Official Statements").
2. There may be cases where officers have not been truthful but the dishonesty does not constitute a false official statement. In those situations, the Chief shall consider each case on a fact specific basis and may decide that corrective action other than indefinite suspension is warranted as outlined in the Discipline Matrix ("Neglect of Duty - Misleading Statements").

➤ **Austin Police Department Policy 900.3.2: General Conduct and Responsibilities: Acts Bringing Discredit Upon the Department**

**900.3.2 Acts Bringing Discredit Upon the Department**

Since the conduct of personnel both on-duty or off-duty may reflect directly upon the Department, employees must conduct themselves at all times in a manner which does not bring reproach, discredit, or embarrassment to the Department or to the City.

- (a) Employees will not commit any act which tends to destroy public confidence in, and respect for, the Department or which is prejudicial to the good order, efficiency, or discipline of the Department.

➤ **Austin Police Department Policy 116.7: Security and Release of Records and Information: Privacy and Security of Records**

**116.7 Privacy and Security of Records**

Austin Police Department employees shall not access, view, distribute, or allow anyone else to access, view, or distribute any hard copy or electronic record, file, or report, except in accordance with Department orders and with a legitimate law enforcement or business purpose, or as otherwise permissible by law.

All reports including, but not limited to, initial, supplemental, follow-up, evidence and property reports, shall be maintained in a secure manner accessible only to authorized personnel.

By copy of this memo, Sgt. Laczko is hereby advised of this indefinite suspension and that the suspension may be appealed to the Civil Service Commission by filing with the Director of Civil Service, within ten (10) 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.

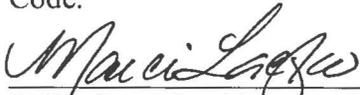
By copy of this memo and as required by Section 143.057 of the Texas Local Government Code, Sgt. Laczko is hereby advised that such section and the Agreement Between the City of Austin and the Austin Police Association provide for an appeal to an independent third party hearing examiner, in accordance 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.

  
BRIAN MANLEY, Chief of Police

12.12.18  
Date

TO WHOM IT MAY CONCERN:

I hereby acknowledge receipt of the above and foregoing memorandum of indefinite suspension and I have been advised that if I desire to appeal that I have ten (10) calendar 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.

  
Police Sgt. Marci Laczko #3665

12/12/18  
Date