



RCUD: MRS. CS OFFICE  
2025 MAY 16 PMZ:08

## MEMORANDUM

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

**TO:** Susan Sinz, Director of Civil Service

**FROM:** Michael Chancellor, Assistant Chief of Police

**DATE:** May 16, 2025

**SUBJECT:** Temporary Suspension of Police Officer Shalom Alvarez #9207  
Internal Affairs Control Number 2024-1283

Pursuant to the provisions of Chapter 143 of the Texas Local Government Code, Section 143.052, and Rule 10, Rules and Regulations for the Firefighters', Police Officers' and Emergency Medical Service Personnel's Civil Service Commission, I have suspended Police Officer Shalom Alvarez #9207 from duty as a City of Austin, Texas police officer for a period of Two (2) days. The temporary suspension is effective beginning on May 17, 2025, and continuing through May 18, 2025.

I took this action because Officer Alvarez 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 Alvarez in violation of Rule 10:

On November 28, 2024, Officer Shalom Alvarez was assisting with the Henry 300's Bridge Safety Operation in the grassy median located between the intersections of E. Riverside Dr/Wickersham Lane and East Riverside Drive/Pleasant Valley Drive. Officer Alvarez was driving patrol unit #8696. After concluding his duties in connection with the operation, he left the area in the patrol unit. As he was driving away, Officer Alvarez drove over a broken concrete/rock. This caused damage to the patrol unit and rendered it inoperable. Ultimately, the patrol unit had to be towed away from the scene of the collision.

Officer Alvarez' Chain of Command subsequently made a request for Internal Affairs to investigate this incident. On February 25, 2025, Internal Affairs conducted an interview with Officer Alvarez. At the conclusion of the interview, Internal Affairs asked Officer Alvarez if he had reviewed APD General Order 804.2 General Operation of Department Vehicles and if he felt he violated the policy. Officer Alvarez responded:

*I do, sir. I've said it because I made a contact with the object that I did not see.*

In addition to this incident, the Chain of Command and I took into account Officer Alvarez's accident history with the department. This incident was his fifth crash, to include Internal Affairs cases:

- 2021-1285 sustained for a violation of General Order 804.2 General Operation of Department Vehicles and General Order 304 DMAV, where he received a 1-day disciplinary suspension;
- 2022-1125 sustained for a violation of General Order 804.2 General Operation of Department Vehicles, where he received a written reprimand;
- 2023-0414 sustained for a violation of General Order 804.2, where he received Education Based Discipline/Written Reprimand that he completed;
- 2024-1282 sustained for a violation of General Order 804.2 General Operations, where he received 3-days of Education Based Discipline (still to be completed); and
- this current case, 2024-1283.

Despite the fact that Officer Alvarez's supervisors have sent him to additional training, he has repeatedly violated the Department's General Order regarding operation of department vehicles.

By these actions, Officer Alvarez 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 Policy 804.2: Department Vehicles: General Operation of Department Vehicles**

**804.2 General Operation of Department Vehicles**

- (a) Employees will operate Department vehicles in a careful and prudent manner within the guidelines of the law and Department General Orders. Unsafe or negligent driving is prohibited.
  1. Vehicles will be operated in such a manner and at a rate of speed that the driver, by use of ordinary care, can avoid colliding with another vehicle, object, or person.

By copy of this memo, Officer Alvarez is hereby advised of this temporary 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, Officer Alvarez 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.

In addition, if this disciplinary suspension is for three (3) days or less, Officer Alvarez 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.*

 5329  
\_\_\_\_\_  
Michael Chancellor, Assistant Chief of Police

5.16.25  
\_\_\_\_\_  
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) 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.

 #9207  
\_\_\_\_\_  
Police Officer Shalom Alvarez #9207

05/16/2025  
\_\_\_\_\_  
Date