

City Proposal (Date 4.19.21)

**ARTICLE 39
Civilianization**

The Crime Scene Unit shall retain sworn supervisors. The lead incident commander of the shooting investigation team shall be a sworn Officer.

The City shall notify the Association President at least ninety (90) calendar days prior to civilianization of jobs traditionally performed by sworn officers and shall consult, and reach mutual agreement, with the Association President over the effects of such civilianization. The City agrees the effect of civilianization shall not reduce the authorized number of sworn Police Officers, Detectives or Supervisors.

Section 2.

The City of San Antonio may additionally utilize civilians in any position created in the future, that does not require the individual to have and exercise the power of arrest under the standards for distinguishing between classified and civilian positions set forth in *Lee v. City of Houston*, or any later decision by the Supreme Court of Texas.

Section 3. Preemption

It is expressly understood and agreed that all provisions of this Article shall preempt any statute, Executive Order, local ordinance, City policy or rule, which is in conflict with or is inconsistent with this Agreement and the procedures developed hereunder, including for example and not by way of limitation, any contrary provisions of Chapters 141, 142, and 143 of the Texas Local Government Code, including but not limited to Sections 143.001 through 143.027 and 143.041 through 143.047.

Date: _____

For the City

For the Association