



Department of Human Resources

MAYOR
Renard U. Johnson

TO: Luis Monsivais, New City of El Paso Applicant
FROM: Mary Wiggins, Chief Human Resources Officer *MW*
DATE: February 4, 2025

CITY COUNCIL

District 1
Alejandra Chávez

SUBJECT: Discussion and Action on Disqualification Appeal to take Examination and/or Removal of Names from Eligible List for the El Paso Police Department, in accordance with C.S.C. Rule 5.1.(A), City's Application and Appeals Policy and Texas CJIS Systems Access Policy

District 2
Dr. Josh Acevedo

District 3
Deanna M. Rocha

Your appeal has been placed on the Civil Service Commission Agenda as Item #12 for their meeting to be held on **Thursday evening, February 13, 2025**. The meeting will be at **6:00 P.M.**, in the **Main Conference Room, 2nd Floor, City Hall (300 N. Campbell)**. Please attend the meeting to answer any questions the Commission may have regarding this matter. Failure to attend the meeting to address the Commission may result in your appeal being deemed withdrawn.

District 4
Cynthia Boyar Trejo

Please call Claudia Cancellare, Employee Relations Officer, at (915) 212-1498 or Cecy Mungaray, Employee Relations Officer at (915) 212-1430 if you have any questions.

District 5
Ivan Niño

District 6
Art Fierro

If you have any questions, please call Symone Menchaca at (915) 212-1242.

District 7
Lily Limón

District 8
Chris Canales

CITY MANAGER
Dionne Mack

Signature: *Mary Wiggins*

Email: WigginsML@elpasotexas.gov

Mary Wiggins PHR, SHRM-CP – Chief Human Resources Officer
Department of Human Resources | 300 N. Campbell | El Paso, TX 79901
O: (915) 212-0045 | Email: WigginsML@elpasotexas.gov





Civil Service Commission Appeal

Applicant Name: Luis Monsivais
Current Position and Grade:
Position and Grade Applying For: Police Officer Trainee GS 54
Exam Plan: 75410-1124

Reason for Disqualification:
 HR-Policy-Convicted of a Misdemeanor/Felony related to position

Minimum Qualifications:

Education and Experience: High School Diploma, GED, or higher and six (6) months of general work experience involving public contact; or at least two (2) years of full-time active military service with an honorable discharge.

Licenses and Certificates: Valid Texas Class "C" Driver's License or equivalent from another state by time of application. Basic Peace Officer License issued by the Texas Commission on Law Enforcement (TCOLE) upon completion of training.

Special Requirements: Must be a minimum of twenty-one (21) years of age by the date of graduation from the Academy. Must be a current U.S. Citizen* and reside within the U.S. Meet El Paso Police Department pre-appointment standards including a rigid background investigation, and a comprehensive medical/psychological examination with drug screening. Applicants with prior military service may not currently have a dishonorable discharge or other discharge based on misconduct which bars future military service

Applicant Qualifications:

Education: GED

<u>Experience:</u> Truck Driver	05/2024 - Present	8 months
Operations Agent	07/2014 - 03/2024	9 years & 8 months

Comments:

Mr. Monsivais has met the Education and Work Experience required for the position of a Police Trainee. Mr. Monsivais was convicted of a DWI Misdemeanor Class B in 2019 and another DWI Misdemeanor Class A in 2021. Mr. Monsivais stated on his appeal that he served his sentences, which were probation and work release. Mr. Monsivais checked 'yes' on the box that asks if the conviction is job related to the position sought.

The Texas Commission on Law Enforcement (TCOLE), requires that applicants for a Peace Officer license have never been convicted of any criminal offense above the grade of a Class A misdemeanor (ever) or a Class B misdemeanor within the past ten years.

A Police Trainee is required to pass a Texas Criminal Justice Information Systems (CJIS) background check. Under this policy, a Class A misdemeanor conviction is a Permanent Disqualifier to obtain access to CJIS while a Class B Misdemeanor conviction is a Disqualifier for 10 years.

Therefore, the applicant would not be eligible to receive a Texas Peace Officers license under TCOLE and would not be able to obtain access to CJIS systems to perform essential functions of a police officer.



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Civil Service Commission Appeal

Applicable City Rules and Policies:

Ordinance 8065 – Civil Service Commission Rule 5, Section 1 (b). **(Please refer to Attachment A)**

Application and Appeals Policy

(Please refer to Attachment B)

CJIS Policy

(Please refer to Attachment C)

Misdemeanor A & Misdemeanor B

(Please refer to Attachment D)

Prepared By: Sr. HR Analyst Rosa Prieto

Reviewed By: HR Manager Samantha Soria *SS*

HR-HCM Review: HR Manager *Erica Salamanca*

Date: 02/03/2025



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Appeal Form

To Whom It May Concern:

Luis Monsivals

I, Luis Monsivals, hereby appeal my disqualification to take the examination for: Police officer trainee [Examination Title]

Date notified of disqualification: 01/15/2025

Disqualified Under **CIVIL SERVICE RULE (C.S.C.)** and/or **HUMAN RESOURCES (HR) POLICY**:
Check all boxes that are applicable.

Lacks Minimum Qualification – Rule 5.1.(a) Convicted of a felony, or a misdemeanor – Rule 5.1.(b) *ep*
Human Resources Policy: Dismissed from Public Service Dismissed from City Employment
OTHER (write specific C.S.C. Rule or HR Policy you are appealing)

C.S.C. Rule 5.1.(a) Applicant Does Not Meet Minimum Qualification	YES	NO
Do you meet the educational requirements as stated in the job specification for this position?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Can you provide official proof of Education or other requirements, official transcripts, original or certified copies of diplomas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you meet the minimum required experience as stated in the job specification for this position?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you list your education and/or experience on your application?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Detail your qualifying experience (use additional paper if necessary)

C.S.C. Rule 5.1.(b) Conviction of Felony or Misdemeanor	YES	NO
Is your conviction job related to the position sought?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the conviction hinder your ability to perform the duties of this position?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please detail why your conviction will not affect your job performance. Please submit any supporting documentation regarding this issue.

I served my sentences which were probation and work release. Also, I have given up alcohol on my own will for health purposes as well as religious views. My past convictions will not hinder my ability to perform the duties of this or any other position.



75410-1124 - Police Trainee-140th Academy Class

Contact Information -- Person ID: 7459330

Name: Luis Monsivals Address: [Redacted] US
Home Phone: [Redacted] Alternate Phone: [Redacted]
Text Messaging Mobile No: [Redacted] Email: [Redacted]
Former Last Name: [Redacted] Month and Day of Birth: 06/21

Personal Information

Driver's License: Yes, Texas, [Redacted], Class A CDL
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? High School

Preferences

Are you willing to relocate? Yes
Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day, Evening, Night, Rotating, Weekends, On Call (as needed)

Objective

To become the best detention officer trainee and move up to a higher ranking.

Education

College/University: EPCC, 9/2021 - Present, El Paso, Texas
Did you graduate: No
Major/Minor: Business
Units Completed: 6 Quarter
Degree Received: Associate's

High School: Irvin, 8/2001 - 1/2006, El Paso, Texas
Did you graduate: No
Highest Level Completed: 12
Did you receive a GED? Yes
Degree Received: GED

Work Experience

Truck driver, 5/2024 - Present
Hours worked per week: 40
Monthly Salary: \$2,700.00
of Employees Supervised: 0
R&M Courier, 13500 La Von, El Paso, Texas 79938
Name of Supervisor: Marlene Marquez - Owner
May we contact this employer? Yes

Duties

To pick up and deliver material as requested.

Operations Agent, 7/2014 - 3/2024
Hours worked per week: 40
Monthly Salary: \$1,800.00
Name of Supervisor: Jose Almeida, Operations Supervisor
May we contact this employer? Yes
Omni Logistics, 7 Founders Blvd, El Paso, Texas 79904



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Duties

To accurately and to the best of my abilities provide customers with the best options available to their needs. Making sure that they are kept up to date with the status of the shipments that we move for them.

Reason for Leaving

Seeking better opportunities

Certificates and Licenses

Skills

Office Skills

Typing: 45

Data Entry: 0

Languages

Spanish - Speak, Read, Write

Additional Information

References

City of El Paso has chosen not to collect this information for this job posting.

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
LUIS_MONSIVAIS_Resume.pdf	LUIS_MONSIVAIS_Resume.pdf	Resume	Job Seeker



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Police Officer Job Family

Job Code	Current Job Title	Type of Position	Grade	FLSA Status	Education	Experience
75410	Police Trainee	Classified	GS 54	Non-Exempt	HS/GED	6 months
75400	Certified Police Trainee	Classified	GS 54	Non-Exempt	HS/GED	12 Credits
75430	Lateral Police Officer	Classified	P1-4 to P3-11	Non-Exempt	HS/GED	3
75420	Police Officer	Classified	P1	Non-Exempt	HS/GED	1
75421	Police Officer	Classified	P2	Non-Exempt	HS/GED	1
75422	Police Officer	Classified	P3	Non-Exempt	HS/GED	1



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City of El Paso
Police Trainee

CLASS CODE	75410 GS 054	SALARY	\$23.97 Hourly
ESTABLISHED DATE	July 06, 2004	REVISION DATE	October 02, 2024

Minimum Qualifications

Education and Experience: High School Diploma or GED, and six (6) months of general work experience involving public contact; or at least two (2) years of full-time active military service with an honorable discharge.

Licenses and Certificates: Valid Texas Class "C" Driver's License or equivalent from another state by time of application. Basic Peace Officer License issued by the Texas Commission on Law Enforcement (TCOLE) upon completion of training.

Special Requirements: Must be a minimum of twenty-one (21) years of age by the date of graduation from the Academy. Must be a current U.S. Citizen* and reside within the U.S. Meet El Paso Police Department pre-appointment standards including a rigid background investigation and a comprehensive medical/psychological examination with drug screening. Applicants with prior military service may not currently have a dishonorable discharge or other discharge based on misconduct which bars future military service.

**Amendment to S.B. 252 relating to the licensing of certain veterans by the Texas Commission on Law Enforcement and the hiring of those veterans by political subdivision states:*

Sec. 1701.3095. LICENSING OF CERTAIN VETERANS WHO ARE LEGAL PERMANENT RESIDENTS. The commission is authorized to issue a license to a person who is a legal permanent resident of the United States if the person:

- (1) meets the requirements of this chapter and the commission's rules for the license;*
- (2) is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge; and*
- (3) presents evidence satisfactory to the commission that the person has applied for United States citizenship.*

General Purpose

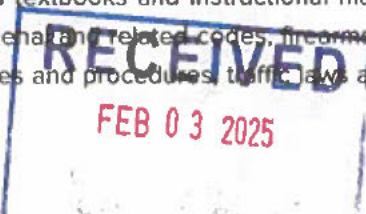
Under immediate supervision, learn general and specific state and local law enforcement policies, tactics and procedures to qualify for certification as a Texas Peace Officer.

Typical Duties

Participate in and complete police academy classroom and designated police command field training. Involves: Attend lectures and demonstrations, engage in practice sessions, read textbooks and instructional manuals, and prepare and submit study assignments about law enforcement, Texas penal and related codes, firearms and other weapons care and use, marksmanship, department requirements, policies and procedures, traffic laws and control,



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arrest methods, two-way radio operation, defensive driving, safety and emergency response techniques, accident investigation, ethics, report writing, and community relations principles.

Engage in miscellaneous related public safety activities as required. Involves: Respond to emergency incidents as qualified to perform simple protective services and victim rescue tasks in accordance with specific instructions from the Training Chief. Participate in a rigorous daily physical training program.

Knowledge, Skills, and Abilities

- Application of some knowledge of customer service and public relations practices and procedures.
- Learn skills associated with basic peace officer work, including safe operation, care and wearing of a handgun, other designated weapons, allied law enforcement equipment, communications devices.
- Learn applicable local laws and ordinances, and department rules and regulations, including community-policing techniques.
- Learn safe operation and care of a network workstation or personal computer and allied hardware, and generic business productivity and specialized law enforcement software as required.
- Read and understand training materials.
- Perform basic mathematical operations.
- Follow verbal and written instruction.
- Meet academy dress, appearance and discipline standards.
- Establish and maintain effective working relationships with instructors and other trainees.
- Clearly and concisely communicate orally and in writing.
- Skillfully and safely operate and care for a motor vehicle.

Other Job Characteristics

- Perform specified daily strenuous physical development exercises.
- Successfully complete Academy written, physical and skills tests.
- Subject to being called at any time for emergency duties.
- Requires shift work.

Classification Status

(Resolution Item 50 07/07/04), (HR 01/27/09), (HR 10/15/09), (CC 07/29/12), (HR 3/16/16), (HR 4/25/16) (HR 6/28/17), (HR 11/10/17), (HR 02/22/19), (HR 10/17/19), (HR 05/22/22), (HR 09/11/22), (HR 03/12/23), (05/03/2023), (HR 09/10/2023), (HR 09/21/2023), (HR 09/08/2024), (HR 10/02/2024).

As provided under Classification and Compensation Ordinance 8064, Section 2.2, General purpose and typical duties summarized are only illustrative of work customarily assigned and performed. Typical requirements shown may be more specifically defined by additional job analysis.



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Attachment A



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RULE 5

Application and Promotional Process and Lateral Transfer Process

Section 1. Filing of Applications.

Except as otherwise provided for herein, applicants for all positions, must file an application with the Human Resource Department not later than the date specified in the job posting and in the manner prescribed in the job posting.

The Human Resources Director, subject to appeal to the Commission, will refuse to examine an applicant, or after examination to certify him as eligible and will remove his name from the eligible list for any of the following reasons, in each case to be fully documented:

- (a) He is found to lack any of the minimum requirements established in the classification for the position and grade for which he applies; or
- (b) He has been convicted of a felony, or a misdemeanor within seven (7) years from date of conviction, end of parole, or release from prison, which is determined to be job related to the position sought; or (Amended 8/25/09, 11/2/10)
- (c) He is found by the Commission to have committed any act, either while in the service of the City or otherwise, or to have any deficiency or disqualification which, in the judgment of the Commission, would be sufficient to constitute a just cause for discharge from the Civil Service as defined in Article VI, Section 6.13-3 of the Charter.

Section 2. Appeals from Disqualification from Examination.

a. Applicants who are disqualified from taking an examination may appeal to the Civil Service Commission provided they appeal within three (3) working days from the date of the notice. The three (3) working day period begins the date the notice was emailed. Individuals who appeal must file a written rebuttal in a format prescribed by the Human Resources Director. If the applicant fails to update their contact information or respond within the timelines set, no further action will be taken. (Amended 8/21/07, 8/25/09, 9/17/13)

b. Untimely appeals will not be accepted.

c. If the examination is held before the appeal is heard and determined by the Commission, the Human Resources Director may allow the applicant to take the examination conditionally pending the Commission's determination. If a conditional applicant fails to achieve a passing grade on an examination, the appeal shall be administratively dismissed and the appeal will not be forwarded to the Commission and no further action will be taken. (Amended 8/25/09)

Section 3. Frequency and Examination.

Examinations will be given whenever needed to fill a vacancy for which an adequate list does not exist. (Amended 12/11/84, 1/24/89, 8/21/07)

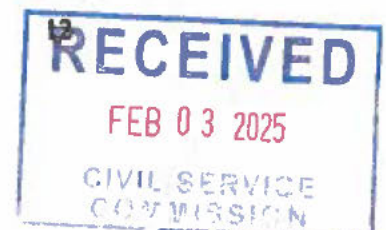
Section 4. Eligibility.

A person is eligible to take promotional examinations after actual service in a regular position for six months and when he fully meets the qualifications for the class as specified in the job description. The six months of actual service will be deemed to have been met if the employee successfully completes the six months of service by the date the first component of the examination is administered, and the employee is recommended for regular status. (Amended 10/21/97, 8.21/07, 8/25/09, 9/17/13)

REVISED 1/20/15; 11/15/16; 3/7/17; 9/19/17; 11/28/17



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Section 5. Seniority and Efficiency Points

Seniority points will be awarded to the score of City Employees provided that the minimum passing grade is achieved on the examination or evaluation. City Employees may receive a maximum of five additional points that can be added to their score for seniority points. (Amended 3/6/12, 3/7/17)

Section 6. Special Credit

Ratings for Veterans

A veteran, who has obtained a passing score, shall have his rating on an original entrance examination advanced five points. A veteran is defined as any person who has served on active duty in the Armed Forces of the United States, or any division thereof, including the Coast Guard, for a period of 180 days and presents a DD 214 indicating an honorable discharge from said service. (Amended 8/21/07, 8/25/09)

- a. To qualify for an additional five-point increment based on disability, such disability must be at least 30 percent, certified by the most recent letter from the Veteran's Administration. (Amended 8/21/07)
- b. Nothing in this provision will be construed to authorize or direct the placing of the name of any person on any eligible list who does not meet the physical standards set by the Human Resources Director for the position for which the eligible list has been created.

Section 7. Penalty for Deceit in Examination.

Where deceit in an examination is alleged, and the examinee denies the fact of deceit, or if the examiner in charge of the examination believes extenuating circumstances to exist, the examinee will be permitted to finish the examination, and a full report shall be submitted immediately to the Human Resources Director, who will conduct an appropriate investigation. Should the Director find that the applicant engaged in deceitful conduct in connection with the examination, the applicant will be disqualified. (Amended 8/21/07, 9/17/13)

Section 8. Duration of Eligible Lists.

The Human Resources Director will compile lists of eligible promotional candidates for job classifications and maintain them as necessary and appropriate. Eligible lists other than reinstatement and transfer lists will normally expire 6 months from the date they are certified unless extended by the Human Resources Director.. (Amended 1/24/89, 8/21/07, 9/17/13)

Section 9. Removal from the Promotional List of Persons Permanently Separated from Service.

The names of persons permanently separated from the service on account of resignation, discharge or other cause, will be removed from all promotional applicant lists by the Human Resources Director.

Section 10. Removal from Lower List if Appointed from Higher List.

Regular employees whose names are on promotional eligible lists of different grades or lists with different salary schedules will be removed from the lower grade promotional eligible lists or promotional lists with a lower salary schedule upon promotion to a higher grade position or one with a higher salary schedule. (Passed 3/28/91 and Amended 8/21/07)

Section 11. Required Licenses or Certificates

All employees who are required to have a license or certificate as a condition of employment shall maintain such licenses or certificates in a current status as long as their job specification requires it. Failure to maintain or obtain such license or certificate as required by the employee's job specification shall constitute just cause for disciplinary action as described in Rule 8. (Passed 8/25/09)

REVISED 1/20/15; 11/15/16; 3/7/17; 9/19/17; 11/28/17



Section 12. Transfer to Same Class and Grade.

Whenever an employee in any department of the City wishes to transfer to a position in another department, the employee must be recommended by the transferring department and must have not been disciplined or placed on a performance improvement plan in the last 12 months. Employee shall retain his grade and pay rate, provided: (Amended 7/31/07, 8/25/09, 9/17/13)

- a. The position is in the same class and grade as the one from which transfer is made; or
- b. The employee has been performing services substantially similar in nature and having similar requirements as to education and experience to those of the new position, as determined by the Human Resources Director. Seniority credit where applicable will be given to the employee for the number of years he has been performing similar work in the former department. (Amended 2/1/94 and 7/31/07)

Section 13. Transfer During Probationary Period.

a. In order to have a request for a transfer approved, a person must have completed a probationary period in the class to which transfer is being requested, except as provided in paragraph b.

b. In cases where a position is abolished, a transfer request may be made by either the employee or the City. In such cases, a transfer may be approved while the employee is still serving in a probationary period for the class to which transfer is requested, provided that the balance of the employee's probationary period not yet served be retained by the employee in the new department, and that the rules regarding transfer and the order of certification and all provisions regarding transfers are met. (Passed 1/2/85) (Amended 9/13/05)

REVISED 1/20/15; 11/15/16; 3/7/17; 9/19/17; 11/28/17



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Attachment B



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ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Applications and Appeals Policy
Creation Date: October 18, 2011
Revision Date: August 5, 2013; May 30, 2015
Prepared By: HR Department
Approved By: City Manager
Legal Review: Elizabeth Ruhmann

DESCRIPTION: APPLICATIONS AND APPEALS POLICY

I. POLICY

It is the City's policy to allow all interested job seekers to apply for available positions and to provide a method for appealing a disqualification determination, pursuant to the procedures set forth in this policy.

II. PROCEDURES

A. Acceptance of Applications

1. The Human Resources Director or Designee will establish a filing period to accept applications for a particular position
 - a. All job seekers must complete an application for a particular position through the City's online application system.
 - b. A filing period with a specific closing date may be established for a job posting.
 - c. When the need exists for a limited number of applicants, the filing period will only remain open until an adequate number of applications have been received.
 - d. When necessary to fill positions for which there is a constant need for qualified applicants, or for hard to fill positions, the Human Resources Director may establish an open filing period and accept applications for employment on a continuous basis until all anticipated vacancies are filled, or the need for accepting and processing of applications no longer exists.



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B. Review of Applications

1. **Human Resources Director:** As required, the Human Resources Director or designee will review applications and identify candidates based solely on qualifications.

The Human Resources Director will permit education to substitute for experience as stated in the Equivalency Guidelines. Experience will be counted from the first day of entry into a qualifying job, to the day of the first component of the examination for which they have applied.

2. **Hiring Official:** When requested and as appropriate, applications may be referred to the hiring official to pre-screen.

C. Disqualification:

1. The Human Resources Director will refuse to examine an applicant, or after examination refuse to certify the applicant as eligible and will remove the name from the eligible list, for any of the following reasons, in each case to be fully documented:

- a) **Lacks Minimum Qualifications:** The applicant lacks the minimum qualifications established in the classification for the position:

- Applicants lacking three (3) months or less of the required job related work experience at the time of list promulgation may be placed on the eligible list. However, applicants lacking the required experience will not be certified for the appointment until after it is determined by the Human Resources Director that they have met the minimum experience required. Applicants may be asked to provide additional details concerning current or past work experience.

- b) **Criminal History:** The applicant has a criminal history within the seven (7) years preceding the date the application was submitted, which is determined to be job related to the position sought. For purposes of this subsection, criminal history includes conviction of a felony or misdemeanor. Additionally, the dates of release from prison, probation and/or parole for the relevant convictions will be evaluated and factored into the determination. *All applicants for Public Safety positions may be subject to more stringent criminal history standards deemed to be job related by the respective department or as required by regulatory agencies, or;*



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- c) **Dismissed from Public Service:** The applicant has been dismissed from public service (to include City employment) for delinquency or misconduct, which is determined to be job-related to the position sought.

D. False Statement on Application

- 1. Any false statement knowingly made by an applicant in an application for admission to an examination or any other fraudulent conduct related to the application process will cause the Human Resources Director to:
 - a) Exclude the applicant from such examination;
 - b) Remove the applicant's name from any eligible list;
 - c) Remove the applicant permanently from the position if the applicant has secured appointment from such examination; and/or
 - d) Exclude the applicant from consideration for any City position for a period of two (2) years from the date the falsified application was submitted or discovered, whichever is later.

E. Appeals from Disqualification:

- 1. Appeals for disqualification from taking an examination, or from not being certified after examination, or from being removed from an eligible list, may be submitted as follows:
 - a) **Regular Employee:** A regular employee may file a written appeal to the Civil Service Commission. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed to the applicant. Late appeals will not be accepted.
 - b) **Original Applicant:** With the exception of C.1.(b) above, Criminal History, which applicants may file a written appeal to the Civil Service Commission in the form and manner described, original applicants who are not regular employees may file a written appeal to the Human Resources Director. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed. Late appeals will not be accepted.
 - c) **Appeal Form:** Applicants may obtain an appeal form by visiting the Human Resources Department website or office.



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d) **Timeline:** Untimely appeals will not be accepted. If the employee or applicant fails to update their contact information or respond within the timelines set, no further action will be taken.

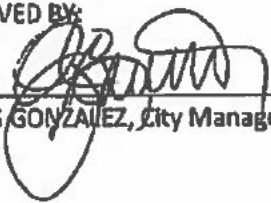
e) **Administrative Dismissal:** If the examination is held before the appeal is reviewed, the Human Resources Director may allow the applicant to take the examination pending the disposition of the appeal. If the applicant fails to achieve a passing grade on the examination, the appeal shall be administratively dismissed.

F. **Application Retention and Reuse:** Applications and/or supporting documentation filed with the City will become the property of the City. Applications for one examination will not be used for any other or later examinations.


G. **Contact Information:** An applicant may update contact information by logging onto their Personal Account Profile. All applicants have the responsibility to update their Personal Account Profile through the City's online application system with any changes in their contact information.

H. **Non-Disclosure of Examinations:** Examination questions, and answers to test questions that do or may reveal examination questions, are exempt from public disclosure under the Texas Public Information Act (the "Act"). Accordingly, requests for a copy of the examinations and/or such examination answers will be denied pursuant to the relevant provisions of the Act.

APPROVED BY:

FOR 
TOMAS GONZALEZ, City Manager

DATE:

 14, 2015



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ATTACHMENT C



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TEXAS CJIS SYSTEMS ACCESS POLICY

**APPLICANT'S, EMPLOYEE'S, AND CONTRACTOR'S
CRIMINAL HISTORY RECORD INFORMATION**

<u>ORIGINAL APPLICATION FOR ACCESS</u>	<u>PERSON WHO ALREADY HAS ACCESS</u>
FELONY CONVICTION Permanent Disqualifier	Permanent Revocation of Access
FELONY DEFERRED ADJUDICATION Permanent Disqualifier	Suspension of Access for 20 years
CLASS A MISDEMEANOR CONVICTION Permanent Disqualifier	Suspension of Access for 10 years
CLASS A MISDEMEANOR DEFERRED ADJUDICATION Permanent Disqualifier	Suspension of Access for term of deferral
CLASS B MISDEMEANOR CONVICTION Disqualifier for 10 years	Suspension of Access for 10 years
CLASS B MISDEMEANOR DEFERRED ADJUDICATION Disqualifier for 10 years	Suspension of Access for term of deferral
OPEN ARREST FOR ANY CRIMINAL OFFENSE (FELONY OR MISDEMEANOR) Disqualifier until disposition	Maintain Access pending court disposition
FAMILY VIOLENCE CONVICTION OR DEFERRED ADJUDICATION Permanent Disqualifier	Permanent revocation of Access

This System Access Policy applies to commissioned peace officers, terminal operators and others with network access to CJIS systems, as well as, an employee who may have access to an area where this information is received, maintained or stored either manually or electronically if having access is not part of their job (i.e. custodian, maintenance). Agencies are required to adjudicate applicants to the policy every time an individual contractor is to be employed/contracted by an agency. Agencies should not assume an individual that had access at one Agency will automatically have access at the new Agency.

Both Class A and Class B convictions/deferred adjudications can receive an agency sponsored waiver after 5 years from final disposition. If approved, agency sponsored waivers are only valid at that agency and cannot transfer with the individual.

Waivers submitted where the individual has multiple convictions/deferred adjudications for class A misdemeanors or above will NOT be considered unless the individual holds an active valid license from the Texas Commission on Law Enforcement (TCOLE). The Department will not revoke a peace officer's access as long as the TCOLE license remains valid and active regardless of any criminal history background.

Offenses that were committed while the individual was a juvenile will receive the same consideration and will be held to the same standard as adult offenses.

Deferred Adjudications where the subject's conviction has been set aside resulting in the proceedings being dismissed and the individual discharged are not considered a permanent disqualifier. The criminal history will display a disposition coding of PROCEED DISM DEF DISCHARGED. Please note a subject being solely discharged from deferred adjudication is a permanent disqualifier.



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Revised 12/18/2019
FEB 03 2025
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COMMISSION

ATTACHMENT D



COPY



PLEA TO THE COURT - FOUND GUILTY
IN COUNTY CRIMINAL COURT 4 EL PASO COUNTY, TEXAS

THE STATE OF TEXAS

VS

CAUSE NO. [REDACTED] Misdemeanor Class B

LUIS MONSIVAIS

JUDGMENT AND SENTENCE

On this 12th day of September, 2019 came to be heard the above cause, and came the State of Texas by its Assistant District Attorney, and came the Defendant, LUIS MONSIVAIS in person and by counsel and both sides announced ready for trial. The Defendant, having been duly arraigned, pleaded Guilty to the information herein, waived trial by jury, and submitted this cause to the Court. The Information being read, the Court received the Defendant's plea thereto, and having heard the evidence submitted thereon, adjudged the Defendant guilty as charged of the offense of DRIVING WHILE INTOXICATED and assessed punishment at a fine of \$0.00 and 45 Days confinement in the El Paso County Jail, together with all costs in this behalf incurred. The Defendant being asked by the Court if he/she had any sufficient reason why the sentence of the Court should not be pronounced against him/her failed to give such reason; whereupon the Court proceeded in the presence of the Defendant to pronounce sentence against him/her as follows.

It is therefore, ORDERED, ADJUDGED AND DECREED by the Court that the Defendant is guilty of the offense of DRIVING WHILE INTOXICATED and is hereby sentenced to a fine of \$0.00 and 45 Days confinement in the El Paso County Jail, and that the State of Texas do have and recover of the said Defendant all cost of this prosecution, in the amount of \$377.00 for which let execution on his/her sentence for the time he/she has spent in jail in this cause from the time of his/her arrest and confinement until date of sentence.

Reimbursement to El Paso County for appointed counsel: \$0.00.

REDUCED TO CLASS B; CFTS; JAIL TIME CREDIT TO COURT COSTS/FEES; DWI-

DCF \$60.00

Entered this 12th day of September, 2019.



Judge Jesus R. Herrera
PRESIDING JUDGE

State's Attorney KARL DEAN LUTH, JR.

Defense Attorney ARACELI SOLIS



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PLEA TO THE COURT – FOUND GUILTY
IN COUNTY CRIMINAL COURT I EL PASO COUNTY, TEXAS

THE STATE OF TEXAS

VS

CAUSE NO. [REDACTED] Misdemeanor Class A

LUIS ALBERTO MONSIVAIS

JUDGMENT AND SENTENCE

On this 13th day of August, 2021 came to be heard the above cause, and came the State of Texas by its Assistant District Attorney, and came the Defendant, LUIS ALBERTO MONSIVAIS in person and by counsel and both sides announced ready for trial. The Defendant, having been duly arraigned, pleaded Guilty to the information herein, waived trial by jury, and submitted this cause to the Court. The information being read, the Court received the Defendant's plea thereto, and having heard the evidence submitted thereon, adjudged the Defendant guilty as charged of the offense of DRIVING WHILE INTOXICATED 2ND and assessed punishment at a fine of \$0.00 and 90 Days confinement in the El Paso County Jail, together with all costs in this behalf incurred. The Defendant being asked by the Court if he/she had any sufficient reason why the sentence of the Court should not be pronounced against him/her failed to give such reason; whereupon the Court proceeded in the presence of the Defendant to pronounce sentence against him/her as follows.

It is therefore, **ORDERED, ADJUDGED AND DECREED** by the Court that the Defendant is guilty of the offense of DRIVING WHILE INTOXICATED 2ND and is hereby sentenced to a fine of \$0.00 and 90 Days confinement in the El Paso County Jail, and that the State of Texas do have and recover of the said Defendant all cost of this prosecution, in the amount of \$435.00 for which let execution on his/her sentence for the time he/she has spent in jail in this cause from the time of his/her arrest and confinement until date of sentence. Reimbursement to El Paso County for appointed counsel: \$0.00.

DEF. APPEARED ON VIDEO; CFTS; JAIL CREDIT TOWARDS COST; JAIL CREDIT TO INCLUDE 06/14/2020; FINDING OF INDIGENCE AND TRAFFIC FINE WAIVED

Entered this 13th day of August, 2021.

State's Attorney DESTINEE C. WILLIAMS

Defense Attorney ARACELI SOLIS



Fingerprint

ALMA TREJO, PRESIDING JUDGE

