TEXAS COMMISSION ON

 LAW ENFORCEMENT

Commission Meeting Minutes

June 15, 2023

On Thursday, June 15, 2023, at 9:30 a.m., the Commission Meeting of the Texas Commission on Law Enforcement (TCOLE) was held at the J.J. Pickle Research Campus, The Commons Learning Center, 10100 Burnet Road, Bldg. 137, Austin, Texas, 78758.

Commissioners attending were: Presiding Officer Kim Lemaux; Assistant Presiding Officer Jason Hester; Secretary Patricia Burruss; Constable Ron Hood; Sheriff Michael Griffis; Janna Atkins; Mario Lizcano; and Martina Lemond Dixon.

TCOLE Executive staff attending were: Interim Executive Director John Beauchamp; Credentialing, Education and Field Services Director Cullen Grissom; Information Technology and Special Services Director Jessica Capraro; Enforcement Major T.J. Vineyard; and Government Relations Director Gretchen Grigsby.

**Agenda item 1, Call to order.**

Presiding Officer Lemaux called the meeting to order at 9:33 a.m.

The colors were presented by the Austin Police Department Honor Guard.

The pledges of allegiance were led by Commissioner Patricia Burruss.

Round Rock Police Department Chaplain Eric DuVoe gave the Invocation.

Roll call of members was called, and a quorum was present. Welcoming remarks were made by Presiding Officer Kim Lemaux.

**Agenda item 2, Approval of the minutes of the April 2023, Commission Meeting.**

Commissioner Griffis made a motion to accept the April 2023 commission meeting minutes. Commissioner Lemond Dixon seconded the motion. The motion passed unanimously.

**Agenda item 3, Receive reports and take action, if necessary.**

**Interim Executive Director’s Report**

Interim Executive Director John Beauchamp provided an overview of the results of the TCOLE Sunset Bill, Senate Bill 1445 from the 88th Regular Texas Legislative Session. Director Beauchamp highlighted upcoming agency rule changes and the creation of three advisory committees as outlined in SB 1445. The three advisory committees will create model policies for the agency in regard to: new hiring and misconduct procedures, hiring and personnel files and misconduct procedures, an agency and public online license database, and minimum standards for the creation of law enforcement agencies. By September 1st, 2024, TCOLE will establish the public license lookup database and waiver process for licensees to withhold specific information from public access via the database. Beginning September 1st, 2023, in compliance with agency rules, TCOLE will no longer accept submissions of proprietary letters in lieu of lesson plans.

**Credentialing, Education, and Field Services Report**

Director Cullen Grissom provided an update on the agency’s Credentialing, Education, and Field Services divisions. The Education Services team has continued communication with the regulated community with an increase of 1,716 subscribers to the Education Services newsletter. Education Services has received 27 lesson proposals for the 2023 TCOLE Training Conference in October. The cardiac emergency communications online course in MyTCOLE has reached a wide number of licensees, with a high number of enrolled and completed courses. The online officer suicide prevention course is expected to pilot this summer and be available online in MyTCOLE, as well as through regional training providers.

**Finance Report**

Director Cullen Grissom gave the finance report in Director Brian Roth’s absence. Out of the 88th Regular Texas Legislative Session, the agency gained $14 million to help with staff recruitment and training, including the addition of 26 full time positions. This will help the agency operate effectively and alleviate some workload for agency staff who have been carrying a heavy workload. For example, the agency has 5 Credentialing staff who process approximately 3,000 calls each month. The agency also gained $1.9 million out of Senate Bill 30 to go towards the agency’s fleet vehicle needs.

**Information Technology and Special Services Report**

Director Capraro provided an update on the agency’s Information Technology and Special Services divisions. A QR code and data visuals were provided to the audience and public during the commission meeting. The agency has been using its improved data and technology capabilities to accomplish a 100% compliance rate, an agency initiative referred to as ‘Target 100’. Director Capraro advised that medical and military waivers must be submitted by the August 2023 deadline. A technical assistance bulletin will be posted on the TCOLE website regarding eligibility. In addition to Target 100 letters and email communications, TCOLE will be sending its first mass text message notification to remind licensees of compliance deadlines. The first text will launch on July 18th, with a second to be sent on August 1st. The new My Compliance tool in MyTCOLE is a great resource for licensees and the agency is looking at what changes will be made once recent legislation takes effect in September 2023. The agency is also currently undergoing two major IT projects including the creation of a unified login for all TCOLE applications and sunset databases, and the cloud data migration.

**Enforcement Report**

Director Vineyard provided an update on operations underway in the Enforcement division. The enforcement division continues to communicate waiver processes and compliance deadlines and are working on large-scale rap back subscriptions. TCOLE is working with agencies to use data reports to identify areas that are at risk. In preparation for the upcoming deadlines for licensee compliance, ALERRT training, and new chiefs training, classes have been expanded. The agency is in the final demo stages with vendors for a case management system with the goal of capturing meaningful data by the end of the year 2023. Enforcement is working with Director Grissom and Captain Connella to identify the agency’s short- and long-term fleet vehicle needs.

**Government Relations Report**

Director Grigsby provided an agency update following the 88th Regular Texas Legislative Session, stating that the agency is now transitioning into the implementation stage. In the 88th Regular Legislative Session, 19 out of 81 bills passed that were directly related to Chapter 1701 and TCOLE. Of those, 9 bills require an agency rule change via an advisory board or agency staff. Director Grigsby advised that the agency worked with various stakeholders during the legislative session in what is just the beginning of partnerships that are valuable for everyone around. In addition, the creation of the advisory boards that came out of the TCOLE sunset bill will ensure that all parties involved are able to have a voice and input into the regulation of law enforcement in Texas. Director Grigsby announced that the 2023 State of Texas Law Enforcement Achievement Award Ceremony, honoring individuals for Valor, Public Service, and Professional Achievement, will be held at the Texas State Capitol in the House of Representatives Chamber on Friday, June 16th, 2023.

Commissioner Atkins made a motion to accept the reports. Commissioner Hester seconded the motion. The motion passed unanimously.

The Commission took a break at 10:50 a.m.

The Commission returned at 11:14 a.m.

**Agenda item 4,** **Proposed Rule 211.36, setting a framework for the establishment of TCOLE Advisory Committees.**

The agency gave the first reading of Proposed Rule 211.36, setting a framework for the establishment of TCOLE Advisory Committees. The advisory committees will be subject to the Open Meetings Act. Committee members must meet qualifications and may not be a TCOLE Commissioner or have any conflict of interest. Commissioner Atkins proposed clarifying language to state “currently appointed Commissioner” and the Commission agrees to make the change.

After Commission discussion, Commissioner Burruss stated on behalf of the Commission that in consideration of the time restraints for creation of the various advisory committees and completion of the legislatively mandated work, the Commission directs staff to begin selection of members for all advisory committees, with collaboration and approval of members by the Presiding Officer, to later be discussed and ratified by the entire Commission.

Commissioner Burruss made a motion to approve Proposed Rule 211.36 with the suggested clarification language. Commissioner Lemond Dixon seconded the motion. The motion passed unanimously.

**Agenda item 5, Discuss and take action on the Request for Class A Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure.**

Round Rock Police Department Chief Allen J. Banks provided testimony for the request for Class A waiver of TCOLE Rule 217.1 on behalf of Round Rock Police Officer Denis W. Ryan.

Commissioner Griffis made a motion to approve the request for Class A Waiver. Commissioner Hood seconded the motion. The vote was 5 ayes, 2 nays, 1 absent. The motion passed.

**Agenda item 6, Discuss and take actions on proceedings for revocation, suspension, and other disciplinary actions.**

*Default Suspension Orders*

Gardea, Isaiah J. Jailer Burnet Cnty. Sheriff’s Office

Pursley, Lisa A. Jailer, Telecommunicator Archer Cnty. Sheriff’s Office

Virgen, Quentin G. Peace Officer Fort Worth Police Dep’t

*Default Cancellation Orders*

Dively, Troy A. Jailer Erath Cnty. Sheriff’s Office

John, Jariah Jailer Fannin Cnty. Sheriff’s Office

**For Information Only**

*Statutory Suspensions*

Caldwell, Tricia A. Jailer Smith Cnty. Sheriff’s Office

Carr, Nathan T. Jailer Fort Bend Cnty. Sheriff’s Office

Hughes, Chadwick R. Peace Officer Fort Worth Police Dep’t

Mejia, Jennifer Jailer Karnes Cnty. Correctional Center

Trahern, Mary Jailer Henderson Cnty. Sheriff’s Office

Vinson, Monica Y. Jailer Fayette Cnty. Sheriff’s Office

*Statutory Revocations*

Avalos II, Alfredo Peace Officer Driscoll Police Dep’t

Aviles II, Genaro Jailer Somervell Cnty. Sheriff’s Office

Mathers, Robert D. Peace Officer Forest Hill Police Dep’t

*Permanent Surrenders*

Boyd, David W. Peace Officer Sabine Cnty. Sheriff’s Office

Britton, Daniel B. Peace Officer Parker Cnty. Sheriff’s Office

Camacho, Jean C. Jailer Bexar Cnty. Sheriff’s Office

Cavness, Kyle E. Peace Officer, Jailer Galveston Cnty. Sheriff’s Office

Coker, Darrell E. Peace Officer Fort Worth Police Dep’t

Colon, Hector R. Peace Officer Edinburg Police Dep’t

Deason, Brad F. Peace Officer Dallas Police Dep’t

Ellzey Jr., Joseph D. Peace Officer Fort Worth Police Dep’t

Gutierrez, Omar Peace Officer Pharr Police Dep’t

Jack Jr., Eugene Peace Officer Harris Cnty. Constable Precinct 1

Locklear, Christopher Peace Officer Guadalupe Cnty. Sheriff’s Office

Phillips, Jon-Mykal Peace Officer Van Zandt Cnty. Sheriff’s Office

Prior, Jonathan L. Peace Officer, Jailer Harris Cnty. Constable Precinct 4

Salazar, Adam Peace Officer Bexar Cnty. Constable Precinct 1

Sanchez, Francisco C. Peace Officer, Jailer Anson Police Dep’t

Sheridan, Anthony D. Peace Officer, Jailer Parker Cnty. Sheriff’s Office

Schulz, Kevin W. Jailer, Telecommunicator Wilbarger Cnty. Sheriff’s Office

Valentin-Mata, Leonardo G. Jailer, Telecommunicator Yoakum Cnty. Sheriff’s Office

Wilcox, Mark W. Peace Officer, Jailer Coryell Cnty. Sheriff’s Office

*Reprimands for Administrative Violations*

Martinez, Urbino B. Peace Officer Brooks Cnty. Sheriff’s Office

Ramirez, Romeo R. Peace Officer, Jailer Duval Cnty. Sheriff’s Office

Commissioner Hester made a motion to approve. Commissioner Burruss seconded the motion. The motion passed unanimously.

**Agenda item 7, Discuss and take action on the progress of the Strategic Plan, if necessary, including progress on draft Strategic Plan Progress Report.**

There was a discussion on the agency’s strategic plan, including sub-committee tasks and meetings planned.

**Agenda item 8, Discuss and take action on the process, procedure, and qualifications related to the selection of the next Executive Director, if necessary.**

The Commission will discuss and set the salary for the Executive Director position, which will be posted on the TCOLE website in July.

**Agenda item 9, Discuss and take action on legislative items to include exceptional items and performance measures, data information provided by TCOLE staff, and updates from TCOLE divisions, if necessary.**

No comment.

**Agenda item 10, Receive public comment on any topic, without action.**

No public comment.

**Agenda item 11, Executive Session to discuss pending or contemplated litigation, settlement offers, and personnel issues, including evaluation of Executive Director's job performance and selection of Executive Director, pursuant to sections 551.071 and .074 of the Texas Government Code, Open Meetings Act.**

The Commission went into Executive Session at 12:23 p.m.

**Agenda item 12, Return from Executive Session to report and discuss further actions to be taken as a result of the Executive Session, if necessary.**

The Commission returned from Executive Session at 12:45 p.m.

Commissioner Hester made a motion to set the Executive Director salary per the legislature. Commissioner Burruss Seconded the motion. The motion passed unanimously.

**Agenda item 13, Adjourn.**

Commissioner Atkins made a motion to adjourn. Commissioner Burruss seconded the motion. The motion passed unanimously.

The meeting adjourned at 12:46 p.m.

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        Patricia G. Burruss, Secretary

     PGB/im/sf