



Kim Vickers
Executive Director

TEXAS COMMISSION ON LAW ENFORCEMENT

Quarterly Meeting Agenda September 10, 2015

On Thursday, September 10, 2015 at 9:30 a.m., the quarterly meeting of the Texas Commission on Law Enforcement (TCOLE) will be held. The meeting will be at the J.J. Pickle Research Campus, The Commons Learning Center, 10100 Burnet Road, Bldg 137, Austin, Texas, to discuss the following agenda. If this meeting cannot be concluded by 5:00 p.m., the commission may recess until Friday, September 11, 2015 at 9:00 a.m. where they will meet at the agency's headquarters building, 6330 East Hwy 290, Austin, Texas.

1. Call to order
 - Presentation of colors
 - Pledge of Allegiance
 - Invocation
 - Roll call of members
 - Welcoming remarks
2. Reading of peace officer/jailer deaths since the June 2015 meeting.
 - Sergeant Christopher Kelley, Hutto Police Department, EOW June 24, 2015
 - Sergeant Korby Kennedy, San Angelo Police Department, EOW June 25, 2015
 - Corrections Officer Timothy Davison, Texas Department of Criminal Justice, EOW July 15, 2015
3. Approval of the minutes of the June 11, 2015, quarterly commission meeting at Austin, Texas.
4. Receive Presiding Officer's Report. Take action, if necessary.
5. Receive Executive Director's Report. Take action, if necessary.
6. Receive Operations Director's Report. Take action, if necessary.
7. Receive Government Relations Director's Report. Take action, if necessary.

8. Discuss and take action on the Request for Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure.
 - Alvin Police Department for Autumn Miller

9. Discuss and take action on proposed orders of amendments to existing and new TCOLE rules.
 - Proposed Amendment 1
§211.1. Definitions. (amend “Background Investigation”)

 - Proposed Amendment 2
§211.1. Definitions. (new definition of “Contract Jailer”)

 - Proposed Amendment 3
§211.1. Definitions. (amend “Community Supervision”)

 - Proposed Amendment 4
§211.1. Definitions. (new definition of “Honorably Retired Peace Officer”)

 - Proposed Amendment 5
§211.5. Licensee Lists. (repeal)

 - Proposed Amendment 6
§211.7. Meeting Dates and Procedures. (amend)

 - Proposed Amendment 7
§211.13. Notice of Commission Rulemaking. (repeal and replace)

 - Proposed Amendment 8
§211.16. Establishment of an Appointing Entity. (amend)

 - Proposed Amendment 9
§211.25. Date of Appointment. (amend)

 - Proposed Amendment 10
§211.29. Responsibilities of Agency Chief Administrators. (amend)

- Proposed Amendment 11
§211.35. Tuition Reimbursement for Commission Employees. (new)
- Proposed Amendment 12
§215.9. Training Coordinator. (amend)
- Proposed Amendment 13
§215.13. Risk Assessment. (amend)
- Proposed Amendment 14
§217.1. Minimum Standards for Enrollment and Initial Licensure. (amend)
- Proposed Amendment 15
§218.9. Continuing Firearms Proficiency Requirements. (amend)
- Proposed Amendment 16
§219.1. Eligibility to Take State Examinations. (amend)
- Proposed Amendment 17
§219.11. Reactivation of a License. (repeal and replace)
- Proposed Amendment 18
§219.13. Retired Peace Officer Reactivation. (repeal and consolidate into Proposed Amendment 17)
- Proposed Amendment 19
§221.3. Proficiency Certificates. (amend)

§221.3. Peace Officer Proficiency. (repeal and consolidate into proposed §221.3)
- Proposed Amendment 20
§221.5. Jailer Proficiency. (repeal and consolidate into Proposed Amendment 19)
- Proposed Amendment 21
§221.13. Emergency Telecommunications Proficiency. (repeal and consolidate into Proposed Amendment 19)

- Proposed Amendment 22
§221.43. School-Based Law Enforcement Proficiency Certificate. (new)
- Proposed Amendment 23
§223.1. License Action and Notification. (amend)
- Proposed Amendment 24
§223.3. Answer Required. (amend)
- Proposed Amendment 25
§223.5. Contested Cases and Hearings. (amend)
- Proposed Amendment 26
§223.5. Filing of Documents. (repeal and consolidate into new §223.5)

§223.7. Contested Cases and Hearings. (repeal and consolidate)

§223.9. Place and Nature of Hearings. (repeal and consolidate)

§223.11. Proposal for Decision and Exceptions or Briefs. (repeal and consolidate)
- Proposed Amendment 27
§223.14. Construction of Other Laws. (reorganize from current suspension rule)
- Proposed Amendment 28
§223.15. Suspension of License. (amend)
- Proposed Amendment 29
§223.16. Suspension of License for Constitutionally Elected Officials. (repeal and consolidate into Proposed Amendment 28)
- Proposed Amendment 30
§223.16. Probation and Mitigating Factors. (reorganize from current suspension rule)
- Proposed Amendment 31
§223.17. Reinstatement of a License. (amend)

- Proposed Amendment 32
§223.18. Suspension Following Felony Arrest. (new)
- Proposed Amendment 33
§223.19. License Revocation. (amend)
- §223.20. Revocation of License for Constitutionally Elected Officials. (repeal and consolidate)
- Proposed Amendment 34
§223.21. Appeal. (repeal and consolidate into Proposed Amendment 26)
- Proposed Amendment 35
§227.1. Appointing Entity Responsibilities. (amend)
- Proposed Amendment 36
§227.3. School Marshal Licensing and Reporting Requirements. (amend)
- Proposed Amendment 37
§227.5. School Marshal Training Entities. (amend)
- Proposed Amendment 38
§227.9. License Action. (amend)
- Proposed Amendment 39
§227.11. Confidentiality of Information. (repeal)
- Proposed Amendment 40
§218.11 Child Safety Check Alert List Training. (new)
- Proposed Amendment 41
§219.25. License Requirements for Persons with Military Special Forces Training. (amend)
- Proposal 42
Re-adoption of all other existing rules not amended or repealed

10. Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Default Suspension Orders

Bennett, Justin S.	Peace Officer	Allen Police Department
Campos, Carlos J.	Jailer	Hays County Sheriff's Office
Cook, Jonathan A.	Jailer	Williamson County Sheriff's Office
Dickerson, Jr., Thomas E.	Jailer/Peace Officer	Liberty County Sheriff's Office
Fouquette, Jr., Philip N.	Telecommunicator	Williamson County Emergency Communications
Gaitan, Trini E.	Peace Officer	La Grange Police Department
Martinec, Dennis M.	Peace Officer	Houston Police Department
McMullen, Cody D.	Peace Officer	Houston Police Department
Miller, Dustin L.	Jailer/Peace Officer	Grayson County Sheriff's Office
Padilla, Teresa P.	Jailer	Burnet County Sheriff's Office
Perez, Elisio I.	Jailer	Cameron County Sheriff's Office
Perperidis, Maria A.	Peace Officer	Carrollton Police Department
Reyes, III, Raymond	Jailer	Val Verde Correctional Facility
Rhodes, Brandon T.	Jailer	Denton County Sheriff's Office
Rivera, Suzette H.	Peace Officer	Tarrant County Constable Pct. 7
Rodriguez, Allan F.	Jailer	Travis County Sheriff's Office
Rucka, Craig A.	Jailer/Peace Officer	Palacios Police Department
Shelburne, James D.	Jailer	Swisher County Sheriff's Office
Vaughan, Matthew A.	Jailer	Harris County Sheriff's Office
Walston, James E.	Peace Officer	Houston Police Department
Yznaga, Amado	Peace Officer	League City Police Department

Agreed Suspension Waiver

Salas, Jeremy S.	Jailer/Peace Officer	Montgomery County Sheriff's Office
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Default Revocation Orders

Montezano, Jr., Gilberto	Jailer/Peace Officer	Edinburg Police Department
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Proposal for Decision Orders

Smith, Leroy J.	Jailer/Peace Officer	Travis County Sheriff's Office
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For Information Only

Statutory Revocation

Bedoy, Jose L.	Peace Officer	Dallas Police Department
Carrion, Marcos E.	Peace Officer	Houston Police Department
Cavazos, Christopher J.	Jailer	Cameron County Sheriff's Office
Ceja, Esperanza	Jailer	El Paso County Sheriff's Office
Gilmore, James T.	Peace Officer	Malakoff I.S.D. Police Department
Jones, Kimbrick B.	Jailer/Peace Officer	Smith County Sheriff's Office
Kantzios, Thomas S.	Peace Officer	Arlington Police Department
Padilla, Jose A.	Peace Officer	Hidalgo County Sheriff's Office
Sanders, Jr., Donald R.	Jailer/Peace Officer	Amarillo Police Department
Taylor, Constance J.	Jailer	Brazos County Sheriff's Office

Statutory Suspension

Allen, KC S.	Jailer	Hill County Sheriff's Office
Fenner, Stephanie R.	Jailer/Peace Officer	Jones County Sheriff's Office
Flake, Rachel N.	Jailer	Wise County Sheriff's Office
Henry, Jr., Bernard E.	Peace Officer	Dallas Police Department
Jernigan, Jina S.	Jailer	Wise County Sheriff's Office
McClain, Cobie D.	Jailer	Montgomery County Sheriff's Office
Mosqueda, Edgar E.	Jailer	Hidalgo County Sheriff's Office

Permanent Surrenders

Augustine, Jr., Frank	Jailer/Peace Officer	Harris County Sheriff's Office
Chandler, Ryan D.	Peace Officer	Houston Police Department
Dominguez, Erick	Peace Officer	Cameron County Sheriff's Office
Duff, Andrea M.	Peace Officer	Dallas Police Department
Garcia, II, John R.	Peace Officer	Houston Police Department
Gregory, Dezmond G.	Jailer	Harris County Sheriff's Office
Hokett, David D.	Jailer/Peace Officer	Harris County Sheriff's Office
Holder, Kenneth G.	Peace Officer	Eustace Police Department
Kinard, Gerald B.	Peace Officer	Brazos County Sheriff's Office
Laningham, Joshua G.	Jailer/Peace Officer	Denton County Sheriff's Office
Lilly, Zachary P.	Jailer	Harris County Sheriff's Office
Limon, Jr., Jose A.	Jailer/Peace Officer	Angelina County Sheriff's Office
Marble, Jimmy J.	Jailer/Peace Officer	Nacogdoches County Sheriff's Office
Markwardt, Alan L.	Telecommunicator/ Jailer/Peace Officer	Hill County Sheriff's Office

Mole, Jim A.	Jailer/Peace Officer	Williamson County Sheriff's Office
Oliva, Gilber D.	Peace Officer	League City Police Department
Randle, Darrell R.	Jailer	Harris County Sheriff's Office
Spurlock, Rachel L.	Jailer	Dallas County Sheriff's Office
Ward, Clinton E.	Peace Officer	Hill County Sheriff's Office
Winget, Bryan S.	Jailer	Hill County Sheriff's Office
Yarbrough, James E.	Jailer/Peace Officer	Dallas County Sheriff's Office

Term Surrenders

Rosa, Gregory J.	Peace Officer	Houston Police Department
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Reprimands for Administrative Violations

Nave, Tammy	Peace Officer	Harris County Constable Pct. 4
Rodriguez, Jose	Peace Officer	Jones Creek Police Department
Turley-Ward, Tonya	Peace Officer	Harris County Constable Pct. 4
Vega, Luis	Peace Officer	Socorro I.S.D. Police Department

Suspensions for Failing to Complete Legislatively Required Continuing Education

Avendano, Jr., Richard	Peace Officer	Kemah Police Department
Garza, Jose G.	Peace Officer	Maverick County Constable Pct. 1
McKee, Jr., Johnny L.	Peace Officer	Palo Pinto County Sheriff's Office
Rodriguez, Brandon E.	Peace Officer	Hays County Sheriff's Office

Reprimands for Failing to Complete Legislatively Required Continuing Education

Guyewski, Stanley	Peace Officer	Bexar County Constable Pct. 3
Flores, Peter P.	Peace Officer	Texas Parks and Wildlife Department

11. Receive public comment on any topic, without action.

12. Executive Session to discuss pending litigation and personnel issues, including evaluation of executive director's job performance, pursuant to sections 551.074 and .071 of the Texas Government Code, Open Meetings Act.

13. Return from Executive Session to report and /or discuss further actions to be taken as a result of the Executive Session. Take action, if necessary.

14. Adjourn.