



Kim Vickers  
Executive Director

# TEXAS COMMISSION ON LAW ENFORCEMENT

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## Quarterly Meeting Minutes June 8, 2017

On Thursday, June 8, 2017, at 9:30 a.m., the quarterly 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, Building 137, Austin, Texas.

Commissioners attending were Sheriff Joel W. Richardson, Presiding Officer; Ms. Patt Scheckel-Hollingsworth, Assistant Presiding Officer; Major Jason Hester, Secretary; Ms. Patricia Burruss; Constable Ron Hood; Chief Kim Lemaux; Judge James Oakley; Ms. Sharon Breckenridge Thomas; and Senior Police Officer Tim Whitaker.

Raymond Winter, Veena Mohan, and Haile Daniels represented the Office of the Attorney General. TCOLE staff attending included Executive Director Kim Vickers, Operations Director John Helenberg, Finance Director Brian Roth, Government Relations Director Gretchen Grigsby, Legal Counsel John Beauchamp, Division Chief Michael Antu, Captain Candice Simon, Lisa Landry, Richard Gutierrez, Lynn Beard, Tom Bickers, Ashtyn Cain, Lt. Gary Connella, Dennis Graffious, Laurie Jackson, Nikki Johnson, Leena Mahaffey, Kenny Merchant, Derry Minor, Ken Mobley, Stan Roper, Doug Skolaut, Jessica Teseny, Chris Varady, Michael Watts, and Kaye Wilson.

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

Presiding Officer Joel Richardson called the meeting to order at 9:30 a.m. The presentation of colors was by the Tarrant County Sheriff's Office Color Guard members Sergeant Robert Robeson, Charles Holland, Corporal Anson Tang, Officer Erik Kautz, and Officer Chantea Dixon. Commissioner Burruss led the pledge of allegiance and Commissioner Hester gave the invocation. Roll was called and all commissioners were present.

The Presiding Officer welcomed all to the meeting and introduced the new commissioners appointed by Governor Abbott and approved by the Senate: Chief Kim Lemaux of the University of Texas at Arlington Police Department; Ms. Sharon Breckenridge Thomas of San Antonio, Principal and Owner of the Breckenridge Thomas Law Office, and Senior Patrol Officer Tim Whitaker with the Houston Police Department.

**Agenda item #2, Reading of peace officer/jailer deaths since the March 2, 2017, meeting.**

Ken Mobley read the name of the line of duty death since the last commission meeting.

***Assistant Chief Deputy Clinton Greenwood, Harris County Constable's Office, Pct. 3, EOW Monday, April 3, 2017***

Assistant Chief Deputy Clint Greenwood was shot and killed behind the agency's headquarters building in Baytown. He was shot from ambush as he arrived for work and was flown to Memorial Hermann Hospital where he succumbed to his wounds. Assistant Chief Deputy Greenwood served in law enforcement for 30 years. He was previously with the Harris County Sheriff's Office, Harris County Pct. 4 Constable's Office, and the Harris County District Attorney's Office.

**Agenda item #3, Approval of the minutes of the March 2, 2017, quarterly commission meeting at Austin, Texas.**

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

**Agenda item #4, Receive reports. Take action if necessary.**

• Presiding Officer's Report

The Presiding Officer invited all to attend the Law Enforcement Achievement Awards ceremony the following day at 10:00 a.m. at the Capitol Auditorium and the reception following that is hosted by TMPA.

Members of the Legislative and Audit Committees were announced:

➤ Legislative Committee:

Jason Hester, Chair  
James Oakley  
Sharon Breckenridge Thomas  
Tim Whitaker

➤ Audit Committee:

Patt Scheckel-Hollingsworth, Chair  
Patricia Burruss  
Ron Hood  
Kim Lemaux

The Audit Committee will meet on Wednesday prior to the September meeting at 3:00 p.m. with a report to be given by the Chair at the quarterly meeting.

Presiding Officer Richardson recognized the three commissioners whose terms have ended, and thanked them for their service: Mr. Rob Kyker of Addison, Houston Police Department Senior Police Officer Joe Pennington of Jersey Village, and Pharr Police Chief Ruben Villescascas of Pharr.

- Executive Director's Report

Executive Director Vickers reported that Hemphill County Sheriff's Office has been approved as a contract training provider since the last quarterly meeting.

Tom Bickers has joined TCOLE as the field agent handling the I-20 corridor which includes West Texas and the Dallas Fort Worth area.

Commissioner Hester noted the "other personnel cost" line item in the budget was reaching the threshold. The Executive Director explained that most of this fund covers longevity, vacation, exit payouts, and retirement contributions. Shortfalls can be covered from other areas. Also noted was an increase in capital expenditures in March. Mr. Vickers noted that an increase like this usually occurs when there is a major purchase of IT equipment, in this case equipment to ensure the integrity and security of our network system. Commissioner Hester asked for an update on whether staff is seeing movement in training in underserved areas, especially West Texas. Mr. Vickers noted that the agency was prepared to help start an academy in the Fort Stockton area when Midland College offered to assist. Staff will be following up on the success of this. He also gave an update on the academic alternative providers stating that Austin Community College is working on cross walks between courses at different institutions and should present their final product soon.

- Operations Director's Report

Director Helenberg informed the commission of the number of peace officers, reserve officers, county jailers, and telecommunicators that need to complete their legislatively mandated training requirements by the end of this training cycle. Telephone calls to credentialing have increased significantly as we reach the end of the cycle. Next week, high ranking members of law enforcement in Mexico will be meeting in Austin to learn about Texas law enforcement. This is the third and final group that the State Department will be bringing for training. Director Helenberg listed some of the current active committees which include: Background Rules Committee, Basic Peace Officer Curriculum Update Committee with a draft due in August and implementation mid-year 2018, Jailer Curriculum Update Committee (mental health, de-escalation, and crisis

intervention hours are being extended in each of the above courses per legislative mandate), Supplemental Peace Officer Course Committee, School Marshal Curriculum Committee, and the State and Federal Law Update Committee.

- Government Relations Director's Report

Director Grigsby reported that there were 59 bills impacting TCOLE that were filed in the 85<sup>th</sup> regular session, but only 8 were passed. Four bills will require new training: HB 34, eyewitness ID training, SB 42, court security bill, SB 30, civilian interaction training, and SB 1849, the Sandra Bland Act requiring de-escalation training for members of the public and jailers. The agency sustained a 1.6% budget decrease over the biennium with no loss of staff positions or major programs. The special session will begin July 18.

Commissioner Burruss made a motion to accept all reports. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

**Agenda item #5, Discuss and take action to approve the recommendations for the Law Enforcement Achievement Awards.**

Commissioner Hollingsworth made a motion to approve the recommendations for the Law Enforcement Achievement Awards. Commissioners Oakley and Burruss seconded the motion. The motion passed unanimously.

**Agenda item #6, Receive items of interest. Take action, if necessary.**

- Information concerning Course 4067, Commissioner Burruss

Commissioner Burruss invited Erin McGann, Justice Involved Veterans Coordinator, Veterans Mental Health Program, Texas Veterans Commission and Sean Hanna, Senior Director of Veteran Engagement at the Meadows Mental Health Policy Institute to attend today's meeting. Ms. McGann spoke to the Commission about the free, 24 hour course developed through TCOLE that provides training for peace officers covering military culture, PTSD, traumatic brain injury, military sexual trauma and moral injury. She is available to help schedule training for police officers. It was suggested that Mrs. McGann possibly be able to conduct a presentation at the next training coordinators conference.

- Accreditation issues

Executive Director Vickers noted that commission rule 211.1 references regionally accredited institutions. TCOLE recognizes hours from regionally accredited colleges and universities toward training points. This rule does not intend to direct agencies what they will accept for college credit. The decision in the past to recognize regionally

accredited institutions is due to the in-depth accreditation process that these colleges are required to complete. Occasionally requests are received asking TCOLE to reexamine the rule. Commissioners Hollingsworth and Hester voiced their support to continue awarding training credit for college hours completed at regionally accredited institutions. There was no motion on this agenda item. The Presiding Officer directed the agency to continue the current practice.

Agenda item #7, Discuss and take action on the Request for Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure

- Hutchinson County Sheriff's Office for Dianna F. Asbury  
Sheriff Kirk A. Coker addressed the Commissioners requesting a waiver on behalf of Dianna Asbury, a jailer with the sheriff's office. Ms. Asbury was also present and addressed the Commissioners.

Commissioner Oakley made a motion to approve the waiver. Commissioner Hood seconded the motion. Commissioner Hester asked for clarification that this is for a jailer license. The motion passed unanimously.

- Harris County Constable's Office, Precinct 4 for Colby Romero  
Constable Mark Herman spoke on behalf of Pct. 4 Constable's Office asking that the Commissioners grant a waiver to allow them to hire Colby Romero. Mr. Romero addressed the Commissioners and answered questions.

Commissioner Hood made a motion to approve the waiver. Commissioner Oakley seconded the motion. The motion passed unanimously.

- Carrollton Police Department for Jovam Villegas  
Carrollton Police Chief Rex Redden requested a waiver for Jovam Villegas. Mr. Villegas was present and answered questions posed by the Commissioners.

Commissioner Oakley made a motion to approve the waiver request. Commissioner Thomas seconded the motion. The motion passed with Commissioner Hollingsworth abstaining.

Agenda item #8, Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Mr. Winter addressed the Commission, reviewing the disciplinary actions.

### *Default Suspension Orders*

Benavidez, Leroy	Peace Officer	Houston Police Department
Chandler, Paul D.	Peace Officer	Upshur County Sheriff's Office
Davidson, Douglas	Peace Officer	Houston Police Department
Diaz, Octavio	Jailer	Parker County Sheriff's Office
Echeverria, Omar	Jailer	Bexar County Sheriff's Office
Ellis, Ashley	Jailer	Madison County Sheriff's Office
Jones Jr., Kenneth E.	Jailer	Comal County Sheriff's Office
Manley, Mark	Peace Officer	Austin Police Department
Nieto, Gilbert A.	Telecommunicator	San Antonio Police Department
Perez, Jorge	Telecommunicator/Jailer	Anthony Police Department
Taylor, Kristin	Jailer	Gregg County Sheriff's Office
Terry, Lance	Jailer	Tarrant County Sheriff's Office
Valencia, Jonathen D.	Jailer	Ector County Sheriff's Office
Williamson, Brooke B.	Peace Officer	Houston Police Department
Willis, Tyler	Jailer	Lubbock County Sheriff's Office
Zuniga-Pineda, Miguel	Jailer	Val Verde County Sheriff's Office

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order as authorized under the provisions of 37 Texas Administrative Code, Section 223.3 as required under the Occupations Code, Chapter 1701, 1701.501 to suspend the licenses of the names read into the record beginning with Leroy Benavidez and ending with Miguel Zuniga-Pineda. Commissioner Hester seconded the motion. The motion passed unanimously.

### *Agreed Suspension Waivers*

Alderson, Teresa A.	Jailer	Ellis County Sheriff's Office
Balderas, Michael T.	Jailer	Hidalgo County Sheriff's Office
Gordon, Zachary	Jailer	Williamson County Sheriff's Office
O'Brien, Joseph A.	Peace Officer	Windcrest Police Department

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Suspension Waiver for Teresa Alderson, Michael Balderas, Zachary Gorton, and Joseph O'Brien. Commissioner Hester seconded the motion. The motion passed unanimously.

### *Default Revocation Orders*

Alonzo, David A.	Peace Officer	San Antonio Police Department
Arriola, Benjamin	Jailer	Travis County Sheriff's Office

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter default final order as authorized under the provisions of 37 Texas Administrative Code, 223.3, as required under the provisions of 1701.501 to revoke the license of David A. Alonzo and Benjamin Arriola. Commissioner Hester seconded the motion. The motion passed unanimously.

### *Default Cancellation Orders*

Barona, Heriberto	Jailer	Denton County Sheriff's Office
Cervantes Jr., Manuel	Peace Officer	Maverick County Sheriff's Office
Garcia, Marisol	Telecommunicator	Grayson County Sheriff's Office
Ramos, David	Jailer/Peace Officer	Bexar County Sheriff's Office
Siller, Lynsey	Telecommunicator	Irion County Sheriff's Office

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final Default Cancellation Order to cancel the licenses of Heriberto Barona, Manuel Cervantes Jr., Marisol Garcia, David Ramos, Lynsey Siller. Commissioner Hester seconded the motion. The motion passed unanimously.

### *Agreed Suspension Orders*

Canovas, Holmes	Peace Officer	Harris County Sheriff's Office
Carlile, Collin	Peace Officer	Wake Village Police Department
De La Cerda, Jennifer	Telecommunicator	Bexar County Sheriff's Office
DeWeese, Crystal	Peace Officer	Patton Village Police Department
Hampton, Nathan	Jailer/Peace Officer	Harris County Sheriff's Office
Lewis, Jermel	Peace Officer	Dallas City Marshal's Office
Saye, Frank	Jailer/Peace Officer	Humble Police Department
Wise, Eric	Jailer/Peace Officer	Potter County Sheriff's Office

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Suspension Order for Holmes Canovas, Collin Carlile, Jennifer De La Cerda, Crystal DeWeese, Nathan Hampton, Jermel Lewis, Frank Saye, and Eric Wise. Commissioner Hester seconded the motion. The motion passed unanimously.

Mr. Winter stated that the remaining disciplinary items are for information only and do not require action by the Commission.

## **For Information Only**

### *Statutory Suspensions*

Aumada, Benjamin	Peace Officer	Rockport Police Department
Byrom, William G.	Peace Officer	Crawford Police Department
Gates, Marquese A.	Jailer	Bell County Sheriff's Office
Jordan, Justin L.	Telecommunicator	Lipscomb County Sheriff's Office
Mendez, Jose A.	Peace Officer	San Benito I.S.D. Police Department
Nino, Ruben	Jailer/Peace Officer	Bandera City Marshal's Office
O'Keefe, Casey P.	Jailer	Williamson County Sheriff's Office
Perez, Roberto	Jailer	Hidalgo County Sheriff's Office
Ramirez, Richard I.	Peace Officer	Eagle Pass Police Department
Scherer III, Jerry J.	Jailer	Guadalupe County Sheriff's Office

### *Statutory Revocations*

Aguillon, Ana-Alicia	Peace Officer	Harris County Constable Pct. 6
Chapa, Alejandro N.	Peace Officer	San Antonio Police Department
Flores, Joe A.	Jailer	Williamson County Sheriff's Office
Guerara, Luis E.	Jailer/peace Officer	Cameron County Constable Pct. 1
Hunter, Mindy M.	Jailer	Erath County Sheriff's Office
Leven, Jaime J.	Jailer	Bee County Sheriff's Office
Luna, Mario	Jailer	Lubbock County Sheriff's Office
McGee, Mark	Jailer/Peace Officer	Bexar County Sheriff's Office
Mendez, Hector	Peace Officer	Hidalgo County Sheriff's Office
Munsell, Jason M.	Jailer/Peace Officer	Starr County Sheriff's Office
Quezada, Joel A.	Peace Officer	Houston Police Department
Quinn, Patrick T.	Peace Officer	Cypress-Fairbanks I.S.D. Police Department
Ridley, Ricky L.	Peace Officer	North Forest I.S.D. Police Department
Samarripa III, George M.	Jailer	Kendall County Sheriff's Office
Tipton, Eric S.	Jailer	Brown County Sheriff's Office
Vasquez, Luis A.	Jailer	Val Verde County Sheriff's Office
Wallace, Henry A.	Jailer/Peace Officer	Brazoria County Sheriff's Office

*Permanent Surrenders*

Aleman, Abel	Jailer/Peace Officer	Lamb County Sheriff's Office
Ambriz, Adrian	Jailer	Bexar County Sheriff's Office
Avant, Marlon	Peace Officer	Arlington Police Department
Blackman, Brittany	Peace Officer	Arlington Police Department
Brown, Johnny	Jailer/Peace Officer	Ellis County Sheriff's Office
Copeland, Jonathan	Peace Officer	Arlington Police Department
Crimmings, Ryan	Peace Officer	Arlington Police Department
Curry, Lacie	Peace Officer	Arlington Police Department
Dockery, Christopher	Peace Officer	Arlington Police Department
Durand, Paul	Peace Officer	Arlington Police Department
Easterling, James L.	Peace Officer	Addison Police Department
Elizondo, Mario	Jailer/Peace Officer	Zapata County Sheriff's Office
Flake, Jason	Peace Officer	Arlington Police Department
Garman, Ryan	Peace Officer	Arlington Police Department
Gonzalez, Jorge	Peace Officer	El Paso Police Department
Grill, Ted	Peace Officer	San Antonio Police Department
Guntz, Marques	Peace Officer	Round Rock Police Department
Jack, Grant	Peace Officer	Dallas County District Attorney's Office
Johnson, Holly K.	Peace Officer	Galveston Police Department
Jones, Brandon	Peace Officer	Arlington Police Department
McCright, Christopher	Peace Officer	Arlington Police Department
McElyea, Jeffrey C.	Peace Officer	Lindale Police Department
Ocanas, Felipe D.	Peace Officer	McAllen Police Department
Owens, Jermaine T.	Peace Officer	Houston Police Department
Peterson, Dane	Peace Officer	Arlington Police Department
Plagens, Brandon J.	Peace Officer	Harris County District Attorney
Price, Oris	Peace Officer	Guadalupe County Constable Pct. 1
Ramirez, Ashley	Peace Officer	Ropesville Police Department
Ramos, Laura	Jailer	Bexar County Sheriff's Office
Razo, Daniel	Peace Officer	Dallas Police Department
Ruiz, Adrian	Jailer/Peace Officer	Harlandale I.S.D. Police Department
Spoon, Steven E.	Peace Officer	San Jacinto County Sheriff's Office
Stoddard, Terryl	Jailer	Harris County Sheriff's Office
Thomas, John	Peace Officer	Arlington Police Department
Troost, Kenneth	Peace Officer	Houston Police Department
Van Hooser, Blake	Peace Officer	Arlington Police Department

Warren, Dace	Peace Officer	Arlington Police Department
Weldon, Ryan	Peace Officer	Arlington Police Department
Ziobert, Bethany	Jailer	Harris County Sheriff's Office

*Term Surrenders*

Douglas, Thomas A.	Jailer/Peace Officer	Anderson County District Attorney
McCormick, Robert E.	Peace Officer	Brazoria County Sheriff's Office

*Reprimands for Administrative Violations*

Arambula, Andres	Peace Officer	Dimmit County Constable Pct. 2
Bynum, Stanley	Peace Officer	Ingleside Police Department
Ishmael, John C.	Peace Officer	Cleburne Fire Department

**Agenda item #9, Receive public comment on any topic, without action.**

Deputy Tim Barlow, Bexar County Fire Marshal's Office spoke on behalf of the D.A.R.E. program noting that there are now programs in 52 countries. At last year's international conference, the International D.A.R.E. Officer of the Year was Olga Keese from Pecos, Texas. This July, Texas will be hosting the International conference.

**Agenda item #10, Executive Session to discuss pending or contemplated litigation, settlement offers, 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.**

At 11:30, the Commissioners went into executive session.

**Agenda item #11, 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.**

The meeting re-convened in open session at 12:06 p.m. and the Presiding Officer stated that no votes were taken and no decisions made.

**Agenda item #12, Adjourn.**

The Presiding Officer adjourned the meeting until September 7, 2017.

Jason D. Hester, Secretary  
JDH/kw