



TEXAS COMMISSION ON LAW ENFORCEMENT

Technical Assistance Bulletin

To: All Texas Law Enforcement Agencies, Chief Administrators
From: John P. Beauchamp, Interim Executive Director
Regarding: Appointment of new agency Chief Administrators
Date: February 21, 2023

This guide is intended to assist those responsible for hiring a new agency Chief Administrator and to help ensure that the process is conducted in compliance with Texas Occupations Code 1701.451.

The process of hiring a licensed Chief Administrator differs slightly from most licensee appointments that occur in agencies where the Chief Administrator (Chief of Police, Sheriff, Constable, Fire Marshal, Chief Investigator, etc.) is responsible for ensuring adherence to TCOLE rules and statutes during the hiring and appointment process.

Every law enforcement agency (LEA) in the state was established on the request of a Governmental Body who submitted an application to TCOLE that was signed by the Governing Body Administrator. This individual, or their designee who has the authority to hire and terminate the LEA Chief Administrator, should submit to the commission confirmation that the agency, to the best of the agency's ability before hiring the person, completed the requirements of 1701.451.

This Governing Body Administrator may choose to complete the background investigation themselves. They can obtain a TCOLE Personal Identification Number as well TCLEDDS and TSS access by contacting TCOLE. Alternatively, some administrators solicit the assistance of another local LEA, a local sheriff, or use a contract background investigator or hiring committee. The administrator has the prerogative to choose the best tool for their agency as long as they can certify the process was completed.

Once the background process has been completed and all requirements of 1701.451 have been met, but prior to appointment, the Background Confirmation Form (BCF) should be completed by the Governmental Body. The entity utilized to conduct the actual background investigation should be identified in the "Background Investigation Conducted by" section of the form. The Governing Body Administrator, or their designee who has the authority to hire and terminate the LEA Chief Administrator, should be listed in the form's section for "Approving Chief Administrator" and list their title so it is clear they have the authority to hire a new Chief Administrator. That same person should sign the bottom of the form certifying that the process was completed appropriately.

A copy of the BCF should be retained by the hiring agency along with the F-5R in the appointee's TCOLE file. A copy must also be provided to TCOLE prior to appointment BY email at secureshare@tcole.texas.gov. Additional information on Background Confirmation and TCOLE Secure Share can be obtained at <https://www.tcole.texas.gov/content/background-confirmation-and-tcole-secure-share-0> or by contacting your region's Field Service Agent (FSA).

NOTE: *If a new chief administrator not licensed (a civilian chief administrator) or is not hired (an elected official) they are not subject to the above and all of the background requirements of 1701.451. Interim chief administrators should not be appointed as chiefs through the L1 process (leave as PO appointment).*