



TEXAS COMMISSION ON LAW ENFORCEMENT

Commissioner Workshop Minutes August 7, 2024

On Wednesday, August 7, 2024, at 9:30 a.m. (MDT), a Commissioner Workshop for the Texas Commission on Law Enforcement (TCOLE) was held. The meeting was held at the Hotel Paso del Norte, Bluebonnet Room, 10 Henry Trost Court, El Paso, Texas, 79901.

Agenda Item 1, Call to order.

Presiding Officer Kim Lemaux called the meeting to order at 9:31 a.m.

Agenda Item 2, Roll call of members.

Roll Call of members was called, and a quorum was present.

Agenda item 3, Welcoming remarks from Presiding Officer Kim Lemaux.

Welcoming remarks were made by Presiding Officer Kim Lemaux. Presiding Officer Lemaux stated that she looked forward to the workshop and working on the strategic plan with fresh eyes. Presiding Officer Lemaux thanked everyone for making the trip to El Paso.

Meeting and workshop dates for the 2025 calendar year were discussed and decided. All commissioners agreed to a quarterly schedule for the 2025 meeting and workshop dates. The Commission agreed upon 2025 dates and locations are March 3 and 4 (Austin), June 12 and 13 (Austin), September 17 and 18 (Amarillo), and December 3 and 4 (Nacogdoches).

Agenda item 4, Discuss and take action on the 2026-2027 Legislative Appropriations Request, including exceptional items.

Finance Director Brian Roth presented the Legislative Appropriations Requests with Exceptional Items for the 2026-2027 fiscal year. Director Roth stated that this is a large ask due to the Sunset Bill needs, which has increased the need for more full-time employees in all areas of TCOLE, including legal, education and research, IT and enforcement. Director Roth stated that these positions will offer competitive salaries and provide salary increases with a career progression to aid in employee retention. Director Roth said other needs include minimum standards and accountability, modernizing and maintain IT infrastructure, strategic operation improvement and high school criminal justice career pipeline.

Commissioner Patricia Burruss praised the great work completed by TCOLE staff and budgeting sub-committee, but she was disappointed that the law enforcement research consortium was not listed as an exceptional item, since it was discussed and presented in February of this year. Commissioner Burruss stated there is great support from partners and advocates, this research would make a big change, and Texas would be the first in the nation to implement a program like this one.

Assistant Presiding Officer Hester brought up the fact that requesting money for an outside firm or entity appears non-neutral and suggested that legislation would be a good vehicle for this item and Commissioner Berry agreed.

Commissioner Burruss stated that she didn't think this was appropriate and referenced work with the Peer Network being driven by TCOLE.

Director Grissom and Grisby discussed the Peer Network legislation and pointed out that fiscal requests like this would be better through official legislation.

Commissioner Burruss pointed out that we are late in bringing legislation being so close to bill filing and pointed out that this was brought to TCOLE a year ago and it is hard to get something prepared for filing with session so close.

Commissioner Berry pointed out that our request currently is less than \$150/licensee and that there seems to be an appetite for improving policing in the State.

Commissioner Burruss agreed stating, "Who doesn't want to approve policing?" The commissioners continued to discuss the amount, benefits and alignment with current request item 5.

The Commission took a break from 11:36 a.m.-11:56 a.m.

At 11:57 am, Commissioner Burruss moved to accept Exceptional Items proposal with changes to modify current item 5 to 5a and add the research item as 5b. The vote was split 3 to 3 with 2 absent. The motion died due to a tie in the vote.

Presiding Officer Lemaux stated she liked the concept but struggles with the idea of fiscal responsibility for the agency and the desire for legislative charge to appropriate and direct a program of this type. Commissioner West agreed and pointed out that a bill in the next session would help to separate this program from the current request being discussed. Presiding Officer Lemaux reiterated an earlier point of requesting funding and providing funding to an outside agency could show favoritism to the outside agency. Commissioner Berry questioned what our original charge and instructions for our

Extraordinary Request was and agreed that there is a need for directed research, however, since it is not remaining inside the agency it may be treated differently.

Commissioner Burruss indicated that we could retain the funding and not use an outside entity.

Commissioner Berry pointed out that a study would be done outside and the results would come back to the Agency, but is concerned that 5a and 5b could be seen as in competition to each other. Commissioner Berry also pointed out that the study results could help the agency improve decision making. Commissioner Burruss then stated that this request of 5a and 5b could be beneficial and this item 5b could be considered a "Sacrificial Lamb" to be cut out of the request, and allow the agency to retain the remaining requests.

Director Roth pointed out the instructions for the request were to include any items above the standard base budget for the agency.

General Counsel Beauchamp suggested to make the request as general as possible without removing the required details to allow flexibility in execution.

Commissioner Burruss agreed with General Counsel Beauchamp and discussed the legislator directions of TCOLE in regards to subcommittees and provided an example of the Peer Network.

Commissioner West discussed the difference in cost affiliated with a pass-through to an entity who currently does research and keeping the money in house where TCOLE would be required to hire qualified staff would require a large difference in funding for the program.

Commissioner Burruss stated that the pass-through language is wrong, and clarified that TCOLE would set priority of research, and use a committee to handle assignment of funds; in either case, it would be TCOLE's purview.

Director Grissom stated that the Peer Network bill was pushed through the legislature and a fiscal note was attached to it for appropriations to review.

Assistant Presiding Officer Hester stated that is what was stated earlier in the discussion. The Peer Network bill was pushed by UNT and CPI. An example of an agency retaining money would be DPS and the safe gun storage program where DPS received funding for a program, and then solicited bids and it is run by DPS Contractors.

Commissioner Berry stated in the Occupations Code 1701.151 subsection 6, a duty specific to TCOLE is to conduct and stimulate research.

Commissioner Burrus stated that was a great lookup by Commissioner Berry. She stated the Peer Network was something she pushed for the entire time she was on the commission. She feels this is a good time to show the Legislature that the commission is being proactive.

Commissioner Berry agreed with the frustration stated by Commissioner Burruss. He stated some members of the legislature have spoken with him about the agency authority and that they don't take advantage of it.

Commissioner Burrus stated that this was brought up during the 2nd sunset review in the 87th legislative session.

Commissioner Berry and Assistant Presiding Officer Hester discussed including language from 1701.151 subsection 6 in the language of 5b.

Commissioner Burruss made the same motion as earlier to pass the Legislative Appropriations Requests and Exceptional Items list, with adding the research consortium as item 5a on the Exceptional Items list. Commissioner Janna Atkins seconded the motion. The motion passed unanimously.

Agenda Item 5, Discuss and take action to establish advisory committees to provide advice and recommendations related to School Marshal duties and responsibilities for purposes of psychological examinations; Qualifications and minimum standards for training coordinators; and Licensee wellness.

Executive Director Greg Stevens explained the need of proposed advisory committee relating to school marshal duties. Executive Director Stevens discussed the challenges of starting a new agency and that in some instances, a school marshal program is a better route for schools, but currently there are no definite guidelines relating to school marshal duties. Executive Director Stevens stated that an advisory committee would be tasked to define these job duties for the program.

Deputy Chief Cullen Grissom explained the need of proposed advisory committee relating to training coordinators standards. Deputy Chief Grissom stated that training coordinator qualifications do not include the same minimum requirements as licensed peace officers, including the criminal history requirements. Deputy Chief Grissom stated the advisory committee would be tasked with creating minimum standards for training coordinators.

Executive Director Stevens stated that TCOLE is not looking for the ability to choose the training coordinators or deny the hire of a training coordinator, but creating minimum standards will help solve common issues occurring in academies.

Deputy Chief TJ Vineyard explained the need of proposed advisory committee relating to licensee wellness. Deputy Chief Vineyard stated that due to the higher numbers of Rap Back results, most licensees are already in crisis when they are arrested. Deputy Chief Vineyard stated the committee would be tasked with looking at providing a better roadmap to keep licensees on the right path to be successful because currently there are missed opportunities. Deputy Chief Vineyard stated this would give licensees tools and resources to recover, instead of taking away their license.

Commissioner Justin Berry made a motion to approve the establishment of advisory committees to provide advice and recommendations related to School Marshal duties and responsibilities for purposes of psychological examinations; Qualifications and minimum standards for training coordinators; and Licensee wellness. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Agenda Item 6, Discuss and take action, if necessary, on proposals related to existing TCOLE Rule 211.16 regarding patrol vehicles.

Commissioner Justin West discussed issues that constables are facing due to the current rule relating to patrol vehicles because smaller agency budgets do not allocate enough for vehicles and insurance. Commissioner West stated that item (F) should be applied to item (G) in TCOLE Rule 211.16.

Executive Director Greg Stevens stated that an amendment will be proposed to the Commission at the October 28, 2024 meeting in McAllen, Texas.

Agenda Item 7, Discuss and take action, if necessary, on proposals related to existing TCOLE Rule 219.2 regarding federal officers.

Deputy Chief Cullen Grissom stated that The Texas Code of Criminal Procedures Section 2.122 lists federal agencies deemed to have the equivalent training for licensure consideration in Texas. Deputy Chief Grissom stated this excludes many other federal agencies that could apply for employment in Texas and proposed adding new language to TCOLE Rule 219.2, giving the Executive Director the ability to include additional agencies, vet training and the types of work of those agencies which will help with recruiting in Texas.

A proposed amendment will be presented to the Commission at the October 28, 2024 meeting in McAllen, Texas.

The commission took a break from 1:47 p.m.-1:58 p.m.

Agenda item 8, Discuss and take action on establishing an agency Strategic Plan.

The strategic session was facilitated by SGR's President of Leadership Development, Dr. Mike Mowery. The Commission reviewed the current strategic pillars, discussing in small groups what had gone well; what had not gone well; and what gamechangers they had experienced related to each area. The Commissioners and TCOLE staff discussed key points of communication, data-based decision making and innovation.

Commissioners discussed the Strengths, Weaknesses, Opportunities, and Threats facing TCOLE. This was compared to the SWOT Analysis done by the Commissioners in 2021. Commissioners were asked to identify the "Signs of Success" that they would like to be able to point to 5 years from now.

The Commission took a break from 3:26 p.m.-3:46 p.m.

The Commissioners discussed the strategic pillars that were set in 2021 and decided that these same strategic pillars were the most important strategic priorities for the updated strategic vision. Those pillars are: Communication, Data-driven Decision Making, and Innovation.

Agenda item 9, Executive Session to discuss pending or contemplated litigation, settlement offers, and personnel issues, including evaluation of Executive Director's job performance pursuant to sections 551.071 and .074 of the Texas Government Code, Open Meetings Act.

No executive session.

Agenda Item 10, Return from Executive Session to report and discuss further actions to be taken as a result of Executive Session, if necessary.

No executive session.

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

No public comment was given.

Agenda Item 12, Adjourn.

Commissioner Janna Atkins made a motion to adjourn the meeting. Commissioner Justin Berry seconded the motion. The meeting adjourned at 5:00 p.m.



Justin West, Secretary
JW/sf