



TEXAS COMMISSION ON LAW ENFORCEMENT

Commission Meeting Minutes October 23, 2023

On Monday, October 23, 2023, at 1:00 p.m., a meeting of the Texas Commission on Law Enforcement (TCOLE) was held. The meeting was held at the American Bank Center, Selena Auditorium, 1901 N. Shoreline Blvd., Corpus Christi, Texas, 78401.

Commissioners attending were: Presiding Officer Kim Lemaux; Assistant Presiding Officer Jason Hester; Secretary Patricia Burruss; Sheriff Mike Griffis; Constable Ron Hood; 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; Finance Director Brian Roth; and Government Relations Director Gretchen Grigsby.

Agenda item 1, Call to order.

Presiding Officer Lemaux called the meeting to order at 1:00 p.m.

The colors were presented by the Nueces County Sheriff's Office Honor Guard members; Captain Roland Martinez, Jr.; Sargeant David Alaniz; Officer David Cook; Officer Daniel Perez; and Officer Milton Rivera.

The pledges of allegiance were led by Commissioner Burruss.

Lieutenant Chuck Freeman of the Corpus Christi Police Department gave the Invocation.

Roll call of members was called, and a quorum was present. Welcoming remarks were made by Presiding Officer Kim Lemaux, welcoming attendees to the 2023 TCOLE Training Conference and thanking the Nueces County Sheriff's Office, the City of Corpus Christi, and the Corpus Christi Police Department. Commissioner introductions were made. Commissioner Lemaux outlined the legislative updates to be discussed in the meeting.

Agenda item 2, Approval of the minutes of the August 24, 2023, Commissioner Workshop and the August 25, 2023, and September 11-12, 2023, Commission Meetings.

Commissioner Atkins made a motion to approve the August 2023 Commissioner Workshop and Commission Meeting Minutes. Commissioner Burruss seconded the motion. The motion passed unanimously.

Commissioner Hood made a motion to approve the September 2023 Commission Meeting Minutes. Commissioner Griffis 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 P. Beauchamp gave welcoming remarks to the 2023 TCOLE Training Conference attendees and provided agency staff introductions and appreciation, as well as announcing the hiring of Assistant General Counsel Aaron Heath.

Information Technology and Special Services Report

Director Jessica Capraro announced the final training compliance numbers from the recent training unit ending on August 31, 2023. The agency recorded a final number of 14 licensees who did not complete their training, compared to 964 in 2019. This unprecedented number can be attributed to the agency's Target 100 Initiative, including repetitive outreach, coordination with departments, and improved MyTCOLE features such as the new MyCompliance feature. Director Capraro announced the upcoming launch of the new TCOLE website.

Enforcement Report

Major TJ Vineyard recognized individuals from the nine largest law enforcement agencies in the state who achieved 100% training compliance: Lieutenant Kelly Wilkison of the Texas Department of Public Safety; Shannon Barker of the Houston Police Department; Cindy Sirkel of the Dallas Police Department; Lieutenant Jorge Gonzalez and Captain Kimberly Smith of the Harris County Sheriff's Office; Captain Sean Kenjura and Officer Renee Lamond of the Fort Worth Police Department; Lieutenant Manny Jimenez of the Austin Police Department; Lieutenant Jason Johnson of the El Paso Police Department; Captain Jessica Motayne of the Bexar County Sheriff's Office; Lieutenant Dr. Johnny McGee of the Arlington Police Department.

Major Vineyard advised that several of the 14 noncompliant licenses Director Capraro mentioned have already completed their required training and have been issued reprimands. He advised that the Enforcement Division expects to issue only 3-4 suspensions due to training noncompliance.

Major Vineyard advised that Rap back subscriptions are down slightly due to licenses that have gone inactive and discussed the partnership with the Texas Department of Public Safety which resulted in over 200 cases opening from E-1 reports.

Major Vineyard discussed plans for reaching 100% training compliance in the next unit through the Target 100 Initiative.

Major Vineyard announced the hiring of two new Investigators in the Enforcement Division, Investigator Joe Nichols and Investigator Kevin Kelso, who will helping with the tracking of E-1 cases.

Credentialing, Education, and Field Services Report

Director Cullen Grissom advised that the updated Basic Peace Officer Course has been posted for public comment; it includes the mandated ALERRT Level I Active Shooter Training, Alzheimer's Training, Missing Children or Persons, and Investigating Child Fatalities. Director Grissom advised that the Instructor Resource Guide will soon be posted for Trauma Informed Sexual Assault Investigations, required in this training unit if not previously taken in the last unit. An Instructor Resource Guide is available for Finding Wellness: Building a Healthier Life, which is mandated in the current unit as recommended by the Commission; the course is also available via MyTCOLE. Director Grissom advised that ALERRT has certified over 5,000 instructors to teach ALERRT Active Shooting Training, 16 hours of which are mandated.

Government Relations Report

Director Gretchen Grigsby thanked the Commissioners for their support throughout the 88th Texas Legislative Session as well as the following implementation phase of legislation that passed. Included in that implementation phase is the creation of three TCOLE Advisory Committees. Director Grigsby advised that members of the advisory committees were thoughtfully selected from various stakeholder groups and provide a wide-ranging representation. Director Grigsby advised that the first meeting of the committees were held on the week of October 9, 2023, and the second meeting of the committees will be held the first week of November. Director Grigsby discussed the legislative implementation of the TCOLE Sunset Bill including rule making.

Director Grigsby reminded attendees that the agency is accepting nominations for the 2024 State of Texas Law Enforcement Achievement Awards until January 15, 2024.

Finance Report

Director Brian Roth advised the Commission of the agency's proposed 2024 Fiscal Year Operations Budget, in which the agency is currently in its first quarter. Director Roth discussed the agency's strategic expenditures, revenue intake, and strategic funding. Director Roth advised that the Texas School Marshal Program received regular appropriations for FY 24-25, including funding for two additional TCOLE full time employees (FTEs). Director Roth advised that the agency has onboarded four new employees and currently has sixteen openings. Director Roth advised that the Texas Law Enforcement Peer Network received \$1.2 million in funding from the 88th Regular Texas Legislature. Director Roth advised that the agency is currently moving into its additional acquired office space, is undergoing a cloud data migration, and personnel record

digitization. Director Roth discussed the increase of the agency's legislatively appropriated budget from the previous FY, which increased from \$6 million to \$13.1 million, and increased the agency's approved FTEs by 39%.

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

Agenda item 4, Discuss and take action on Advisory Committee recommendations, if necessary.

The agency was charged with the creation of the following Advisory Committees, subject to Senate Bill 1445 (88R).

- Misconduct Investigation and Hiring Procedures
- Minimum Standards for Law Enforcement Agencies
- Examination of a Licensee

Interim Executive Director Beauchamp provided a statutory outline and overview of the advisory committees, including the model policies and rule changes to be adopted by the agency by March 1, 2024.

Agenda item 5, Discuss and take action on the proposed amendments to existing TCOLE rules and proposed new rule.

Proposed Amendment No. 1 - § 215.13 – Risk Assessment

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

Proposed Amendment No. 2 - § 217.1 – Minimum Standards for Enrollment and Initial Licensure

Commissioner Burruss made a motion to adopt. Commissioner Hood seconded the motion. The motion passed unanimously.

Proposed Amendment No. 3 - § 218.3 – Legislatively Required Continuing Education for Licensees

Commissioner Hester made a motion to adopt. Commissioner Lemond Dixon seconded the motion. The motion passed unanimously.

Proposed New Rule - § 221.46 – Active Shooter Training for Schools

Commissioner Atkins made a motion to adopt. Commissioner Lemond Dixon seconded the motion. The motion passed unanimously.

Agenda item 6, Discuss and take action on the Request for Class B Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure.

Robertson County Sheriff's Office, Sheriff Gerald T. Yezak Request for Class B Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure on behalf of Justin W. Wilson
 Comments were provided by Sheriff Gerald T. Yezak and Justin W. Wilson of the Robertson County Sheriff's Office.

Commissioner Burruss made a motion to approve the Request for Class B Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure. Commissioner Griffis seconded the motion. The motion passed unanimously.

Agenda item 7, Discuss and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Default Suspension Orders

Caballero, Cairo	Jailer	Collin Cnty. Sheriff's Office
Davila, Anabel	Jailer, Telecommunicator	Hudspeth Cnty. Sheriff's Office
Garcia Jr., Eddie N.	Jailer	Ellis Cnty. Sheriff's Office
Hernandez, Christopher G.	Jailer	Tarrant Cnty. Sheriff's Office
Maldonado Jr., Ricardo E.	Jailer	Bexar Cnty. Sheriff's Office
Trevino, David A.	Peace Officer	Brownsville Police Dep't

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

Default Revocation Orders

Hightower, Dylan M.	Jailer	Bell Cnty. Sheriff's Office
Pena, Johnathan M.	Jailer	Karnes Cnty. Sheriff's Office
Robledo, Fernando R.	Peace Officer, Jailer	Collin Cnty. Sheriff's Office

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

Agreed Suspension Waiver

Westbrook, Justin	Peace Officer	Lone Oak Police Dep't
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Commissioner Hester made a motion to approve. Commissioner Burruss seconded the motion. The motion passed unanimously.

Agreed Suspension Orders

Cabello, Kimberly	Peace Officer, Telecommunicator	Alamo Colleges Dist.
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Commissioner Hester made a motion to approve. Commissioner Burruss seconded the motion. The motion passed unanimously.

Van Slooten, Karl A. Peace Officer, Jailer Yoakum Police Dep't

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

Proposal for Decision

Thomas, Reginal Peace Officer Dallas Police Dep't

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

Default Dismissal Order

Lerma, Eric Peace Officer Jersey Village Police Dep't

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

For Information Only

Statutory Suspensions

Carmona, Miguel A. Jailer Val Verde Cnty. Sheriff's Office
Culp, Richard R. Jailer Nueces Cnty. Sheriff's Office
Record, Hayley N. Telecommunicator Fannin Cnty. Sheriff's Office

Statutory Revocations

Cannon, Christopher A. Peace Officer Weimar Police Dep't
Hastings, Vegas C. Peace Officer Cisco Police Dep't
Martinez, Luis A. Jailer Texas Board of Criminal Justice
Molina-Torres, Carlos C. Peace Officer Patton Village Police Dep't
Key, Frank C. Jailer, Telecommunicator Burnet Cnty. Sheriff's Office

Term Surrender

Harvey, Gary W. Peace Officer Ingleside Police Dep't

Permanent Surrenders

Cannon, Christopher A. Peace Officer Weimar Police Dep't
Carroll, Buck Peace Officer Houston Cnty. Attorney's Office
Griffin, Jonathan Peace Officer San Antonio Police Dep't
Grosskopf, Timothy M. Jailer Henderson Cnty. Sheriff's Office
Jones, Reginald L. Peace Officer Dallas Police Dep't
Mandujano Jr., Juan P. Peace Officer Venus Police Dep't
Martinez, Chris A. Peace Officer Liberty Cnty. Sheriff's Office

Martinez, Peter A.	Peace Officer, Jailer	Bexar Cnty. Sheriff's Office
McRae, Chadwick D.	Peace Officer	Fort Bend Cnty. Sheriff's Office
Moore, Gabriel P.	Peace Officer	Onalaska Police Dep't
Palmer, Austin D.	Peace Officer, Jailer	Dallas Cnty. Sheriff's Office
Prosser, Sara S.	Peace Officer	Weatherford Police Dep't
Ramos, Mauricio	Peace Officer	Alton Police Dep't
Trevino, Rafael	Peace Officer	Texas Dep't of Public Safety
Zamarron, Cody B.	Peace Officer	Weatherford Police Dep't

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

Presiding Officer Lemaux advised that a decision regarding the selection of an Executive Director is forthcoming.

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

Public comment was made by Smith County Sheriff's Office Chief Deputy Jimmy Jackson regarding the jailer high school pilot program.

A 10-minute break was taken at 3:57 p.m.

Agenda item 10, Executive Session to discuss pending or contemplated litigation, settlement offers, and personnel issues, including evaluation of Executive Director's job performance, conducting interviews 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 3:57 p.m.

Agenda item 11, 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 5:52 p.m., no action was taken.

Agenda item 12, Adjourn.

Commissioner Atkins made a motion to adjourn. Commissioner Hester seconded the motion. The motion passed unanimously. The meeting adjourned at 5:52 p.m.