



# TEXAS COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

## MINUTES – QUARTERLY MEETING

The quarterly meeting of the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) was held on Thursday, June 7, 2012 at 9:30 a.m. The meeting was held at the J.J. Pickle Research Campus, The Commons Learning Center, 10100 Burnet Road, Bldg 137, Austin, Texas.

Commissioners attending included Sheriff Joel W. Richardson, Presiding Officer; Mr. Steve Griffith, Assistant Presiding Officer; Constable Ron Hood; Mr. James Oakley; Senior Police Officer Joe Pennington; Ms. Patt Scheckel-Hollingsworth; Chief Ruben Villescas; and Mr. Randy Watson. Dr. Johnny E. Lovejoy, II was absent.

Also attending were Assistant Attorney General Raymond Winter, Veena Mohan, Drew Wright, and Andrew Lutostanski from the Attorney General's office. TCLEOSE staff attending included Executive Director Kim Vickers, Director John Helenberg, Legal Counsel John Beauchamp, Director Brian Roth, Raphael Ediae, Laurie Abernathy, Lisa Fontenot, Chris Varady, Lynn Beard, Thurman Felder, Dennis Graffious, Darla Dixon, Ken Mobley, Nicole Yoakum, Candice Simon, Mike Hobbs, Richard Gutierrez, Larry Capps, Jim Clifton, Kenny Merchant, Derry Minor, Doug Staudt, and Kaye Wilson.

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

Presiding Officer Richardson called the meeting to order. The flags were presented by the members of the Tarrant County Sheriff's Office Honor Guard followed by the pledge of allegiance to the United States flag and to the Texas flag led by Assistant Presiding Officer Griffith. David Barrett, Chaplain with the Tarrant County Sheriff's Office, gave the invocation.

Members of the Tarrant County Sheriff's Office Honor Guard included Sgt Michael Kohl, Sgt. Andre Nieuwenhuis, Deputy Howard Kotarski, Deputy Stephen Seabolt, Deputy Fred Miller, and Deputy Lesia Miller.

Kaye Wilson called the roll and announced that Dr. Lovejoy was absent.

### **Agenda item #2, Reading of Line of Duty Deaths**

Ken Mobley read the names of the officers that have been killed in the line of duty since the previous meeting.

Texas Department of Public Safety

Trooper Javier Arana, Jr.

March 24, 2012

Trooper Arana was killed in an automobile accident as he responded to assist a vehicle pursuit in El Paso. During the response, Trooper Arana's vehicle collided with another vehicle and it burst into flames upon impact. Trooper Arana served with the Texas DPS for two years and served four years with the United States Marine Corps. He is survived by his wife and five children.

Austin Police Department

Senior Police Officer Jaime Padron

April 6, 2012

Senior Police Officer Padron was shot and killed after responding to a report of an intoxicated man who was shoplifting. The subject attempted to flee on foot, but was stopped by Officer Padron. During the ensuing struggle, the suspect produced a small handgun from his pocket and shot Officer Padron. Officer Padron died at the scene. He was a U.S. Marine Corps

veteran and had served with the Austin Police Department for three years, the Austin Airport Police Department and the San Angelo Police Department for 14 years. He is survived by his two young daughters and his parents.

**Agenda item #3, Approval of the minutes of the March 1, 2012, Commission meeting at Austin, Texas**

Commissioner Griffith made a motion to approve the minutes of the March 1, 2012, Commission meeting. Commissioner Scheckel-Hollingsworth seconded the motion. The motion passed unanimously.

**Agenda item #4, Approval of the minutes of the January 12, 2012, called Commission meeting at Austin, Texas**

Commissioner Oakley made a motion to approve the minutes of the January 12, 2012, called Commission meeting. Commissioner Villescas seconded the motion. The motion passed unanimously.

**Public Comment**

At this point, Presiding Officer Richardson called on Don Willy who was present to make public comments. Mr. Willy asked that the commissioners change three words in two current regulations which will allow part time and reserve officers to be certified as Special Investigators and Cybercrime Investigators. He has submitted letters of support for this change, and the only opposition is from the TCLEOSE staff, as they want to wait to develop a comprehensive proposal for consideration. He understands that staff will be reviewing all certificates, but asked that in the interim the commissioners change these two certificates now and allow reserve officers to continue their education and advance their professionalization in law enforcement. Presiding Officer Richardson noted that he has received many letters in support of Mr. Willy's request. Legal Counsel John Beauchamp, who also serves as the chairman of the rules committee, noted that the rules committee will have proposed amendments for the commission for the applicable certificates at the September meeting.

**Agenda item #6, Receive Executive Director's Report. Take action, if necessary**

Executive Director Vickers noted that the report the commissioners have already received is complete. He then introduced seven new staff members which included Larry Capps, Derry Minor, John Beauchamp, Chris Varady, Candice Simon, Mike Hobbs, and Raphael Ediae.

Commissioner Oakley made a motion to accept the Executive Director's report. Commissioner Griffith seconded the motion. The motion passed unanimously.

**Agenda item #7, Discuss and take action on application to be an approved law enforcement academy, contractual training provider or academic alternative provider**

a. Texas Crime Prevention Association

Director Helenberg stated that staff has reviewed the application for contractual training provider and has given it a favorable review. Jason Keller, Training Coordinator, and Jeffrey McGowen, President, Texas Crime Prevention Association, addressed the commission. Mr. Keller noted that the association began 37 years ago and offers training to peace officers. Because they are not a training provider through TCLEOSE, they have had to seek outside assistance for training roster submission. They asked to be certified through TCLEOSE so that they can report their training. Several questions were asked by commissioners that pertained to the record keeping process and the security of these records. Mr. Keller explained that hard copies of training will be kept as well as a virtual office with records available for audits. Electronic copies of records are stored off-site. Commissioner Griffith made a motion to approve the application with

Commissioner Villegas seconded the motion. The motion passed with Commissioner Scheckel-Hollingsworth abstaining.

b. Frisco PD

Director Helenberg noted that the application to establish an academy has been favorably reviewed by staff. Chief Todd Renshaw and Alex Bastida, Training Coordinator, were present to answer any questions. There being no questions, Commissioner Oakley made a motion to approve the application. Commissioner Villegas seconded the motion. The motion passed with Commissioner Scheckel-Hollingsworth abstaining.

**Agenda item #8, Discuss and take action on the Request for Waiver of TCLEOSE Rules 215.15 Enrollment Standards and 217.1 Minimum Standards for Initial Licensure**

a. Frio County Sheriff's Office for Jeremy Valle

Mr. Beauchamp noted that Sheriff Trevino was unable to attend the meeting, so this item is removed from the agenda.

b. Lago Vista Police Department for Frank Allocca

Executive Director Vickers explained Mr. Allocca's situation. In 2006, Mr. Allocca was arrested for a Class B misdemeanor and his license suspension was fully probated. He didn't continue working as a peace officer and due to various circumstances, let his peace officer license go inactive. He now wants to reactivate his license before the new rule 217.19 goes into effect. However, he can't reactivate because he cannot meet the current licensing standards because of the Class B misdemeanor. He would need to be granted a waiver in order to reactivate his license.

Mr. Allocca spoke on his own behalf, and Chief R.D. Smith stated that he is ready to hire Mr. Allocca as a patrol officer. Mr. Allocca has experience in Leander, Marble Falls, and Austin, and has received the Law Enforcement Achievement Award for Valor.

Commissioner Oakley made a motion to grant the waiver, and Commissioner Villegas seconded the motion. The motion passed unanimously.

**Agenda item #9, Discuss and take action on final orders of amendments to existing TCLEOSE rules**

- 12\_31\_211.1 Definitions
- 12\_32\_217.1 Minimum Standards for Initial Licensure
- 12\_33\_217.7 Reporting the Appointment and Separation of a Licensee
- 12\_34\_217.11 Legislatively Required Continuing Education for Licensees
- 12\_35\_217.19 Reactivation of a License
- 12\_36\_217.20 Retired Peace Officer Reactivation
- 12\_37\_219.1 Eligibility to Take State Exams
- 12\_38\_219.2 Reciprocity for Out of State Peace Officers, Federal Criminal Investigators, and Military Police
- 12\_39\_221.3 Peace Officer Proficiency
- 12\_40\_223.13 Surrender of License
- 12\_41\_223.17 Reinstatement of a License

Mr. Beauchamp presented the eleven rules for adoption that were introduced as proposed rules in March 2012. He stated that there were no public comments made on the rule changes. Mr. Beauchamp noted that staff received questions about the changes to rules 217.19 and 217.20 as there was confusion whether retired peace officers have to repeat the basic licensing course

and retake the licensing test. Mr. Beauchamp clarified that retired peace officers do not have to retake the basic licensing course and do not have to test.

Executive Director Vickers brought to the commissioners attention that rule 217.7 was initially introduced with a Proposal A and a Proposal B. At the March 2012 meeting, the vote was to accept Proposal B.

Commissioner Griffith made a motion to approve all rules as presented. Commissioner Scheckel-Hollingsworth seconded the motion. The motion passed unanimously.

**Agenda item #10, Discuss and take action on proceedings for revocation, suspension, and other disciplinary actions.**

Assistant Attorney General Raymond Winter addressed the commission concerning disciplinary action.

**Statutory Revocation Orders**

<i>Name of Licensee</i>	<i>Docket #</i>	<i>Last Department to Hold Commission</i>
Amrollah, Pejman	11-06-0987LR	Fair Oaks Ranch Police Department
Betancourt, Steven	11-07-1044LR	Hidalgo Police Department
Branch, Joseph A.	10-06-0638LR	Van Zandt County Constable Pct. 4
Cole, Charles Jerome	11-02-0337LR	Brookshire Police Department
Cummings, Jessica A.	10-07-0639LR	Newton County Sheriff's Office
DeHoyos, Rene Ramirez	10-03-0404LR	LaJoya Police Department
Elizondo, Jose G.	10-08-0761LR	Donna Police Department
Ellington, George W.	11-11-0151LR	Harris County Sheriff's Office
Garcia, Eduardo	11-08-1123LR	Webb County Constable Pct. 1
Garcia, Jr., Hector	10-06-0581LR	Mathis Police Department
Gatton, Misty D.	12-12-0325LR	Johnson County Sheriff's Office
Glass, William A.	10-08-0802LR	Haskell Police Department
Gonzalez, Christopher G.	11-04-0628LR	Willacy County Sheriff's Office
Hall, Trina Y.	11-10-0089LR	Dallas County Sheriff's Office
Palmer, Jason C.	11-02-0411LR	Harris County Constable Pct. 6
Porchia, Marcus A.	11-06-1016LR	Liberty County Sheriff's Office
Reed, Jamyrria M.	10-02-0294LR	Nueces County Sheriff's Office
Riha, Stefan M.	11-05-0906LR	Houston Police Department
Rocha, II, Michael L.	10-01-0269LR	Montague County Sheriff's Office
Rodriguez, Eric	11-11-0196LR	Uvalde County Sheriff's Office
Rodriguez, Raul	11-10-0082LR	Corpus Christi Police Department
Ruiz, Gabriel A.	11-04-0483LR	Hudspeth County Sheriff's Office
Sanders, Charles R.	11-12-0229LR	Denton County Sheriff's Office
Shafer, Sonfra K.	10-08-0781LR	Houston Police Department
Tatman, Palanco T.	10-06-0618LR	Nueces County Sheriff's Office
Watson, Tanya C.	10-07-0686LR	Newton County Sheriff's Office
Williams, Eric L.	11-07-1031LR	Kaufman County Sheriff's Office
Wills, Jason V.	11-10-0135LR	Fayette County Sheriff's Office

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final order as required under the provisions of Texas Occupations Code, Chapter 1701, Section 1701.502(a) to revoke the licenses of the individuals whose names were read by Mr. Winter. Commissioner Oakley seconded the motion. The motion passed unanimously.

**Statutory Suspension Orders**

<i>Name of Licensee</i>	<i>Docket#</i>	<i>Last Department to Hold Commission</i>
Alexander, David J.	11-06-1024LS	Hale Center Police Department
Estrada, Steve	12-10-0096LS	Elsa Police Department
Gipprich, Randolph J.	11-08-1128LS	Duval County Sheriff's Office
Hair, Sabrina A.	11-09-0059LS	Ector County Sheriff's Office
Hester, II, Roger F.	12-12-0334LS	Dallas Fire Department
Hutchins, Mark R.	10-08-0743LS	Houston Police Department
Ivie, Wilmer R.	10-03-0384LS	Corsicana Police Department
Munoz, Jr., Jesus S.	11-11-0150LS	Karnes County Correctional Center
Obregon, John G.	10-06-0584LS	Bexar County Sheriff's Office
Rostro, Adan	11-10-0098LS	Texas Department of Public Safety
Villarreal, Daniel G.	11-04-0655LS	Harris County Constable Pct. 6

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final order as required under the provisions of Texas Occupations Code, Chapter 1701, Section 1701.502(b) to suspend the licenses of the individuals whose names were read by Mr. Winter. Commissioner Scheckel-Hollingsworth seconded the motion. The motion passed unanimously.

**Default Suspension Orders**

<i>Name of Licensee</i>	<i>Docket#</i>	<i>Last Department to Hold Commission</i>
Barnett, Wendi R.	11-10-0110LS	Bayou Vista Police Department
Barnett, William J.	10-03-0357LS	Shavano Park Police Department
Hurd, Joan M.	11-11-0152LS	Dallas County Sheriff's Office

Commissioner Griffith 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, and as required under the provisions of Texas Occupations Code, Chapter 1701, Section 1701.501 to suspend the licenses of the individuals whose names were read by Mr. Winter. Commissioner Villegas seconded the motion. The motion passed unanimously.

**Agreed Waiver Orders****Criminal Offense**

<i>Name of Licensee</i>	<i>Docket#</i>	<i>Last Department to Hold Commission</i>
Blacketter, Randall E.	11-05-0909LS	Roman Forest Police Department
Board, David L.	10-08-0774LS	Bastrop Police Department
Castillo, Rhonda E.	11-11-0192LS	Bexar County Constable Pct. 1
Duffy, Brad C.	10-07-0672LS	Harker Heights Police Department
Jackson, Brooks C.	11-11-0139LS	Titus County Sheriff's Office

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final agreed waiver order of criminal offense for the individuals whose names were read by Mr. Winter. Commissioner Villegas seconded the motion. The motion passed unanimously.

**Violations of Rule §217.11 Legislatively Required Continuing Education for Licensees**  
**Training Cycle 09-11**

<i>Name of Licensee</i>	<i>Docket#</i>	<i>Last Department to Hold Commission</i>
Alaniz, Jose	12-02-0575LS	Hidalgo County Constable Pct. 2
Aven, Ladeana W.	12-02-0581LS	Orange County Constable Pct. 2
Barron, Donald C.	12-02-0582LS	Navarro County Sheriff's Office
Button, Donald J.	12-02-0593LS	Hills County Sheriff's Office
Carpentier, Epitacio	12-02-0595LS	Jim Hogg County Sheriff's Office
Ceballos, Guillermo	11-04-0743LS	384 <sup>th</sup> District Court
Ceniceros, Gerardo	12-02-0604LS	El Paso County Constable Pct. 3
Cleveland, David A.	12-02-0613LS	Bexar County Constable Pct. 4
Clifton, Jr., Walter M.	12-02-0614LS	Seven Points Department of Public Safety
Coleman, Telethia N.	12-02-0615LS	Clarksville Police Department
Conarroe, Randall L.	12-02-0616LS	Franklin County Constable Pct. 1
Cornelius, Thomas L.	12-02-0617LS	Madison County Sheriff's Office
Davis, Deborah A.	12-02-0623LS	Smith County Constable Pct. 4
Davis, Gary W.	12-02-0622LS	Gregg County Sheriff's Office
Diaz, Daniel	12-02-0628LS	El Paso County Constable Pct. 4
Diaz, Saul	12-02-0629LS	Maverick County Constable Pct. 3 Place 1
Dooling, Brian E.	12-02-0633LS	Decatur Police Department
Duarte, Manuel A.	12-02-0636LS	Llano County Sheriff's Office
Duncan, James A.	12-02-0638LS	New Summerfield Police Department
Ellison, Henry D.	12-02-0649LS	La Grange Police Department
Ellison, Michael G.	12-02-0648LS	Azle Police Department
Espino, Daniel O.	12-02-0652LS	Gaines County Sheriff's Office
Farmer, David G.	12-02-0665LS	Brownfield Police Department
Ferguson, William E.	12-02-0666LS	Fort Bend County Constable Pct. 4
Fuentes, Edward	12-02-0677LS	Bexar County Sheriff's Office
Gall, William A.	12-02-0679LS	Bexar County Sheriff's Office
Hall, Jon W.	12-02-0685LS	Troup Police Department
Hammett, Jr., Stanley B.	12-02-0697LS	Haskell County Sheriff's Office
Harrist, Robert L.	12-02-0701LS	Harrison County Sheriff's Office
Herbst, Susan G.	12-02-0700LS	Atascosa County Sheriff's Office
Hodges, James D.	12-02-0716LS	Refugio County Sheriff's Office
Kingsley, David L.	12-02-0727LS	Harker Heights Fire Department
Lowes, Claudia J.	12-02-0737LS	Nueces County Constable Pct. 2
McVey, Tiaya M.	12-02-0747LS	Walker County Constable Pct. 4
Martinez-Villarreal, Jaicub	12-02-0744LS	Maverick County Constable Pct. 1
Meza, Isreal G.	12-02-0751LS	Cherokee County Constable Pct. 3
Morales, William M.	12-02-0757LS	Bexar County Constable Pct. 2
Nieto, Rodolfo	12-03-0767	Bexar County Constable Pct. 4
Ogden, Robert L.	12-03-0768LS	Jefferson County Sheriff's Office
Page, Tommy E.	12-03-0784LS	Lynn County Sheriff's Office
Perez, Alberto	12-03-0786LS	Plainview Police Department
Pryor, Kirk L.	12-03-0790LS	Collin County Sheriff's Office
Renteria, San Juanita	12-03-0799LS	Hidalgo County Constable Pct. 3
Reyes, Veronica P.	12-03-0800LS	Stinnett Police Department
Richards, Gary L.	12-03-0801LS	Potter County Court at Law No. 1
Ross, Rebekah L.	12-03-0808LS	West Tawakoni Police Department
Rushing, Robertta L.	12-03-0810LS	Live Oak County Sheriff's Office
Trahan, Michael A.	12-03-0836LS	Jefferson County Sheriff's Office

Trevino, Timothy T.	12-03-0838LS	Freeport Police Department
Viehe, Michael W.	12-03-0844LS	Lamar County District Attorney's Office
Wafer, Jr., William J.	12-03-0847LS	Lufkin Fire Department
Wallendorff, Mike	12-03-0848LS	Donley County Sheriff's Office
Wiener, Weldon K.	12-03-0889LS	Harris County Constable Pct. 1
West, Mary K.	12-03-0856LS	Uvalde County Sheriff's Office
Whitmire, Paul D.	12-03-0860LS	Grimes County Sheriff's Office
Woody, Paul W.	12-03-0867LS	Collinsville Police Department

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final order for failure to complete the required continuing education for the individuals whose names were read by Mr. Winter. Commissioner Oakley seconded the motion. The motion passed unanimously.

#### **Agreed Suspension Final Orders**

<i>Name of Licensee</i>	<i>Docket#</i>	<i>Last Department to Hold Commission</i>
Hyde, Ronald E.	09-08-0720LS	Conroe Fire Department
Perkins, Mark	11-11-0177LS	Oak Ridge North Police Department
Stevenson, Vernon B.	09-09-0007LS	Austin Police Department

#### ***Hyde, Ronald E.***

Mr. Winter explained that this was originally pled as a revocation case. After further investigation it was determined that the ultimate disposition of the case was pled down to a simple theft and was a deferred adjudication for a Class B misdemeanor. TCLEOSE offered a proposed agreed order of suspension for a time period of 7 months, 15 days, backdated to his separation date with his agency.

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director and enter the agreed final order for Ronald E. Hyde. Commissioner Oakley seconded the motion. The motion passed with Commissioner Scheckel-Hollingsworth opposing.

#### ***Perkins, Mark***

Mr. Winter stated that Mr. Perkins was charged with and received deferred adjudication for a Class A misdemeanor assault family member. This was not an ultimate adjudication of the offense, but a deferred adjudication of assault. The administrative law judge recommended suspension of the license for 1 year, with the entire suspension to be probated. After the proposal for decision was returned, TCLEOSE contacted the respondent and negotiated an agreement to an agreed order of suspension for one year with the first 3 months as a hard suspension and the remaining 9 months be probated. This becomes effective upon approval of the order.

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter an agreed final order for Mark Perkins. Commissioner Watson seconded the motion. Before the vote there was clarification on the arrest and charges and further discussion on the mitigating factors that led the Executive Director to agree to the negotiated terms. Mr. Beauchamp reminded the Commission that the applicable rule only allows for suspension for the period of time that the individual is on community supervision. The Commission voted on the motion and it passed unanimously.

**Stevenson, Vernon B.**

Mr. Winter told the Commission that Mr. Stevenson was charged with a Class B misdemeanor, obstructing a highway. Mr. Stevenson, represented by counsel, negotiated a suspension of his license for 13 months and 25 days. The suspension would be backdated 45 days from today's date and it would run concurrently with the suspension he already served with the Austin Police Department. The remainder of the time period would be probated. There are several unusual circumstances in this case. Mr. Stevenson is a non-commissioned officer in the Army National Guard, he is a combat veteran who served honorably in the U.S. Army, and is a valued employee of the Austin Police Department. The Executive Director recommends the agreed order be accepted by the Commission. Counsel for Mr. Stevenson, Nadia Stewart, was available for questions.

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final agreed order for Vernon Stevenson. Commissioner Villescas seconded the motion. The motion passed unanimously.

**Suspension Orders**

<i>Name of Licensee</i>	<i>Docket#</i>	<i>Last Department to Hold Commission</i>
Charping, Lloyd	10-05-0502LR	Bell County Constable Pct. 1
Molina, Daniel E.	11-01-0266LS	Brooks County Sheriff's Office
Rodriguez, Edwin R.	10-06-0636LS	Travis County Sheriff's Office

**Charping, Lloyd**

At the SOAH hearing, the Administrative Law Judge recommended Mr. Charping's license be suspended for 10 years and the Executive Director concurs with this decision. Mr. Charping was convicted of false identification as a peace officer which is a Class B misdemeanor.

Commissioner Griffith made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter an agreed final order for Lloyd Charping. Commissioner Watson seconded the motion. The motion passed unanimously.

**Molina, Daniel E.**

Mr. Molina was convicted of Driving While Intoxicated. The Administrative Law Judge recommends a 10 year suspension of the license, with the suspension being fully probated. Mr. Molina is a U.S. Army veteran, serving in Iraq, and is considered to be a reliable employee with the sheriff's office. The Executive Director did not file any exceptions to the proposal for decision.

Commissioner Griffith made a motion to accept and adopt the recommendations of the Executive Director to enter an agree final order for Daniel E. Molina. Commissioner Villescas seconded the motion. The motion passed unanimously.

**Rodriguez, Edwin R.**

Mr. Rodriguez received an order for deferred adjudication for obstructing a highway, a Class B misdemeanor. The proposal for decision recommends that the license be suspended for 18 months with 1 month hard suspension and the remaining 17 months be probated. The Executive Director recommends that the Commission accept the proposal for decision. Mr. Rodriguez and his attorney, Nadia Stewart, asked that the Commission either fully probate the suspension or any alternative and backdate the 30 day hard suspension to run concurrently with the 30 day suspension that he has already served through his department.



Commissioner Griffith made a motion to accept and adopt the recommendations of the Executive Director to enter agreed final orders for Edwin R. Rodriguez. Mr. Winter noted that the proposal for decision is not an agreed decision. Commissioner Griffith asked that his motion be as corrected. Commissioner Villescas seconded the motion. Mr. Winter explained that upon issuance by the Commission of this order that the license be suspended for 18 months, the first month be a hard suspension and the remaining 17 months be probated. Mr. Winter addressed Ms. Stewart's statement that unless the order is backdated, it will be punitive. Mr. Winter reminded the Commission that the actions taken are not punitive, they are remedial, intended to protect the integrity of the profession and safeguarding the public, and these are not punitive actions. When asked, Commissioner Griffith asked Mr. Winter to re-state the motion. The motion is to accept the proposal for decision as recommended by the Administrative Law Judge, in which case it would be an 18 month suspension, effective the date of the order, the first 30 days will be a hard suspension, and the remaining 17 months will be probated. The motion passed unanimously.

**For Information Only  
No Action Necessary**

**Permanent Voluntary Surrenders**

<i>Name of Licensee</i>	<i>Docket #</i>	<i>Last Department to hold commission</i>
Acuna, Ray F.	12-02-0763PS	Houston Police Department
Aguilar, Patrick C.	12-01-0480PS	Fort Worth Police Department
Alfaro, Roland	12-10-0105PS	Somerset Police Department
Bell, Leslie D.	12-03-0928PS	Dallas Police Department
Corn, Jr., James R.	12-01-0485PS	Montgomery County Constable Pct. 3
Elizondo, Michelle M.	12-02-0606PS	Karnes County Correctional Center
Enloe, Johnney E.	12-09-0064PS	Overton Police Department
Feneley, Sean H.	12-02-0605PS	Bexar County Sheriff's Office
Gilroy, Brandon J.	10-02-0319PS	St. Edwards University Police Department
Gonzales, Aldo M.	11-01-0316PS	83 <sup>rd</sup> . Judicial District Attorney's Office
Gonzalez, Jr., Javier	12-04-0960PS	Dalhart Police Department
Harman, Jr., Gary L.	12-01-0484PS	Montgomery County Sheriff's Office
Hatfield, Joshua K.	10-06-0604PS	Mount Pleasant Police Department
Hulsey, Brett L.	11-08-1130PS	Bayou Vista Police Department
Jones, Kamala A.	12-03-0725PS	355 <sup>th</sup> Judicial District Attorney's Office
Landers, Donald L.	12-04-0958PS	Harris County Sheriff's Office
Patterson, James R.	12-04-0959PS	Galveston County Constable Pct. 7
Robertson, Jr., Charles M.	11-08-1126PS	Liberty County Sheriff's Office
	12-12-0339PS	
	11-08-1127PS	
Smith, Kenneth P.	10-06-0552PS	Nueces County Constable Pct. 5
Stein, Jr., Johnnie L.	12-03-0925PS	Harris County Constable Pct. 1
Tayem, Michael A.	12-01-0368PS	Seven Points Department of Public Safety
Trahan, Michael C.	11-08-1117PS	Beaumont I.S.D. Police Department
Urban, Evelyn	12-04-0941PS	Galveston Police Department
Vasquez, Ronnie R.	11-02-0329PS	Lubbock County Constable Pct. 3
Ward, III, Tommy G.	12-03-0887PS	Montgomery County Sheriff's Office

**Temporary Surrenders**

<i>Name of Licensee</i>	<i>Docket #</i>	<i>Last Department to hold commission</i>
Jannereth, Kenneth D.	09-05-0483TS	Denton County Constable Pct. 5

**Reprimands****Violations of Rule §217.11 Legislatively Required Continuing Education for Licensees****Training Cycle 09-11**

<i>Name of Licensee</i>	<i>Docket #</i>	<i>Last Department to hold commission</i>
Adam, IV, Andrew	12-02-0573RP	Bandera Police Department
Bailey, Kirby L.	12-01-0385RP	Lufkin Fire Department
Barton, Lisa M.	12-03-0895RP	Rosebud Police Department
Beltran, Daniel L.	12-02-0584RP	Refugio Police Department
Canady, Avery J.	12-02-0597RP	Fort Bend County Constable Pct. 2
Carter, Jacob M.	12-02-0601RP	Alto Police Department
Castillo, Jorge L.	12-03-0894RP	Maverick County Constable Pct. 2
Cortez, Carmen C.	12-02-0645RP	Kleberg County Constable Pct. 4
Dehoyos, Israel F.	12-01-0396RP	Laguna Vista Police Department
Ellis, David W.	12-02-0654RP	Deaf Smith County Sheriff's Office
Garcia, Johnny M.	12-02-0682RP	Lamesa Police Department
Garcia, Jr., Oscar	12-02-0683RP	Progreso Police Department
Garcia, Fernando	12-02-0690RP	Lone Star College System Police Depart.
Goodwin, Charles	12-02-0692RP	Rusk Police Department
Guajardo, Norman C.	12-03-0896RP	Harris County Constable Pct. 6
Hardeman, Timothy G.	12-02-0698RP	Fort Worth Fire Department
Hernandez, Pedro C.	12-02-0714RP	Nueces County Constable Pct. 4
McAndrews, Michael P.	12-01-0427RP	Jefferson Police Department
Martinez, Severiano	12-02-0743RP	San Juan Police Department
Merkert, Gregory C.	12-02-0749RP	Karnes County Sheriff's Office
Montes, Jose A.	12-03-0893RP	Maverick County Constable Pct. 3 Place 2
Nevill, Hardy L.	12-01-0440RP	Walker County District Attorney's Office
Rangel, Jr., Anthony J.	12-03-0793RP	Von Ormy City Marshal's Office
Redding, Gerald L.	12-03-0795RP	Spur Police Department
Richey, Robert B.	12-04-0952RP	Oak Ridge Police Department
Rodriguez, Edwin R.	12-02-0567RP	Travis County Sheriff's Office
Shears, Janet J.	12-03-0817RP	Cameron County Constable Pct. 2
Sherman, Jr., Elder F.	12-03-0818RP	Chambers County Sheriff's Office
Sword, Gloria L.	12-03-0892RP	Cherokee County Sheriff's Office
Trahan, Rudy J.	12-03-0891RP	Shelby County Sheriff's Office
Trembath, Jessica F.	11-04-0740RP	Alvin Community College Police Dept.
Turner, Jeanette C.	12-03-0839RP	Hudspeth County Constable Pct. 3
Valdez, Frank Y.	12-03-0846RP	Collinsville Police Department
Wilkins, Corlletha L.	12-03-0890RP	Harris County Constable Pct. 6
Werchan, David J.	12-03-0855RP	Webster Fire Department
Williams, Charles B.	12-03-0863RP	White Settlement Police Department
Williams, Shannon S.	12-03-0865RP	Nueces County Constable Pct. 4

**Violations of Rule §211.27 Reporting Responsibilities of Individuals**

<i>Name of Licensee</i>	<i>Docket #</i>	<i>Last Department to hold commission</i>
Dominquez, Jr., Jerardo J.	10-06-0592RP	
Perez, Daniel	10-11-0143RP	
Roland, Dennis M.	11-02-0344RP	

Mr. Winter noted that these items are for information, and no action needs to be taken.

**Academy Agreement**

Mr. Beauchamp noted that there has been a settlement agreement between the Sul Ross State University Law Enforcement Academy and the Commission. If an academy spends time at risk for first time attempt pass rates for their basic licensing courses, they can enter into an agreement which sets their first attempt pass rate at 85% for 2 years and 80% for 3 years. Failure to maintain these pass rates results in the revocation of their agreement.

**Agenda item #11, Receive public comment on any topic, without action.**

There were no additional public comments.

**Agenda item #12, Executive Session to discuss pending litigation and personnel issues consistent with Section 551.074 and Section 551.071 of the Texas Government Code, Open Meetings Act.**

The Commission went into executive session at 11:10 a.m.

**Agenda item #13, Return from Executive Session to report and/or discuss further actions to be taken as a result of the Executive Session.**

The Commission returned from executive session at 11:45 a.m. Presiding Officer Richardson stated that no action was taken during executive session.

**Agenda item #14, Adjourn.**

Commissioner Griffith made a motion to adjourn. Commissioner Villescas seconded the motion.

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Dr. Johnny E. Lovejoy, II, Secretary  
JL/kw