

## **Quarterly Meeting Minutes**

**March 1, 2018**

On Thursday, March 1, 2018, 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, Bldg. 137, Austin, Texas.

Commissioners attending were Sheriff Joel Richardson, Presiding Officer; Ms. Patt Scheckel-Hollingsworth, Assistant Presiding Officer; Major Jason D. Hester, Secretary; Ms. Patricia Burruss; Constable Ron E. Hood; Chief Kim Lemaux; Mr. Jack Taylor, and Senior Police Officer Tim Whitaker. Commissioner Sharon Breckenridge Thomas was absent.

Attending from the Office of the Attorney General were Raymond Winter, Halie Daniels, and Veena Mohan. TCOLE staff attending included Executive Director Kim Vickers, Enforcement & Special Services Director Michael Antu, Credentialing & Field Services Director Kenny Merchant, Government Relations Director Gretchen Grigsby, Finance Director Brian Roth, General Counsel John Beauchamp, Lisa Landry, Doug Skolaut, Derry Minor, Lynn Beard, Shain Burks, Jessica Capraro, Gary Connella, Dennis Graffious, Laurie Jackson, Nikki Johnson, Leena Mahaffey, David New, Lita Rendon, Chris Varady, Michael Watts, and Kaye Wilson.

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

The Presiding Officer called the meeting to order at 9:30 a.m. Officer Motton, Officer Landry, Officer Zaragoza, and Corporal Fautheree of the Cedar Park Police Department Color Guard posted the colors. Commissioner Whitaker led the pledges of allegiance and Commissioner Hester gave the invocation. Roll was called and a quorum was present.

Presiding Officer Richardson welcomed Jack Taylor to the Commission. Mr. Taylor is a public member replacing outgoing commissioner Judge James Oakley. Judge Oakley, who has served on the commission since 2010, was present and received thanks for his service.

**Agenda item #2, Reading of peace officer/jailer deaths since the December 7, 2017, meeting.**

Director Grigsby read the name of the officer killed in the line of duty.

- Police Officer David Sherrard, Richardson Police Department  
EOW Wednesday, February 7, 2018

**Agenda item #3, Approval of the minutes of the December 7, 2017, quarterly commission meeting at Austin, Texas.**

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

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

Executive Director Kim Vickers noted that Midland College Training Center Academy has been approved as a training academy, and West University Place Police Department has discontinued their training provider contract. In January and February, meetings were held throughout the state to gather information from stakeholders concerning what the agency is doing well, what we could be doing better, as well as what we might do in the future. Attendance at the eight regional meetings totaled 781 which is the largest turnout in the past several years. Information from these meetings were used by the Commissioners as they drafted the agency's strategic plan. Staff changes were announced and new employees were introduced.

Credentialing and Field Services Director Kenny Merchant noted the number of non-compliance licensees has dropped since the December meeting. Licensees will soon receive notices of non-compliance. *The Briefing* will now be sent via email blast.

Enforcement and Special Services Director Michael Antu said six new law enforcement agencies have been opened since the December meeting. As requested by the U.S. State Department, TCOLE is currently hosting a delegation from Mexico, sharing information on how Texas law enforcement officers are trained.

Government Relations Director Gretchen Grigsby reported that the Texas Peace Officers' Memorial Monument candlelight vigil will be held May 6 with the ceremony on May 7 at the Capitol. The basic peace officer course and the basic county corrections course should be completed before the next meeting. We have attended two legislative hearings, one which was in Tyler dealing with police and citizen interactions and one in Houston on the implementation of the Sandra Bland Act.

Commissioners Lemaux and Burruss made a motion to accept the directors' reports. Commissioner Hood seconded the motion. The motion passed unanimously.

**Agenda item #5, Take action to enroll and induct officers in the Texas Peace Officers' Memorial Monument. Waive the requirement for induction at a separate Commission meeting, and take action to induct officers into the Texas Peace Officers' Memorial Monument who were enrolled today.**

Executive Director Vickers stated that staff recommends the names being presented to the Commissioners for inclusion on the Peace Officers' Memorial Monument.

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|---|------------|
| 1. Private Melvin E. Beaman                             | 9/10/1878  |
| <u>Texas Rangers Company A, Frontier Battalion</u>      |            |
| 2. Constable John Clayton "Jess" Billings               | 10/11/1926 |
| <u>Cameron County Constable Precinct 7</u>              |            |
| 3. Deputy Constable Robert D. Brown                     | 4/20/1929  |
| <u>Cameron County Constable Precinct 2</u>              |            |
| 4. Deputy Sheriff George Ramsey Carpenter               | 6/3/1922   |
| <u>Cameron County Sheriff's Office</u>                  |            |
| 5. Constable Carlos C. Carpio                           | 12/4/1910  |
| <u>El Paso County Constable Precinct 3</u>              |            |
| 6. Watchman Louis L. "Frenchy" Cashat, Sr.              | 6/15/1950  |
| <u>City of Dayton</u>                                   |            |
| 7. Special Officer Charles S. Chastain                  | 10/23/1916 |
| <u>Missouri-Kansas-Texas Railroad Police Department</u> |            |
| 8. Constable Felipe Cobb                                | 4/5/1898   |
| <u>Cameron County Constable Precinct 2</u>              |            |
| 9. Deputy Sheriff Samuel Cobb                           | 4/5/1898   |
| <u>Cameron County Sheriff's Office</u>                  |            |
| 10. Constable Lewis Cooper                              | 12/7/1878  |
| <u>Waller County Constable Precinct 4</u>               |            |
| 11. Posseman James Cope                                 | 6/6/1891   |
| <u>La Salle County Sheriff's Office</u>                 |            |
| 12. Border Patrol Agent David Richard Delaney           | 11/2/2012  |
| <u>DHS Customs and Border Protection</u>                |            |
| 13. Mounted Customs Inspector Gregorio Duffy            | 1/27/1907  |
| <u>US Treasury Customs Service</u>                      |            |
| 14. Special Agent John Wesley Etheridge                 | 10/19/1905 |
| <u>International and Great Northern Railroad</u>        |            |

15. Deputy Sheriff Edward Faust <u>DeWitt County Sheriff's Office</u>	10/18/1869
16. Deputy City Marshal Jose T. Garza, Sr. <u>San Juan Police Department</u>	3/2/1930
17. City Marshal Gregorio Gonzales <u>Laredo Police Department</u>	8/20/1877
18. Constable Genovevo Guzman <u>Hidalgo County Constable Precinct 1</u>	9/15/1895
19. Police Officer W.A. Hail <u>Tarleton State University Police Department</u>	12/12/1978
20. Constable Claude J. Harrison <u>Cameron County Constable Precinct 4</u>	12/13/1927
21. Constable Santiago Hinojosa <u>Hidalgo County Constable Precinct 1</u>	3/30/1912
22. Sheriff J.F. Holmes <u>Trinity County Sheriff's Office</u>	4/26/1877
23. Constable James Jackson "Jim" Hunt <u>San Patricio County Constable Precinct 1</u>	5/18/1941
24. Special Police Officer Tomas "Tom" January <u>Mercedes Police Department</u>	6/23/1924
25. Constable Joseph Lamar "Joe" Kolb <u>Walker County Constable Precinct 1</u>	9/14/1921
26. Superintendent Robert Patton McMinn <u>Brazos County Convict Camp</u>	11/4/1913
27. Deputy Sheriff Archibald "Archie" McNeill <u>Duval County Sheriff's Office</u>	7/3/1900
28. Constable George Morris <u>Cameron County Constable</u>	9/28/1859
29. Corrections Officer IV Craig Allan Orrell <u>Texas Department of Criminal Justice</u>	5/12/2011
30. Special Officer Jackson Palmer <u>North Fort Worth Police Department</u>	12/26/1908
31. Deputy Sheriff Samuel C. Perez <u>Val Verde County Sheriff's Office</u>	11/18/1969
32. Deputy Sheriff John Porter <u>Guadalupe County Sheriff's Office</u>	9/3/1906
33. Posseman Tom Pye <u>Brazoria County Sheriff's Office</u>	9/23/1909

34. Border Patrol Agent Jeffrey Ramirez <u>DHS Customs and Border Protection</u>	9/15/2012
35. Deputized Citizen Andres Reyes <u>Cameron County Sheriff's Office</u>	6/3/1922
36. Constable Jose Clemente Reyna <u>Duval County Constable Precinct 2</u>	2/6/1893
37. Jailer Thomas Ronquillo <u>Kinney County Sheriff's Office</u>	7/25/1879
38. Special Officer Tipton M. "Tip" Simmons <u>El Campo Police Department</u>	6/17/1936
39. Deputy Constable Alejandro A. Solis <u>Hidalgo County Constable Precinct 5</u>	11/29/1927
40. Deputy Constable Charles Franklin "Frank" Stanner <u>Cameron County Constable Precinct 2</u>	4/25/1929
41. Inspector Stephen Glenn Stewart <u>Texas Department of Criminal Justice</u>	1/7/1994
42. Special Officer Thomas J. Sullivan <u>Atchison, Topeka and Santa Fe Railroad Police Department</u>	4/5/1915
43. Deputy Constable Mercedes Torres, Sr. <u>Cameron County Constable Precinct 7</u>	6/11/1930
44. Border Patrol Agent Javier Vega, Jr. <u>DHS Customs and Border Protection</u>	8/3/2014
45. Deputy Sheriff Jose Vela <u>Hidalgo County Sheriff's Office</u>	4/5/1919
46. Police Officer William C. White <u>Orange Police Department</u>	3/25/1930
47. Constable James Edgar Williams <u>Falls County Constable Precinct 7</u>	12/21/1909
48. Special Deputy Sheriff Henry Gonzalo Woods <u>DeWitt County Sheriff's Office</u>	10/18/1869

Commissioner Hollingsworth made a motion to approve the names read into the Peace Officers' Memorial. Commissioner Burruss seconded the motion. The motion passed unanimously.

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

- Palo Pinto County Constable Pct. 5 for Michael Hendrick

Constable Scott Mitcham spoke on behalf of Michael Hendrick and asked the Commissioners to approve the waiver. Mr. Hendrick made himself available to answer questions.

Commissioner Hood made a motion to approve the waiver. Commissioner Burruss seconded the motion. The motion passed on a 5 to 2 vote with Commissioners Taylor, Hood, Hollingsworth, Burruss, and Whitaker voting in favor and Commissioners Lemaux and Hester voting against.

The Commission took a break from 10:30 – 10:45 a.m.

**Agenda item #7, Discuss and take action on final orders of amendments to existing and new TCOLE rules.**

- Final Amendment 1 - Amendment  
§Rule 211.1 Definitions.
- Final Amendment 2 - Amendment  
§215.9 Training Coordinators.
- Final Amendment 3 - Amendment  
§217.1, Minimum Standards for Enrollment and Initial Licensure.
- Final Amendment 4 – Amendment with Changes  
§217.7, Reporting Appointment and Separation of a Licensee.
- Final Amendment 5 - Repeal  
§217.27 Appointment Eligibility of a Telecommunicator.
- Final Amendment 6 - Amendment  
§218.3, Legislatively Required Continuing Education for Licensees.
- Final Amendment 7 - Amendment  
§227.1, Appointing Entity Responsibilities
- Final Amendment 8 - Amendment  
§227.3, School Marshal Licensing and Reporting Requirements.
- Final Amendment 9 – Amendment  
§227.5, School Marshal Training Entities.
- Final Amendment 10 - Repeal  
§229.1, Eligibility for Memorial Monument.
- Final Amendment 11 – New  
§229.1, Eligibility for Memorial Monument.

- Final Amendment 12 – Repeal  
§229.3, Specific Eligibility of Memorial Monument.
- Final Amendment 13 - New  
§229.3, Nomination and Selection.
- Final Amendment 14 – Repeal  
§229.5, Determination Standards.

Mr. Beauchamp recommended that the Commission group Final Amendments 1 – 9 as a single vote which will include clerical corrections to 217.7.

Commissioner Hester made a motion to approve final amendments 1 – 9. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

Mr. Beauchamp suggested taking final amendments 10 and 11 together. He noted that public comment was received and anywhere there is a reference to Memorial, change that to Memorial Monument.

Commissioner Hester made a motion to approve amendments 10 and 11 with the changes. Commissioners Lemaux and Burruss seconded the motion. The motion passed unanimously.

Mr. Beauchamp suggested grouping Final Amendments 12, 13, and 14, and amending the reference to the Memorial to the Memorial Monument. He also recommended to amend §229.3(c), based on public comment. The non-substantive change for clarification should read:

The commission shall review the recommendations of the executive director concerning names of deceased officers for inclusion on the Memorial Monument at a regularly scheduled meeting and make its final determination according to §3105.0035 Texas Government Code.

Commissioner Hester made a motion to approve amendments 12, 13, and 14 with the listed changes. Commissioner Taylor seconded the motion. The motion passed unanimously.

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

Mr. Winter reviewed the disciplinary actions.

*Default Suspension Orders*

Cardenas, Isaiah M.	Jailer	Nueces County Sheriff's Office
Freeney Jr., Carlton B.	Jailer	Harris County Sheriff's Office
Henderson, Daniel P.	Peace Officer	Fort Worth Police Department
Hernandez, Fernando	Jailer	Dallas County Sheriff's Office
Mulacek, Jace S.	Jailer	Lubbock County Sheriff's Office
Pardo, Joaquin	Jailer, Peace Officer	Fort Bend County Sheriff's Office
Pino, Kenneth	Telecommunicator	El Paso Police Department
Taylor, Richard W.	Jailer	Bell County Sheriff's Office
Vega, Stephanie M.	Jailer, Peace Officer	Bexar County Sheriff's Office
Wooley, Anthony W.	Peace Officer	Red Oak Police Department

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 provisions of Texas Occupations Code, Chapter 1701, Section 1701.501 to suspend the licenses of the list that was read into the record by Mr. Winter beginning with Isaiah M. Cardenas and ending with Anthony W. Wooley. Commissioner Hester seconded the motion. The motion passed unanimously.

*Default Cancellation Orders*

Clark, Freda D.	Telecommunicator, Jailer	Hardeman County Sheriff's Office
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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 license of Freda D. Clark. Commissioner Hester seconded the motion. The motion passed unanimously.

*Default Revocation Orders*

Martinez, John M.	Jailer, Peace Officer	Texas Department of Public Safety
Melendez, Gilbert	Peace Officer	El Paso Police Department
Mize, Lance D.	Jailer	McLennan 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, 223.3, as required under the provisions of Chapter 1701, Section 1701.501 to revoke the licenses of John M. Martinez, Gilbert Melendez, and Lance Mize. Commissioner Hester seconded the motion. The motion passed unanimously.

#### *Agreed Suspension Orders*

Nabors, Monte P.	Jailer, Peace Officer	Harris County Sheriff's Office
Ramirez, Monica O.	Jailer	Val Verde County Sheriff's Office
White, Patrick D.	Jailer, Peace Officer	Idalou 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 Monte P. Nabors, Monica O. Ramirez, and Patrick D. White. Commissioner Hester seconded the motion. The motion passed unanimously.

#### *Proposal for Decision Orders*

Grant, Joshua	Peace Officer	Kingsville Police Department
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Mr. Beauchamp asked that the Proposal for Decision Order for Joshua Grant be pulled from the agenda at this meeting.

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

#### **For Information Only**

##### *Statutory Revocation Double Dishonorable Discharge*

Serrano, Gabriel	Jailer, Peace Officer	Maverick County Sheriff's Office
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##### *Permanent Surrenders*

Campbell, Douglas V.	Peace Officer	Fort Worth Police Department
Chapman, Jason A.	Peace Officer	Waxahachie Police Department
Gilbert, Ronald R.	Peace Officer	Houston Police Department
Gore, Jacob	Peace Officer	Fort Worth Police Department
Grubbs, Emily A.	Peace Officer	Van Zandt County Sheriff's Office

Hernandez Jr., Manuel	Peace Officer	Edgewood I.S.D. Police Department
Holley, Michael	Jailer	Harris County Sheriff's Office
Huckabee, Brian D.	Jailer, Peace Officer	Payne Springs Police Department
Hunt, Charles A.	Peace Officer	Parker County Constable Pct. 1
Lewis, Omar D.	Peace Officer	Houston Police Department
Linley, Larry	Jailer, Peace Officer	Fort Bend County District Atty. Office
Mills, Michael J.	Peace Officer	Midland Police Department
Norman, James D.	Peace Officer.	Houston Police Department
Robles, Jeffrey	Peace Officer	Wharton Police Department
Ruiz-Carrillo, Juan	Peace Officer	San Antonio Police Department
Spencer, Cardan	Peace Officer	Dallas Police Department
Walters, Atlee	Jailer	Parker County Sheriff's Office
Wheeler, Christopher	Jailer, Peace Officer	San Augustine Police Department

*Reprimands for Failing to Complete Legislatively Required Continuing Education*

Hudgens, Kenneth	Peace Officer	Walker County Sheriff's Office
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*Reprimands for Administrative Violations*

Chilton, Christopher	Telecommunicator	San Antonio Police Department
Dominguez, Merejildo	Peace Officer	Pecos County Constable Pct. 3
Light, Windell	Peace Officer	Eastland County Sheriff's Office
Long, Jim R.	Peace Officer	Jim Wells County Constable Pct. 3
		Lake City Police Department
Rodriguez, Miguel	Peace Officer	LaSalle County Sheriff's Office
Romero, Isaura	Telecommunicator	San Antonio Police Department
Valdez, Rudy	Peace Officer	Eagle Pass I.S.D. Police Department
		Maverick County Constable Pct. 1
Villanueva, Ethan	Peace Officer	Crosby County Sheriff's Office

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

The Presiding Officer invited anyone in the audience to address the Commission. No one came forward.

**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.**

The Presiding Officer noted that there would be no 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.**

**Agenda item #12, Adjourn.**

At 11:02 a.m. the Presiding Officer adjourned the meeting until the next meeting on June 14, 2018 at 9:30 a.m.

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Jason D. Hester, Secretary  
JDH/kw