

Quarterly Meeting Minutes December 3, 2020

On Thursday, December 3, 2020, at 9:30 a.m., the quarterly meeting of the Texas Commission on Law Enforcement (TCOLE) was held virtually.

Commissioners attending were Chief Kim Lemaux, Presiding Officer; Major Jason D. Hester, Assistant Presiding Officer; Patricia Burruss, Secretary; Constable Ron Hood; Jack Taylor; Janna Atkins; Tim Whitaker; and Sheriff Michael Griffis. Commissioner Sharon Breckenridge Thomas was absent.

Attending from the Office of the Attorney General were Raymond C. Winter and Robert Savage. TCOLE staff attending included Executive Director Kim Vickers, Credentialing and Field Services Director Cullen Grissom, Enforcement and Special Services Director Michael Antu, Government Relations Director Gretchen Grigsby, Finance Director Brian Roth, General Counsel John Beauchamp, Lita Rendon, Jessica Capraro, Dennis Graffious, and Laurie Jackson.

Agenda item #1, Call to order.

The Presiding Officer called the meeting to order at 9:35 a.m. Commissioner Burruss led the pledges of allegiance and Commissioner Hester gave the invocation. Roll was called and a quorum was present.

Agenda item #2, Reading of peace officer/jailer deaths since the September 3, 2020, meeting.

Director Grigsby read the name of the officers killed in the line of duty and COVID-19 deaths.

Investigator Lemuel Delray Bruce, Houston Fire Marshal's Dep't
EOW: Friday, October 16, 2020

Sergeant Harold L. Preston, Houston Police Dep't
EOW: Tuesday, October 20, 2020

Sergeant Sean Rios, Houston Police Department
EOW: November 9, 2020

COVID-19 Deaths:

Corporal Charles E. Holt, Tarrant County Sheriff's Office
EOW September 1, 2020

Corrections Officer Susan Ann Roberts, Williamson County Sheriff's Office
EOW September 12, 2020

Deputy Sheriff Christopher Smith, McLennan County Sheriff's Office
EOW September 21, 2020

Corrections Officer Donald E. Parker, Texas Department of Criminal Justice
EOW October 1, 2020

Sergeant Dennis R. Oliver, Jr., Highland Village Police Department
EOW October 2, 2020

Police Officer Alex Arango, Everman Police Department
EOW October 22, 2020

Deputy Sheriff Raul Gomez, Wharton County Sheriff's Office
EOW October 26, 2020

Deputy Sheriff Johnny R. Tunches, Harris County Sheriff's Office
EOW November 3, 2020

Officer Domingo Jasso, III, US Department of Homeland Security, Customs and Border Protection
EOW November 5, 2020

Senior Police Officer Ernest Leal, Jr., Houston Police Department
EOW November 27, 2020

A moment of silence was observed.

Agenda item #3, Approval of the minutes of the September 3, 2020, quarterly commission meeting at Austin, Texas.

Commissioner Burruss made a motion to approve the minutes of the September 3, 2020 Quarterly Commission meeting. Commissioner Atkins seconded the motion. The vote was taken by roll call. The motion passed unanimously.

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

Executive Director Kim Vickers gave an update on the Sunset Review. Some of the TCOLE Staff continues to work remotely during COVID-19 and processes have been put in place to keep the office safe. There was discussion about the training requirements for the current training unit. Brian Roth gave a year end fiscal report for the agency.

Enforcement and Special Services Director Antu recognized the IT staff for the job of getting TCOLE staff ready to work remotely. Alternative delivery methods for cognitive portion of the BPOC have been approved. The Distance Education Manual is being updated. Pass rate for the BPOC are improving.

Credentialing and Field Services Director Cullen Grissom spoke about the marked increase in the number of out of state applications that have been received. One of the Technical Assistance Bulletins has been updated to reflect the ability to reissue temporary licenses. Remote examination waivers for the psychological exam continue to be issued. Field Service agents are back in the field being mindful of travel expenses. Commissioner Hester asked about pending academy applications. Director Antu stated there were four applications being worked on. Director Vickers stated that the agency applications process was back in place.

Government Relations Director Gretchen Grigsby talked about the Sunset Review process and Legislative requests for the upcoming Legislative session. The Peace Officers' Memorial Monument committee is looking into alternative site options for the ceremony. Achievement Award nominations are due at the end of this year. Commissioner Hester asked about what Sunset changes, that are non-legislative, are being implemented.

General Counsel John Beauchamp brought before the commission suggestions for the Class A waiver process. After discussion, Director Vickers suggested that the topic and decision be withdrawn until the March 2021 meeting.

Commissioner Hester made a motion to approve the staff reports. Commissioner Burruss seconded the motion. The vote was taken by roll call. The motion passed unanimously.

Agenda item #5, Take action to enroll and induct officers in the Texas Peace Officers' Memorial Monument.

Director Grigsby read the names of the officers for inclusion on the Peace Officers' Memorial Monument.

Deputy Sheriff Jose Luis Blancarte Kinney Cnty. Sheriff's Office	8/23/2019
Police Officer Nicholas Lee Reyna Lubbock Police Dep't	1/11/2020
Police Officer Alan Daniel McCollum Corpus Christi Police Dep't	1/31/2020
Deputy Sheriff Richard Edward Whitten Liberty Cnty. Sheriff's Office	2/3/2020
Senior Deputy Christopher Scott Korzilius Travis Cnty. Sheriff's Office	3/18/2020
Corrections Officer Amanda L. De Leon Texas Dep't of Criminal Justice	3/20/2020
Police Officer Justin Putnam San Marcos Police Dep't	4/18/2020
Deputy Sheriff John Andrew Rhoden Bell County Sheriff's Office	4/26/2020
Corrections Officer Coy D. Coffman, Jr. Texas Dep't of Criminal Justice	4/26/2020
Corrections Officer James D. Coleman Texas Dep't of Criminal Justice	4/28/2020
Police Officer Jason Knox Houston Police Dep't	5/2/2020
Deputy Constable Caleb Daniel Rule Fort Bend Cnty. Constable's Office, Precinct 4	5/29/2020
Police Officer Edelmiro Garza, Jr. McAllen Police Dep't	7/11/2020
Police Officer Ismael Chavez McAllen Police Dep't	7/11/2020
Police Officer Sheena Dae Yarbrough-Powell Beaumont Police Dep't	8/9/2020
Investigator Lemuel Delray Bruce Houston Fire Marshal's Office	10/16/2020
Sergeant Harold L. Preston Houston Police Dep't	10/20/2020
Sergeant Sean Rios Houston Police Dep't	11/9/2020

Commissioner Burruss made a motion to enroll and induct the officers listed in the Texas Peace Officers' Memorial Monument. Commissioner Whitaker seconded the motion. The vote was taken by roll call and the motion passed unanimously.

Agenda item #6, Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Raymond C. Winter reviewed the disciplinary actions.

Default Suspension Orders

Acevedo, Oscar	Jailer	El Paso Cnty. Sheriff's Office
Behrend, Bernhard	Peace Officer	Houston Police Dep't
Broadnax, Reginald L.	Peace Officer, Jailer	Bexar Cnty. Sheriff's Office
Cruz, Melissa	Peace Officer, Jailer	Lubbock Cnty. Sheriff's Office
Dobson, Taylor A.	Jailer	Denton Cnty. Sheriff's Office
Gonzalez, Marc A.	Jailer	Hale Cnty. Sheriff's Office
Habib, Rahim	Peace Officer	Balcones Heights Police Dep't
Kruger, Kailin W.	Jailer	Bexar Cnty. Sheriff's Office
McMillan, Breann M.	Peace Officer	Dallas Area Rapid Transit

Commissioner Hester moved that the Commission accept and adopt the recommendation of the Executive Director to enter a final order to suspend the licenses of the names that Mr. Winter read and listed on our agenda. Commissioner Burruss seconded the motion. The vote was taken by roll call. The motion passed unanimously.

Default Revocation Orders

Adams, Loren E.	Peace Officer, Jailer	Bexar Cnty. Sheriff's Office
Carlile, Terry J.	Peace Officer	Jim Wells Cnty. Constable Pct. 4

Commissioner Hester moved that Commission accept and adopt the recommendation of the Executive Director to enter a default final order to revoke the licenses of Loren Adams and Terry Carlisle. Commissioner Burruss seconded the motion. The vote was taken by roll call. The motion passed unanimously.

For Information Only

Statutory Revocations

Alexander IV, William O.	Peace Officer	El Paso Police Dep't
Fernandez, Daniel	Jailer	Hudspeth Cnty. Sheriff's Office
Garcia, Roberto	Peace Officer	El Paso Police Dep't
Kilgore, Billy W.	Peace Officer, Jailer	Crandall Police Dep't
Morris, Kevin S.	Jailer	Dallas Cnty. Sheriff's Office

Statutory Suspensions

Barrera Jr., Juan R.	Jailer	Bexar Cnty. Sheriff's Office
Flournoy, Jonathan S.	Jailer	Williamson Cnty. Sheriff's Office
Potter II, Ernest M.	Jailer	Ellis Cnty. Sheriff's Office

Permanent Surrenders

Cole, Damon C.	Peace Officer, Jailer	Fort Worth Police Dep't
Coy, Jose L.	Peace Officer, Jailer	McGregor Police Dep't
Dahl, Mackenzie C.	Peace Officer	Gray Cnty. Sheriff's Office
Delgado Jr., Carlos	Peace Officer	University of Texas System Police
Fountain, Angela C.	Peace Officer	Texas Dep't of Public Safety
Franklin Jr., Aulderson L.	Peace Officer, Telecommunicator	Wood Cnty. Sheriff's Office
Garay, Guillermo	Peace Officer	Webb Cnty. Constable Pct. 1
Goodbread, Samuel E.	Peace Officer	Sam Houston St. Univ. Police Dep't
Holt, Ashley C.	Peace Officer	Fort Worth Police Dep't
Holt, Mike H.	Peace Officer	Houston Police Dep't
Martinez, Laurance A.	Peace Officer, Telecommunicator	Uvalde Police Dep't
Rangel Jr., Jaime	Peace Officer	Harris Cnty. Constable Pct. 4
Sharp, Rodgerick D.	Jailer	Montgomery Cnty. Sheriff's Office
Shkolnikov, Leonid A.	Peace Officer	Allen Police Dep't
Tanner, Nathaniel C.	Temporary Jailer	Van Zandt Cnty. Sheriff's Office
Tseung, Anthony T.	Peace Officer	Arlington Police Dep't
Vallery, Donnie V.	Peace Officer	Linden Police Dep't

Suspensions for Failing to Complete Legislatively Required Continuing Education

Baker, Robert L.	Peace Officer	Overton Police Dep't
Barrett, Frank J.	Peace Officer	Harris Cnty. Constable Pct. 1
Bear, Christy D.	Telecommunicator	Goliad Cnty. Sheriff's Office
Biernesser, George W.	Peace Officer	Montgomery Cnty. Constable Pct. 3
Boyd, Justin A.	Peace Officer	Dallas Police Dep't
Buchanan, Courtney J.	Telecommunicator	Fort Bend Cnty. Sheriff's Office
Bustamante, Ricardo	Peace Officer	Dimmit Cnty. Sheriff's Office
Cooper Sr., Lenward W.	Peace Officer	Hardin Cnty. Constable Pct. 5
Crowther, Janice M.	Peace Officer	Dallas Police Dep't
Crutsinger, Kevin A.	Peace Officer, Jailer	Upshur Cnty. Constable Pct. 3
Cude, Lauro	Telecommunicator	Freer Police Dep't
Davis, Danielle M.	Telecommunicator	Hopkins Cnty. Sheriff's Office
Delgadillo Jr., Javier	Peace Officer, Jailer	Bexar Cnty. Sheriff's Office
Doniaz Jr., Jose L.	Peace Officer	Cameron Cnty. Park Ranger Div.
Edwards, Lucas W.	Peace Officer	Rains Cnty. Sheriff's Office
Estes Jr., Clarence A.	Peace Officer	Harris Cnty. Constable Pct. 2
Fassett, Byron A.	Peace Officer	Dallas Police Dep't
Ferguson, Bureal L.	Peace Officer	Trinity Police Dep't
Fuller, Ralph D.	Peace Officer	Liberty Cnty. Sheriff's Office
Garcia, Jorge L.	Peace Officer	University of Texas System Police
Goff, Michael J.	Peace Officer	Alto Police Dep't
Guerra, Iris R.	Peace Officer	Orange Grove Police Dep't
Guerra, Osvaldo M.	Peace Officer	Natalia Police Dep't
Hamilton, Victor H.	Peace Officer, Jailer	Kirbyville Police Dep't
Hernandez, Adan E.	Peace Officer	Texas City Police Dep't
Hindsman, Eddie L.	Peace Officer, Jailer	Marion Cnty. Sheriff's Office
Holguin, James R.	Peace Officer	Bexar Cnty. Sheriff's Office
Ivey, Shawona M.	Peace Officer, Jailer	Harris Cnty. Sheriff's Office
Jackson, Nancy S.	Telecommunicator	Jacksonville Police Dep't
King, Bryan P.	Peace Officer, Jailer	Tarrant Cnty. Sheriff's Office
Landersman, Kilian C.	Peace Officer	Hudspeth Cnty. Sheriff's Office
Lasater, James H.	Peace Officer	Parker Cnty. Sheriff's Office
Longoria, Steven C.	Peace Officer	Crosby Cnty. Sheriff's Office
Manning, James R.	Peace Officer	Marion Cnty. Sheriff's Office

May, Lewis B.	Peace Officer, Jailer	Walker Cnty. Constable Pct. 4
McBrayer, Randy D.	Peace Officer	Houston Cnty. Sheriff's Office
Moffett, Robert L.	Peace Officer, Jailer	Houston Cnty. Sheriff's Office
Newman, Ronald D.	Peace Officer	Houston Cnty. Sheriff's Office
Pantoja, Carlos A.	Peace Officer	Webb Cnty. Constable Pct. 1
Partain, Keenan R.	Telecommunicator	Liberty Cnty. Sheriff's Office
Pullin, Ronnie G.	Peace Officer, Jailer	Clay Cnty. Sheriff's Office
Sosa, James C.	Peace Officer	Brazos Cnty. Constable Pct. 2
Town, Daniel S.	Peace Officer	Dallas Police Dep't
Walker, Preston W.	Peace Officer	Southwestern Baptist Theological Seminary Police Dep't
Waycott, Leslie D.	Peace Officer, Jailer	Galveston Cnty. Sheriff's Office
Welch, Donald L.	Peace Officer	Nacogdoches Cnty. Sheriff's Office
Whittington, Jason L.	Peace Officer, Jailer	Surfside Beach Police Dep't
Wiginton, Brian N.	Telecommunicator	Refugio Cnty. Sheriff's Office
Wright, Sara E.	Telecommunicator	Cedar Park Police Dep't
Worden, Christopher J.	Peace Officer	Dallas Police Dep't
Zepeda Jr., Robert	Peace Officer	Palmhurst Police Dep't
Zilton, Derrick R.	Peace Officer, Jailer	Harris Cnty. Sheriff's Office

Agenda item #7, Receive public comment on any topic, without action.

General Counsel John Beauchamp noted that there was one public comment that was received after the September 2020 quarterly meeting. One public comment card was submitted for the December 2020 quarterly meeting.

Agenda item #8, 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 #9, 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 #10, Adjourn.

Commissioner Lemaux made closing remarks. Commissioner Atkins made a motion to adjourn. Commissioner Whitaker seconded the motion. The meeting adjourned at 11:26 am.

Patricia G. Burruss, Secretary
PGB/lj