

# THE BRIEFING

A Publication of the Texas Commission on Law Enforcement

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## School Marshal Train the Trainer Course

By Susan Brundage

School districts across Texas will soon have the option of choosing a select group of teachers or district staff for training to be armed school marshals. These marshals will serve to protect students from armed intruders in accordance with House Bill 1009. In order to better train and prepare these future school marshals, the first School Marshal Train the Trainer course took place on March 24–28, 2014, at the Advanced Law Enforcement Rapid Response Training (ALERTT) facility in Maxwell, Texas. Guest speaker, State Representative Jason Villalba, author of the House Bill was in attendance to welcome this first class of prospective trainers.

Attending the training were 18 instructors representing police training academies across Texas. The train the trainer course consisted of five intensive areas of study: physical security, use of force and legal liabilities, firearms training, effective law enforcement strategies and techniques,



ALERTT instructor describes simulation scenarios and tasks of each role

## Upcoming Events

### Quarterly Meetings

- June 19, 2014
- September 4, 2014
- December 4, 2014

### TCOLE Simplified Workshop—Region 5

- May 1, 2014

### Training Coordinators' Conference

- October 20–23, 2014

## School Marshal Training Continued

and rigorous active shooter simulations. Instructor based techniques and skills were also refined in this educational opportunity.

TCOLE approved academies will host the 80 hour school marshal training course later this summer. The course has been designed to emphasize strategies for preventing school shootings and securing the safety of potential victims of school shootings. It will also educate a trainee about legal issues relating to the duties of peace officers and the use of force or deadly force in the protection of others, introduce the trainee to effective law enforcement strategies and techniques, improve the trainee's proficiency with a handgun, and enable the trainee to respond to an emergency situations requiring deadly force, such as a situation involving an active shooter. Individuals participating in this newly designed program must be a school district employee who already possesses a current concealed handgun license through the state of Texas. They must be appointed by the board of trustees of their school district or the governing body of an open-enrollment charter school. This training will give school districts another option for protecting their student population.



An instructor (in vest) observes from a distance as a trainee portraying a school marshal takes down the suspect and proceeds to secure the premises



Future school marshal instructors attending the first train the trainer course at the ALERRT facility



Student trainers are evacuated from their mock classroom during an active shooter simulation

## Commission Meeting Highlights

The latest Commission meeting was held at the J.J. Pickle Research Campus on Thursday, March 27, 2014. Here are a few highlights from the meeting:

- Executive Director's Report: TCOLE has a new staff member in the Financial Division. Amita Patel began on March 3, 2014. She has almost 15 years of state government accounting experience.
- Class A Waiver Rule Amendment: The rule amendment allowing a Class A misdemeanor waiver consideration was approved by a vote of five to two in favor of the waiver. Under the new rule 211.30. Chief Administrator Responsibilities for Class A and B Waivers, an agency may request a Class A misdemeanor waiver to be approved by the Commission and is only granted for that approved agency. To clarify, a Class A misdemeanor is still a permanent disbarment from licensure, unlike Class B misdemeanors, which have a waiting period of ten years from the date of the court order, or if waived, five years through a similar waiver process. As a reminder, the option to apply for a Class A waiver is available to those agencies who wish to participate; it is not a requirement. If there is a change in administration during the appointment of an officer with an approved Class A waiver, the new chief administrator has the authority to make an internal decision about continuing their appointment just as they would any staff working at the department prior to the new administration. Details about the offense, number of misdemeanor charges, and recommendation documents are just a few of things that will be taken into consideration by TCOLE and the Commission before a waiver is approved.
- Fee Schedule: A new fee schedule was proposed that consolidated and clarified some of the fees. Major changes to the schedule include: School Marshal license will be \$50; Master telecommunicator certificate has been added with a fee of \$35; Crime Prevention Specialist and Court Security Specialist proficiency certificates are \$35 each; and Renewal applications to be an exam site is \$500 for a 4 year contract.

*Look for all approved rule amendments in the June 2014 edition of the TCOLE rules handbook*

## Commission Meeting Highlights Continued

*See our rules handbook for a complete up-to-date copy of the fee schedule*

*The Rules handbook can be found on our website.*

*[www.tcole.texas.gov](http://www.tcole.texas.gov)*

*Navigate to:  
Help and  
Resources/Rules and  
Policy*

- Other Approved Final Orders of Amendment to Existing Rules:
  - 217.2 Minimum Standards for Telecommunicators
    - Adds conforming language
  - 217.11 Legislatively Required Continuing Education for Licensees
    - Renumbers to 218.3
    - Conforms to statutory amendments by adding telecommunicator requirements for licensees receiving continuing education credit
  - 219.5 Examinee Requirements
    - Incorporates examination accommodation requirements of current TCOLE policy into rule
- Other Agenda Items: Other items including line of duty deaths, waiver requests, proceedings for revocation, suspension, and other disciplinary actions, as well as previous meeting minutes can be found under the Who We Are/The Commission section on our website at: [www.tcole.texas.gov](http://www.tcole.texas.gov)
- Live Recordings: video recordings of the meetings can be found on our website on the Who We Are/The Commission page at: [www.tcole.texas.gov](http://www.tcole.texas.gov)
- Public Comment: Should anyone wish to make a public comment, you may do so at the following email address: [public\\_comment@tcole.texas.gov](mailto:public_comment@tcole.texas.gov)



## The 2014 Training Coordinators' Conference

# Registration is Open

## TCOLE 2014 Training Coordinators' Conference

October 20 – 23, 2014



Attendees of this year's conference will experience great continuing education classes, peer networking opportunities, and exposure to key law enforcement industry providers and vendors. Make sure to check out our speakers, schedule, events, and exhibits pages for frequent updates.



The 2014 conference will be held at the Omni Bayfront Hotel, 900 North Shoreline Blvd., Corpus Christi, Texas 78401. You can make your hotel reservation online at:

[www.omnihotels.com/Home/FindAHotel/CorpusChristiBayfront.aspx?](http://www.omnihotels.com/Home/FindAHotel/CorpusChristiBayfront.aspx?)

Use Reservation Code:14500811815

**REGISTER  
NOW**

To register for the conference, log into your [MyTCOLE Account](#) and choose Events and then Training Coordinators' Conference from the main menu.

The early bird registration fee is \$125 if payment is received/postmarked by **September 19, 2014**. Early bird registration ends September 19, 2014.

Registrations and payments received/postmarked September 20, 2014, or after are \$200. All registration payments received are **non-refundable, but are transferrable**.

## Legal Division

### New Rules Handbook

The newest edition of the TCOLE Rules Handbook can be found on our website under [Help and Resources/Rules and Policy](#). Effective February 1, 2014, the new handbook includes final rules approved by the Commission at the December 2013 meeting. Expect to see changes to title headings, chapter headings, and renumbering of rules, as well as new rules regarding school marshals and telecommunications, to name a few.

### Staff Change

Janice Washington moved from the Special Services Division to the Legal Division. She is still responsible for many of the same duties, such as all training contracts and applications for new training contracts. She also serves as the Moderator for Texas Police Trainers Yahoo Group website. Now that Janice is working for the Legal Division, she is responsible for coordinating and overseeing the research, writing, editing, and production of informational programs and materials for release to news media and for use by the agency, the public, and other agencies. She will serve as the alternate contact for open-records requests.



### New Training Provider and Academy Process on Hold

We are not accepting applications for new contract training providers or academies at this time. We thank you for your patience as we evaluate the application process. You can expect to see changes to the entire process including: the application itself, submission and review of the application, and how the information is presented to the Commission.

### Service Animals

Texas peace officers need to be aware that a new law was passed that adds protection for persons who use service animals. In 2013, the 83<sup>rd</sup> Texas Legislature passed [House Bill 489](#) relating to the rights and responsibilities of persons with disabilities. Texas law and the federal Americans with Disabilities Act (ADA) direct all public places to allow service animals accompanied by a person who

## Legal Division Continued

is blind or has other disabilities. There are a growing number of veterans suffering from post-traumatic stress disorder (PTSD) and traumatic brain injuries (TBI) whose disability may not be obvious, but who are impacted by this new law.

A service animal is defined as “a canine that is specially trained or equipped to help a person with a disability.” In addition to canines, there is also a provision for miniature horses ranging in height from 24 to 34 inches. Service animals must be trained to perform assistance that directly relates to the person’s disability. Service animals may be tasked with:

- Guiding a person who has a visual impairment,
- Alerting a person who has a hearing impairment or who is deaf,
- Pulling a wheelchair,
- Alerting and protecting a person who has a seizure disorder,
- Reminding a person who has a mental illness to take a prescribed medication , and
- Calming a person who has post-traumatic stress disorder.

Service animals are permitted in medical clinics, examining rooms, and in hospital cafeterias and patient rooms, as well as all public places.

When a disability is not obvious, an establishment is allowed to ask two questions:

- 1) Is the dog a service animal required because of a disability?
- 2) What work or task has the dog been trained to perform?

Staff is not allowed to ask questions about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Violation of the provisions of this law is considered a deprivation of a person’s civil liberties. Persons who violate this new law are guilty of a misdemeanor and are subject to a fine of up to \$300 and up to 30 hours of community service.

The following resources provide more information about this topic.

### Resources:

House Bill 489 <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=83R&Bill=HB489>

DARS <http://www.dars.state.tx.us/serviceanimals.shtml>

ADA [http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)

## Enforcement Division

### Enforcement Staff Changes

The Enforcement Division's overwhelming workload demanded full time support, so Iris Martinez has been moved from the Credentialing Services Division to the Enforcement Division. Effective January 2014, she assists Enforcement by processing E-1s, opening and maintaining cases, and helping with non-compliance.



Iris Martinez



Malcom Jackson

Another new addition to the Enforcement team is Malcom Jackson. Malcom has over 32 years of experience in professional public safety and related municipal services. He is most well known for his work with the Tarrant County College Police Academy. Now that he has joined TCOLE, he will be one of three investigators working on criminal and administrative cases.

## Special Services Division

### New Agencies

Since December 2013, the following new agencies have been added:

- San Juan City Marshal's Office
- Alton Fire Marshal's Office
- Webb I.S.D. Police Department
- Beeville City Marshal's Office
- Lavaca Navidad River Authority L.E. Office
- Argyle I.S.D. Police Department



## Special Services Division Continued

### Tips From The Help Desk

Are you having trouble creating your MyTCOLE account? We received a lot of questions from new peace officers, jailers, and telecommunicators who are trying to take the Rules Overview course online, but can't get their account created. Here are some tips that may help:

**Your name, D.O.B., and PID number must match our records exactly.**

- If you have a suffix in your name, do not include it in your last name (ex: If your name is Henry Smith, Jr. only type "Smith" for your last name. Don't worry, we cannot confuse you with your father because we also consider your D.O.B. and PID number.)
- If you were married or divorced recently, make sure your name has been updated with TCOLE.
- Ask your academy instructor to check your record in TCLEDDS to make sure the spelling of your name and D.O.B. are correct.
- Use the [Name Change form on our website](#) to correct any errors made to your D.O.B. or in the spelling of your name.

### Experiencing Problems With Our New Site?

When you go to our new website, if you're seeing a page that looks like the picture below on the left, then you may be using Internet Explorer 8 or older. Our new site works best with Internet Explorer 9 or higher. If you can't upgrade your web browser, you also have the option of using a different type of browser. Other than Internet Explorer, some of the more commonly used web browsers are Google Chrome, Safari, Mozilla, and Firefox.

#### Internet Explorer 8 or older

The screenshot shows a website with a blue header containing the Texas Commission on Law Enforcement logo and name. Below the header, there is a search bar and several menu items. The main content area is filled with text and small icons, but it is not visually organized into distinct sections or cards. The overall appearance is dated and less user-friendly.

VS.

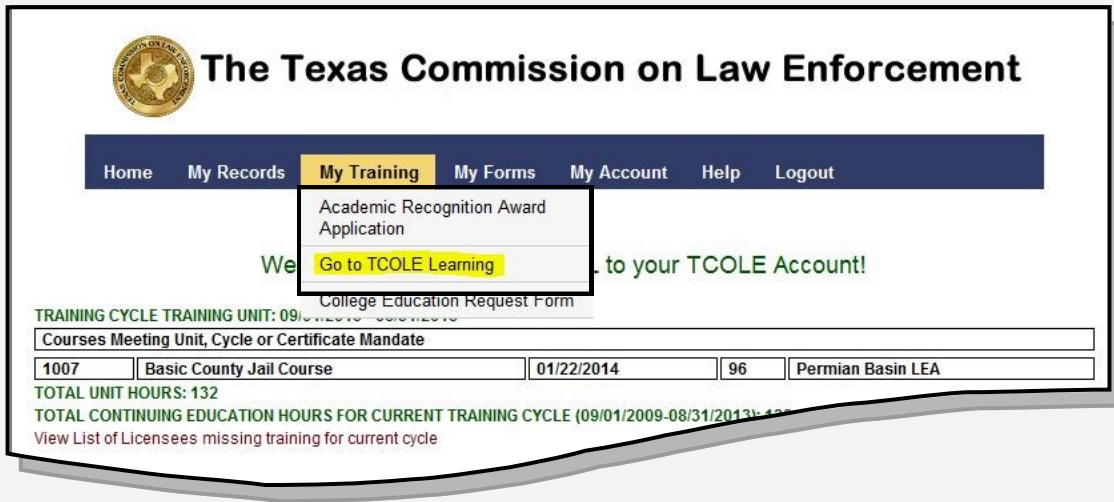
#### Internet Explorer 9 or newer

The screenshot shows a more modern and user-friendly version of the website. It features a clean, organized layout with a blue header and a search bar. The main content area is divided into several distinct sections, each with a large icon and a title: "Who We Are", "Careers and Employment", "Licensing and Certification", "Training", "Forms and Applications", "Online Services", and "Help and Resources". The overall appearance is more professional and easier to navigate.

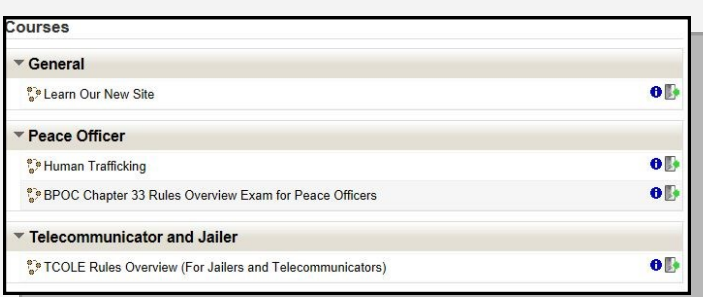
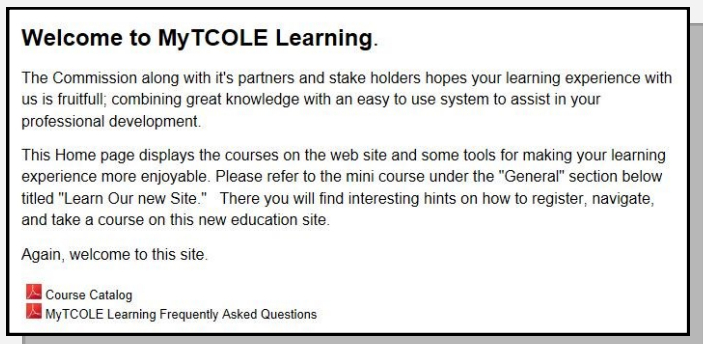
## Special Services Division Continued

# How do I take classes online through TCOLE?

- 1 Log into your MyTCOLE account
- 2 Go to the My Training tab. Select 'Go to TCOLE Learning' from the dropdown list (see below)



- 3 You will be taken to the home page of the TCOLE Learning site. (see below for a breakdown)



The welcome area provides helpful resources, such as a course catalog and an FAQ.

The courses are listed here. Although some courses are geared toward certain licenses, they are available for anyone to take.

You can expect to see more courses in the near future!

## Special Services Division Continued

### Curriculum Updates

Below is a summary of updates made to the course curriculum materials between December 5, 2013, to March 27, 2014. The course materials can be found under the Training/Course Curriculum Materials and Updates section on our website: [www.tcole.texas.gov](http://www.tcole.texas.gov).

| Course Number | Course Name                  | What Changed                                       | Revision Date |
|---------------|------------------------------|--|---------------|
| 1007          | Basic County Corrections     | Abstract was updated                               | 02/18/2014    |
| 1013          | Basic Telecommunicator       | Abstract was updated                               | 02/14/2014    |
| 3183 *        | State and Federal Law Update | Information about service animals added to page 30 | 03/21/2014    |

\* For more information on service animals, [see page 6](#)

### Are you thinking about going back to school?

Did you know there are several colleges that will give you college credits for completing the basic peace officer academy training? Most colleges today offer distance education which is a flexible option for those who work full time. Some colleges even offer reduced tuition to law enforcement personnel for certain online degree programs. If you are thinking about pursuing a higher education, be sure check with the college or university to see if they will accept your academy training hours and offer you a discounted rate.

### The Texas Police Trainers Yahoo Group

[The Texas Police Trainers Yahoo Group](#) is a group of TCOLE approved training providers, training coordinators and individuals employed by law enforcement agencies in the state of Texas. The purpose of this Yahoo group is for members to:

- Post training across the state
- Share employment opportunities
- Share training ideas and training updates
- Share lesson plans and training resources

**Subscribe:** Send an email to [texaspolicetrainers-subscribe@yahogroups.com](mailto:texaspolicetrainers-subscribe@yahogroups.com) and include your yahoo email address. You will receive a personal invite to subscribe to the group. If you don't have a yahoo email address, you can log on to Yahoo.com and set-up a FREE yahoo email account.

**Questions:** If you are interested in subscribing, but you are having a problem accessing or navigating to the website, please feel free to contact Janice Washington at the following email address: [janice.robertwashington@yahoo.com](mailto:janice.robertwashington@yahoo.com).

## Field Services Division

By Richard Gutierrez

### At what point are forms L-2 & L-3 required?

Forms L-2 and L-3 are required for ALL first time appointments and reappointments after a 180-day break in service of peace officers, jailers and telecommunicators.

Section 1701.306 of the Texas Occupations Code prohibits the issuance of a license (including temporary licenses) to a person unless they have undergone a properly administered physical exam and screening for drug dependency or illegal drug use (L-2). That same statute requires a complete psychological and emotional health examination (L-3). Both examinations must be conducted by qualified professionals in accordance with Commission rules and officially documented using forms L-2 and L-3. The exams must be completed within 180 days from the date of appointment. Examinations completed for enrollment into a law enforcement academy remain valid up to 180 days after graduation from that academy.

### What happens when an L-2 or L-3 is missing, late, or incomplete?

Unless the appointment took place prior to 4-15-96, it will have to be invalidated. Length of commissioned service time will be adjusted to reflect the actual dates of properly documented appointment(s).

The “Law Enforcement Agency Audit Checklist” is a handy, up-to-date resource that should be used as a guide by chief administrators and/or their designees to avoid costly disciplinary sanctions. The latest revision of the checklist may be accessed by clicking on “Agency Forms” in the “Forms and Applications” page.

### Example:

Molly is a first time telecommunicator who will start working for an agency on April 28, 2014. Even though she won't be able to enroll in the Basic Telecommunicator Academy or complete any of the other required classes until June or July; she is being appointed as a temporary telecommunicator so she can start learning the job. Molly's pre-appointment documentation, including her L-2 and L-3 forms, will have to be properly completed, approved and filed before she can start any part of her on-the-job training as a telecommunicator. Her temporary license will afford her 12 months to complete all required training and pass the licensing exam so she can qualify to upgrade to a full telecommunicator license.



## Field Services Division Continued

### New Field Service Agent for Region 2

Join us in welcoming agent Marty Baker who, on April 1, 2014, was appointed as the new Region 2 (West Texas) Field Service Agent (FSA). Marty brings with him over 30 years of law enforcement experience – 22 of which he spent as the Assistant Commander of the Drug Task Force for the West Central Texas Inter-Local Crime Task Force based in Abilene. His most recent appointment was as a criminal investigator with the 266th Judicial District Attorney's Office in Erath County.



Upon successful completion of his field training program, Marty will start conducting field visits, credentialing audits, training provider evaluations and regional training seminars. When needed, FSA Baker will also assist Enforcement Division investigators with administrative and criminal investigations.

### New and Improved F-5R

Section 1701.451 of the Texas Occupations Code requires that the chief administrator, or designee of a hiring or appointing agency, contact all previous law enforcement agencies the applicant has ever worked for in the past. To simplify the process of recording pre-employment background investigation information, an easy-to-read history contact sheet has been added to the F5R report which makes it a lot easier to maintain an official record of names and dates for verification purposes. Please bear in mind that both rule and statute require that a properly completed F-5R form be kept on file and readily accessible to Commission staff upon request.

## Credentialing Services Division

By Lisa Fontenot

### Staff Changes

Claire Colburn, formerly Claire Allman, is back in the credentialing department. She is responsible for processing training rosters and roster amendments. When emailing Claire to amend a roster, please submit the following information to [claire.colburn@tcole.texas.gov](mailto:claire.colburn@tcole.texas.gov).

- Processed roster number
- Course number
- Course date
- Information that will need to be amended

## Credentialing Services Division Continued

You can view your certificates online through your MyTCOLE account.

Once you log into your account, go to:

**My Records/Awards**

### Telecommunicator Master Proficiency Certificate

Telecommunicators can receive a master certificate now! The requirements to qualify for the new certificate include eight years of service and a minimum of 500 hours of training. To see the remaining requirements, visit the proficiency chart on the [Licensing and Certification](#) section of our website.

Once you qualify for your master certificate, it will automatically appear on your record in your MyTCOLE account. You will be able to purchase them online in the near future.

### Licensed Telecommunicator Service History

You may be confused about why several of your telecommunicators have a start date of 01/01/2014, even though you never submitted T-1 or F-5 forms for them. Don't worry, their January 1, 2014, start date is indicating that they received their license when the new telecommunicator rule took effect.

Anyone who was working for your agency as a *certified* telecommunicator upgraded their certificate to a license on January 1, 2014. We indicated the upgrade in the service history by closing out the certification on December 31, 2013, and starting the license on January 1st. Here is an example of how the personal status report looks for telecommunicators who went through the upgrade process.

#### Service History

| Appointed As                | Department              | Award                               | Service Start Date | Service End Date | Service Time       |
|-----------------------------|-------------------------|-------------------------------------|--------------------|------------------|--------------------|
| Telecommunications Operator | FORT WORTH POLICE DEPT. | Telecommunications Operator License | 1/1/2014           |                  | 0 years, 3 months  |
| Telecommunications Operator | FORT WORTH POLICE DEPT. | Telecommunications Operator         | 1/28/2013          | 12/31/2013       | 0 years, 11 months |

### Updating Telecommunicator Service Time

Missing telecommunicator service time has been the hot topic lately. Once Telecommunicator licenses were issued on January 1, 2014, many telecommunicators and agencies across the state contacted TCOLE about service time missing from their TCOLE record. As a solution, departments that carried the missing appointment may submit the service time, which will be added to the telecommunicator's service history as "authorized service time".

As an agency, if you have questions about this process, please contact the Credentialing department and you will be directed on how to proceed.

## Credentialing Services Division Continued

### Out of State and Federal Officers

Rule §219.2 provides for the reciprocity of out of state and federal peace officer licenses to Texas. Below is a brief summary of the process of becoming licensed in Texas. You can find more details on the [eligibility form \(Out of State and Federal Initial Application\)](#), and on our website under [Licensing and Certification](#).

#### 1 Submit the initial eligibility form

This process determines if you meet the requirements to become licensed in Texas and includes having your fingerprints taken *prior* to submission of your application. You will not be able to complete further steps in the process until your eligibility form has been approved.

#### 2 Complete the Texas supplemental peace officer course

#### 3 Submit the exam application

This application will be mailed to you upon approval of your eligibility form.

#### 4 Pass the Texas Licensing exam

You will not be able to take the licensing exam until your exam application has been approved and your endorsement letter has been issued. You will receive this letter by mail.

#### 5 Become appointed by a Texas law enforcement agency

You will have two years from the date you passed your exam to be appointed by your first department as a peace officer. Your license will not be issued until TCOLE receives documentation from the hiring agency. Once the L-1 is submitted and processed, the license will issue and will be mailed to your department.

## Credentialing Services Division Continued

### The Current FAQs

Q. What do I need for my certificate levels?

A. A complete list of requirements can be found on our website under [Licensing and Certification/Proficiency Certificates](#). Once you've located the chart that applies to the certificate you're seeking, you can compare the required courses to the courses you have taken. You can obtain a list of your entire training history from your MyTCOLE account.

### Are you thinking about retiring?

Here are some common questions we receive related to retiring peace officers.

Q. How can I keep my license active after I retire?

A. Make sure you meet all the legislatively required training by the end of each two year unit, and four year cycle. Your license will remain active as long as you continue to keep up with your training requirements.

Q. Do I have to have a department carry my commission to stay active after I've retired?

A. No. As long as you complete all your legislatively required training each training unit/cycle your license will remain active whether you are commissioned or not.

Q. Where can I get my retirement ID card, or badge?

A. If you are a retired Texas peace officer, you will obtain your retirement credentials from the last department that carried your commission.

Q. When am I eligible for retirement?

A. Every department is different when it comes to qualifying for retirement. You will need to speak with the appropriate person in your department for information about your eligibility. TCOLE does not set a minimum standard related to eligibility for retirement.

Q. What if I want to carry my weapon after I'm retired?

A. Please check with the department that is carrying your credentials for assistance. You may also look up the LEOSA Act (or HR 218). LEOSA stands for Law Enforcement Officer Safety Act. Additional resources include: Texas Occupation Code § 1701.357, and Texas Government Code. § 614.124. If you have further questions about how to interpret these laws you can contact your local District Attorney or Judge, or you may submit a request to the Attorney General's Office.



## Credentialing Services Division Continued

### More FAQs

Q. If I let my training lapse, how can I reactivate my license?

A. If you do not qualify for the Retired Peace Officer Reactivation (§219.13), you will need to refer to rule §219.11. **Reactivation of a License.**

- (a) The commission will place all licenses in an inactive status at the end of the most recent training unit or cycle in which the licensee:
  - (1) was not appointed at the end of the unit or cycle; and
  - (2) did not meet continuing education requirements.
- (b) The holder of an inactive license is unlicensed for all purposes.
- (c) This section includes any permanent peace officer qualification certificate with an effective date before September 1, 1981.
- (d) A licensee with less than two years from last appointment held must:
  - (1) meet current licensing standards;
  - (2) successfully complete continuing education requirements; and
  - (3) make application and submit any required fee(s) in the format currently prescribed by the commission.
- (e) A licensee with two years but less than five years from last appointment held must:
  - (1) meet current licensing standards;
  - (2) successfully complete an approved supplementary peace officer training course;
  - (3) make application and submit any required fee(s); and
  - (4) pass the licensing exam.
- (f) A licensee with five years or more from last appointment held must:
  - (1) meet current enrollment standards;
  - (2) meet current licensing standards;
  - (3) successfully complete the applicable basic licensing course;
  - (4) make application and submit any required fee(s); and
  - (5) pass the licensing exam.

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## Notice

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