

# THE BRIEFING

A Publication of the Texas Commission on Law Enforcement

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## New Chief Training Reminder

Police chiefs that are newly appointed or elected for the first time, must complete the New Chief’s Education course (3780) no later than the second anniversary date of their appointment or election, according to the Education Code 96.641(h). During this two year introductory period, new chiefs must also complete Chief’s Continuing Education (3740). Both courses, at 40 hours each, total 80 hours of training.

Contact [Bill Blackwood Law Enforcement Management Institute of Texas \(LEMIT\)](#) for the course information and dates.

The personal status report (PSR) will now reflect compliant completion of introductory periods for all new chiefs whose two year period ended after September 1, 2013. This indicator can be found under the Award Information section of the PSR.

Chiefs that have completed the requirements of a newly elected or appointed chief will continue taking the Chief’s Continuing Education course (3740) each 2 year unit thereafter.

## Upcoming Events

2015 Commission Meetings:

- June 11
- September 10
- December 3

2015 Peace Officers’ Memorial Service

- May, 4, 2015

IADLEST Conference

- May 31—June 3, 2015

2014 Law Enforcement Achievement Awards Ceremony

- June 12, 2015

## Commission Meeting Highlights

The latest Commission meeting was held at the J.J. Pickle Research Campus on Thursday, March 5, 2015. Here are a few highlights from the meeting:

Executive Director Report: Repair work has begun on the Peace Officers' Memorial Monument. The [2015 Texas Peace Officers' Memorial Service](#), sponsored by CLEAT, will be held on Monday, May 4, 2015. Leading up to the event is a Ride for the Fallen on Saturday, May 2, and a Candlelight Vigil on Sunday, May 3.

Legislative Report: Our primary focus is on our budget this session. We are currently monitoring several bills that have an impact to TCOLE. Some of the bills are beginning to move through the process, such as Representative Villalba's [HB 370](#) which clarifies some of the provisions for school marshal confidentiality.

2014 Law Enforcement Achievement Awards: The award ceremony will be held Friday, June 12, 2015, at 10:00 AM in the Senate Auditorium at the Texas State Capitol.

Non-Compliance: Projections made in March 2015 show there are currently 20,000 officers in non-compliance.

This number is much lower than the 26,000 officers that were in non-compliance in May 2013; especially considering that we ran the numbers this year a few months earlier than we did in the past. We expect the number to continue to drop as we approach August. We will alert agencies of non-compliance beginning in May. We expect our call hold times and application turn around time to increase as our call volume goes up.

Final Orders of Amendment: The Rules that were proposed at the December 2014 meeting were amended to reflect public comment.

The final orders of amendment included: 211.3 (c)(2) Public Information (amendment), 221.43 Special Weapons and Tactics Proficiency (new), 221.45 School Resource Officer Proficiency (new), and 221.47 Canine Handler Officer Proficiency (new).

There was, and continues to be, a considerable amount of public comment on the proposed rules pertaining to proficiency certification. It was decided to leave the period of public comment open by removing these rules from this agenda and looking at them again at the June meeting.

### For more information

Meeting Minutes: Other items, including line of duty deaths, waiver requests, proceedings for revocation, suspension, and other disciplinary actions, and 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: Anyone wishing to make a public comment may do so at the following email address: [public\\_comment@tcole.texas.gov](mailto:public_comment@tcole.texas.gov).

## Special Forces

The Commission on Law Enforcement welcomes law enforcement officers from the military, including members of Special Forces. More information on this topic can be found in the new [Path to Licensure section](#) under the Licensing and Certification section of our [website](#).



Kim Vickers  
Executive Director

## TEXAS COMMISSION ON LAW ENFORCEMENT

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Dear Chief Administrator,

As you may be aware, the 83<sup>rd</sup> Legislature passed Senate Bill 162, which creates a pathway by which a member of a Special Forces component of the United States Armed Forces may obtain licensure as a Texas peace officer. The Commission adopted rule 219.25 (Special Forces Rule) which became effective February 1, 2014, to receive applications beginning March 1, 2014. Rule 219.25 identifies the eligible service members and outlines the required training, which at this time consists of the Texas Supplemental Peace Officers course.

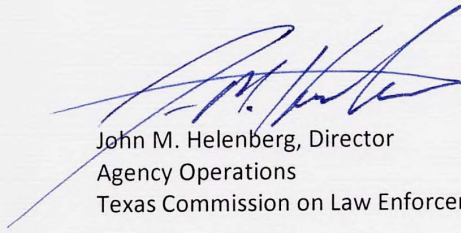
If you have a potential applicant who may qualify for licensure under this program, please direct them to the Commission's website at [www.tcole.texas.gov](http://www.tcole.texas.gov) or the TCOLE Credentialing Division at 512-936-7700.

Information related to this licensure pathway may be found at <http://www.tcole.texas.gov/content/path-licensure>

The initial application form may be found in the forms and applications section of the Commission's website or by clicking this link for the [Special Forces Application](#).

Please contact us if you have any questions.

Respectfully,



John M. Helenberg, Director  
Agency Operations  
Texas Commission on Law Enforcement

JMH/la

## Message from Chief Sandra Rhodes

With her permission, we wanted to share this inspiring message from Chief Sandra Rhodes of the Horry County Police Department in South Carolina.

"I have sat by quietly for weeks now and listened to or read posts of people that I genuinely consider friends, speak so ill of my fellow law enforcement officers. I told myself repeatedly that it is simply because they do not have a true understanding and that all of their opinions are based upon the negative incidents that are portrayed by the national media. I acknowledge that there are some officers who should not be police officers and that our criminal justice system does not always get it right. I think that it's time that I give my friends my perspective ...

I am a police officer, it's not just a job; I am just as much a police officer as I am a mother, I am just as much a police officer as I am a daughter, a sister, a cousin and a friend.

It is not just a job to me and it's not just a job to most of my fellow brothers and sisters who wear the badge with pride.

It was not a job that caused Officer Bo Sauls to buy the baby formula that his suspect was trying to steal to feed her baby, instead of taking her to jail. That selfless act was due to him being just as much a police officer as he is a son and a father.

It was not the job that caused Officer Richard Ernest to go home and take an air conditioner from his garage and go back to a ladies house and install it for her after he had responded there for something else but noticed she had no air.

It was not a job that caused my officers to go out and find furniture for a family that had none so that they would no longer have to sleep on the floor; they did this because they are police officers.

It was not the job that caused Cpl. Brad Thompson to not stop until he found the suspect that stole an elderly ladies appliances and made the suspect load them back up on his pick up truck and return them to the victim before he took him to jail, he did this because he is just as much a police officer as he is a grandson.

It was not a job that caused Detective Heather Brummett's life to be changed forever as she was forced to shoot and kill a suspect that was trying to kill another officer; it was her devotion to the life that she chose and that choice of being there to arrest a suspect has caused her to never be the same person that she was before.

## Message from Chief Sandra Rhodes, Continued...

Finally, it was not a job that made all of my officers leave their families on Christmas Day to search for a missing 4 year old autistic boy who had wandered away from his family's vacation home.

It was not the job that made them willingly walk through mud, woods and water searching every nook and cranny for young Jayden.

It was not the job that caused me to watch as this baby was pulled from the water, nor was it the job that caused me to hold his father's hand as he kissed his baby goodbye for the last time and to hold that mother and not be able to offer an explanation of why bad things happen to good people.

No it was not a job that caused me to hold in my emotions and to be strong for people that I had never met before, knowing that young Jayden reminded me so much of my own "grand baby" Zaezion and that all I wanted to do was to get home to him and hear him yell out for his Mema.

It was not a job that caused me to be strong for this family although I wanted to fall apart and cry with them.

We are police officers, we are willing to head towards the gunfire when everyone else is running away.

We are police officers, we are the ones who tell parents that their child is dead and then hold them as long as necessary as they cry out in sorrow.

We are police officers, we are the ones who respond when a husband is beating his wife and then take the hits from her as she tries to prevent us from taking him to jail.

We are police officers, we are the ones who will listen to you call us pigs, pieces of crap and murderers; yet will head in your direction with lights and siren the minute that you need us, because ..... We are police officers."

- written by Sandra Rhodes, Chief Of Police - Horry County Police Department, SC -  
Copyright December 2014 S. Rhodes

## IADLEST Conference

If law enforcement training is in your job description, then the International Association of Directors of Law Enforcement Standards and Training (IADLEST) will connect you to a wealth of resources, information, and tools that will make your job easier. Most importantly, you will have access to a large group of your peers who are dedicated to solving the same challenges you face every day. From them you will gain new insights on methods, best practices and trends that are impacting training and the law enforcement profession.

Here's your chance to network with academy directors, law enforcement trainers, and POST directors from around the nation. [Please join us in San Antonio for the International Association of Directors of Law Enforcement Standards and Training \(IADLEST\) conference Sunday, May 31 – Wednesday, June 3, 2015.](#)

### Conference Information



Sunday, May 31 – Wednesday, June 3, 2015

Hyatt Regency San Antonio Riverwalk

123 Losoya Street

San Antonio, TX 78205

Reservations:

Online: <https://resweb.passkey.com/go/iadlest>

Call: 1-888-421-1442

Meeting Name: IADLEST 2015 Conference

### IADLEST Provides

IADLEST is an international organization of training managers and executives dedicated to the improvement of public safety personnel. IADLEST serves as the national forum of Peace Officer Standards and Training (POST) agencies, boards, and commissions as well as statewide training academies throughout the United States.

- [Model Standards](#)
- [NLEARN](#)
- [National Decertification Index](#)
- [Blue Courage](#)
- [Data-Driven Approaches to Crime and Traffic Safety \(DDACTS\)](#)
- [Crime Analysis for Chief Executives workshop](#)
- [Older Driver Law Enforcement Instructor Training](#)
- [Training for the Enforcement of Motorcycle Laws](#)

## Single Sticker System

House Bill 2305 passed last session (83rd Texas Legislature), replaces the two certificate inspection and registration system with a single certificate system. The change took effect March 1, 2015. The Texas Department of Public Safety (DPS) and Texas Department of Motor Vehicles (DMV) worked together to implement the new system. You can find a complete guide to HB 2305 on DPS's website here: <http://www.dps.texas.gov/RSD/VI/singleStickerGuide.htm>



### Other Resources:

Two Steps One Sticker site: <http://twostepsonesticker.com/>

HB 2305: <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=83R&Bill=HB2305>

## Government Relations Division

By Ken Mobley

### Legislative Action

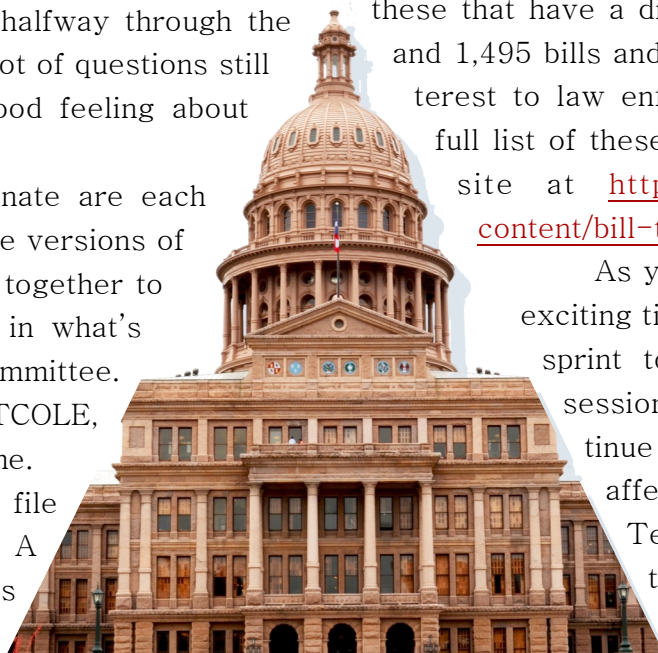
Well here we are, halfway through the legislative session with a lot of questions still to be answered, but a good feeling about where we are headed.

The House and Senate are each working on their respective versions of the budget before coming together to hash out any differences in what's known as a conference committee. State agencies, including TCOLE, anxiously await the outcome.

The deadline to file bills was March 13, 2015. A grand total of 6,305 bills

have been filed! TCOLE is monitoring 244 of these that have a direct impact to the agency, and 1,495 bills and resolutions that are of interest to law enforcement in Texas. For a full list of these bills, check out our website at <http://www.tcole.texas.gov/content/bill-tracking>.

As you can see, it is a busy but exciting time here at TCOLE, and the sprint toward the June 1 end of session continues. We will continue to monitor issues as they affect law enforcement in Texas and will keep you up to date.



## Special Services Division

### Curriculum Updates

Below is a summary of updates made to the course curriculum materials between December 2014 – March 2015. 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
2222	Firearm Instructor	Update to Instructor Pre-requisites	01/09/2015

### New Agencies

Since Dec 2014, the following new agencies have been established:

- 452<sup>nd</sup> D.A. Office
- Gonzales ISD P. D.
- Pearsall ISD P.D.
- 132<sup>nd</sup> D.A. Office
- City of Newark Marshal's Office
- Rio Bravo P.D.
- Mesquite Marshal's Office
- Lubbock Christian University P.D.
- Canton ISD P.D.
- City of Smiley Marshal's Office
- El Paso ESD #2 Fire Marshal's Office

### 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 to check with the college or university to see if they will accept your academy training hours and offer you a discounted rate.

### At risk providers

Programs such as academies, contract training providers, and academic alternative programs can sometimes go into an "at risk" status if they fail to meet a contractual obligation or pass rate requirement. At risk programs may continue offering training.

A current listing of at risk programs can be found on under the [Training](#) section of our website at [www.tcole.texas.gov](http://www.tcole.texas.gov).



## Field Services Division

By Richard Gutierrez

### Training Files: Proprietary Letters

When training is conducted by a presenter that does not wish to release copies of their copyrighted material, a proprietary letter may be substituted for the instructional material. The letter does not take the place of learning objectives, bio-sketch, critiques, sign-in sheets, ect; it only replaces the presenter's instructional materials.

### Pre-Employment Background Checks

The Texas Occupation Code 1701.451 requires anyone appointed as a peace officer, jailer or telecommunicator to have on file a personal history statement, criminal history check, and an F-5R as part of the pre-employment background check. This applies to all agencies and applicants, regardless of the applicant's break in service. This Occupation Code section is not in conflict with any other rules or regulations.

A checklist of all documentation required, refer to the [Law Enforcement Agency Audit Checklist](#).

An example of a Personal History Statement packet is available on our website under [forms and applications](#).

The F-5R report can be run by agency chief administrators through TCLEDDs, or DRS

**Criminal history check (CCH):** must be properly conducted for all appointment types; including first-time/new applicants, applicants with *less* than a 180-day break in service, and applicants with *more* than 180-break in service.

**Personal History Statement (PHS):** required for all appointment types; the PHS must be properly completed, including signatures and notarization. This is required for all applicants regardless of title, rank, tenure, academic achievements or political affiliations.

**F-5R:** required for any applicant who was previously licensed. It must be printed and filled out entirely. Each appointment must be verified and notes on the F-5R form, regardless of how long ago or how briefly the applicant was employed at a particular department.

All aforementioned documents must be on file and readily accessible for inspection PRIOR to appointment of all peace officers, county jailers, and telecommunicators.

## Credentialing Services Division

By Lisa Fontenot

### Training Reminder

The current unit ends August 31, 2015  
Have you completed all your training yet?

Please call our Credentialing department, send us a chat, or take a look at your training in your MyTCOLE Account.

- **Peace Officers** must have a total of 40 hours including the State and Federal Law Update (3183, or TCOLE online equivalent 3383) by August 31, 2015.
  - Those that qualify to take the Command Staff Leadership Series provided by LEMIT will receive credit for the current Law Update, as well as meet the 40 hours requirement upon completion of the course.
- \*\*\*Correction from the December 2014 issue of the Briefing\*\*\* The 20 hour training requirement for **Telecommunicators** will begin in the 2015–2017 unit. The December issue incorrectly advised telecommunicators to complete the 20 hour requirement for the current unit.
- The **Chief of Police** Continuing Education course provided by LEMIT satisfies all training requirements for Chiefs who have already completed their newly appointed Chief requirements.

TCOLE will begin sending warning notifications of non-compliance in May 2015. The first round of letters will be mailed to the departments only. Look for subsequent letters to be sent throughout the rest of the unit.

### State and Federal Law Update:

#### Free Online Training

You can take the State and Federal Law Update for the 83rd Legislative Session for free online. This course, generously donated by the Department of Public Safety, is available through your MyTCOLE account and offers 3 hours of credit.

If you're looking for courses to complete your 40 hours of training, take a look at what we have to offer online. There are 48 hours of training in a variety of courses that range from 1 hour to 24 hours.

### Telecommunicator Changes

Beginning September 1, 2015, all telecommunicators will be required to have a current (within 180 days) certification course (1013) before taking the state licensing exam. This change only applies to telecommunicators whose certification was deactivated because they were not working on January 1, 2014 when all actively appointed and certified telecommunicators were upgraded to a license. Refer to the chart on the next page for more details.

## Credentialing Services Division (Continued)

### Telecommunicator Exam Requirement Change September 1, 2015

Scenario	How to get started	Requirements prior to 9/1/2015					What changes after 09/01/2015?
		1013	2120	1305	Exam	Pre-appointment documentation*	
I have a telecommunicator certificate issued prior to 12/1/2011 but was not working for a department on 12/31/13.	Your telecommunicator certificate became legislatively deactivated on 12/31/13. Before you can go back to work, you need to complete all pre-appointment documentation*. You can begin working on a one year temporary license until you pass the licensing exam.	NO	YES	NO	YES	YES	You have to take 1013 and 1305 after 9/1/15 before testing in addition to previously listed requirements
I have a telecommunicator certificate issued after 12/1/11, but was not working for a department on 12/31/13.	Your telecommunicator certificate became legislatively deactivated on 12/31/13. Before you can go back to work, you need to complete all pre-appointment documentation*. You can begin working on a one year temporary license until you pass the licensing exam.	NO	NO	NO	YES	YES	You have to take 1013 and 1305 after 9/1/15 before testing in addition to previously listed requirements
I am being appointed as a telecommunicator for the first time on or after 01/01/2014.	Before you are eligible for a temporary license, you must complete all pre-appointment documentation*. Your temporary license will be good for one year. During this time, you must complete all of the licensing requirements.	YES	YES	YES	YES	YES	

\*pre-appointment documentation including L-2, L-3, CCH, personal history statement, etc.... must be on file prior to the appointment start date. The [Law Enforcement Agency Audit Checklist](#) contains a complete checklist of all pre-appointment documentation and can be found on our website under [Forms and Applications](#).

## Legal Division

### Proposed Rule Amendments

Rules proposed for final rule adoption during the March 2015 meeting, including the addition of three new proficiency certificates, are currently open for public comment. Please send your feedback and comments to: [public\\_comment@tcole.texas.gov](mailto:public_comment@tcole.texas.gov)

- Proposed Amendment 1  
§ 211.3 (c)(2) Public Information (amendment)
- Proposed Amendment 2  
§ 221.43 Special Weapons and Tactics Proficiency Certificate (new)
- Proposed Amendment 3  
§ 221.45 School Resource Officer Proficiency Certificate (new)
- Proposed Amendment 4  
§ 221.47 Canine Handler Officer Proficiency Certificate (new)

To see the rule amendment summaries, visit the Commission page of our website found under [Who We Are > The Commission](#) at [www.tcole.texas.gov](http://www.tcole.texas.gov).

### Legal Statistics

The following proceedings for revocation, suspension and other disciplinary actions took place at the March 2015 Commission Meeting. For a complete listing of these license actions, including names, departments, and case numbers see the meeting agenda found on our website under [Who We Are > The Commission > Meeting Minutes](#) at [www.tcole.texas.gov](http://www.tcole.texas.gov).

Type of Action	Number of Licenses
Agreed Suspension Waivers	1
Proposal for Decision Orders	3
Statutory Revocation	5
Statutory Suspension	1
Permanent Surrenders	14
Suspensions for Failing to Complete Legislatively Required Continuing Education	38
Reprimands for Failing to Complete Legislatively Required Continuing Education	45

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## Commissioners

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Major Jason D. Hester  
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Patricia Garza  
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Rob Kyker  
James Oakley  
Sr. Police Officer Joseph  
Pennington  
Chief Ruben Villescascas



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