

THE BRIEFING

A Publication of the Texas Commission on Law Enforcement

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Legislative Report

With the adjournment of the 84th Regular Session of the Texas Legislature, TCOLE now looks toward implementing legislation that has passed. Here are some highlights of bills affecting Texas law enforcement.

House Bill 910 by Representative Larry Phillips:

HB 910 allows those **with a valid handgun license** to carry a handgun openly. The handgun must be holstered. The application process and training requirements are identical to the current concealed handgun license (CHL) process; the only change is the removal of the requirement that the handgun remain concealed. Those who follow the news may have seen discussion about a provision that would prohibit officers from conducting an investigatory stop to inquire about whether a person carrying a handgun is licensed; this provision is **not** included in the final legislation.

Senate Bill 158 by Senator Royce West:

SB 158 sets out a framework for body-worn camera programs for patrol officers, including a grant for law enforcement agencies, administered through the Office of the Governor. Agencies participating in the grant program must have policies in place to address issues such as activation or deactivation of the camera, records retention, public access to the video, and procedures on handling equipment malfunctions. Agencies establishing a body-worn camera program must provide training, developed or approved by TCOLE, for officers who will be wearing the cameras, as well as personnel who will come into contact with the video.

Upcoming Events

2015 Commission Meetings:

- September 10
- December 3

Training Coordinators' Conference:

- October 19-22

Legislative Report, Continued

House Bill 1036 by Representative Eric Johnson:

HB 1036 creates a centralized reporting system within the office of the Attorney General for data related to officer-involved injuries or deaths. This is intended for statistical purposes; it includes the age, gender and race or ethnicity of the parties involved, but does not include names or other specific personal identifiers of the officer or the subject. The report is to be submitted to the Office of the Attorney General within 30 days of the incident.

Training bills

HB 593 by Rep. Nicole Collier- Requires that Canine Encounter Training be included in the Basic Peace Officer Course (BPOC), or to obtain an intermediate or advanced proficiency certificate.

HB 1338 by Rep. Elliot Naishtat- Creates training related to Acquired and Traumatic Brain Injuries, and for Trauma-Affected Veterans. The Trauma-Affected Veteran training will be incorporated into the Crisis Intervention Training course.

HB 2053 by Rep. Marsha Farney- Requires training on the use of the Child Safety Check Alert List to obtain an intermediate or advanced proficiency certificate.

HB 2684 by Rep. Helen Giddings- Requires school district peace officers and school resource officers at school districts with an enrollment of 30,000 students or more to go through Child Behavior training.

SB 1987 by Sen. José Menéndez - Requires that training on interactions with deaf and hard of hearing drivers be completed as part of the BPOC or to obtain an intermediate proficiency certificate.



HR 792 was presented at the Texas State Capitol by Representative Tony Dale on May 4, 2015. The bill honors the Texas Commission on Law Enforcement for its 50th anniversary.

The curriculum for Course 3184, the State and Federal Law Update, will more comprehensively cover legislation affecting law enforcement. This course will be available by September 1st.

Commission Meeting Highlights

The latest Commission meeting was held at the J.J. Pickle Research Campus on Thursday, June 4, 2015. Here are a few highlights from the meeting:

Executive Director Report: There have been several staff changes. Following the retirement of Laura LeBlanc, Chris Varady filled the position of Open Records Coordinator. Nikki Johnson, formerly our morning receptionist, has taken over the School Marshal representative slot previously held by Ms. Varady. Michele White, who had been our afternoon receptionist, has taken on that role full-time.

Training Credit: TCOLE now offers continuing education credit hours to those that attend the quarterly commission meetings in person.

2015 Law Enforcement Achievement Awards: We are currently accepting nominations for 2015 achievements. The nomination form is available on the Who We Are/Recognition page of our website at: www.tcole.texas.gov

IADLEST: This year's conference was attended by representatives from 13 countries and provided excellent networking opportunities. Texas is one of 26 states participating in a national standard program that allows training providers to present their training materials to a neutral third party for nationwide approval. This program is seeking subject matter experts to help review training materials. If you are interested please visit: www.iadlest.org

Legislative Report: The Legislature authorized a total of 10 new full-time positions for our Field Services and Enforcement Divisions; 7 of the positions will open in fiscal year 2016, and 3 in the next. Several bills passed that affect training (specifics on pages 1 and 2). It is likely that the basic peace officer course (BPOC) will increase in hours and additions will be made to the course requirements for intermediate and advanced proficiency certificates.

Non-Compliance: The second wave of notification letters were mailed out at the end of June. The total number of officers in need of training has gone down to 11,000 and we anticipate that the number will continue to drop over the next few months.

Provider Contracts: TCOLE is aiming to reopen the contract training provider approval process in September with the help of two new Academy Evaluators whose purpose will be geared toward academy training.

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.

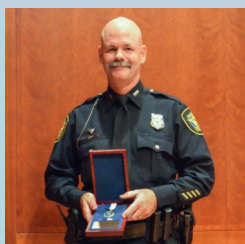
Live Recordings: Live and archived video recordings of the meetings can be found on our website on the Who We Are/The Commission page at: www.tcole.texas.gov.

Public Comment: Anyone wishing to make a public comment may do so at the following email address: public_comment@tcole.texas.gov.

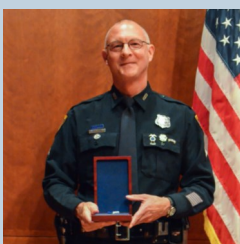
2014 Achievement Awards Ceremony

The 2014 Law Enforcement Achievement Awards Ceremony was held at the Texas State Capitol on June 5, 2015.

Professional Achievement

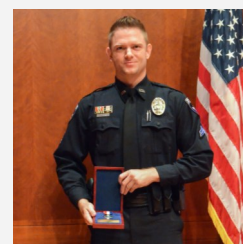


Officer Michael D. Richey
Fort Worth Police Dept.



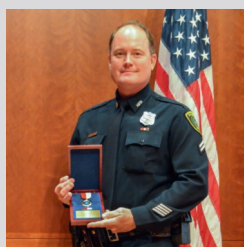
Senior Officer Frank M. Webb
Houston Police Dept.

Public Service

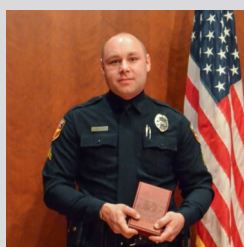


Corporal Jessie R. Peterson
Highland Village Police Dept.

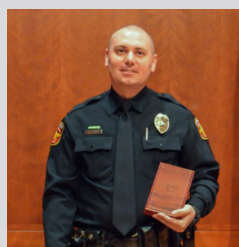
Valor



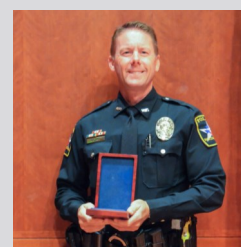
Senior Officer Jeffrey A. Anderson
Houston Police Dept.



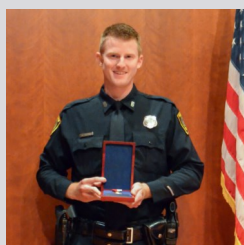
Corporal Caleb J. Finsterwald
Amarillo Police Dept.



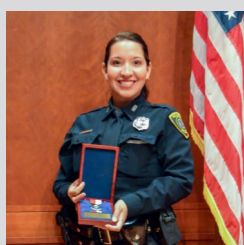
Officer Dustin C. Glick
Amarillo Police Dept.



Officer James R. Dykes, III
Watauga Police Dept.



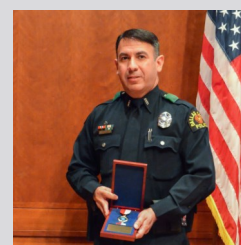
Officer John D. Calhoun
Houston Police Dept.



Officer Andrea M. Muñoz
Houston Police Dept.

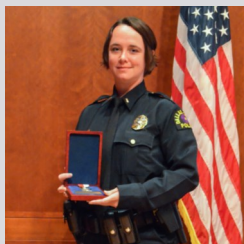


Deputy Jeffrey Roberts
Matagorda Co. Sheriff's Office

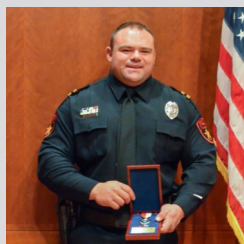


Officer Elias N. Reymundo
Eastfield College Police Dept.

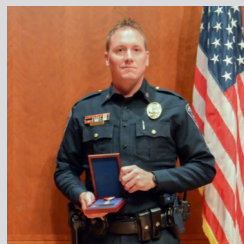
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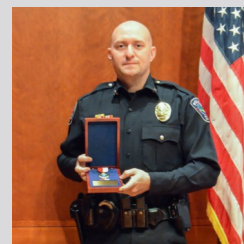
Sergeant Melissa A. Jacobs
Richland College Police Dept.



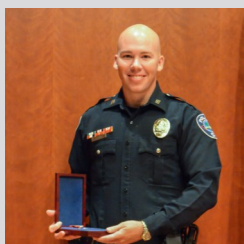
Officer Robert "Butch" S. Steinle
Lewisville Police Dept.



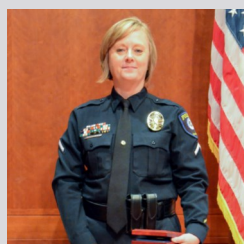
Sergeant Steven R. Nance
River Oaks Police Dept.



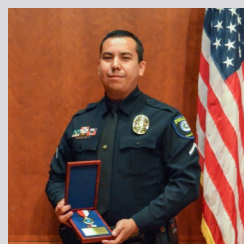
Officer Timothy R. Whitley
River Oaks Police Dept.



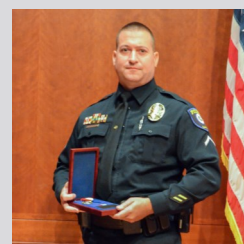
Officer Nathan C. Wilson
River Oaks Police Dept.



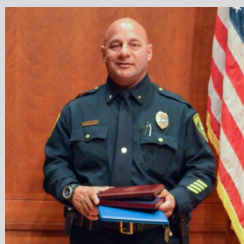
Officer Ann M. McSwain
Cedar Hill Police Dept.



Detective Michael A. Hernandez
Cedar Hill Police Dept.



Detective John B. Woodall
Cedar Hill Police Dept.



Senior Officer Amador Gonzalez
Corpus Christi Police Dept.
Pictured
Interim Chief Mike Markle

Speakers & Reception



DPS Color Guard



Invocation by
Mr. Roger Wilson, Senior Chaplain
Cedar Park Police Dept.



Guest Speaker
State Rep. Larry Phillips



Pledge of Allegiance with DPS Color Guard



Achievement Award



Award Recipients

Training Coordinators' Conference

TCOLE
TRAINING COORDINATORS'
CONFERENCE | 2015



Corpus Christi, TX | October 19-22, 2015



Attendees for 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 2015 conference will be held at the Omni Bayfront Hotel.

Omni Bayfront Hotel

900 North Shoreline Blvd.
Corpus Christi, TX 78401
361-887-1600

**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 18, 2015**. Early bird registration ends September 18, 2015.

Registrations and payments received/postmarked September 19, 2015, or after are \$200. All registration payments received are **non-refundable, but are transferrable**.

Enforcement Division

TCOLE Executes Search Warrant in Case Against Psychologist

Enforcement Division investigators from the Texas Commission on Law Enforcement served a search warrant on **Dr. Carole Busick**, on May 15, 2015, in **Houston** in relation to an ongoing criminal investigation related to her psychological examinations for Peace Officer, Telecommunicator and County Jailer applicants or appointees.

Dr. Busick was served written notice that the Texas Commission on Law Enforcement will **NOT** accept Licensee Psychological and Emotional Health Declaration forms, commonly known as L-3s, with her signature until further notice. A complaint was also filed with the Texas State Board of Examiners of Psychologists in Austin in reference to the examination process conducted by Busick.

Agencies in Harris and surrounding counties using Dr. Carole Busick for law enforcement related examinations should contact the TCOLE Enforcement Division as soon as possible for information and guidance related to future credentialing audits. Call 512-936-7700 or email:

Sgt. Tracy Weems	tracy.weems@tcole.texas.gov
Sgt. Jason Hufstetler	jason.hufstetler@tcole.texas.gov
Lt. Candice Simon	candice.simon@tcole.texas.gov

Reporting Address Changes to TCOLE

TCOLE Rule 211.27 *requires* all licensees to report to the commission a permanent mailing address other than their agency's address. Failure or refusal to provide this information places the licensee in violation of the rules and makes it difficult for the commission to make notification of important licensing information. Please take a moment to comply with this rule and make getting information to you easier and more timely.

5 Steps to Updating Your Contact Information Online:

1. Log into your MyTCOLE account
2. Click the **My Account** tab
3. Select **Contact and Personal Data** from the dropdown menu
4. Fill out your contact information
5. Click the **Update Contact Information** button at the bottom of the page.

The screenshot shows the TCOLE MyTCOLE account interface. The navigation bar includes Home, My Records, Online Training, Events, My Account (highlighted with a red '2'), Help, and Logout. Below the navigation bar is the 'IDENTIFICATION AND CONTACT' section. A dropdown menu is open, showing options: Shopping Cart, Orders and Receipts, Contact and Personal Data (highlighted with a red '3'), and Update Password And Security Questions. The form fields include: First Name, Middle Name, Last Name, Address (with a red '4' next to it), City, State (TX), Zip Code, Email Address, Phone Number, Hair Color (dropdown), Eye Color (dropdown), Height (feet and inches), and Weight (lbs). At the bottom of the form is a green button labeled 'Update Contact Information' with a red '5' above it.

Special Services Division

Curriculum Updates

Below is a summary of updates made to course curriculum materials between March 2015 and June 2015. The course materials can be found under the Training/Course Curriculum Materials and Updates section on our website: www.tcole.texas.gov

Course Number	Course Name	What Changed	Revision Date
4001	Mental Health Peace Officer Course	Updated instructor qualifications	05/19/2015
1009	Basic Investigative Hypnosis	Reformatted	2015
3286	Eyewitness Evidence	Reformatted	2015
3506	Legal Issues for County Corrections	Reformatted	2015
3599	Jail Firearms Course	Reformatted	2015
3702	Field Training Officer Course	Reformatted	2015

New Course Equivalents for Missing and Exploited Children

The following courses are now considered equivalent to Missing and Exploited Children (3275). You can take these courses through the Texas Municipal Police Association (TMPA).

- 53264 Advanced Child Abuse Investigation
- 53267 ACA Module #3-Special Topics & Resources

Brady Video

Instructions on how to view the Brady Video can be found on the [Course Curriculum Materials and Updates](#) page of our website.

New Agencies

Since March 2015, the following new agencies have been established:

- Gillespie County Communications Center
- Lindale I.S.D. Police Department
- Longview City Marshal's Office
- Highland Park I.S.D. Police Department
- Midland County Hospital District Police Department

Special Services Division, Continued

TCOLE Learning Updates

New Online Course Our new 4 hour Stress Management course was kindly donated by Denco Area 9-1-1. Although the intended audience for this course is those that work in telecommunication centers, it does contain useful information for identifying stress, the effects of stress on the body, and how to manage stress. Peace Officers are welcome to take the course for hours that will count toward their 40 hour unit requirement.

Certificates of Completion We have upgraded the services provided within the online training system. Each online training course now offers a certificate of completion for courses completed on or after May 26, 2015.

New on the TCOLE Website

We've added two new features to our website: a photo gallery and an updated timeline of legislative and procedural changes. The new timeline is current through January 1, 2015. It's structured like an online book, allowing you to navigate to the previous or next pages. Each page contains information for a single date in time. You can use the search bar in the top right corner of our site to search for keywords of a specific result you're looking for, and our site will return relevant dates on our timeline that contain those keywords. The new timeline can be found under [Who We Are/Background/Timeline of Legislative and Procedural Changes](#).

We are using our new photo gallery to share photos of events we've hosted or have attended. You can check it out on our website under [Who We Are/TCOLE Photo Gallery](#).

Tips from the Help Desk

Did you know you can check to see if your college hours are added to your TCOLE record in your MyTCOLE account?

Once you log into your account, go to My Records/Formal Education. If your college hours are missing, contact your department's training coordinator to find out how to add them.

Having your college hours on file will help you earn proficiency certificates more quickly.

Field Services Division

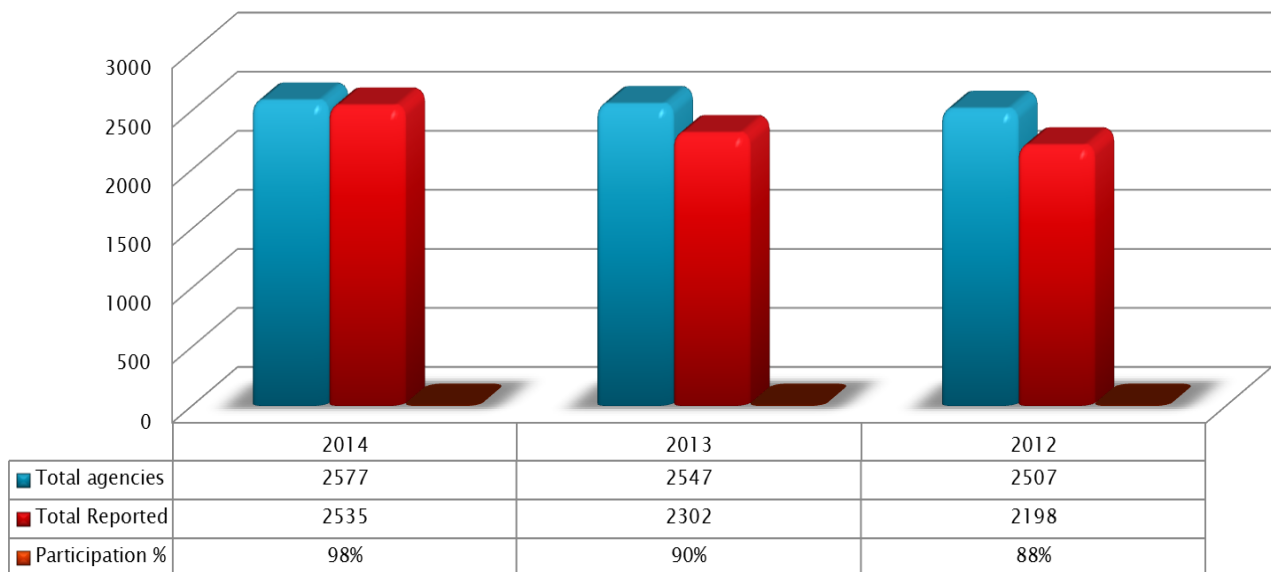
By Richard Gutierrez

Three Year Racial Profiling Reporting Compliance

The Texas Occupations Code §1701.164 requires TCOLE to collect incident -based data from each Texas law enforcement agency annually. The reporting window for each department to report their data is from January 1 to March 1 of every year. Each active agency must file their status as exempt, partially exempt, or full reporting. Departments that filed exempt in the 2014 reporting period will be automatically exempted for all following years until the agency's chief administrator notifies TCOLE otherwise. If there is a change in the exempt status, the department head must notify TCOLE prior to the reporting period, so the ability to submit the report can be reactivated.

The steady increase in compliance can be attributed to several factors. For starters, by now, most chief administrators have already had five years of exposure to the reporting process. Secondly, field service agents have been continuously reaching out to every chief administrator who failed to comply with this statutorily mandated requirement. Last but not least, this year, Special Services Division Sergeant Gary Connella personally contacted about 200 chief administrators or designees to find out the reason(s) behind their non-compliance and help them take proactive steps to ensure future compliance. This combined effort has brought participation to an all-time high at 98% for the 2014 reporting period.

**Racial Profiling Reporting Participation
2012 - 2014**



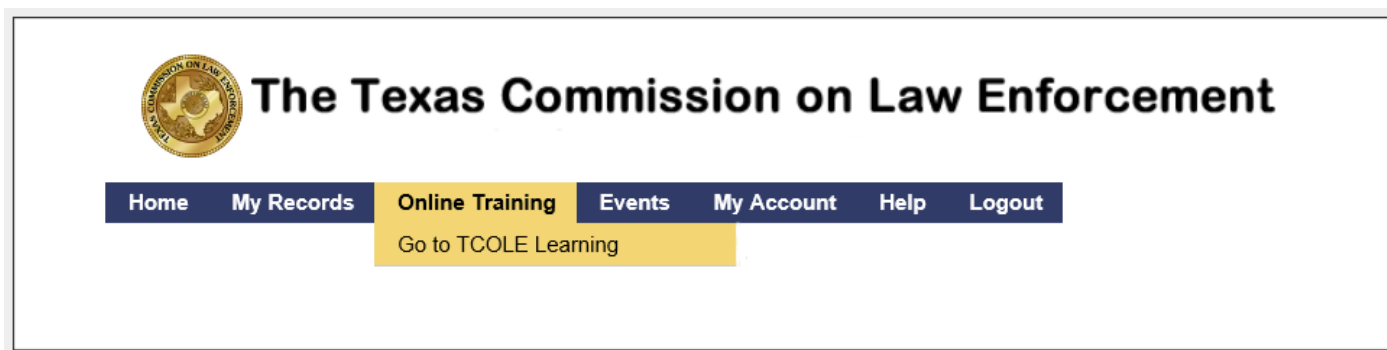
Credentialing Services Division

By Lisa Fontenot

2013–2015 Training Unit

All licensed peace officers must complete 40 hours of training to include #3183 – State and Federal Law Update by **August 31, 2015**.

Training can be completed for free through your MyTCOLE Account. To get there, log into your account, choose Online Training/Go to TCOLE Learning (see picture below). We offer over 40 hours of training including the State and Federal Law Update equivalent (3383) on the MyTCOLE Learning site.



If you're not interested in online training, there are a number of contract training providers that offer classroom courses. We have a listing of these providers on our website under [Training/Training Providers](#).

If you do not complete the training by August 31, 2015, you will be considered non-compliant and action will be taken on your license.

The Training Deadline is Almost Here

Training for Non-Commissioned Officers

If you are an officer who is not commissioned at this time, you are still required to complete the 40 hours of continuing education including any mandated training to maintain an active license.

Your license will be marked 'inactive' if your training is not completed by August 31, 2015. In this case, you will have to reactivate your license if you want to become eligible for hire again.

If you are not currently working, and you are not sure where to find training, you may want to take advantage of the free training offered by TCOLE through the MyTCOLE account.

Credentialing Services Division, Continued

Non-Compliance Notification Letters

Letters were mailed out at the end of June notifying departments of their officers who have not yet met the training requirements for the 2013-2015 training unit. The next notification letters will be mailed out at the beginning of August.

How can I check my record to see if my training has been posted?

There are two ways to check on your training:

- **MyTCOLE Account:** Once you log in go to the *My Records* tab and choose *Print Personal Status Report*. This report will contain a complete history of your training. Please be aware that providers have 30 days to post training rosters.
- **Contact us:** We are available Monday through Friday from 8:00 AM to 5:00 PM. You can call our Credentialing Department at (512) 936-7700, or send a chat message to one of our representatives. The chat option is available on the login page of your MyTCOLE account.

Frequently Asked Questions About Training

Q: Why do I have to take the law update every 2 year unit? Didn't I already take it?

A: The Texas Legislature passes bills that affect laws once every 2 years. Each law update course includes changes made to laws during the most recent legislative session. For example, course 3183 incorporates changes that came from the 83rd legislative session. Now that the 84th session has ended, subject matter experts are putting together the curriculum for 3184, which will be required for the 2015-2017 unit.

Q: What classes should I take for this unit, besides the law update?

A: Every Peace Officer is required to take 40 hours including the law update. The remainder of the hours can be filled with any course offered by a TCOLE approved contract training provider.

Q: If I have my Basic certificate, or no certificate yet, I'm supposed to take Cultural Diversity, Special Investigative Topics, and Crisis Intervention, right?

A: Yes, but those three courses are requirements for the 4 year cycle, not the 2 year unit. That means you can take them at any point during the cycle which ends August 31, 2017. You are not required to complete them by 2015.

Legal Division

Proposed Rule Amendments

There were no rules proposed for amendment at the June 2015 meeting.

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

Legal Statistics

The following proceedings for revocation, suspension and other disciplinary actions took place at the June 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.

Type of Action	Number of Licenses
Default Suspension Orders	18
Agreed Suspension Waivers	4
Default Revocation Orders	3
Agreed Revocation Waiver	1
Cancellations	5
Proposal for Decision Orders	1
Statutory Revocations	8
Statutory Suspensions	9
Permanent Surrenders	25
Term Surrenders	2
Suspensions for Failing to Complete Legislatively Required Continuing Education	15
Reprimands for Failing to Complete Legislatively Required Continuing Education	9

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Presiding Officer

Patt Scheckel-
Hollingsworth
Assistant Presiding Officer

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Secretary

Patricia Garza
Constable Ron E. Hood
Rob Kyker
James Oakley
Sr. Police Officer Joseph
Pennington
Chief Ruben Villescascas



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[Jessica Teseny](#)

Notice

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