

THE BRIEFING



A Publication of the Texas Commission on Law Enforcement

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Continuing Education Unit Deadline: August 31

August 31 is the end of the continuing education unit and cycle, and it will be here before you know it. We want to help you be compliant! You can check your personal status report through your MyTCOLE 3.0 account to see what courses you have taken. This can be accessed through the TCOLE website or by clicking [here](#).



If you have questions about what your training requirements are based on your proficiency level and license type, we have a helpful training mandate guide on our website. You can compare your personal status report with the guide to determine any outstanding requirements. The training mandate guide can be found [here](#). More information is also available on [page 8](#).

All training must be completed by 11:59 pm on August 31, 2021, as the new cycle and unit will begin September 1, 2021. Those who have not taken the required training by August 31 will be given a reprimand, provided they complete their training after the deadline within the 90-day period. However, if the training is not completed at all, this could result in a suspension of their license.

We have several courses available online (for free!) through your MyTCOLE account. We recently transitioned to a new learning management system found on your MyTCOLE 3.0; for more information about this updated system, please refer to [page 6](#).

If you have any questions regarding your training that were not covered here, please call our Credentialing division at 512.936.7700 or email us at credentialing.help@tcole.texas.gov.

Upcoming Events

Quarterly Commission Meetings

September 2, 2021

December 2, 2021

Commission Meeting Highlights

Executive Director, Kim Vickers:

The TCOLE Sunset bill did not pass in the 87th legislative session; however we were granted an extension until 2023. In the interim, Sunset staff will perform a limited scope review of the agency based on material they reviewed last time and see if action is needed. Amongst other legislative decisions, TCOLE will be purchasing TCLEDDS and will be offering it to departments free of charge. With the purchase of TCLEDDS, forms will be more accessible to stakeholders and sending them to TCOLE will be a much more expedited process for many departments, as well as a catalog of reports that departments that will be able to access. Furthermore, TCOLE will be revamping our curriculum division with funds allocated from the legislature to provide for six new full-time employee positions. As a priority of order for curriculum, TCOLE will be focusing on updating outdated courses, expanding our online training presence, and reviewing all courses that we offer. We want to highlight the importance of using all resources available when developing and updating courses, including the use subject matter experts (SMEs) that are not peace officers.

We are eager to begin strategic planning for the future of the agency and are looking at possibly having more open meetings to keep the commission and our stakeholders informed and give them a chance to offer input if they wish to do so.

Director of Enforcement and Special Services, Michael Antu:

We have launched our new learning management system (LMS) and have had immense success with the inception of this new platform. So far, we have had 11,694 users since the date of the launch, May 18th. Of those, 38% have signed up for courses and we have been able to provide 28,668 hours of training to our licensees through this new, more stabilized system. It also increases efficiency, in that we can upload online courses faster and we have more authority over what we receive from other entities. Furthermore, we are also on the last phase of getting our shopping cart back online for users to utilize in a seamless fashion with the absorption of TCLEDDS into our systems.

Due to the pandemic, we have seen a decrease in academy enrollment, and we also saw a decrease in departmental rosters. For this year, we are on track for compliance and many licensees are rushing to complete the cycle as there will be no extensions granted for training hours. With a larger IT division, we will be able to provide faster service and support to our licensees. With the purchase of TCLEDDS, we are looking to improve our communication with our licensees by researching software that will allow users to get email subscriptions or text notifications. Lastly, racial profiling has completed, and out of all the departments, only 13 were given reprimands for late submissions.

Director of Government Relations, Gretchen Grigsby:

Though our Sunset bill was not successful, the process did what it was designed to do and highlighted issues within the agency that need to be addressed. There were items that were successful; for instance, the school marshal expiration date bill passed. This will make the expiration dates of school marshals more uniform and easier to keep up with. Other items passed that hope to make positive changes within the law enforcement community; HB 3712, which will standardize policies on chokeholds, calling for emergency medical services when needed, and intervening when fellow officers are using unnecessary force. The passage of SB

24 sets minimum standards for background information and provides TCOLE with the proper funding to develop a system that allows agencies to have secure access to background information. There were also a couple items passed that gave TCOLE new functions, as well as staff and funding. This includes, the creation of a peer-to-peer network as stated in SB 64 and a study on peace officer salaries statewide. Furthermore, there are no new continuing education requirements for peace officers, but there is a bill that requires new telecommunicator training which involves CPR training, and there is also a new training for jailers on interacting with persons that have intellectual or developmental disabilities. The BPOC will be modified as mentioned in HB 3712 to address the increase in required hours.

Director of Field Services and Credentialing, Cullen Grissom:

We approved 306 out of state and federal license applications and rejected 55 for the fiscal year 2020. For the current year, using 9-month data, we approved 282 license applications and rejected 40. For military licensee requests for fiscal year 2020 we approved 61 and rejected 29, and for the current fiscal year we have approved 49 and rejected 7. We are also reaching the end of both the unit and cycle for compliance, and have sent the second notice out to departments. We have 22,541 peace officers that are non-compliant, which is down 14,000 from the first letter that was sent out in February. We have 5,742 jailers that were sent a second notice of non-compliance, which is down 3,100 from the first notice sent out in February. Lastly, we have 1,822 telecommunicators that were sent a second notice of non-compliance, which is down 1,600 from the first notice. Surprisingly, COVID-19 did not have the effect that we were anticipating on compliance; compared to the last training unit we are actually at a better place by 1,000 peace officers. However, jailer non-compliance has increased due to the access to the 4900 jailer mental health course and is causing a discrepancy in the non-compliant numbers.

We are currently still working with providers and academies on moving back to face-to-face classes. However, we do recognize the advances that technology offers, such as remote interviews for psychological exams has turned out to be successful. We also have TCOLE academy contract evaluators (ACEs) working on a distance learning handbook for courses eligible to be taught online. With the new curriculum staff, we will be able to put a check and balance system in place for academies and training providers. We are working on creating a system for out-of-state training, as that is becoming more of a recent need. Furthermore, the field service agents have taken on the responsibility of conducting training coordinators' training, making training more widely available and regionalized for easier access.

87th Legislative Session Wrap-up



During the 87th regular session of the Texas Legislature, there were over many bills proposed that would have TCOLE and its licensees. Below is a synopsis of those that passed.

HB 786 by Representative Tom Oliverson

This bill relates to a cardiopulmonary resuscitation training for telecommunicators. The commission shall require each telecommunicator to be trained in telecommunicator cardiopulmonary resuscitation as part of the basic licensing course and each continuing education unit.

HB 929 by Representative Carl Sherman, Sr.

Known as the Botham Jean Act. Requires an agency's body worn camera policy to ensure that a body worn camera is activated only for a law enforcement purpose and is required to include certain provisions, including provisions relating to the collection of a body worn camera, including the applicable video and audio recorded by the camera, as evidence. Requires that a policy require a peace officer who is equipped with a body worn camera and actively participating in an investigation to keep the camera activated for the entirety of the officer's active participation in the investigation unless the camera has been deactivated in compliance with that policy. Authorizes a peace officer to choose not to activate a camera or to choose to discontinue a recording currently in progress for any encounter with a person that is not related to an investigation.

HB 1758 by Rep. Matt Krause

Each law enforcement agency that uses or intends to use a drone for law enforcement purposes is required to adopt, and submit to TCOLE, a written policy regarding the agency's use of force by means of a drone. Not later than January 1 of each even-numbered year, the agency is required to submit the policy to TCOLE.

HB 1938 by Representative Jacey Jetton

An agency may apply for a grant to help the cost of data storage from recordings created with body worn cameras.

HB 2831 by Representative James White

The commission, along with the Texas Commission on Jail Standards, shall jointly develop, with the assistance of the advisory committee on confinement of persons with intellectual or developmental disabilities, a training program of at least 4 hours for county jailers on interacting with persons with intellectual or developmental disabilities.

HB 3712 by Representative Ed Thompson

BPOC hours changed to no less than 720 hours. TCOLE is to work with LEMIT to produce model training and policies on the prohibition against chokeholds, duty to intervene in the case of unnecessary force by another peace officer, and the duty to render necessary medical aid as soon as it can safely be rendered. TCOLE is to prescribe 16 of the 40 hours of continuing education required for peace officers each continuing education unit.

SB 24 by Senator Joan Huffman

Establishes new preemployment screening procedures that hold both the law enforcement officer applying for a position and the hiring law enforcement agency accountable by requiring the agency to review pertinent records of prior conduct and activities and other background information about the officer before the officer may be hired by the agency. These records must be made available electronically in a way that ensures security and privacy, and the hiring agency must submit to TCOLE a confirmation form affirming that they have reviewed the documents, or were not able to because the previous employing agency did not make them available. Failure of the agency head or his designee to comply is grounds for suspension of the agency head's license.

SB 64 by Senator Jane Nelson

Requires TCOLE to develop a peer support network for law enforcement officers that includes peer-to-peer support; training for peer service coordinators and peers that includes suicide prevention training; technical assistance for program development, peer service coordinators, licensed mental health professionals, and peers; and identification, retention, and screening of licensed mental health professionals. TCOLE may contract with an institution of higher education to establish this program. A law enforcement officer's participation in peer-to-peer support and other peer-to-peer services under the network is confidential.

SB 198 by Senator Jane Nelson

Provides a more convenient way for retired law enforcement officers to demonstrate weapons proficiency by allowing these officers to demonstrate proficiency to any qualified handgun instructor.

SB 785 by Senator Brandon Creighton

Standardizes the expiration of school marshal licenses to August 31st following the second date anniversary of the date the commission licenses the person. Renewals also expire on August 31st. This is consistent with continuing education deadlines for other license types, and allows for more marshals to train at the same time, making classes more efficient.

SB 1191 by Senator Kel Seliger

Clarifies that a peace officer providing security for extracurricular activities is not a school resource officer and therefore is not required to take the training required of a school resource officer.

Spotlight: Senate Bill 24

This bill will make important changes to the way background investigations are conducted. Under this bill, and with funding provided by the Legislature to go along with it, TCOLE will be establishing a secure file transfer system to allow agencies to electronically share background documents when a licensee who has a law enforcement work history in Texas is being hired.

We will provide more information once a system has been selected and on the procedures that will go along with the system, including allowances for in-person review of background documents.

New TCOLE Online Training

**TCOLE ONLINE
TRAINING**



TCOLE launched the new TCOLE Online Training system on May 18, 2021. The system saw approximately 1,450 new users and over 315 completed training rosters in the first 8 hours post-launch.

The new site has the same course catalog as the previous training application. TCOLE offers 20 courses, free of charge and available 24-7.

For Telecommunicators, 8 courses are provided to satisfy your biannual TDD/TTY requirement and offer variety. Please keep in mind that courses are limited to 1 completion in a 2-year training unit. If you need a TDD/TTY course every 6 months, you'll want to spread them out if you choose to satisfy that requirement using the courses on our site. While these courses were created to satisfy the telecommunicator TDD/TTY requirement, they are also open for any licensee to take as continuing education to help achieve their unit training requirements.

Courses taken on the new site will appear on licensee's training record and personal status report (PSR) within 5 to 10 minutes after course completion. If the course does not appear right away, it will be reported within 30 days through a monthly proactive reporting.

Announcements

TCOLE 2021 Conference Canceled

Unfortunately, due to the unknown of the COVID-19 pandemic, TCOLE has decided that it would be best to cancel this year's conference. However, we look forward to seeing everyone at the 2022 conference. Please stay safe and healthy.

Please keep checking the [TCOLE](#) website to stay up to date on new information regarding the 2022 TCOLE Conference.

Thank you—

TCOLE Staff



OPPORTUNITY TO IMPROVE SEXUAL ASSAULT CASE ATTRITION OUTCOMES IN YOUR JURISDICTION

WHAT: The Governor's Office funded a grant to improve sexual assault case attrition outcomes in Texas.

WHO: The Institute of Domestic Violence & Sexual Assault (IDVSA) at The University of Texas at Austin is conducting the research.


NEED: IDVSA is looking for *two jurisdictions* to partner with for this research.

REQUEST 1: Time for either interviews or focus groups.

REQUEST 2: Access to closed, adult sexual assault case files for analysis.

WHY: To improve the Texas criminal justice system's response to sexual assault.

HOW: We aim to partner with two Texas jurisdictions to conduct analyses on closed adult sexual assault cases; conduct qualitative data collection about case decision-making, and collaboratively develop procedures that improve the CJS response.


 The University of Texas at Austin
 Institute on Domestic Violence
 & Sexual Assault
 Steve Hicks School of Social Work

Partnership Details

Commitment

- One-hour interview or focus group
- Participation in data sharing and transmission

Location

- By phone or online system (i.e., Zoom)

Timeline

- Project tasks will be conducted from May-August, 2021

Scan the code below to learn more:



To sign up or ask questions, call or Email Principal Investigator **Caitlin Sulley** at:

512-232-4812
csulley@austin.utexas.edu

Have you checked your training lately?

August 31, 2021 is coming around quickly. Do you have training to complete?

Pending violation letters were mailed to each department. Please check with your training coordinator to find out if you are on this list and what you are missing. You may also call our office for assistance at 512.936.7700 or email your questions to credentialing.help@tcole.texas.gov

Broad guidelines:

PEACE OFFICERS –

Unit requirements

Complete 40 hours of training to include #3186 – State and Federal Law Update

Cycle requirements

If you have a Basic certificate or no certificate you **must also complete these cycle course requirements:**

#3232 – Special Investigative Topics

#3939 – Cultural Diversity

#3843- CIT Update or #1850 – CIT (40-hour course)

#1849 – De-escalation Techniques

JAILERS –

#3939 -Cultural Diversity—**If you hold a Peace Officer intermediate certificate or higher, you do not have to complete this course.**

#4900 Mental Health for Jailers—**ALL jailers, regardless of certification level or license, must complete this course.**

TELECOMMUNICATORS –

Complete 20 hours of training. No specific mandated courses required.

Please see the [Training Mandate Guide](#) on our website for all training requirements for each license, appointment, and job specific duties.

Contact your local training providers to enroll in training or complete training through any of our online providers. Please be aware some required training can only be completed in a classroom setting, enroll in the training before the classes fill.

The COVID-19 crisis accommodations were lifted April 30, 2021. What does that mean? Please see the link for further information as this applies to all licenses - [TAB- COVID-19 4-1-21 revised.pdf \(texas.gov\)](#) If you have any questions concerning the bulletin, please call our office at 512.936.7700 or email us at credentialing.help@tcole.texas.gov .

2020 Racial Profiling Report

How many agencies reported overall?

2,722 agencies reported.

Of those, how many didn't report as of March 1st?

16 agencies either did not report their data or comparative analysis- these agencies ultimately resulted in a written reprimand against the Chief Administrator.

How did we follow up with these agencies that failed to report by March 1, 2021?

Each agency chief administrator (or their designee) was contacted and assisted in reporting their data and comparative analysis.

Was there any punishment to these agencies?

Yes. The Chief Administrator received a written reprimand in accordance with Code of Criminal Procedure 2.134(g) or 2.1385(a), which holds responsible the **Chief Administrator of the department**. A \$5,000 civil penalty fine could be assessed against the department. If the chief administrator receives three reprimands it could result in a suspension of their license.

How many agencies did we have to reach out to fix the comparative analysis?

Over 300 agencies were contacted by the regional FSA and the Lieutenant of Special Services: 103 agencies filed on March 1st by midnight.

Common mistakes made when reporting racial profiling:

1. Using the same date as your initial report.
2. Not uploading your comparative analysis in a PDF format.
3. Failing to break the information of the comparative analysis into percentages to show the true collection of information requested by the State.

Common Misconceptions

1. "The due date is at the end of March" —**FALSE**

Racial Profiling due date is to be filed between January 1st through March 1st following the previous year.

2. "That Racial Profiling information is not required if a citation was not written" —**FALSE**

All information on routine traffic stops are required information for Racial Profiling.

3. "All arrest and all contacts are to be reported on racial profiling report" —**FALSE**

The **Racial Profiling Report** is only asking for the information pertaining to the physical traffic stop. (description of the driver; location; race/ethnicity; gender; reason for stop; search if conducted; reason for search; contraband and description of contraband; result of the stop; arrest if any; physical force if used and number of complaints received by the department when it pertains to racial profiling).

4. "If your department only makes a few traffic stops, you don't have to report racial profiling" —**FALSE**

If your department conducts traffic stops it is best practice to report racial profiling to comply with *Code of Criminal Procedure Article 2.131-2.138*.

License Actions

The following proceedings for revocation, suspension and other disciplinary actions took place at the June 2021 Commission Meeting. For a complete listing of these license actions, including names and departments, see the meeting agenda found on our website under Who We Are/The Commission/Meeting Minutes at www.tcole.texas.gov/commission-meeting-minutes.

Type of Action	Number of Licenses
Default Suspension Orders	6
Default Cancellation Orders	0
Default Revocation Orders	1
Proposal for Decision Order	0
Agreed Suspension Waivers	0
Agreed Suspension Orders	0
Statutory Revocations	0
Statutory Suspensions	0
Permanent Surrenders	9
Reprimands for Administrative Violations	17
Reprimands for Failing to Complete Legislatively Required Continuing Education	1

Submit your Achievement Award Nominations!

We need your help! Each year, TCOLE hosts an annual achievement award ceremony to recognize peace officers, jailers, and telecommunicators that have gone above and beyond in their service to their community. We know there are many worthy candidates out there, but without a nomination we may never hear about them.



The awards are issued in the categories of valor, public service, and professional achievement. Nominations can be submitted until December 31, 2021 for the 2022 Achievement Award Ceremony. For the nomination form and additional information, please visit <http://www.tcole.texas.gov/content/state-texas-achievement-awards>.

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