



Kim Vickers
Executive Director

TEXAS COMMISSION ON LAW ENFORCEMENT

Quarterly Meeting Minutes June 11, 2015

On Thursday, June 11, 2015, at 9:30 a.m., the quarterly meeting of the Texas Commission on Law Enforcement (TCOLE) was held at the J.J. Pickle Research Campus, The Commons Learning Center, 10100 Burnet Road, Bldg 137, Austin, Texas.

Commissioners attending were Sheriff Joel W. Richardson, Presiding Officer; Ms. Patt Scheckel-Hollingsworth, Assistant Presiding Officer; Major Jason Hester, Secretary; Ms. Patricia Garza; Constable Ron Hood; Mr. Rob Kyker; Mr. James Oakley; Senior Police Officer Joe Pennington; and Chief Ruben Villescas.

Representing the Office of the Attorney General were Jennifer Hopgood and Veena Mohan. TCOLE staff attending were Executive Director Kim Vickers, Legal Counsel John Beauchamp, Finance Director Brian Roth, Government Relations Director Gretchen Grigsby, Division Chief Michael Antu, Laurie Abernathy, Lynn Beard, Gary Connella, Thurman Felder, Lisa Fontenot, Dennis Graffious, Richard Gutierrez, Nicole Hendrickson, Mike Hobbs, Jason Hufstetler, Malcolm Jackson, Derry Minor, Ken Mobley, Candice Simon, Jessica Teseny, Tracy Weems, and Kaye Wilson.

Agenda item #1, Call to order

Presiding Officer Richardson called the meeting to order. Robert Jackson, Michael Black, Jessica Varela, Richard Perez, Rick Hauck, and Gabriel Macias of the Texas Department of Public Safety Color Guard presented the colors. Commissioner Kyker led the pledge of allegiance, and Commissioner Hester gave the invocation. Roll was called and a quorum was present.

Agenda item #2, Reading of peace officer/jailer deaths since the March 2015 meeting.

Ken Mobley announced that there have been two deaths since the March 2015 meeting.

- Police Officer Michael Villarreal, Pearsall Police Department, EOW April 12, 2015
- Officer Richard Martin, Houston Police Department, EOW May 18, 2015

Agenda item #3, Approval of the minutes of the March 5, 2015, quarterly commission meeting at Austin, Texas.

Commissioner Hester made a motion to adopt the minutes. Commissioner Oakley seconded the motion. The motion passed unanimously.

Agenda item #4, Receive Presiding Officer's Report. Take action, if necessary.

No action taken.

Agenda item #5, Receive Executive Director's Report. Take action, if necessary.

Executive Director Vickers reminded everyone that the 2014 Law Enforcement Achievement Awards ceremony will take place June 12. Nominations are now open for the 2015 awards.

After 26 years of dedicated service, Laura LeBlanc retired from TCOLE, and Chris Varady is now the agency's Public Information Officer. Nikki Johnson will handle the School Marshal program, and Michele White is the agency's full-time receptionist.

The budget for the upcoming biennium includes 10 new full time employees, increasing the agency's enforcement and field services capabilities.

Credit will be awarded to TCOLE licensees that attend the quarterly meetings. A roster will be available for signing at the conclusion of the meeting.

Peace officer standards and training directors from around the United States and from 13 countries attended the International Association of Directors of Law Enforcement Standards and Training (IADLEST) conference hosted by the state of Texas. A new level of membership is now available for training coordinators and academy directors. The National Certification Program is a new initiative being undertaken by IADLEST. Mr. Vickers explained the program, and additional information is available on the IADLEST website.

Commissioner Hester made a motion to accept the Executive Director's report and Commissioner Oakley seconded the motion. The motion passed unanimously.

Agenda item #6, Receive Legislative Report. Take action, if necessary.

Director Grigsby noted that approximately 1,300 bills passed this legislative session and several of these have a direct impact on TCOLE. These include HB 593, animal encounter training; HB 1338, traumatic brain injury training; HB 2053, child safety check

alert list; HB 2684, child behavior training for school-based law enforcement; SB 158, body camera program; and SB 1987 training on interactions with deaf or hearing impaired drivers.

Executive Director Vickers noted that a committee has been working on the legislative update course, and changes will need to be made to the basic peace officer course to incorporate new legislation.

Commissioner Oakley made a motion to approve the report and Commissioner Hester seconded the motion. The motion passed unanimously.

Agenda item #7, Receive Operations Report. Take action, if necessary.

Division Chief Antu opened by reporting on the status of non-compliance notification. The first letters issued to agencies included approximately 16,000 names. This past Monday, a new non-compliance list was run and the numbers are down to 11,000.

Mr. Antu also stated that beginning September the agency will accept training provider contract applications. This two-step process begins with the receipt of the initial application, then the fee collection, followed by an on-site visit. Special consideration will be given to the needs assessment and the benefits to the region. Non-Texas applicants will be required to follow the same process as Texas applicants. The approval process is still in the planning stages. Commissioners Hester and Hollingsworth asked for the agency to re-address the fee schedule concerning commercial providers.

Commissioner Oakley made a motion to approve the Operations report and Commissioner Garza seconded the motion. The motion passed unanimously.

Agenda item #8, Discuss and take action on Achievement Awards.

Executive Director Vickers noted that one name had been inadvertently omitted from the list of names that the Commissioners approved at the March meeting. He asked that the Commission vote on the additional name.

Commissioner Oakley made a motion to approve the additional name for the Achievement Award, and Commissioner Hester seconded the motion. The motion passed unanimously.

Agenda item #9, Discuss and take action on the Request for Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure.

- Allen Police Department for Autumn Miller
The Allen Police Department has asked that their waiver be postponed until the September 2015 meeting.
- Marshall Police Department for Terry Scott Barmore
Chief Jesus Campa, Marshall Police Department, appeared before the Commission and requested a waiver for Terry Scott Barmore, who was also present. Discussion followed.

Commissioner Oakley made a motion to grant the waiver to the Marshall Police Department for Terry Barmore. Commissioner Villescas seconded the motion. The motion passed unanimously.

- Montgomery County Sheriff's Office for Shawn Yates
Sheriff Tommy Gage, Montgomery County Sheriff's Office appeared before the Commission and requested a waiver for Shawn Yates, who was also present. Discussion followed.

Commissioner Oakley made a motion in favor of the waiver. Commissioner Kyker seconded the motion. The motion passed with Commissioner Hester casting an opposing vote.

- Waller County Sheriff's Office for Patrick Casey
Sheriff Glenn Smith, Waller County Sheriff's Office, appeared before the Commission and requested a waiver for Patrick Casey, who was also present. Discussion followed.

Commissioner Oakley moved for approval of the waiver. Commissioner Kyker seconded the motion. The motion passed unanimously.

Break 10:38 a.m. until 11:00 a.m.

Agenda item #10, Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Default Suspension Orders

Barham, Jared C.	14-02-2391	Bruceville-Eddy Police Department
Caasi, Cindy H.	14-11-1896	Kendall County Sheriff's Office
Caro, Jessica A.	14-12-2212	Midland County Sheriff's Office
Contreras, Eduardo A.	11-06-0048	Cameron County Sheriff's Office
	15-09-0048	
Greiner, Dan P.	14-03-2489	University of Houston Department of Public Safety
Hemphill, Preston R.	14-09-0063	Potter County Sheriff's Office
Holman, Justin G.	14-09-0078	Lewisville Police Department
Menchaca, Christopher E.	14-12-2220	Bexar County Sheriff's Office
Padilla, Sonya Y.	14-03-2540	Potter County Sheriff's Office
Ramirez, Alisha N.	13-02-0455	Brooks County Sheriff's Office
Rosado, Zebadiah J.	11-07-1059	Fort Worth Police Department
	13-11-0225	
Saiz, Theodore R.	14-02-2402	University of Texas System Police
Saleme, Taylor S.	13-07-0794	Orange Police Department
Villasana, Jr., Martin Y.	12-05-1025	Elmendorf Police Department
Wilson, Reginald D.	14-03-2502	Whitehouse Police Department

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order as authorized under the provisions of 37 Texas Administrative Code, Section 223.3, as required under the Occupations Code, Chapter 1701, to suspend the license of Jared C. Barham, Cindy H. Caasi, Jessica A. Caro, Eduardo A. Contreras, Dan P. Greiner, Preston R. Hemphill, Justin G. Holman, Christopher E. Menchaca, Sonya Y. Padilla, Alisha N. Ramirez, Zebadiah Rosado, Theodore Saiz, Taylor S. Salemek Martin Y. Villasana, and Reginald D. Wilson. Commissioner Oakley seconded the motion. The motion passed unanimously.

Agreed Suspension Waiver

Elliott, Jr., Louis M.	12-06-1048	Montgomery County Sheriff's Office
Leyva, Lorie C.	14-01-2263	Kingsville Police Department
Murdoch, Colt R.	14-02-2453	Seven Points Police Department
Trammell, Gregory A.	14-01-2316	Angelina County Sheriff's Office

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Suspension Waiver for Louis Elliott, Jr., Lorie Leyva, Colt R. Murdoch, and Gregory Trammell. Commissioner Garza seconded the motion. The motion passed unanimously.

Default Revocation Orders

Fears, Christopher G.	14-12-2189	El Paso County Sheriff's Office
Galvan, Jose R.	14-01-2257	Parmer County Sheriff's Office
Wood, George T.	11-11-0154	Fort Worth City Marshal's Office

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order as authorized under the Texas Administrative Code and Chapter 1701 to revoke the license of Christopher G. Fears, Jose R. Galvan, and George T. Wood. Commissioner Oakley seconded the motion. The motion passed unanimously.

Agreed Revocation Waiver

Canales, Daniel	14-01-2248	Wichita County Sheriff's Office
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Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Revocation Waiver for Daniel Canales. Commissioner Garza seconded the motion. The motion passed unanimously.

Default Cancellations

Brown, Gary L.	13-10-0066	Kermit Police Department
Pitts, Brian K.	14-01-2323	College of the Mainland Police
	14-03-2567	Department
Rice, Jon B.	15-02-0374	Palo Pinto County Sheriff's Office

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final Default Cancellation Order to cancel the license of Gary L. Brown, Brian K. Pitts, and Jon B. Rice. Commissioner Oakley seconded the motion. The motion passed unanimously.

Proposal for Decision Orders

Johnson, Darrell D.

13-04-0612

Travis County Constable Pct. 1

Commissioner Hollingsworth made a motion that the Commission accept and adopt the recommendations of the ALJ and suspend the peace officer license of Darrell D. Johnson. Commissioner Oakley seconded the motion. The motion passed unanimously.

For Information Only

Director Beauchamp noted that the remaining items are for information only and did not require action.

Statutory Revocation

Campirano, Alberto
Emmons, Miranda S.
Gillman, Jim J.
Gutierrez, Andres T.
Perez, Cesar R.
Perkins, Jr., Patrick F.
Webster, Michael R.
Yanez, Ernesto

Zavala County Sheriff's Office
Cherokee County Sheriff's Office
Texas Department of Public Safety
Jarrell Police Department
Maverick County Constable Pct. 1
Harris County Sheriff's Office
Tom Bean Police Department
Rio Hondo Police Department

Statutory Suspension

Allison, Misty D.
Geeslin, Bryan L.
Hight, Nathan R.
Montalbo, Maryann
Ocanas, Jaime I.
Paez, Esteban
Vasquez, III, Grady
Webb, Teresa M.
Zenker, Amy D.

Brown County Sheriff's Office
Texas Parks and Wildlife Department
Sansom Park Police Department
Milam County Sheriff's Office
McAllen I.S.D. Police Department
Webb County Sheriff's Office
Haskell County Sheriff's Office
Harrison County Sheriff's Office
Matagorda County Sheriff's Office

Permanent Surrenders

Brock, Jeffery D.
Brown, Shan D.
Caulkins, Joshua D.

O'Donnell Police Department

Smith County Sheriff's Office

Coronado, Rafael
Crosby, Matthew D.
Culp, Charles D.
Delagarza, Steven J.
Fuller, Justin A.
Hernandez, Steven M.
Jackson, Dwayne E.
Marcolesco, Duwayne B.
McCandless, John D.
Olison, Kennon D.
Palermo, James A.
Pasler, Nicholas G.
Ramos, German R.
Scott, Terry W.
Sealy, Jason C.
Sosa, Steven G.
Stewart, Nathaniel Y.
Suarez, Jr., Herman
Vilella, Christopher T.
Whittington, Nathaniel
Williams, Jr., John W.
Williams, Thomas E.

Term Surrenders

Mendoza, II, Alfonso
Ramirez, Jr., Juan

Suspensions for Failing to Complete Legislatively Required Continuing Education

Clamon, Robert M.	14-10-0255
Cornwell, Tammy L.	14-10-0275
Guerra, Carlos D.	14-11-2008
Jones, W.B.	14-11-2036
King, William L.	14-10-0539
Lancelin, Delas J.	14-11-2045
McKinney, Jr., Charles	14-11-2066
Morris, Bradley L.	14-10-0679
Munoz, III, Victor M.	14-10-0691
Nadeau, Paul N.	14-10-0692

Atascosa County Sheriff's Office
Von Ormy City Marshal's Office
Chambers County Sheriff's Office
Bexar County Sheriff's Office
Sanger Police Department
Bexar County Hospital District Police
Holliday Police Department
Estelline Police Department
Haskell Police Department
Smith County Sheriff's Office
San Marcos Police Department
Montgomery County Sheriff's Office
Houston Police Department
Terry County Sheriff's Office
Houston Police Department
Cameron County Sheriff's Office

Montgomery County Sheriff's Office
Harker Heights Police Department
Harris County Sheriff's Office
Dallas County Sheriff's Office
Cottonwood Shores Police Department

Indian Lake Police Department
Webb County Sheriff's Office

Celina Police Department
Hardin County Sheriff's Office
Zapata County Constable Pct. 1
Bexar County Constable Pct. 4
Wilson County Sheriff's Office
Fort Bend County Constable Pct. 2
Bexar County Constable Pct. 4
Johnson County Sheriff's Office
Webb County Sheriff's Office
Florence Police Department

Nieves, Jesus M.	14-11-2076	Harris County Constable Pct. 6
Nunez, Mario A.	14-10-1639	Ward County Sheriff's Office
Perez, Mark A.	14-10-0743	Bexar County Sheriff's Office
Redar, David J.	14-10-1695	Franklin County Sheriff's Office
Woodard, Kathy A.	14-11-2174	Houston County Constable Pct. 2

Reprimands for Failing to Complete Legislatively Required Continuing Education

Hoskins, Fred W.	14-10-0490	Caldwell County Sheriff's Office
Lee, Jewel D.	14-11-2047	Titus County Constable Pct. 1 and 2
Livingston, John C.	14-11-2052	Tarrant County Constable Pct. 7
Martinez, Jr., Urbino B.	14-10-0620	Brooks County Sheriff's Office
McKinney, Rory D.	14-10-1579	Midland County Sheriff's Office
Parker, David M.	14-10-0730	Hardin County Sheriff's Office
Prescott, Montgomery E.	14-10-0766	Duval County Sheriff's Office
Smith, Roy D.	14-11-2135	Dallam County Constable Pct. 1
Williams, Joseph M.	14-11-2168	Waller County Constable Pct. 4

Agenda item #11, Receive public comment on any topic, without action.

Robert Armbruster noted that the commission currently has a Dishonorable Discharge category on the F-5 relating to criminal misconduct. He believes that if an officer is arrested, subsequently fired, the F-5 is filed and the officer doesn't file an appeal, and the case is thrown out of court, there needs to be a rule to re-characterize the F-5 after the final disposition.

Mr. Armbruster also mentioned that the Houston Police Officer's Union is sponsoring a two-day conference on the use of force.

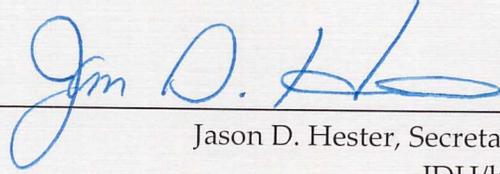
Agenda item #12, Executive Session to discuss pending litigation and personnel issues, including evaluation of executive director's job performance, pursuant to sections 551.074 and .071 of the Texas Government Code, Open Meetings Act.

The Commission went into executive session at 11:13 a.m.

Agenda item #13, Return from Executive Session to report and /or discuss further actions to be taken as a result of the Executive Session. Take action, if necessary.

The Commission returned from executive session at 11:39 a.m. No votes were taken and the meeting was adjourned at 11:40 a.m. until September 10, 2015 at 9:30 a.m.

Agenda item #14, Adjourn.



Jason D. Hester, Secretary
JDH/kw