



TEXAS COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

Timothy A. Braaten
Executive Director

MINUTES – QUARTERLY MEETING

The quarterly meeting of the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) was held on Thursday, March 3, 2011, at 10:45 a.m. The meeting was held at the J.J. Pickle Research Campus, The Commons Learning Center, 10100 Burnet Road, Bldg 137, Austin, Texas.

Commissioners attending were: Constable Charles Hall, Presiding Officer; Mr. Steve Griffith, Assistant Presiding Officer; Dr. Johnny E. Lovejoy, II, Secretary; Mr. James Oakley; Senior Police Officer Joe Pennington; Sheriff Joel Richardson; Ms. Patt Scheckel-Hollingsworth; Chief Ruben Villescas; Mr. Randy Watson.

Also attending were Assistant Attorneys General Raymond Winter and Daniel Wiseman, and TCLEOSE staff members Executive Director Timothy A. Braaten, Director Kim Vickers, Director Brian Roth, Director Chris Davis, Laurie Abernathy, Lynn Beard, Darla Dixon, Thurman Felder, Dennis Graffious, Richard Gutierrez, John Helenberg, Nicole Hendrickson, John Hunt, Ivan Messer, Kaye Wilson, and Mary Kay Wright.

Agenda item #1 Call to order

Presiding Officer Hall called the meeting to order and asked for the roll call. All commissioners were present.

Agenda item #2 Approval of the minutes of the January 13, 2011, Commission meeting at Austin Texas.

Commissioner Griffith made a motion to accept the minutes of the January 13, 2011, work session. Commissioner Lovejoy seconded the motion. The motion passed unanimously.

Commissioner Griffith made a motion to approve the minutes of the January 13, 2011, quarterly meeting. Commissioner Lovejoy seconded the motion. The motion passed unanimously.

Agenda item #3 Presiding Officer's Report

There were no items to report.

Agenda item #4 Executive Director's Report, if not read at the Work Session

This agenda item was covered during the Work Session.

Agenda item #5 Take action to approve the recommendations for the Law Enforcement Achievement Awards.

Commissioner Lovejoy made a motion to approve the awards recipients. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.



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enforcement agency*

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6330 U.S. Highway 290 East, Suite 200
Austin, Texas 78723

Agenda item #6 Take action on Items of Interest

- a. Definition of minimum background investigation requiring hiring agency / academy to meet or exceed a minimum background / personal history questionnaire established by TCLEOSE and background investigation form to be maintained in officer's file.
Commissioner Lovejoy made a motion that this item be brought forward as a proposed rule. Commissioner Villescascas seconded the motion. The motion passed unanimously.
- b. Notice that fee schedule will be presented at June meeting to be implemented September 1, 2011
No action necessary.
- c. Legislative tracking issues
No action necessary.
- d. Mitigating circumstances, Rule 223.15(h)
Commissioner Lovejoy made a motion that this item be brought forward as a proposed rule. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.
- e. Legal issues – Quo warranto
No action necessary.
- f. Current status of new jail courses
No action necessary.
- g. Other
No action necessary.

Agenda item #7 Take action on the application of the Guadalupe County Sheriff's Office to be a contractual training provider.

Commissioner Oakley made a motion to accept the application of the Guadalupe County Sheriff's Office to be a contractual training provider. Commissioner Griffith seconded the motion. The motion passed unanimously.

Agenda item #8 Take action on the Peace Officers' Memorial report, if necessary.

No action was necessary.

Agenda item #9 Take action on the proposed orders of amendments to existing TCLEOSE rules

- a. 11-24-§221.9 Standardized Field Sobriety Testing (SFST) Proficiency
- b. 11-25-§223.20 Revocation of License for Constitutionally Elected Officials
- c. 11-26-§221.1 Proficiency Certificate Requirements

Commissioner Lovejoy made a motion to accept the proposed rules. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

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

FINAL ORDER SUSPENSION OF LICENSE
Corey E. Covin 08-05-1536LS

LAST DEPARTMENT TO HOLD COMMISSION
I-Harris County Sherriff's Office

Mr. Covin spoke on his own behalf and was available to answer questions from the commissioners.

Commissioner Griffith made a motion that the Commission adopt a final order for a 6 month hard suspension from today's date and a 9 year, 6 month probated suspension. Commissioner Lovejoy seconded the motion. The motion passed with Commissioners Pennington, Villescas, and Hollingsworth voting against the motion.

Willie J. Sam 09-01-0229LS Houston Police Department

Mr. Sam and his attorney, Robert Armbruster, spoke and were available to answer questions from the commissioners.

Commissioner Griffith made a motion that the commission accept and adopt the Proposal for Decision to enter a final order for a ten year, fully probated suspension. Commissioner Lovejoy seconded the motion. The motion passed with Commissioners Villescas, Hollingsworth, and Richardson voting against the motion.

AGREED FINAL ORDER SUSPENSIONS
Gary Marek 09-07-0705LS

LAST DEPARTMENT TO HOLD COMMISSION
Williamson County Sheriff's Office

This item was postponed until the June 2011 meeting.

FOR YOUR INFORMATION

CANCELLATIONS

<u>NAME OF LICENSEE</u>	<u>DOCKET#</u>	<u>LAST DEPARTMENT TO HOLD COMMISSION</u>
Troy L. Bennett Jr.	11-11-0164CAN	Fayette County Sheriff's Office
Randy Betancourt	10-05-0550CAN	Maverick County Sheriff's Office
Holli J. Bullock	11-12-0227CAN	Williamson County Sheriff's Office
Brian L. Espinoza	11-11-0186CAN	Crystal City Correctional Center
Celestino J. Martinez	11-01-0284CAN	Crystal City Correctional Center
Robert R. McDowell	10-08-0713CAN	Val Verde Correctional Facility
Mallory D. Melendez	11-11-0161CAN	Fort Bend County Sheriff's Office
Stephen A. Rivera	10-03-0354CAN	Brazos County Sheriff's Office
Octavius D. Rawls	10-07-0707CAN	Newton County Sheriff's Office
Jose D. Vallejo	11-01-0276CAN	Cameron County Sheriff's Office
Cheryl L. Wilson	11-10-0099CAN	Ector County Sheriff's Office

PERMANENT VOLUNTARY SURRENDERS

<u>NAME OF LICENSEE</u>	<u>DOCKET #</u>	<u>LAST DEPARTMENT TO HOLD COMMISSION</u>
Richard K. Butler	09-01-0232PVS	Houston Police Department
Robert L. Carson, Jr.	10-06-0582PVS	Cleveland ISD Police Department
Jeremy Fountain	10-10-0093PVS	Texas Department of Public Safety
Charles C. Harris	10-03-0410PVS	Midland County Constable Pct. 2

Ryan B. Kelly	08-02-1369PVS	Brazos County Constable Pct. 1
Terry H. Lindsey III	10-01-0263PVS	Smith County Sheriff's Office
Clifford I. Morgan	08-02-1378PVS	San Antonio Police Department
Craig W. Nash	10-03-0369PVS	San Antonio Police Department
Stefanos P. Pothos, Jr.	10-11-0134PVS	Galveston County Sheriff's Office
Ricardo J. Rodriguez	06-03-1675PVS	San Antonio Park Rangers
Anthony A. Sterling	09-05-0517PVS	San Antonio Police Department
Thomas B. Toomey	09-08-0719PVS	Polk County Sheriff's Office
Andrew C. Wishard	11-01-0277PVS	Fannin County Sheriff's Office

REPRIMANDS

<u>NAME OF LICENSEE</u>	<u>DOCKET #</u>	<u>LAST DEPARTMENT TO HOLD COMMISSION</u>
Raymond J. Bonner	11-12-0254	
Douglas H. Dotson	10-09-0019	
Vyncent J. Gray	10-10-0081	
Scott A. Hamberger	10-07-0697	
Michael L. Hattaway	10-06-0609	
Brian E. Henry	10-09-0004	
Charles R. Hicks, Jr.	10-07-0705	
Francisco Huerta, Jr.	09-03-0382	Crystal City Correctional Center
John L. Hurley	10-04-0467	
Mark R. Hutchins	10-08-0743	Houston Police Department
Jose A. Infante	10-04-0461	
Wilmer R. Ivie	10-03-0384	
Frederick T. Jepsen	11-01-0303	Blue Mount Police Department
Jeffrey M. Jerman	10-09-0034	
Deanna L. Jopling	08-08-1622	
Oralia K. Kimble	10-09-0005	
Ruben V. Leal	10-05-0535	
Frank Lopez	11-11-0140	
Bronc J. McCoy	11-01-0281	Dallas Police Department
Leopoldo Menchaca	11-01-0302	Brownsville I.S.D. Police Department
Omar E. Salazar	10-12-0176	

**REPRIMANDS FOR VIOLATION OF RULE §217.11 LEGISLATIVELY REQUIRED CONTINUING
EDUCATION FOR JAILER LICENSEES TRAINING CYCLE 05-09**

<u>NAME</u>	<u>DEPARTMENT NAME</u>
Michael J. Anthony	Bowie County Correctional Center
Juan M. Anzaldúa	Hidalgo County Sheriff's Office
Christopher R. Ayala	Crystal City Correctional Center
Roberta K. Bacon	Dickens County Sheriff's Office
Matthew E. Bailey	Rusk County Sheriff's Office
Joshua D. Banks	Travis County Sheriff's Office
Michael A. Barrera	Brooks County Sheriff's Office
David M. Bradberry	Travis County Sheriff's Office
Nathan G. Bradshaw	Travis County Sheriff's Office
Tana K. Breiten	Loving County Sheriff's Office
Laqreshia N. Brooks	Dallas County Sheriff's Office

Francisco A Campero
John P. Cardenas
Tambra L. Caro
Michael A. Cates
Lisa A. Cavazos
Crystal M. Chavera
Brenda D. Cook
Carol R. Cottle
Danny Davila
Melissa O. Davila
Jessica A. Ebisch
Paul D. Eck
Daniel E. Ervin
David Fernandez
Mickey L. Fezell
William A. Frosch
Suki A. Gallegos
Sherry L. Garrett
Gina Garza
Ramon B. Garza Jr.
Anthony D. Glover
Fernando Gomez
Hector J. Gonzalez
John T. Grantham
Trina Y. Hall
Keith D. Harris
John Hayden
George W. Head II
Cynthia Hearn
Yvonne Hernandez
Ricardo D. Herrera
Cheryl L. Johnson
Victor M. Johnson
Luvia L. Kautz
Linda L. Keese
Andrew C. Kerstens
Irma Lopez
Richie E. Manny
Wesley D. Mason
James A. McClain
Ruben G. Mejia
Todd A. Messiner
Ricky Morales
Socorro M. Nunez
Darrell R. Oliver
Randy E. Owen
Jorge E. Paninski
David A. Parish
Juan D. Perez

Brooks County Sheriff's Office
Bexar County Sheriff's Office
Travis County Sheriff's Office
Brooks County Sheriff's Office
Brooks County Sheriff's Office
Brooks County Sheriff's Office
Falls County Detention Center
Edwards County Sheriff's Office
Brooks County Sheriff's Office
Brooks County Sheriff's Office
Travis County Sheriff's Office
Travis County Sheriff's Office
Dallas County Sheriff's Office
CCA Webb County Detention Center
Dallas County Sheriff's Office
Falls County Detention Center
Winkler County Sheriff's Office
Newton County Sheriff's Office
Brooks County Sheriff's Office
Nueces County Sheriff's Office
Winkler County Sheriff's Office
El Paso County Sheriff's Office
Cameron County Sheriff's Office
Franklin County Sheriff's Office
Dallas County Sheriff's Office
Travis County Sheriff's Office
Gregg County Sheriff's Office
Webb County Sheriff's Office
Hale County Sheriff's Office
Brooks County Sheriff's Office
Reeves County Sheriff's Office
Winkler County Sheriff's Office
Travis County Sheriff's Office
Dickens County Sheriff's Office
Travis County Sheriff's Office
Brazoria County Sheriff's Office
Brooks County Sheriff's Office
Dallas County Sheriff's Office
Dallas County Sheriff's Office
Hale County Sheriff's Office
Brooks County Sheriff's Office
Parker County Sheriff's Office
Winkler County Sheriff's Office
Presidio County Sheriff's Office
Refugio County Sheriff's Office
Travis County Sheriff's Office
Newton County Sheriff's Office
Angelina County Sheriff's Office
Brooks County Sheriff's Office

Donald D. Pressnell
 Alfred A. Pustejovsky
 Mario L. Ramirez
 Kimberly L. Ratcliff
 Martha A. Razo
 Bonnie M. Richardson
 Fernando Ruiz
 Ruben Salinas
 Latoya D. Sanders
 Jason B. Speir
 Esperanza Suarez
 Amy L. Swanson
 Wesley A. Tate
 Michael J. Tobias
 Tommy D. Tobias
 Gregory G. Truitt
 Robert L. Vela
 Veronica L. Vela
 Drew A. Williams
 Richard S. Young

Dallas County Sheriff's Office
 Fort Bend County Sheriff's Office
 Brooks County Sheriff's Office
 Shelby County Sheriff's Office
 Presidio County Sheriff's Office
 Winkler County Sheriff's Office
 Dallas County Sheriff's Office
 Burnet County Sheriff's Office
 Dallas County Sheriff's Office
 Grayson County Sheriff's Office
 Bexar County Sheriff's Office
 Winkler County Sheriff's Office
 Travis County Sheriff's Office
 Travis County Sheriff's Office
 Montgomery County Sheriff's Office
 Travis County Sheriff's Office
 Brooks County Sheriff's Office
 Brooks County Sheriff's Office
 Travis County Sheriff's Office
 Parker County Sheriff's Office

APPEAL OF F-5 REPORT OF SEPARATION OF LICENSEE

<u>NAME</u>	<u>DEPARTMENT NAME</u>
Kathryn M. Danner	Harris County Const. Pct. 4
Jose O. Garcia	San Benito Fire Department
Justen C. Isom	Carthage Police Department
Tiffany N. Lavergne	Sealy Police Department
William L. Martin	Harris County Const. Pct 4
Christopher Rich	Hopkins County Sheriff's Office
Roberto Ramos	Webb County Sheriff's Office
Jonathan F. Williams	Port Arthur Police Department

Assistant Attorney General Wiseman reviewed the "For Your Information" items with the commissioners. He noted that under Cancellations, the names of Robert R. McDowell, Stephen A. Rivera, and Octavius D. Rawls needed to be removed.

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

There were no public comments.

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 commissioners went into executive session at 11:45 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.

The commissioners returned from Executive Session at 12:45 p.m. There was no action taken.

Agenda item #14 Adjourn

Commissioner Griffith made a motion to adjourn. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

Dr. Johnny E. Lovejoy, II, Secretary
JL/kw