Kim Vickers
Executive Director

TEXAS COMMISSION ON LAW ENFORCEMENT

Quarterly Meeting Minutes
March 1, 2018

On Thursday, March 1, 2018, 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 Richardson, Presiding Officer; Ms. Patt Scheckel-Hollingsworth, Assistant Presiding Officer; Major Jason D. Hester, Secretary; Ms. Patricia Burruss; Constable Ron E. Hood; Chief Kim Lemaux; Mr. Jack Taylor, and Senior Police Officer Tim Whitaker. Commissioner Sharon Breckenridge Thomas was absent.

Attending from the Office of the Attorney General were Raymond Winter, Halie Daniels, and Veena Mohan. TCOLE staff attending included Executive Director Kim Vickers, Enforcement & Special Services Director Michael Antu, Credentialing & Field Services Director Kenny Merchant, Government Relations Director Gretchen Grigsby, Finance Director Brian Roth, General Counsel John Beauchamp, Lisa Landry, Doug Skolaut, Derry Minor, Lynn Beard, Shain Burks, Jessica Capraro, Gary Connella, Dennis Graffious, Laurie Jackson, Nikki Johnson, Leena Mahaffey, David New, Lita Rendon, Chris Varady, Michael Watts, and Kaye Wilson.

Agenda item #1, Call to order

The Presiding Officer called the meeting to order at 9:30 a.m. Officer Motton, Officer Landry, Officer Zaragoza, and Corporal Fautheree of the Cedar Park Police Department Color Guard posted the colors. Commissioner Whitaker led the pledges of allegiance and Commissioner Hester gave the invocation. Roll was called and a quorum was present.

Presiding Officer Richardson welcomed Jack Taylor to the Commission. Mr. Taylor is a public member replacing outgoing commissioner Judge James Oakley. Judge Oakley, who has served on the commission since 2010, was present and received thanks for his service.

Agenda item #2, Reading of peace officer/jailer deaths since the December 7, 2017, meeting.

Director Grigsby read the name of the officer killed in the line of duty.

- Police Officer David Sherrard, Richardson Police Department
  EOW Wednesday, February 7, 2018

Agenda item #3, Approval of the minutes of the December 7, 2017, quarterly commission meeting at Austin, Texas.

Commissioner Hester made a motion to approve the minutes. Commissioner Burruss second the motion. The motion passed unanimously.

Agenda item #4, Receive reports. Take action if necessary.

Executive Director Kim Vickers noted that Midland College Training Center Academy has been approved as a training academy, and West University Place Police Department has discontinued their training provider contract. In January and February, meetings were held throughout the state to gather information from stakeholders concerning what the agency is doing well, what we could be doing better, as well as what we might do in the future. Attendance at the eight regional meetings totaled 781 which is the largest turnout in the past several years. Information from these meetings were used by the Commissioners as they drafted the agency's strategic plan. Staff changes were announced and new employees were introduced.

Credentialing and Field Services Director Kenny Merchant noted the number of non-compliance licensees has dropped since the December meeting. Licensees will soon receive notices of non-compliance. *The Briefing* will now be sent via email blast.

Enforcement and Special Services Director Michael Antu said six new law enforcement agencies have been opened since the December meeting. As requested by the U.S. State Department, TCOLE is currently hosting a delegation from Mexico, sharing information on how Texas law enforcement officers are trained.

Government Relations Director Gretchen Grigsby reported that the Texas Peace Officers' Memorial Monument candlelight vigil will be held May 6 with the ceremony on May 7 at the Capitol. The basic peace officer course and the basic county corrections course should be completed before the next meeting. We have attended two legislative hearings, one which was in Tyler dealing with police and citizen interactions and one in Houston on the implementation of the Sandra Bland Act.

Commissioners Lemaux and Burruss made a motion to accept the directors' reports. Commissioner Hood seconded the motion. The motion passed unanimously.

Agenda item #5, Take action to enroll and induct officers in the Texas Peace Officers' Memorial Monument. Waive the requirement for induction at a separate Commission meeting, and take action to induct officers into the Texas Peace Officers' Memorial Monument who were enrolled today.

Executive Director Vickers stated that staff recommends the names being presented to the Commissioners for inclusion on the Peace Officers' Memorial Monument.

1.	Private Melvin E. Beauman Texas Rangers Company A, Frontier Batallion	9/10/1878
2.	Constable John Clayton "Jess" Billings Cameron County Constable Precinct 7	10/11/1926
3.	Deputy Constable Robert D. Brown Cameron County Constable Precinct 2	4/20/1929
4.	Deputy Sheriff George Ramsey Carpenter Cameron County Sheriff's Office	6/3/1922
5.	Constable Carlos C. Carpio El Paso County Constable Precinct 3	12/4/1910
6.	Watchman Louis L. "Frenchy" Cashat, Sr. City of Dayton	6/15/1950
7.	Special Officer Charles S. Chastain Missouri-Kansas-Texas Railroad Police Department	10/23/1916
8.	Constable Felipe Cobb Cameron County Constable Precinct 2	4/5/1898
9.	Deputy Sheriff Samuel Cobb Cameron County Sheriff's Office	4/5/1898
10.	Constable Lewis Cooper Waller County Constable Precinct 4	12/7/1878
11.	Posseman James Cope La Salle County Sheriff's Office	6/6/1891
12.	Border Patrol Agent David Richard Delaney DHS Customs and Border Protection	11/2/2012
13.	Mounted Customs Inspector Gregorio Duffy US Treasury Customs Service	1/27/1907
14.	Special Agent John Wesley Etheridge International and Great Northern Railroad	10/19/1905

15. Deputy Sheriff Edward Faust — 10/18/1869
DeWitt County Sheriff's Office

16. Deputy City Marshal Jose T. Garza, Sr. — 3/2/1930
San Juan Police Department

17. City Marshal Gregorio Gonzales — 8/20/1877
Laredo Police Department

18. Constable Genovevo Guzman — 9/15/1895
Hidalgo County Constable Precinct 1

19. Police Officer W.A. Hail — 12/12/1978
Tarleton State University Police Department

20. Constable Claude J. Harrison — 12/13/1927
Cameron County Constable Precinct 4

21. Constable Santiago Hinojosa — 3/30/1912
Hidalgo County Constable Precinct 1

22. Sheriff J.F. Holmes — 4/26/1877
Trinity County Sheriff's Office

23. Constable James Jackson "Jim" Hunt — 5/18/1941
San Patricio County Constable Precinct 1

24. Special Police Officer Tomas "Tom" January — 6/23/1924
Mercedes Police Department

25. Constable Joseph Lamar "Joe" Kolb — 9/14/1921
Walker County Constable Precinct 1

26. Superintendent Robert Patton McMinn — 11/4/1913
Brazos County Convict Camp

27. Deputy Sheriff Archibald "Archie" McNeill — 7/3/1900
Duval County Sheriff's Office

28. Constable George Morris — 9/28/1859
Cameron County Constable

29. Corrections Officer IV Craig Allan Orrell — 5/12/2011
Texas Department of Criminal Justice

30. Special Officer Jackson Palmer — 12/26/1908
North Fort Worth Police Department

31. Deputy Sheriff Samuel C. Perez — 11/18/1969
Val Verde County Sheriff's Office

32. Deputy Sheriff John Porter — 9/3/1906
Guadalupe County Sheriff's Office

33. Posseman Tom Pye — 9/23/1909
Brazoria County Sheriff's Office

34. Border Patrol Agent Jeffrey Ramirez 9/15/2012
DHS Customs and Border Protection
35. Deputized Citizen Andres Reyes 6/3/1922
Cameron County Sheriff's Office
36. Constable Jose Clemente Reyna 2/6/1893
Duval County Constable Precinct 2
37. Jailer Thomas Ronquillo 7/25/1879
Kinney County Sheriff's Office
38. Special Officer Tipton M. "Tip" Simmons 6/17/1936
El Campo Police Department
39. Deputy Constable Alejandro A. Solis 11/29/1927
Hidalgo County Constable Precinct 5
40. Deputy Constable Charles Franklin "Frank" Stanner 4/25/1929
Cameron County Constable Precinct 2
41. Inspector Stephen Glenn Stewart 1/7/1994
Texas Department of Criminal Justice
42. Special Officer Thomas J. Sullivan 4/5/1915
Atchison, Topeka and Santa Fe Railroad Police Department
43. Deputy Constable Mercedes Torres, Sr. 6/11/1930
Cameron County Constable Precinct 7
44. Border Patrol Agent Javier Vega, Jr. 8/3/2014
DHS Customs and Border Protection
45. Deputy Sheriff Jose Vela 4/5/1919
Hidalgo County Sheriff's Office
46. Police Officer William C. White 3/25/1930
Orange Police Department
47. Constable James Edgar Williams 12/21/1909
Falls County Constable Precinct 7
48. Special Deputy Sheriff Henry Gonzalo Woods 10/18/1869
DeWitt County Sheriff's Office

Commissioner Hollingsworth made a motion to approve the names read into the Peace Officers' Memorial. Commissioner Burruss seconded the motion. The motion passed unanimously.

Agenda item #6, Discuss and take action on the Request for Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure.

- Palo Pinto County Constable Pct. 5 for Michael Hendrick

Constable Scott Mitcham spoke on behalf of Michael Hendrick and asked the Commissioners to approve the waiver. Mr. Hendrick made himself available to answer questions.

Commissioner Hood made a motion to approve the waiver. Commissioner Burruss seconded the motion. The motion passed on a 5 to 2 vote with Commissioners Taylor, Hood, Hollingsworth, Burruss, and Whitaker voting in favor and Commissioners Lemaux and Hester voting against.

The Commission took a break from 10:30 – 10:45 a.m.

Agenda item #7, Discuss and take action on final orders of amendments to existing and new TCOLE rules.

- Final Amendment 1 - Amendment
  §Rule 211.1 Definitions.
- Final Amendment 2 - Amendment
  §215.9 Training Coordinators.
- Final Amendment 3 - Amendment
  §217.1, Minimum Standards for Enrollment and Initial Licensure.
- Final Amendment 4 – Amendment with Changes
  §217.7, Reporting Appointment and Separation of a Licensee.
- Final Amendment 5 - Repeal
  §217.27 Appointment Eligibility of a Telecommunicator.
- Final Amendment 6 - Amendment
  §218.3, Legislatively Required Continuing Education for Licensees.
- Final Amendment 7 - Amendment
  §227.1, Appointing Entity Responsibilities
- Final Amendment 8 - Amendment
  §227.3, School Marshal Licensing and Reporting Requirements.
- Final Amendment 9 – Amendment
  §227.5, School Marshal Training Entities.
- Final Amendment 10 - Repeal
  §229.1, Eligibility for Memorial Monument.
- Final Amendment 11 – New
  §229.1, Eligibility for Memorial Monument.

- Final Amendment 12 – Repeal
  §229.3, Specific Eligibility of Memorial Monument.
- Final Amendment 13 - New
  §229.3, Nomination and Selection.
- Final Amendment 14 – Repeal
  §229.5, Determination Standards.

Mr. Beauchamp recommended that the Commission group Final Amendments 1 – 9 as a single vote which will include clerical corrections to 217.7.

Commissioner Hester made a motion to approve final amendments 1 – 9. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

Mr. Beauchamp suggested taking final amendments 10 and 11 together. He noted that public comment was received and anywhere there is a reference to Memorial, change that to Memorial Monument.

Commissioner Hester made a motion to approve amendments 10 and 11 with the changes. Commissioners Lemaux and Burruss seconded the motion. The motion passed unanimously.

Mr. Beauchamp suggested grouping Final Amendments 12, 13, and 14, and amending the reference to the Memorial to the Memorial Monument. He also recommended to amend §229.3(c), based on public comment. The non-substantive change for clarification should read:

> The commission shall review the recommendations of the executive director concerning names of deceased officers for inclusion on the Memorial Monument at a regularly scheduled meeting and make its final determination according to §3105.0035 Texas Government Code.

Commissioner Hester made a motion to approve amendments 12, 13, and 14 with the listed changes. Commissioner Taylor seconded the motion. The motion passed unanimously.

Agenda item #8, Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Mr. Winter reviewed the disciplinary actions.

Default Suspension Orders

Cardenas, Isaiah M.	Jailer	Nueces County Sheriff's Office
Freeney Jr., Carlton B.	Jailer	Harris County Sheriff's Office
Henderson, Daniel P.	Peace Officer	Fort Worth Police Department
Hernandez, Fernando	Jailer	Dallas County Sheriff's Office
Mulacek, Jace S.	Jailer	Lubbock County Sheriff's Office
Pardo, Joaquin	Jailer, Peace Officer	Fort Bend County Sheriff's Office
Pino, Kenneth	Telecommunicator	El Paso Police Department
Taylor, Richard W.	Jailer	Bell County Sheriff's Office
Vega, Stephanie M.	Jailer, Peace Officer	Bexar County Sheriff's Office
Wooley, Anthony W.	Peace Officer	Red Oak 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 provisions of Texas Occupations Code, Chapter 1701, Section 1701.501 to suspend the licenses of the list that was read into the record by Mr. Winter beginning with Isaiah M. Cardenas and ending with Anthony W. Wooley. Commissioner Hester seconded the motion. The motion passed unanimously.

Default Cancellation Orders

Clark, Freda D.	Telecommunicator, Jailer	Hardeman 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 Freda D. Clark. Commissioner Hester seconded the motion. The motion passed unanimously.

Default Revocation Orders

Martinez, John M.	Jailer, Peace Officer	Texas Department of Public Safety
Melendez, Gilbert	Peace Officer	El Paso Police Department
Mize, Lance D.	Jailer	McLennan County Sheriff'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 provisions of 37 Texas Administrative Code, 223.3, as required under the provisions of Chapter 1701, Section 1701.501 to revoke the licenses of John M. Martinez, Gilbert Melendez, and Lance Mize. Commissioner Hester seconded the motion. The motion passed unanimously.

Agreed Suspension Orders

Nabors, Monte P.	Jailer, Peace Officer	Harris County Sheriff's Office
Ramirez, Monica O.	Jailer	Val Verde County Sheriff's Office
White, Patrick D.	Jailer, Peace Officer	Idalou Police Department

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 Monte P. Nabors, Monica O. Ramirez, and Patrick D. White. Commissioner Hester seconded the motion. The motion passed unanimously.

Proposal for Decision Orders

Grant, Joshua	Peace Officer	Kingsville Police Department

Mr. Beauchamp asked that the Proposal for Decision Order for Joshua Grant be pulled from the agenda at this meeting.

Mr. Winter stated that the remaining disciplinary items are for information only and do not require action by the Commissioners.

For Information Only

Statutory Revocation Double Dishonorable Discharge

Serrano, Gabriel	Jailer, Peace Officer	Maverick County Sheriff's Office

Permanent Surrenders

Campbell, Douglas V.	Peace Officer	Fort Worth Police Department
Chapman, Jason A.	Peace Officer	Waxahachie Police Department
Gilbert, Ronald R.	Peace Officer	Houston Police Department
Gore, Jacob	Peace Officer	Fort Worth Police Department
Grubbs, Emily A.	Peace Officer	Van Zandt County Sheriff's Office

Hernandez Jr., Manuel	Peace Officer	Edgewood I.S.D. Police Department
Holley, Michael	Jailer	Harris County Sheriff's Office
Huckabee, Brian D.	Jailer, Peace Officer	Payne Springs Police Department
Hunt, Charles A.	Peace Officer	Parker County Constable Pct. 1
Lewis, Omar D.	Peace Officer	Houston Police Department
Linley, Larry	Jailer, Peace Officer	Fort Bend County District Atty. Office
Mills, Michael J.	Peace Officer	Midland Police Department
Norman, James D.	Peace Officer.	Houston Police Department
Robles, Jeffrey	Peace Officer	Wharton Police Department
Ruiz-Carrillo, Juan	Peace Officer	San Antonio Police Department
Spencer, Cardan	Peace Officer	Dallas Police Department
Walters, Atlee	Jailer	Parker County Sheriff's Office
Wheeler, Christopher	Jailer, Peace Officer	San Augustine Police Department

Reprimands for Failing to Complete Legislatively Required Continuing Education

Hudgens, Kenneth	Peace Officer	Walker County Sheriff's Office

Reprimands for Administrative Violations

Chilton, Christopher	Telecommunicator	San Antonio Police Department
Dominguez, Merejildo	Peace Officer	Pecos County Constable Pct. 3
Light, Windell	Peace Officer	Eastland County Sheriff's Office
Long, Jim R.	Peace Officer	Jim Wells County Constable Pct. 3
		Lake City Police Department
Rodriguez, Miguel	Peace Officer	LaSalle County Sheriff's Office
Romero, Isaura	Telecommunicator	San Antonio Police Department
Valdez, Rudy	Peace Officer	Eagle Pass I.S.D. Police Department
		Maverick County Constable Pct. 1
Villanueva, Ethan	Peace Officer	Crosby County Sheriff's Office

Agenda item #9, Receive public comment on any topic, without action.

The Presiding Officer invited anyone in the audience to address the Commission. No one came forward.

Agenda item #10, Executive Session to discuss pending or contemplated litigation, settlement offers, 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 Presiding Officer noted that there would be no Executive Session.

Agenda item #11, 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.

Agenda item #12, Adjourn.

At 11:02 a.m. the Presiding Officer adjourned the meeting until the next meeting on June 14, 2018 at 9:30 a.m.

Jason D. Hester, Secretary
JDH/kw