The Briefing

The official newsletter of the Texas Commission on Law Enforcement

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Upcoming Events

Commission Meetings:

NOTE NEW SCHEDULE

Workshop February 2, 2022

Meeting February 3, 2022

Implementation Updates

As you have heard and seen through various TCOLE communications, there is a LOT happening at TCOLE! Below you will find a high-level overview of how implementation is going on some of the major projects passed by the Legislature and in the works by our staff.

One of the bills that passed during the 87th Regular Session with a significant impact in the policy and training realms within law enforcement was House Bill 3712.

TCOLE-Designated Continuing Education Courses

In future continuing education units, TCOLE will be mandating up to 16 hours of the 40 hours of training required of all peace officers. Because the law took effect concurrently with the start of the continuing education unit, for the 2021-2023 unit TCOLE is recommending the courses listed below. There will NOT be a compliance run, but TCOLE believes each of these courses will be highly beneficial to officers in the course of their duties.

- CPR training
  - Course 3845 (2-16 hours)
  - Would support officers in their duty to render aid under HB 3712 and SB 2212
- Trauma-Informed Sexual Assault Investigations
  - Either Course 470 via MyTCOLE or Course 4070 in-person
  - Supports the work of the Governor's Sexual Assault Survivors Task Force
- Approaching Alzheimer's: First Responder Training
  - Currently free on the Alzheimer's Association website, and it generates a certificate until we are able to work out an agreement with them to post it on MyTCOLE
  - Can be reported under course number 3908, Law Enforcement and the Elderly (1-100 hours)

Model Policies

The bill directed TCOLE to work with the Law Enforcement Management Institute of Texas (LEMIT) to develop model policies on:

- Duty to intervene in the event of, and report, excessive force;
- Prohibition on choke holds, carotid artery holds, or similar neck restraints; and
- Duty to render medical aid and summon aid.

These model policies have been developed by TCOLE and LEMIT, with input from the Texas Police Chief's Association, Sheriff's Association of Texas, and the Justices of the Peace and Constables' Association. They are posted on the TCOLE website under Help and Resources > Model Policies, and are available to any agency that chooses to use them. Please note that all agencies must have policies adopted on these topics by July 1, 2022.

BPOC hour increase

Under HB 3712, the minimum standard for the BPOC is 720 hours. The updated materials have been posted to the TCOLE website for public comment. Academies may begin teaching from the new materials, which will become mandatory for BPOCs that start on or after July 1. The overarching changes are as follows:

- Code of Criminal Procedure – now a 12-hour course
- Health and Safety Code – now a 12-hour course
- Family Violence – now titled "Sexual Assault and Family Violence," a 12-hour course
- Missing and Exploited Children – now an 8-hour course (no new content)
- Force Options Theory – now a 28-hour course

Updates on TCOLE IT Projects

Upcoming MyTCOLE Features

Printable Licenses – Whether you hold a temporary jailer license, a telecommunicator license, or you've been a peace officer for 25 years, as long as your license is still active you will be able to print the paper license out from your MyTCOLE account. Look for this new feature along the top, near the printable personal status report (PSR) in January.

Shopping Cart –The paper license is not to be confused with the wallet-sized laminated photo ID card. Coming in December, you will be able to use a credit card to purchase your photo ID card online through your MyTCOLE account. You'll also be able to order your proficiency certifications and duplicate copies of certificates that have been awarded to you. You won't be able to apply for new certifications yet, but that is a feature we are looking to roll out with the next phase of the shopping cart.

Online Training

TCOLE's Online Training catalog has expanded to include a few new courses:

Available now

- The State and Federal Law Update for the 87th Legislative Session (3187) is now available for 4 continuing education unit credit hours (CEUs).
- We also now offer the Court Security Course (10999) for 8 CEUs. The purpose of the course is to give the court security officer a basic understanding of the threats associated with court settings, as well as technology and techniques for court security operations in compliance with Government Code Section 158.002.

Coming soon

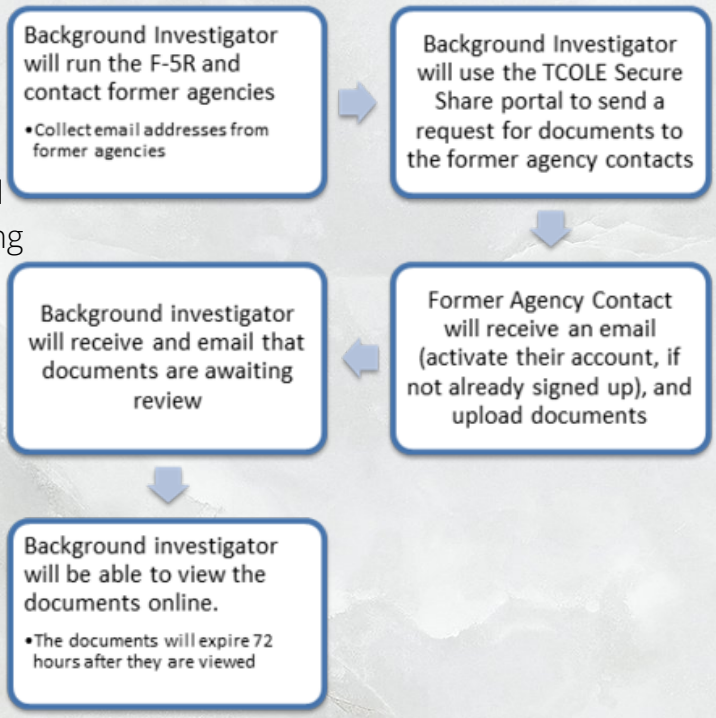
"First Responder Training – Working with Older Adults" will be available soon, thanks to Texas Health and Human Services. Police officers, firefighters, EMTs, and other first responders play a critical role in connecting people in crisis to resources and information, including older Texans. However, due to the complexity and scope of their professional roles, first responders may not be familiar with all the issues that can impact older adults. This training features a variety of topics and resources relevant to older adults to help you serve them.

TCOLE Communications

We are currently configuring a new mass email and text system that we will use to distribute more information, more often. This new system will allow you to select the topics in which you want to know more about. There will be a new pop-up on our main website where you will be able to sign-up for communications from TCOLE. Be sure to whitelist our new email address - emails from our new system will come from TCOLE@public.govdelivery.com.

Secure Share: Background Investigations

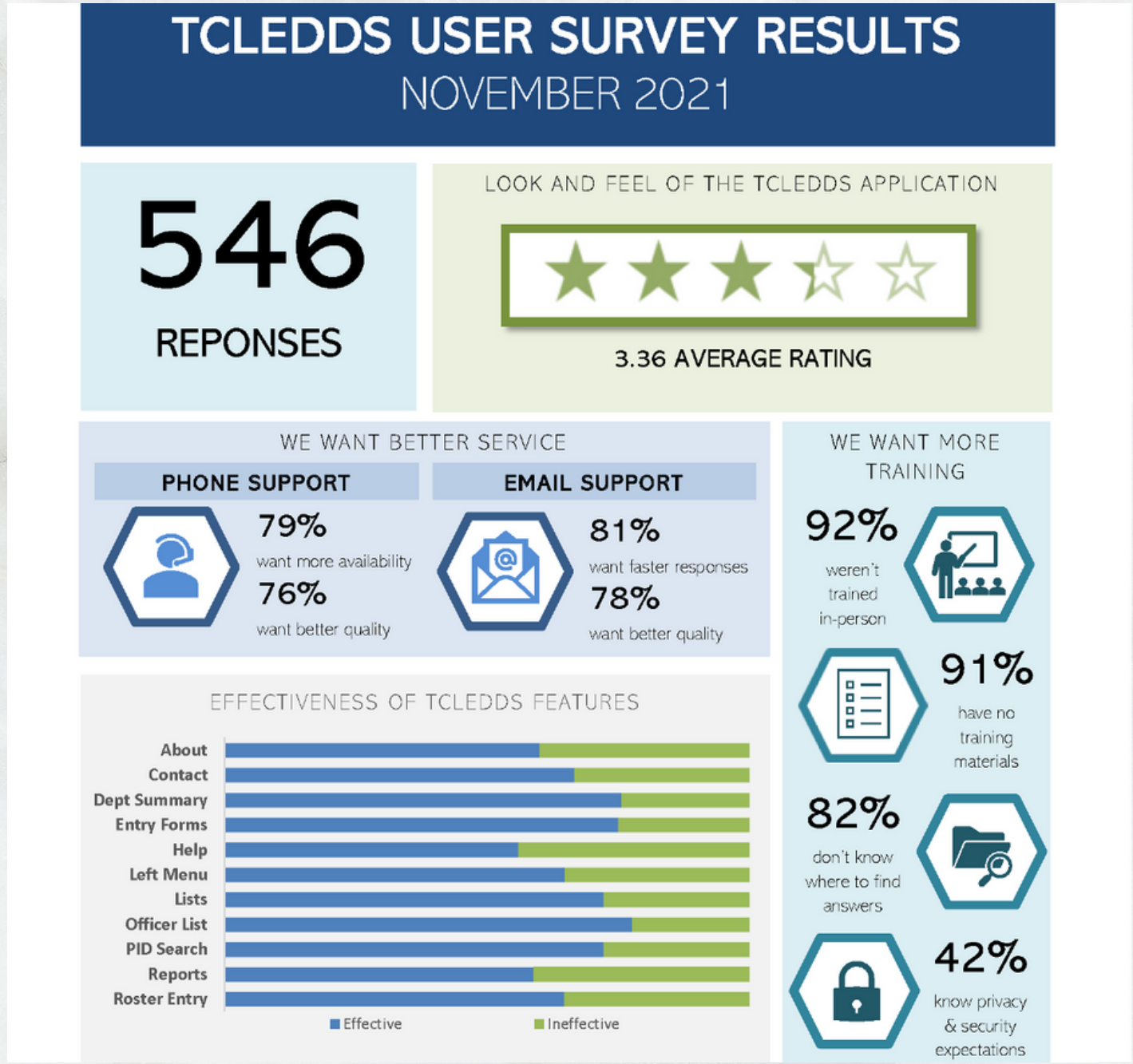
In the most recent legislative session, SB 24 requires TCOLE establish a secure platform where background information can be shared digitally rather than in-person, saving background investigators time and travel expense, and allowing agencies to make informed hiring decisions more efficiently. While we are still in the procurement process for a long-term system that is integrated with TCLEDDS, we will have a platform in place by in early 2022. We've hired two full-time staff that will be dedicated to helping you through the process. Starting January 1, 2022, ALL APPOINTMENTS require a background confirmation form submitted to TCOLE affirming that a proper investigation has been conducted.



TCLEDDS: Progress and Survey Results

TCOLE is still undergoing the necessary steps to purchase TCLEDDS. We don't have a date yet; the procurement process has been lengthy, but is moving along. Ultimately, it is our intention to bring TCLEDDS into a structure that is highly available, stable, easily maintainable, and fully protected. Through this process, we are able to create a roadmap of upgrades to the application. Many of these infrastructure changes may not be visible to you, but they are vital to the longevity of the application.

That said, we have been busy training our new IT support team to take over TCLEDDS support once the purchase is complete, and we've been reviewing the TCLEDDS survey results that poured in. The responses you provided are the primary influence over our decisions around how we support you and the application's interface going forward. We have taken the time to read through each and every bit of feedback we received, and we greatly appreciate all those that participated.



Training Mandates for Continuing Education

Training for the new Unit – 9/1/2021 through 8/31/2023 and Cycle – 9/1/2021 through 8/31/2025

Get ahead of the crowd and complete your training early!

Peace Officers - What do you need for the training unit?

- You will need 40 hours to include #3187 – State and Federal Law Update.
  - We are encouraging those without an Intermediate certificate or higher to complete all cycle requirements as well. Those courses are #3232 – Special Investigative Topics, #3939 – Cultural Diversity, #3843 – CIT update or #1850 – CIT, and #1849 – De-escalation Techniques.
- If you are working for a Constable's office, complete your #1415 Civil Process course. If you do not serve papers, you may have your department submit a waiver roster for you.

Telecommunicators – What do you need for the training unit?
You will need 20 hours to include a TCOLE approved Telecommunicator-CPR course. Please keep checking with us for that information.

Jailers – What do you need for the training cycle?
You will need #3939 Cultural Diversity by 8/31/2025 unless exempted due to a peace officer proficiency certification level of Intermediate or higher. Individuals who have not completed #4900 – Mental Health for Jailers must complete it by 8/31/2025 as well.

Non-Compliance
Some of you may have noticed that your license now has a non-compliant action against it- this is because required training was not completed by 8/31/2021. You will be receiving a letter soon explaining the issue and giving you two options. Please read the letter carefully and return the letter to the TCOLE Sergeant assigned to your case. Please contact our office with any questions.

Public Feedback on New or Revised Courses

As TCOLE's Education Services team makes some much-needed updates to some courses, we will be posting these changes for public comment on the TCOLE website for anyone who wishes to submit a comment on the revised training. The Basic Peace Officer Course (BPOC) is currently up on the website and available for public comment until December 17th. Other courses that are projected to be posted in January are the new Telecommunicator- CPR (T-CPR) course and the revised Mental Health Officer course (MHO). Public comment is generally available for about two weeks per course. Public comments can be made by submitting through TCOLE comment email curriculumcomment@tcole.texas.gov. Any courses up for public comment can be found in the Training tab on our website.

Statute Spotlight: Krystal Jean Baker Act

In 2019, the Texas Legislature passed House Bill 1399, known as the Krystal Jean Baker Act. Baker was just 13 years old in 1996 when she was abducted, sexually assaulted and killed. DNA evidence was collected at the time of her death, but no arrests were made. In 2010, the perpetrator of Baker's murder was arrested on an unrelated charge in Louisiana; DNA taken at the time of his arrest linked him to Baker's murder, and he ultimately pleaded guilty. The Texas Department of Public Safety reports that this law assisted in the closure of more than 250 unsolved criminal investigations in the first year after the bill became effective.

To aid in gaining resolution to unsolved crimes, this law requires a DNA specimen to be collected and entered into CODIS from individuals arrested for a felony violation of the following Penal Code provisions:

- Section 19.02 (Murder)
- Section 19.03 (Capital Murder)
- Section 20.03 (Kidnapping)
- Section 20.04 (Aggravated Kidnapping)
- Section 20.05 (Smuggling of Persons)
- Section 20.06 (Continuous Smuggling of Persons)
- Section 20A.02 (Trafficking of Persons)
- Section 20A.03 (Continuous Trafficking of Persons)
- Section 21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual)
- Section 21.11 (Indecency with a Child)
- Section 22.01 (Assault)
- Section 22.011 (Sexual Assault)
- Section 22.02 (Aggravated Assault)
- Section 22.021 (Aggravated Sexual Assault)
- Section 25.02 (Prohibited Sexual Conduct)
- Section 29.02 (Robbery)
- Section 29.03 (Aggravated Robbery)
- Section 30.02 (Burglary)
- Section 31.03 (Theft)
- Section 43.03 (Promotion of Prostitution)
- Section 43.04 (Agg. Promotion of Prostitution)
- Section 43.25 (Sexual Performance by a Child)
- Section 43.26 (Possession or Promotion of Child Pornography)

According to the statistics provided by Texas DPS for Fiscal Year 2021, nearly 40 percent of swabs for eligible offenses are not being collected or submitted. We hope this spotlight will help raise awareness of this requirement. Information for on the procedures for collection and how to obtain kits can be found on the DPS website at dps.texas.gov/section/crime-laboratory/dna-sample-collection.

Office of Court Administration

PROTECTIVE ORDER
REGISTRY

Protective Orders: A Matter of Life and Death

It is often said that a protective order is just a "piece of paper." However, detailed information that such a document even exists is the key that starts the engine of enforcement, protection, safety, and accountability. In 2015, Monica Deming of Odessa, Texas, was murdered by her ex-boyfriend. The young mother had no idea that the perpetrator had been the subject of two prior protective orders, only that his violent behavior toward her and her son was escalating. By the time she had begun taking steps to protect herself, it was too late. "Monica's Law", found in TGC §§ 72.151 – 72.158, was passed during the 86th legislative session to enable the Texas Office of Court Administration (OCA) to provide justice system stakeholders valuable information regarding applications and issued protective orders, along with very limited public access with the explicit consent of the protected parties. Public access is subject to strict confidentiality standards to protect victims of family violence, stalking, sexual assault, and human trafficking.

Want to get started? https://protect.txcourts.gov/
or email us at OCA-LegalSupport@txcourts.gov

To inquire about training please contact the domestic violence training attorney, Kimberly Piechowiak at kim.piechowiak@txcourts.gov.

PROTECT website for Law Enforcement and Prosecutors

WHAT: The Protective Order Registry of Texas (PROTECT) is a dedicated portal for law enforcement and prosecution personnel to view images of both applications and signed orders.

WHERE: https://protect.txcourts.gov/.

WHO: Heads of law enforcement and prosecution agencies, and their designees

WHY: Enhance enforcement, investigation, and safety planning for survivors of family violence and other violent crimes.

Section 72.024 of the Texas Government Code provides that OCA shall consult with and assist courts in the efficient administration of justice.

Office of Court Administration
205 W. 14th Street, Suite 600
Austin, Texas 78701-1614
www.txcourts.gov/oca

New Staff

IT Division

Bailey Barksdale joined the IT team in October. Bailey has worked in IT for 7+ years, with a focus in desktop user support and network maintenance. Bailey comes to TCOLE from Mississippi, where he was part of the IT team at a large grain terminal. His primary duty with TCOLE will be desktop user support for our staff at headquarters, and to users of the MyTCOLE, Online Training and TCLEDDS systems through email/phone.

Justin Wofford joined the IT team in October of 2021. He was hired to assist in the maintenance and development of current and new software apps owned and operated by TCOLE. He is originally from Abilene, Texas and graduated from The University of North Texas with a Bachelor of Science and The University of Texas at Austin with Full Stack Web Development. He and his wife Hannah have been married for five years, and live in South Austin with their two dogs.

Jaime Purcell has worked in the IT/programming world since 1984 in various industries. Jaime has been the primary TCLEDDS database and desktop application programmer for the last 15 years or so. Jaime has been married to Alice for 37 years, has 4 children, two grandchildren and another grandchild on the way.

Lance Behmer has 15 years in software development and testing in a variety of languages and platforms as well as maintaining servers and network infrastructure. For the past 10 years he has been updating TCLEDDS and the TCOLE Exam System, and he created today's MyTCOLE account. He has a Bachelor of Science in Computer Information Systems from the University of Houston at Clear Lake.

Education Services Division

Carolyn DeWitt is the Testing Manager on the Education Services team. She will design, develop, and publish questions for the licensing examinations. She will schedule and proctor licensing exams at Headquarters. In addition, she will extract and analyze testing data for quality control patterns and trends. Prior to TCOLE, she worked as a crime analyst with The Office of the Attorney General, and over ten years with the Texas Department of Public Safety in the Intelligence and Counter Terrorism Division as a financial analyst, trainer, and mentor. In 2010, Carolyn received her bachelor's degree in History at Concordia University, and a paralegal certification (2015) at the University of Texas at Austin.

Jacquelyn Pruet is an Instructional Designer on Education Services team. She will be creating and updating curriculum and other educational materials. Before joining TCOLE, Jacqui was a Training Specialist with the Texas Department of Public Safety where she developed a program of leadership and professional development courses. Prior to DPS, Jacqui worked in the Banking industry for over a decade specializing in mergers and acquisitions assimilation training, in addition to her responsibilities as an Assistant Vice President Branch Manager and Lending Officer roles. Jacqui is a proud alumnus of Stephen F. Austin State University where she received her BA in Fine Arts, with an emphasis in Theater and a minor in Political Science. After college, Jacqui achieved her lifelong goal of working on Broadway, doing Special Events Development fundraising.

David Guffey is an Instructional Designer on the Education Services team. He will be creating and updating curriculum and other educational materials. Before joining TCOLE, David worked in local school districts as a high school science teacher, middle school assistant principal, district curriculum coordinator, and Director of Secondary Education. David has a Bachelor of Science Degree in Secondary Education and master's degrees in Curriculum and Instruction, Biology and Educational Administration.

Cari Barrentine is an Instructional Designer on the Education Services team. She will be creating and updating curriculum as well as updating our online educational presence. Before joining TCOLE, Cari was an E-learning Coordinator with the Texas Department of Public Safety where she designed and developed e-learning courses and provided e-learning technical expertise. Prior to DPS, Cari worked as a level two support specialist in the tech support industry, providing customer support as well as training and mentoring level one support staff. Cari received her BA in German, with a minor in International Studies, from Texas State University.

Credentialing Division

Kelly Kirkland worked at the Public Utility Commission for 14 years. She has two wonderful kids. Her favorite part of being a mom is the grandbabies. Kelly likes to fish, work on vehicles, barbeque, and just cook in general.

Proposed Rule Changes

Rules proposed for amendment during the September 2021 meeting are currently open for public comment. Please send your feedback to public_comment@tcole.texas.gov.

§211.27 Reporting Responsibilities of Individuals.

Updates language related to military discharges for consistency.

§217.1 Minimum Standards for Enrollment and Initial Licensure.

Updates requirements for background investigations in response to the passage of Senate Bill 24 (87R).

§218.3 Legislatively Required Continuing Education for Licensees.

Adds CPR training to continuing education requirements for telecommunicators in response to the passage of House BIll 786 (87R).

§219.1 Eligibility to Take State Examinations.

Changes the issuance of a license to be upon passage of the state exam rather than upon first appointment, with a license going inactive absent an appointment in two years.

§219.11 Reactivation of a License.

Sets forth the reactivation process for those who do not receive an appointment within two years of licensure.

§221.31 Retired Peace Officer and Federal Law Enforcement Officer Firearms Proficiency.

Repeals the firearms proficiency rule in response to the passage of Senate Bill 198, which places this process in statute.

§223.19 License Reactivation.

Updates language related to military discharges for consistency.

§227.7 School Marshal Renewals.

Standardizes the expiration of school marshal licenses in response to the passage of Senate Bill 785 (87R).

License Actions

The following proceedings for revocation, suspension and other disciplinary actions took place at the December 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 Order	5
Agreed Suspension Waiver	1
Agreed Suspension Order	0
Proposal for Decision	0
Statutory Suspension	1
Statutory Revocations	0
Permanent Surrenders	19
Reprimands for Administrative Violations	6

Peace Officers' Memorial Nominations

If your agency has lost an officer or jailer in the line of duty, please be sure to send in nominations for the 2022 Peace Officers' Memorial Monument. We want to honor any fallen officers and make sure they receive the recognition they deserve. Please be aware that inclusions on the Peace Officers' Memorial Monument for medical deaths, including those related to COVID-19-related, are based on determination for benefits eligibility by the Employees' Retirement System of Texas. The nomination form can be found on the TCOLE website at http://www.tcole.texas.gov/content/texas-peace-officers-memorial.

Happy Holidays

From all of us at TCOLE, we wish you a Merry Christmas and a Happy New Year.

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 Awards Ceremony. For the nomination form and additional information, please visit http://www.tcole.texas.gov/content/state-texas-achievement-awards

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