

Unit Goal: Texas Commission on Law Enforcement (TCOLE) Rules.

4.1. Define the TCOLE mission as it pertains to the establishments of standards.

Basis for the TCOLE Mission:

- The mission of the Texas Commission on Law Enforcement, as a regulatory State agency, is to establish and enforce standards to ensure that the people of Texas are served by highly trained and ethical law enforcement, corrections, and telecommunications personnel.
 - <https://www.tcole.texas.gov/content/tcole-mission>

4.2. Discuss the history and importance of TCOLE.

- TCOLE is a state agency created by an act of the 59th Legislature—Senate Bill (SB) 236 which became effective on August 30, 1965.
- The Commission will continue until September 1, 2031--Senate Bill (SB) 1445 passed in the 88th Legislature Regular session.
- The Commission is powered by legislation to create rules for the administration—Chapter 1701, Occupations Code.
 - <https://www.tcole.texas.gov/content/tcole-history>

4.3. List how the TCOLE rules are organized.

- The sections are listed to include a brief description.
- Rule organization for Part 7—Title 37 Texas Administrative Code Chapters 211-229
 - Chapter 211: Administration
 - Chapter 215: Training and Educational Providers
 - Chapter 217: Enrollment, Licensing, Appointment, and Separation
 - Chapter 218: Continuing Education
 - Chapter 219: Pre-licensing, Reactivation, Tests, and Endorsements
 - Chapter 221: Proficiency Certificates
 - Chapter 223: Enforcement
 - Chapter 225: Specialized Licenses
 - Chapter 227: School Marshals
 - Chapter 229: Texas Peace Officer's Memorial Monument

Instructor Note: Not all chapters will be covered from this point forward. Only the chapters which cover rules for the individual officer.

4.4. Identify the criteria for TCOLE Rules concerning basic training and enrollment standards.

- Chapter 217: Enrollment, Licensing, Appointment, and Separation
 - Minimum Standards for Enrollment and Initial Licensure--§217.1
 - Application for License and initial Report of Appointment--§217.3
 - Denial and Cancellation --§217.5
 - Reporting Appointment and Separation of a Licensee--§217.7

Lecture Scenario: Review L1, L2, L3, and F5 and their components. Refer to www.tcole.texas.gov.

- L1 – Statement of appointment
- L2 – Declaration of the lack of any drug dependency or illegal drug use.
- L3 – Declaration of psychological and emotional health
- F5 – Separation of Appointment
- Contesting an Employment Termination Report--§217.8

Lecture Scenarios: Review the below case study and consider its following questions:

Recently, an officer resigned from a Texas police department six months ago and wants to work in a different department. Today, the officer called the new police department to ensure all his required documentation was complete prior to starting his new appointment. The new police department informed him they were still missing information. His new department advised him they had:

- L1 ready for him to sign
- F5-R completed
- A comprehensive background Investigation
- Personal History Statement
- A computerized criminal history and his military discharge form (DD-214)
- The student must be able to identify what information is still needed. (See TCOLE Rule 217.7)
 - Current firearms qualification from his/her former agency.
 - L2 – Declaration of lack of any drug dependency or illegal drug use
 - L3 – Declaration of psychological and emotional health

4.5. Identify the criteria for continuing education for licensees and explain the 24-month training unit and the 48-month training cycle.

- Chapter 218: Continuing Education
 - Continuing Education Credit for Licensees--§218.1
 - Legislatively Required Continuing Education for Licensees--§218.3
 - **Instructor Note: 40-hour requirement and the current State and Federal Update requirements.
 - Reporting Legislatively Required Continuing Education--§218.5
 - Waiver of Legislatively Required Continuing Education--§218.7
 - Continuing Firearms Proficiency Requirements--§218.9
- Review training mandates with students for two-year training unit and four-year training cycle. Refer to www.tcole.texas.gov for current training mandates.

Lecture Scenarios: Review the below case study and discuss the following questions:

Officer Williams received 38 hours of continuing education credits to include the current legislative updates during the first 24-month unit of a training cycle. He was not worried he was short two hours as he was planning on completing 42 hours of continuing education hours during the second 24-month unit. Is this acceptable since both units fall under the same 48-month training cycle?

- The student must be able to identify what a 24-month unit and a 48-month training cycle is.
- The student will identify the 40-hour continuing education credits requirement which must be completed during every 24-month unit of a training cycle.

4.6. Identify the Proficiency Certificate Requirements.

- Chapter 221: Proficiency Certificates
 - Proficiency Certificate Requirements--§221.1
 - Proficiency Certificates--§221.3

Lecture Scenario: Review the Basic Proficiency Certificate, Intermediate Proficiency Certificate, Advanced Proficiency Certificate, and the Master Proficiency Certificate briefly. Refer to www.tcole.texas.gov/content/proficiency-certificates.

4.7. Identify the requirements for attempting a licensing exam.

- Chapter 219: Prelicensing, Reactivation, Tests, and Endorsements
 - Eligibility to Take State Exam--§219.1

4.8. Identify the actions taken by the Commission against a licensee.

- Chapter 223: Enforcement
 - License Action and Notification--§223.1
 - Administrative Penalties--§223.2
 - Answer Required--§223.3
 - Contested Cases and Hearings--§223.5
 - Surrender of License--§223.13
 - Construction of Other Laws----§223.14
 - License Suspension--§223.15
 - Probation and Mitigating Factors--§223.16
 - Reinstatement of a License--§223.17
 - Suspension Following Felony Arrest--§223.18
 - License Revocation--§223.19

4.9. Explain the process of reporting a licensee arrest.

- Chapter 211: Administration
 - Reporting Responsibilities of Individuals--§211.27
 - Responsibility of a Law Enforcement Agency to Report an Arrest--§211.28
 - Responsibility of Agency Chief Administrators--§211.29(N)

Lecture Scenarios: Review the below case study and discuss the following questions:

Officer Jones was on vacation in a small Texas coastal town. After having drinks with some old friends, he left the bar and was stopped by a local County Sheriff. The Sheriff administered the Standard Field Sobriety Test, which he failed with a .09 BAC and was arrested for DWI. Does Officer Jones need to report this arrest to TCOLE since the arresting department already did so?

- The student will identify who must report his arrest.
- The student will list the group of two or three who must report arrest to TCOLE within 30 days:
 - Arresting law enforcement agency
 - The officer's employer
 - The officer who was arrested

4.10. Discuss the significance of the Texas Peace Officers' Memorial and the National Law Enforcement Memorial.

- Chapter 229: Texas Peace Officers' Memorial Monument
 - Reporting Responsibilities of Individuals--§229.1
 - Specific Eligibility of Memorial Monument--§229.3
 - Deaths Not Included--§229.7

Lecture Scenario: View and discuss the National Law Enforcement Memorial.

- Access below website
- Click on "Memorial" link. <http://www.nleomf.org>