

THE BRIEFING

A Publication of the Texas Commission on Law Enforcement

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TCOLE is coming to a town near you!

Every two years, TCOLE heads out in the field to meet with, and get input from, our licensees. We want to hear about your experiences with TCOLE- things that are going well, and things that need improvement as we set the direction for the agency over the next five years.

These meetings are open to everyone, and public comment is welcome. All licensees, chief administrators, instructors, and training coordinators are invited to attend.

January 19	Abilene	9:00 AM	ACU Hunter Welcome Center
January 19	Amarillo	2:30 PM	Randall County Sheriff's Office
January 20	Arlington	1:00 PM	North Central Texas Council of Governments
January 21	Tyler	10:00 AM	Tyler Junior College, West Campus on Loop 323

Additional dates and locations are forthcoming. Details will be provided on our website as they become available. Keep checking our website here: <http://www.tcole.texas.gov/content/save-dates>

For questions, contact your [TCOLE field agent](#).

Other Upcoming Events

Quarterly Commission Meetings:

March 3
June 23
September 8
December 1

2016 Training Coordinators'

Conference:
Oct 3-6

Commission Meeting Highlights

The latest Commission meeting was held at the J.J. Pickle Research Campus on Thursday, December 3, 2015. Here are a few highlights from the meeting:

Executive Director's Report: We are still working to fill the position that will work closely with DPS in McAllen. We're also trying to fill the Academy Evaluator position.

Feedback from the 2015 Training Coordinators' Conference was great. The hotel that hosts our annual conference, the OMNI Bayfront Hotel in Corpus Christi, is already completely booked for next year's conference. In fact, they reached capacity for our next event before this year's event was over!

The psychological examination process (L-3) is currently under review.

Dates and locations for the tour of Texas regional meetings for strategic planning are being finalized.

Operations Director's Report: We concluded the 2013-2015 unit with about 490 licensees in non-compliance. Enforcement has already closed over 75 of those cases. Letters have gone out to the non-compliant individuals.

Government Relations Director's Report: Officer safety is one of the main concerns with legislative committees. The open carry and body worn camera programs are being monitored. A new committee is being formed that deals with mental health and jail safety standards.

Final Orders of Amendments: Commissioners approved the changes that staff recommended in the rule amendments proposed during the October 2015 meeting, with the exception of rule 219.25, License Requirements for Persons with Military Special Forces Training, which was not voted on. This rule will be re-addressed at a later date.

The final orders of amendments included several changes that are intended to achieve a cleaner, more efficient set of rules that are easier for the end user.

See [page 9](#) for full list of final orders.

For more information

Meeting Minutes: Other items, including line of duty deaths, waiver requests, proceedings for revocation, suspension, and other disciplinary actions, and previous meeting minutes, can be found under the Who We Are/The Commission section on our website at: www.tcole.texas.gov.

Public Comment: Anyone wishing to make a public comment may do so at the following email address: public_comment@tcole.texas.gov.

2015 Training Coordinators' Conference

2015 Training Coordinators' Conference

The annual TCOLE Training Coordinators' Conference for 2015 took place October 19-22 at the OMNI Bayfront Hotel in Corpus Christi, Texas. With an ever growing number of attendees, the hotels in the area fill up quickly. In fact, the OMNI Bayfront hotel is already full for next year's conference. Information about other hotel options will be coming soon.

In addition to listening to speakers who are experts in their field, conference attendees were able to submit questions which were answered on the spot by TCOLE Executive Director Kim Vickers and Agency Operations Director John Helenberg. Some of the major topics this year included personal history statements for academy enrollment, instructor certifications, and training roster issues such as how many hours to credit a course and training file maintenance.

The conference offered several after hours activities to entertain attendees and help raise money for the Peace Officers' Memorial. Events included a Fun Run, silent auction, karaoke, dance off, live auction, and a chance to dine with the vendors. The fundraising events raised over \$7,000 for the memorial.

Next year's conference will take place on October 3-6, 2016 and will be held at the same hotel.

If you'd like to see photos from the conference, check the [Who We Are/TCOLE Photo Gallery](#) section of our website.



TMPA sponsored the 2015 Fun Run. Winners above.

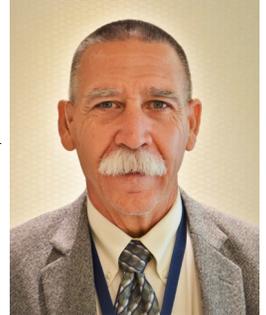


Dance Off Winners Dara Glotzbach (LEMIT) and Richard Zavala (NCTCOG)

Enforcement Division

Enforcement Welcomes New Investigator

Doug Skolaut, former Homicide detective with the Austin Police Department, joined us in October 2015. He retired from APD after 27 years. He is a much needed and welcome asset to the Enforcement Division.



Non-Compliance Cases

The Enforcement Division is hard at work on the 496 non-compliance cases that came out of the 2013-2015 unit. This unit's low number of non-compliance cases can be attributed to warning letters sent to departments prior to the end of the unit, as well as enforcement efforts made during previous training units and cycles.

In general, response to violation notices sent to those who failed to complete the required training in time has been good. For those that have not responded to their notice, an enforcement hold status may be placed on their license.

We're quickly approaching the end of a four-year training cycle and this cycle is particularly significant because it is the first time telecommunicators will be held responsible for meeting training requirements. We'd like to remind license holders that it is important to remember that as the licensee, you are solely responsible for your own training. Your department can help you keep track of your training, and we will communicate with them in an effort to help you stay in compliance. However, as the holder of the license, you are the one responsible for getting out there and taking the training, and you are the one responsible for keeping up with deadlines.

Special Services Division

New Agencies

Since October 2015, the following new agencies have been established:

- Lavaca County Attorney's Office
- Southwestern Baptist Theological Seminary College PD
- Los Indios PD
- Howard County CSCD
- McLennan County CSCD

Special Services Division, Continued

Curriculum Updates

Below is a summary of updates made to course curriculum materials between October 2015 and January 2016. The course materials can be found under the Training/Course Curriculum Materials and Updates section on our website: www.tcole.texas.gov

Course Number	Course Name	What Changed	Revision Date
1000643	Basic Peace Officer	Driver Responsibility Program Awareness added to Ch. 9	12/17/2015
4065	Canine Encounters	New Course	January 2015
8158	Body Worn Cameras	New Course	October 2015
4068	Child Safety Check Alert List	New Course	12/17/2015

How to get involved with TCOLE

Several folks have approached us wondering how they can get more involved with TCOLE. Our website offers instructions on how to volunteer to participate on one of our active committees. We also offer review and feedback opportunities for drafted courses. You can find this information under the [Training/Training Committees List and Draft Courses for Review](#) section of our website.

Updating Your Name, Date of Birth, or Driver License Number

Most of your information, like your address, phone number, email address, and your descriptive information, such as hair and eye color, height and weight, can be updated online through your MyTCOLE account. However, if you need to make a change to your name, date of birth, or driver license number, you have to submit a Name Change form to TCOLE. Be sure to attach a copy of your driver license, state-issued ID, or a certified copy of a court order so we may verify the information being changed.

There are many reasons why you should verify that these pieces of information are correct in your TCOLE file. Not only does the name we have on file show up on your peace officer, telecommunicator, or jailer license, but your date of birth and driver license number are required in order to create a MyTCOLE account or order a photo ID card.

The name change form can be found under the Forms and Applications section of our website at: www.tcole.texas.gov.

TEXAS COMMISSION ON LAW ENFORCEMENT
4501 E. Highway 291, STE 200
ARLINGTON, TEXAS 76010-3148
Phone: (817) 884-7708
www.tcole.texas.gov

Name Change
Driver License / DOB Correction
Commission Rule § 211.27
Please Print Legibly

Please mail to the address above or fax 512-850-0746.

1. Last Name (Name on File)	2. First Name (Name on File)	3. MI	4. Suffix (Jr., etc.)
5. TCOLE PID			

New Name / Driver License / DOB
Attach copy of driver's license, state issued ID or certified copy of court order.

6. Last Name	7. First Name	8. MI	9. Suffix
10. Date of Birth	11. Other License No.	12. DL 1999	

I certify that the above information is true and correct, and may be used to update my TCOLE personal record.

Signature of Licensee _____ Date _____

ADDRESS/PHONE NUMBERS CAN BE CHANGED ONLINE.
Go to www.tcole.texas.gov. Click on My TCOLE Account. Log in, go to My Account. Contact is Personal Data.

Field Services Division

Dual or Multiple Commissions/Appointments

By Field Agent Kenny Merchant

In the long-gone days of the old TCLEOSE there was a policy in effect that prohibited commissions or appointments (interchangeable terms) at more than one agency at a time. In those days, if a freshly signed L-1 arrived at TCLEOSE Headquarters while you were still appointed at a different agency, the appointment at the previous agency would be closed and the new appointment made. To find examples of this having happened, you merely need to look at enough licensee Personal Status Reports to find the one where the appointment date and the separation date are on the same day for that licensee. If no F5 had been received from the previous agency when a new L-1 arrived, the separation date for that licensee defaulted back to the same day as their appointment. This cost many licensees some service time and is something we are still correcting today.

Texas Attorney General's Opinion GA-0214 (July 12, 2004), requested by the Executive Director of TCLEOSE at the time, Dr. Jim Dozier, stipulated that earlier opinions citing Peace Officers as holders of public office were incorrect, and that Peace Officers could therefore hold more than one appointment or "commission," as long as all other mandated requirements were met*.

So why, after almost twelve (12) years, are so many veteran officers and agency administrators still surprised to hear the "news?" Mainly, in my opinion, because we in law enforcement have a hard time giving up tradition and accepting change. I hope, with this simple statement, to spread the word and minimize the confusion- "TCOLE will accept multiple appointments from multiple agencies for the same licensee, as long as all pre-appointment requirements have been met at each appointing agency." Let me stress that each agency must complete all of the requirements listed on the Law Enforcement Agency Checklist for each appointment.

I also hope to remind agency administrators of the vicarious liability attached to every dual appointment. For example, if Licensee Smith is currently appointed at both City A and City B as a peace officer, and is sued for some action he took while on duty in City A, City B administrators could potentially be held liable, also. This is where pre-appointment, written agreements between the hiring entities (clearly spelling out the licensee's job duties, responsibilities, and insurance coverage within each jurisdiction, come into play).

*Source: <https://www.texasattorneygeneral.gov/opinions/opinions/50abbott/op/2004/html/ga0214.htm>).

Credentialing Services Division

Training Requirements

By Lisa Landry

If you hold an active license with TCOLE, then you are required to complete training by August 31, 2017. Your training requirements depend on if you are a peace officer, jailer or telecommunicator. Peace officer training requirements depend on level of certification, and whether you work for a constable's office or not. See the listing below to find out what training you must take to keep your license in good standing. Please contact our office if you have any questions.

TELECOMMUNICATORS

- 20 hours of training are due by August 31, 2017.
- You can complete the training through your MyTCOLE Account. You are welcome to take any of the classes we have listed under General Training.
- Academies and training providers also offer training.
 - To find academies in your area, visit: <http://www.tcole.texas.gov/law-enforcement-academies>
 - To find training providers in your area, visit: <http://www.tcole.texas.gov/contract-training-providers>
- Even if you are not currently working for a department, you still must complete your training to keep your license active.

JAILERS

- Cultural Diversity is due by August 31, 2017.
- If you have an active peace officer license with a peace officer proficiency of INTERMEDIATE level or higher, then Cultural Diversity is not required to keep your jailer license in compliance.

DEPUTY CONSTABLES

- Civil Process is due by August 31, 2017.
- You must also meet the requirements of a peace officer.
- The Civil Process course will count toward your 40 hour peace officer training requirement.
- If you do not serve papers, your Constable will have to enter a waiver for you.

A letter will be going out to all agencies during the first quarter of 2016 to confirm the Telecommunicators listed with each agency.

Telecommunicators are urged to check their personal status report to confirm their service time with each agency they've worked for. Please contact our office if there are any discrepancies in the departments you've worked for, or the service time listed.

Credentialing Services Division, Continued

PEACE OFFICERS

- Training is due by August 31, 2017.
- Basic or no certificate level:
 - 40 hours to include CIT Update, Special Investigative Topics, Cultural Diversity and the current State and Federal Law Update (3184).
- Intermediate certificate or higher:
 - 40 hours to include the current State and Federal Law Update (3184).

CONSTABLES

- Constable's Continuing Education (3743) must be completed by August 31, 2017.
- The training must be completed through the Bill Blackwood Institute.
- The State and Federal Law Update is not required in addition to this course.

CHIEF ADMINISTRATORS

- Chief's Continuing Education (3740) must be completed by August 31, 2017.
- The training must be completed through the Bill Blackwood Institute.
- The State and Federal Law Update is not required in addition to this course.

FAQs

Q. How long does it take to reactivate a license?

A. Once we receive the application, it will be at least 2 weeks before the application process is completed.

Q. Can I work as a peace officer while I am in the process of reactivating my license?

A. No, you are not eligible to work in a peace officer capacity while you are reactivating the license.

Q. I worked for a department as a Telecommunicator but I don't see the service time on my personal status report. How can I get that time updated on my record?

A. You will have to contact the department in question and have them submit the correct paperwork to us. We will need a letter from the Chief Administrator notifying us of your start and end dates of service, as well as the capacity in which you worked for them (i.e. telecommunicator, jailer, or peace officer). Once the letter is reviewed and approved, your record will be updated.

Legal Division

Legal Statistics

The following proceedings for revocation, suspension and other disciplinary actions took place at the December 2015 Commission Meeting. For a complete listing of these license actions, including names, departments, and case numbers see the meeting agenda found on our website under [Who We Are/The Commission/Meeting Minutes](#) at www.tcole.texas.gov.

Type of Action	Number of Licenses
Default Suspension Orders	7
Default Revocation Orders	3
Default Cancellation Orders	4
Agreed Suspension Orders	1
Suspension Order Based on Withdrawal of Appeal	1
Proposal for Decision Orders	4
Statutory Revocation	7
Statutory Suspension	3
Permanent Surrenders	21
Reprimands for Administrative Violations	5
Reprimands for Failing to Complete Legislatively Required Continuing Education	16

Final Orders of Rule Adoption

- Final Amendment 1—4
§211.1. Definitions. (amend “Background Investigation”, add new definition of “Contract Jailer”, amend “Community Supervision”, add new definition of “Honorably Retired Peace Officer”)
- Final Amendment 5
§211.5. Licensee Lists. (repeal)
- Final Amendment 6
§211.7. Meeting Dates and Procedures. (amend)
- Final Amendment 7
§211.13. Notice of Commission Rulemaking. (repeal and replace)
- Final Amendment 8
§211.16. Establishment of an Appointing Entity. (amend)
- Final Amendment 9
§211.25. Date of Appointment. (amend)
- Final Amendment 10
§211.29. Responsibilities of Agency Chief Administrators. (amend)
- Final Amendment 11
§211.35. Tuition Reimbursement for Commission Employees. (new)

Legal Division, Continued

- Final Amendment 12
§215.9. Training Coordinator. (amend)
- Final Amendment 13
§215.13. Risk Assessment. (amend)
- Final Amendment 14
§217.1. Minimum Standards for Enrollment and Initial Licensure. (amend)
- Final Amendment 15
§218.9. Continuing Firearms Proficiency Requirements. (amend)
- Final Amendment 16
§219.1. Eligibility to Take State Examinations. (amend)
- Final Amendment 17
§219.11. Reactivation of a License. (repeal and replace)
- Final Amendment 18
§219.13. Retired Peace Officer Reactivation. (repeal and consolidate into Final Amendment 17)
- Final Amendment 19
§221.3. Proficiency Certificates. (amend)
§221.3. Peace Officer Proficiency. (repeal and consolidate into Final §221.3)
- Final Amendment 20
§221.5. Jailer Proficiency. (repeal and consolidate into Final Amendment 19)
- Final Amendment 21
§221.13. Emergency Telecommunications Proficiency. (repeal and consolidate into Final Amendment 19)
- Final Amendment 22
§221.43. School-Based Law Enforcement Proficiency Certificate. (new)
- Final Amendment 23
§223.1. License Action and Notification. (amend)
- Final Amendment 24
§223.3. Answer Required. (amend)
- Final Amendment 25
§223.5. Contested Cases and Hearings. (amend)
- Final Amendment 26
§223.5. Filing of Documents. (repeal and consolidate into new §223.5)
§223.7. Contested Cases and Hearings. (repeal and consolidate)
§223.9. Place and Nature of Hearings. (repeal and consolidate)
§223.11. Proposal for Decision and Exceptions or Briefs. (repeal and consolidate)
- Final Amendment 27
§223.14. Construction of Other Laws. (reorganize from current suspension rule)
- Final Amendment 28
§223.15. Suspension of License. (amend)

Legal Division, Continued

- Final Amendment 29
§223.16. Suspension of License for Constitutionally Elected Officials. (repeal and consolidate into Final Amendment 28)
- Final Amendment 30
§223.16. Probation and Mitigating Factors. (reorganize from current suspension rule)
- Final Amendment 31
§223.17. Reinstatement of a License. (amend)
- Final Amendment 32
§223.18. Suspension Following Felony Arrest. (new)
- Final Amendment 33
§223.19. License Revocation. (amend)
§223.20. Revocation of License for Constitutionally Elected Officials. (repeal and consolidate)
- Final Amendment 34
§223.21. Appeal. (repeal and consolidate into Final Amendment 26)
- Final Amendment 35
§227.1. Appointing Entity Responsibilities. (amend)
- Final Amendment 36
§227.3. School Marshal Licensing and Reporting Requirements. (amend)
- Final Amendment 37
§227.5. School Marshal Training Entities. (amend)
- Final Amendment 38
§227.9. License Action. (amend)
- Final Amendment 39
§227.11. Confidentiality of Information. (repeal)
- Final Amendment 40
§218.11 Child Safety Check Alert List Training. (new)
- Final 42
Re-adoption of all other existing rules not amended or repealed

The updated rules handbook will be available February 1, 2016 on our website at www.tcole.texas.gov under [Help and Resources/Rules and Policy](#).

Commissioners

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Presiding Officer

Patt Scheckel-
Hollingsworth
Assistant Presiding Officer

Major Jason D. Hester
Secretary

Patricia Burruss
Constable Ron E. Hood
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