

MINUTES - QUARTERLY MEETING

March 1, 2012

The quarterly meeting of the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) was held on Thursday, March 1, 2012, starting at 9:30 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 Sheriff Joel W. Richardson, Presiding Officer; Mr. Steve Griffith, Assistant Presiding Officer; Dr. Johnny E. Lovejoy, II, Secretary; Constable Ron Hood; Mr. James Oakley; Senior Police Officer Joe Pennington; Ms. Patt Scheckel-Hollingsworth; Chief Ruben Villegas; and Mr. Randy Watson.

Also attending were Assistant Attorney General Raymond Winter and Daniel Wiseman. TCLEOSE staff attending included, Executive Director Kim Vickers, John Helenberg, Chris Davis, Brian Roth, Laurie Abernathy, Lynn Beard, Jim Clifton, Darla Dixon, Thurman Felder, Lisa Fontenot, Dennis Graffious, Richard Gutierrez, Carey McKinney, Kenneth Merchant, Randy Odom, James Oswalt, Doug Staudt, Kaye Wilson, and Nicole Yoakum.

Agenda item #1, Call to order

Presiding Officer Richardson called the meeting to order. The flags were presented by the members of the Randall County Sheriff's Office Honor Guard followed by the pledge of allegiance to the United States flag and to the Texas flag led by Commissioner Oakley. Executive Director Kim Vickers led the invocation.

Presiding Officer Richardson introduced the members of the Honor Guard, Sgt Tegan Tupin; Deputy Colby Doak; Deputy Cody Weavers; Sgt Matt Stockstill; Sgt Jared Wirt; Deputy Kevin Willis, and thanked them for their assistance.

Kaye Wilson called the roll and announced that all members were present.

The presiding officer introduced special guests at the meeting. Justice Melissa Goodwin was appointed to the commission by Governor Rick Perry on September 21, 2009. She served on the board for fourteen months and resigned to run for public office. She now presides over the 3rd Court of Appeals. Also introduced was former TCLEOSE employee Ivan Messer who left the agency after 16 years of service to join the staff at the Texas Commission on Environmental Quality. It was announced that Chris Davis who has served as Director with the Enforcement and Legal Division has left the agency to become Chief of the fraud unit with the Texas Department of Insurance. The presiding officer noted that the three special guests made vital contributions to the agency and have been greatly missed.

Agenda item #2, Approval of the minutes of the December 1, 2011, Commission meeting at Austin, Texas

- a. *Work Session* – Commissioner Griffith made a motion to adopt the minutes of the December 1, 2011 work session. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

- b. *Quarterly Meeting* – Commissioner Griffith made a motion to adopt the minutes of the December 1, 2011 quarterly meeting. Commissioner Oakley seconded the motion. The motion passed unanimously.

Agenda item #3, Approval of the minutes of the January 12, 2012 Commission meeting at Austin, Texas.

This agenda item will be addressed at the June 7, 2012 meeting.

Agenda item #4, Receive Presiding Officer's Report. Take action, if necessary

No action taken on this item.

Agenda item #5, Receive Executive Director's Report. Take action, if necessary

Executive Director Vickers asked the commissioners if they had any questions about the report that they received prior to the meeting. Commissioner Hollingsworth asked for an explanation on the issues with the POSEIT training. Executive Director Vickers explained that the free, on-line training offered through POSEIT is especially important to the officers that aren't able to travel to receive training. The funds for the on-line training were cut by \$286,000 per biennium by the 82nd legislature with the idea that TCLEOSE could charge for proficiency certificates. The first half of this biennium, TCLEOSE has raised approximately \$8,000 by charging for certificates. At this rate, the agency cannot maintain course content or infrastructure that is needed for the free, on-line training.

Presiding Officer Richardson thanked Executive Director Vickers for keeping the commissioners well informed. The early notification of proposed rule changes on the agency's web site as well as notification to the various law enforcement associations proved successful and we continue our transparency in government.

Commissioner Griffith made a motion to accept the executive director's report. Commissioner Lovejoy seconded the motion. The motion passed unanimously.

Agenda item #6, Receive reports, items to discuss, follow-up items from previous meeting. Take action, if necessary

- a. *Legislative committee appointments* – Presiding Officer Richardson removed himself from this committee so that there will not be a quorum of commissioners when they meet.

Agenda item #7, Discuss agency strategic plan and regional workshops. Take action, if necessary

The presiding officer thanked those that attended the regional workshops and gave input to the commissioners as they develop a strategic plan for the agency. A list of the suggestions that were made in the workshops are available at the sign-in table. Commissioner Hollingsworth added that she attended all workshops and received a warm response from the communities and attendees. She noted that this furthers the transparency in government. Commissioner Pennington thanked those that attended the regional meetings and those that attend the quarterly commission meetings.

Agenda item #8, Discuss and take action to approve the recommendations for the Law Enforcement Achievement Awards

Executive Director Vickers explained that the agency receives nominations, forwards the nominations to a panel of judges that represent a spectrum of law enforcement agencies,

(sheriff, chief, university chief, constable, etc.) and this panel narrows the field to the finalists. The executive director has reviewed the final decision of the judges and concurs with their decision.

Commissioner Lovejoy made a motion to accept the recommendations for the Law Enforcement Achievement Awards. Commissioner Griffith seconded the motion. The motion passed unanimously.

Agenda item #9, Discuss and take action on the Request for Waiver of TCLEOSE Rules 215.15 enrollment Standards and 217.7 Minimum Standards for Initial Licensure

a. *Jeremy Valle and the Frio County Sheriff's Office*

This item was tabled until the June 2012 meeting

b. *Marissa Sanchez and the Terrell County Sheriff's Office*

Sheriff William McDonald asked the commission to consider a waiver for Ms. Sanchez. She was convicted of a Class B misdemeanor in 2006. The employment application for the sheriff's office asks if the applicant has been convicted of a Class B within the last five (5) years and Ms. Sanchez truthfully answered that she had not. Sheriff McDonald noted that their application should have asked if the applicant had been convicted within the last ten (10) years, and the application has since been corrected. The commissioners had several questions for Ms. Sanchez.

Commissioner Griffith made a motion to accept the waiver as presented. Commissioner Villescas seconded the motion. The motion passed with Commissioner Pennington opposing.

Agenda item #10, Discuss and take action on proposed orders of amendments to existing TCLEOSE rules

- 12_31_211.1 Definitions
- 12_32_217.1 Minimum Standards for Initial Licensure
- 12_33_217.7 Reporting the Appointment and Separation of a Licensee
 - Proposal A
 - Proposal B
- 12_34_217.11 Legislatively Required Continuing Education for Licensees
- 12_35_217.19 Reactivation of a License
- 12_36_217.20 Retired Peace Officer Reactivation
- 12_37_219.1 Eligibility to Take State Exams
- 12_38_219.2 Reciprocity for Out of State Peace Officers, Federal Criminal Investigators, and Military Police
- 12_39_221.3 Peace Officer Proficiency
- 12_40_223.13 Surrender of License
- 12_41_223.17 Reinstatement of a License

Randy Odom asked the commissioners to make one change to the title of proposed rule 12_33_217.7, Reporting the Appointment and Separation of a Licensee. The change is to add "or Telecommunicator" to the title.

Commissioner Lovejoy made a motion to approve the change. Commissioner Griffith seconded the motion. The motion passed unanimously.

Executive Director Vickers explained that Proposal A of 12_33_217.7 would place into rule a current policy where a hiring agency must obtain a copy of the L-2 medical and L-3 psychological from a previous agency if the applicant has less than a 180-day break in service. Staff does not believe this is the direction that the agency wants to go, so does not support the adoption of Proposal A. Proposal B of 12_33_217.7 does not refer to obtaining copies of previous forms, and only contains minor changes that are needed at this time. Staff is interested in proposing a more stringent rule on the medical and psychological. Presiding Officer Richardson stated that he has received feedback from agencies concerning proposed rule 217.7, and those that contacted him urged the adoption of Proposal B.

Commissioner Lovejoy made a motion to adopt Proposal B and requested staff to return with a proposal to go forward with this item as it is a big concern. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

Executive Director Vickers noted that Texas lags behind many IADLEST (International Association of Directors of Law Enforcement Standards and Training) member states in our process to reactivate an expired license. He explained the current reactivation process (rule 217.19) and gave an example of how the rule is implemented. If an individual serves as a peace officer for 6 months in 1982, leaves law enforcement to pursue another career, retires from that career, and wants to return to law enforcement, he only needs to complete 40 hours of training and to pass the peace officer's licensing exam. He stated that there is a shelf life on police training. Therefore, the staff recommends that the following steps be taken to reactivate a license. If a license is inactive for less than 2 years, the individual takes the mandated training to reactivate. If a license is inactive for 2 years but less than 5 years, the individual completes the supplemental peace officer course and passes the licensing exam. If a license is inactive for 5 years or more, the individual must complete a basic peace officer academy. There is no change to the current statute and rule for retirees to reactivate their license. Commissioner Oakley asked for feedback that has been received on this proposed rule. Executive Director Vickers noted that he has addressed several chief's training courses, and this proposal has been met with a resounding, "It's about time." He has contacted Executive Director Steve Westbrook with the Sheriff's Association of Texas and Mr. Westbrook noted that some may not support the rule change, but he believes that the sheriffs would offer overwhelming support. There was additional discussion on the physical activities required in an academy and whether someone retired from another career could pass the course. It was noted that there are some academies offering reduced physical requirements. Director Helenberg stated that this only applies to those with an inactive license, not those that have maintained their legislatively required training and kept their license active.

Commissioner Hood asked if, under rule 219.1, an individual is dismissed from a licensing exam for cheating, is the individual allowed to retake the licensing exam. Executive Director Vickers stated that the exam cannot be retaken until another licensing course has been completed.

Commissioner Griffith made a motion to approve 217.19 as staff has recommended. Commissioner Lovejoy seconded the motion. The motion passed unanimously.

Commissioner Griffith made a motion to approve all the recommended changes to the rules as proposed. Commissioner Oakley seconded the motion. At this point, Randy Odom pointed out the changes to 217.20 which changed the definition of "inactive." The changes to 217.19 also impact other rules such as 219.1 and 219.2. Inactive will be defined as the first unit or cycle that the licensee fails to complete the continuing education training and the licensee is not

appointed. Commissioner Griffith re-stated the motion that with the exception of 217.7 and 217.19, we approve all of the proposed rule changes. Commissioner Oakley seconded the re-stated motion. The motion passed unanimously.

Agenda item #11, Discuss and take action on final orders of amendments to existing TCLEOSE rules

- 12_30_221.35 Firearms Proficiency for Juvenile Probation Officers

Randy Odom reported that there were no public comments given on this final rule change.

Commissioner Griffith made a motion to approve 12_30_221.35. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

Agenda item #12, Discuss and take action on proceedings for revocation, suspension, and other disciplinary actions.

Assistant Attorney General Raymond Winter and Daniel Wiseman addressed the commission concerning disciplinary action.

DEFAULT ORDER FOR REVOCATION OF LICENSE

Manuel Moreno	248181	09-07-0702LS	TX Dept. of Public Safety
		10-06-0637LR	TX Dept. of Public Safety
		10-09-0042LS	TX Dept. of Public Safety

Mr. Winter noted that there were 3 different offences committee by Mr. Moreno. Mr. Moreno failed to show for his hearing with the State Office of Administrative Hearing (SOAH) thereby receiving a default from SOAH. The executive director is asking that the commissioners issue a default order revoking Mr. Moreno's license.

Commissioner Griffith made a motion to accept the executive director's proposal for default order on Manuel Moreno. Commissioner Hollingsworth seconded the motion. The motion passed unanimously.

FINAL ORDER SUSPENSION OF LICENSE

Thomas David Rodriguez	81500	10-01-0231LS	Kerrville Police Department
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The proposal for decision from SOAH has been issued. The morning of the March 1 commission meeting there were negotiations between counsel for Mr. Rodriguez, counsel for the executive director, and the executive director resulting in a proposed agreed order for a ten (10) year suspension, with two (2) years hard suspension and the remaining eight (8) years probated, with the two year hard suspension backdated to the date Mr. Rodriguez terminated his employment as a peace officer. This would be in January 2010. Presiding Officer Richardson asked counsel for Mr. Rodriguez if he had any additional comments. Mr. Phillips was available for questions, but had no comments to add.

Commissioner Griffith made a motion to accept the executive director's recommendation for an agreed upon suspension of ten years, two of which are hard and eight being probated with the beginning date to be the date of termination. Commissioner Oakley seconded the motion. The motion passed with Commissioner Hollingsworth opposing.

FINAL ORDER SUSPENSION OF LICENSE

Ryan A. Ward 307978 10-07-0712LS Stafford Police Department
This is a license suspension action brought by the Executive Director that went before the Administrative Law Judge (ALJ) judge for obstruction of a highway, Class B misdemeanor. The ALJ issued a proposal for decision recommending the period of suspension be entirely probated. The Executive Director filed an exception to the proposal for decision.

Mr. Wiseman stated that by rule the commission is limited to suspension to time served on community supervision, in this case, seven (7) months and one (1) day. Because of the gravity of the offense, the fact that another driver was injured and that alcohol was involved, the executive director believes this warrants a hard suspension.

Mr. Ward and his attorney, Robert Armbruster, addressed the Commission. Mr. Ward stated that there was driver distraction as he was changing a CD, using his phone, and trying to upright a tobacco spit cup when he swerved in the other lane and struck another driver. He stated that he had a few drinks that night, but he does not believe he was impaired. EMS responded to the call and the other driver asked to be taken to the hospital. Mr. Ward suffered a broken nose and a lip injury that required stitches. His agency has retained him in the telecommunication center and is holding a patrol position for him. Mr. Armbruster noted that the Fort Bend County District Attorney did not prosecute for DWI and that the case was refilled as obstructing a highway. Mr. Armbruster referred to Finding of Fact #12 where an alcohol abuse screening determined that Mr. Ward needed no further evaluation or treatment. Executive Director Vickers referred to Finding of Fact #11 where Mr. Ward was required to complete a court mandated Texas DWI education course. In the executive director's opinion, if the court felt it necessary to require him to attend a DWI education program, there was enough of an alcohol factor in the case that warranted it being considered as an alcohol related accident. Mr. Armbruster noted that the ALJ did not change her decision after the executive director filed the exception. Mr. Armbruster asked the commissioners if they are going to punish Mr. Ward or if they are going to let him continue his career. Mr. Armbruster presented a letter from the chief at Stafford and confirmed that this letter is not part of the record. Mr. Wiseman reminded the commissioners that they are limited to the facts that were presented at the SOAH hearing. Now there is information being offered that is outside of the record and that the commissioners may not consider it in reaching a decision.

Commissioner Pennington made a motion to accept the ALJ's ruling. Commissioner Oakley seconded the motion. The presiding officer called for discussion. Commissioner Lovejoy asked that Mr. Winter explain "punishment" that was mentioned earlier by Mr. Armbruster. Mr. Winter noted that what the commissioners do is not punitive. The commission is not in the business of punishing peace officers. The commission's actions are remedial, not punitive. Their actions are for the protection of the law enforcement profession. They are remedial sanctions that are applied to a license, they are remedial under the eyes of the law.

Presiding Officer Richardson stated the motion that was made and seconded, and called for a vote. The motion passed with Commissioners Villescas and Hollingsworth voting against and Commissioner Griffith abstaining.

FINAL ORDER SUSPENSION OF LICENSE

Autumn L. Wheat 98050 08-08-1663LS Fort Worth Police Dept.
This item previously appeared before the commissioners, but was continued as there was an underlying civil conviction on appeal. The conviction has since been upheld. The executive

director and the respondent have negotiated an agreed resolution which would result in a 10 year suspension, 2 years hard suspension and 8 years probated with the 2 years hard be retroactive to the date Ms. Wheat terminated her commission. The executive director recommends the proposed settlement be approved by the commission.

Commissioner Griffith made a motion to accept the executive director's recommendation for an agreed final order of a 10 year suspension, 2 years hard, 8 years probated, starting at the date of conviction. Commissioner Oakley seconded the motion. Director Davis noted that the negotiation was for the date of separation rather than the date of conviction. Commissioner Griffith amended his motion that the hard suspension would be effective starting October 10, 2009. Commissioner Oakley seconded the amendment. The motion passed with Commissioner Hollingsworth and Commissioner Lovejoy objecting.

AGREED FINAL ORDER SUSPENSIONS

NAME OF LICENSEE	PID#	DOCKET#	LAST DEPARTMENT
Alma M. Fowler	22789	09-04-0453LS	Dallas Police Department
Hector Jimenez Jr.	336795	10-07-0676LS	El Paso Police Department
Benjamin C. Lambert	385577	11-03-0524LS	Montgomery Co Const Pct 4
Michael L. McLendon	209382	11-09-0017LS	Garland Police Department
Paul L. Multiauaopele	243088	10-10-0119LS	T Don Hutto Correctional Ctr

Commissioner Griffith made a motion that the agreed final orders be approved as recommended by the executive director on Alma Fowler, Hector Jimenez, Benjamin Lambert, Michael McLendon, and Paul Multaauopele. Commissioner Lovejoy seconded the motion. The motion passed unanimously.

DEFAULT FINAL ORDER SUSPENSIONS

NAME OF LICENSEE	PID#	DOCKET#	LAST DEPARTMENT
David R. Aguilar	222233	09-08-0764LS	Dallas Police Department
Ross D. Arnold	9886	11-10-0107LS	Austin Police Department
Craig T. Baxter Jr.	333714	11-09-0043LS	Harris Co Constable Pct. 6
Matthew S. Burros	244301	11-10-0081LS	Harris County Sheriff's Office
Carlos Casias	314251	11-04-0634LS	Wise County Sheriff's Office
Daniel Cortez	295748	09-08-0741LS	El Paso Co Constable Pct. 6
Joel V. Coy	285504	10-11-0158LS	Bastrop Co Sheriff's Office
Kevin A. Crocker	365941	10-07-0641LS	Itasca Police Department
Kurt A. Edwards	390943	11-07-1062LS	Fannin Co Sheriff's Office
Blake H. Evers	321986	10-08-0739LS	Big Sandy Police Department
Kengee E. Ford	257240	10-12-0210LS	Tarrant Co Constable Pct. 8
Daniel L. Gallup	314990	12-11-0177LS	Kaufman Co Sheriff's Office
Romelia Garza	233446	11-05-0948LS	TX A&M Intl University PD
Javier Hinojosa	108551	09-08-0743LS	Hidalgo Co Constable Pct. 2
Bertin S. Kokoue-Ngounza	281746	07-10-0155LS	Bexar Co GEO Facility
Margaret M. Massingill	387028	10-04-0488LS	Polk County Sheriff's Office
Audra D. Perkins	350578	10-01-0226LS	Saint Jo Police Department
Aaron J. Pettijohn	317778	11-09-0008LS	Calhoun Co Sheriff's Office
Antonio Rivera III	371159	10-02-0336LS	Hudspeth Co Sheriff's Office
Robert L. Rivera	309767	10-02-0335LS	Starr County Sheriff's Office

John J. Rodriguez Sr.	290887	10-12-0185LS	Haskell Co Sheriff's Office
Nicholas R. Simien	311451	11-09-0052LS	Harris County Sheriff's Office
Richard S. Young	310784	11-02-0336LS	Parker Co. Sheriff's Office
Christopher W. Walker	101220	09-02-0280LS	Garland Police Department
Joshua E. West	381261	10-12-0224LS	Burnet Co Sheriff's Office
Richard J. Zapata	243391	09-05-0489LS	El Paso Co. Sheriff's Office

Commissioner Griffith made a motion that the default final order suspensions be approved for the list of names presented to the commission starting with David Aguilar and ending with Richard Zapata. Commissioner Hollingsworth seconded the motion. The motion passed unanimously. Mr. Winter read the names for the record: David R. Aguilar, Ross D. Arnold, Craig T. Baxter Jr., Matthew S. Burros, Carlos Casias, Daniel Cortez, Joel V. Coy, Kevin A. Crocker, Kurt A. Edwards, Blake H. Evers, Kengee E. Ford, Daniel L. Gallup, Romelia Garza, Javier Hinojosa, Bertin S. Kokoue-Ngounza, Margaret M. Massingill, Audra D. Perkins, Aaron J. Pettijohn, Antonio Rivera III, Robert L. Rivera, John J. Rodriguez Sr., Nicholas R. Simien, Richard S. Young, Christopher W. Walker, Joshua E. West, Richard J. Zapata

STATUTORY SUSPENSIONS

NAME OF LICENSEE	PID#	DOCKET#	LAST DEPARTMENT
Doyle R. Braden	355669	10-12-0225LS	Belton Police Department
Isaac W. Erb	235484	11-10-0124LS	Dayton Lake City PD
Juan C. Villarreal	354868	10-10-0107LS	Hidalgo Co Sheriff's Office

Mr. Winter read the names of the individuals for statutory suspensions, Doyle R. Braden, Isaac W. Erb, and Juan C. Villarreal.

Commissioner Griffith made a motion that the statutory suspensions of the individuals whose names have just been read be approved per the executive director's recommendation. The motion was seconded by Commissioner Oakley. The motion passed unanimously.

FINAL ORDER STATUTORY REVOCATION

NAME OF LICENSEE	PID#	DOCKET#	LAST DEPARTMENT
Byron S. Burkhart	255270	09-08-0766LR	Seguin Police Department
Matthew D. Calley	29021	10-05-0508LR	Houston Police Department
Alfred Casas	349464	10-01-0232LR	Bexar County Sheriff's Office
Van Arbon L. Jenkins	226475	11-05-0951LR	Dallas County Sheriff's Office
Jeffrey M. Jerman	270510	11-03-0563LR	Texas Dept. of Public Safety
Alberto Madrid	65262	11-10-0091LR	El Paso Police Department
Miguel A. Mancha	340487	10-12-0177LR	Maverick Co Sheriff's Office
Guillermo R. Martinez	215819	09-07-0703LR	Maverick Co Const. Pct. 4
Pedro Martinez	251512	10-03-0370LR	Laredo Police Department
John D. McAllister	96747	11-03-0483LR	Mesquite Police Department
Joe R. Rocha	175832	09-08-0779LR	Travis County Sheriff's Office
Carl C. Shelton	346337	09-08-0730LR	Moore County Sheriff's Office
Chad W. Stovall	355967	12-11-0180LR	Fannin Co Sheriff's Office
Howard E. Watson	310479	10-02-0280LR	Dallas County Const. Pct. 5
Cory J. Yocum	349224	09-08-0762LR	Olney Police Department

Mr. Winter noted that these individuals received felony convictions and are subject to statutory revocations. He read the names for the record: Byron S. Burkhart, Matthew D. Calley, Alfred Casas, Van Arbon L. Jenkins, Jeffrey M. Jerman, Alberto Madrid, Miguel A. Mancha, Guillermo R. Martinez, Pedro Martinez, John D. McAllister, Joe R. Rocha, Carl C. Shelton, Chad W. Stovall, Howard E. Watson, Cory J. Yocum.

Commissioner Griffith made a motion that the final order for statutory revocation of the list of names read be approved per the executive director's recommendation. Commissioner Lovejoy seconded the motion. The motion passed unanimously.

FOR YOUR INFORMATION

PERMANENT SURRENDERS

<u>NAME OF LICENSEE</u>	<u>PID#</u>	<u>DOCKET #</u>	<u>LAST DEPARTMENT</u>
Ronnie L. Araiza	248537	12-10-0109PS	Bexar Co Constable Pct. 2
Raymond R. Burns	28473	10-06-0555PS	Waller Co Constable Pct. 4
		10-09-0056PS	Waller Co Constable Pct. 4
Scott M. Cantley	360334	12-11-0133PS	Dallas Police Department
Cesar M. Gabriel Jr.	292779	11-07-1035PS	Edinburg Police Department
Nicholas Garcia	369210	11-08-1151PS	Bexar County Sheriff's Office
Victor H. Gonzalez	272936	08-02-1332PS	San Antonio Police Dept.
Shane Granelli	297307	12-10-0112PS	Texas Dept. of Public Safety
Katherine E. Hudson	91582	12-11-0132PS	McKinney Police Department
Drake A. Jackson	300448	11-03-0491PS	Harris County Sheriff's Office
Jeffrey D. Larson	44408	12-11-0141PS	Houston Police Department
Aaron S. Miller	295440	11-05-0920PS	Parker Co Sheriff's Office
Joshua J. Peters	295458	11-03-0484PS	Austin Police Department
Jonathan R. Pommerening	391728	12-10-0067PS	Bexar County Sheriff's Office
Billy J. Reynolds	347470	12-11-0142PS	Texline City Marshal's Office
Martin G. Trevino II	379482	11-06-1028PS	Harlandale I.S.D. Police Dept

REPRIMANDS

<u>PID</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>MI</u>	<u>LAST APPOINTING AGENCY</u>
304783	Achord	Jason	W	Red River Co. Sheriff's Office
292242	Aguilar	Antonio	H	Seagraves Police Dept.
262440	Aguilar	Luis		Cameron Co. Sheriff's Office
245710	Alaniz	Jeremy	G	Texas Dept. of Public Safety
87973	Aldaco	Mario	A	Travis Co. Sheriff's Office
48984	Almendarez	Daniel		Harris Co. Sheriff's Office
10570	Almy	James	W	Dallas Police Dept.
321835	Artes	Francisco	S	Lago Vista Police Dept.
15272	Baham	Richard	S	Bayou Vista Police Dept.
138429	Banister	Joseph	T	Franklin Co. Const. Pct. 1
32108	Baughman	Mark	D	Harris Co. Sheriff's Office
330785	Baxter	Carl	L	Fisher Co. Sheriff's Office
214047	Beckett	Johnny	D	Hunt Co. Const. Pct. 4
237885	Benavides	Santiago		Maverick Co. Sheriff's Office
110556	Benge	Christopher	B	Lipscomb Co. Sheriff's Office

17033	Blair	Thomas	C	Weatherford College Police Dept.
32194	Burchett	Kenneth	R	San Jacinto Co. Sheriff's Office
92839	Campa	John	I	Bexar Co. Dist. Atty's Office
82590	Cano	Michael	A	Harris Co. Sheriff's Office
268582	Castro	Israel	Z	Somerset I.S.D. Police Dept.
61691	Chandler	Gary	F	Rochester Police Dept.
313878	Chapa	Casimiro		Pharr Police Dept.
285961	Clark	Elizabeth	S	Johnson Co. Sheriff's Office
179419	Colvin	Jeff	A	Fort Bend Co. Const. Pct. 4
79146	Coronado	Carlos	R	Weslaco Police Dept.
281426	Crecelius	Dennis	E	Waxahachie Fire Dept.
275711	Dallas	Cassandra	A	North Forest I.S.D. Police Dept.
224061	Darr	Cynthia	A	McLennan Co. Const. Pct. 3
6845	Davis	Dan		Harris Co. Sheriff's Office
48255	Dawley	James	R	Limestone Co. Sheriff's Office
291201	Day	Sheldon	W	Poteet Police Dept.
237880	De Alba	Eduardo		Maverick Co. Const. Pct. 3 Place 1
108657	De Avila	Jesus	S	Vinton Police Dept.
96699	De Santos	Jose	A	Nueces Co. Const. Pct. 2
248510	Dekoker	Kraig	A	Gregg Co. Sheriff's Office
336028	DeLaRosa	Theresa	B	Bishop Police Dept.
345878	DelRosario	Rodney	T	Harris Co. Sheriff's Office
22815	Denney	Terry	D	Nacogdoches Co. Const. Pct. 1
237919	Deweese	Donald	L	Harris Co. Sheriff's Office
3097	Douglas	Clarence	B	Fort Bend Co. Const. Pct. 2
84797	Dowling	Rickie	D	Harris Co. Sheriff's Office
209279	Duenes	Eleno	D	Bee Co. Const. Pct. 2
262819	Easterling	Charles	D	Gregg Co. Sheriff's Office
49801	Elliott-Barnes	Kerry	A	Harris Co. Sheriff's Office
91334	Ellis	Pamela		Santa Fe I.S.D. Police Dept.
245123	Esquell	Lamont	E	Gillespie Co. Sheriff's Office
71687	Fowler	Mark	A	Slaton Police Dept.
24231	Garza	Joe	A	Harris Co. Sheriff's Office
353197	Garza	Roberto	G	Bandera Co. Sheriff's Office
76138	Giles	Joseph	A	Brazoria Co. Const. Pct. 1
317064	Gonzalez	Jason		Alton Police Dept.
329599	Gonzalez	Raymond	E	Brackettville Police Dept.
257655	Gonzalez	Russell	B	Harris Co. Sheriff's Office
30235	Gore	Jason	W	Smith Co. Const. Pct. 4
251313	Govan	Dwight	L	Dallas Police Dept.
78027	Gray	Donald	L	Harris Co. Sheriff's Office
235476	Greenwood	Tonya	L	Harris Co. Sheriff's Office
94558	Grimes	Gary	E	Palestine Police Dept.
306102	Grindstaff	Jason	A	Montgomery Co. Const. Pct. 2
41542	Hanson	Michael	W	Everman Police Dept.
96092	Harden	Donald	E	Harris Co. Sheriff's Office
273902	Harris	Jeffery	L	Brazos Co. Const. Pct. 2
85176	Harris	Debra	K	Wise Co. Sheriff's Office
108817	Harrison	Randy	L	Texas Lutheran Police Dept.
94992	Harvey	Michael	A	Harris Co. Sheriff's Office

370656	Henderson	Stacy	J	Grandview Police Dept.
56612	Higgins	Kenneth	L	Harris Co. Sheriff's Office
217146	Hill	Maurice	V	Ellis Co. Sheriff's Office
367272	Hobbs	Saquania	L	Clute Police Dept.
344267	Hobson	James	A	Liberty Co. Sheriff's Office
248467	Hoff	Preston	J	Mustang Ridge Police Dept.
21699	Hodges	Michael	R	Bexar Co. Sheriff's Office
256840	Hopkins	Erik	G	La Marque Fire Dept.
216601	Hopkins	Robert	B	Texas Dept. of Public Safety
266479	Horton	Yolanda	R	Harris Co. Const. Pct. 6
56110	Hughes	Rusty	J	Texas Dept. of Public Safety
304332	Humphreys	Derek	S	Oak Ridge Police Dept.
31213	Ivey	Ginger	G	Harris Co. Sheriff's Office
299809	Jacklin	Conrad	B	Winters Police Dept.
308058	Jackson	Aaron	D	Dekalb Police Dept.
181631	Jaime	Caesar	A	Bandera Police Dept.
357109	Jennings	Katrina	A	Cottonwood Shores Police Dept.
28302	Jensen	Todd	M	Nueces Co. Const. Pct. 4
235887	Johnson	Corey	C	Waller Co. Const. Pct. 3
55392	Jones	Jimmy	J	Nacogdoches Co. Sheriff's Office
303659	Jordan	Jarrod	H	Early Police Dept.
49459	Kennedy	William	T	Harris Co. Sheriff's Office
315178	Kobert	John	E	Wilson Co. Sheriff's Office
37480	Kobryn	Anthony	F	Bexar Co. Sheriff's Office
49033	Kologinczak	Mark	A	Harris Co. Sheriff's Office
72687	Kyle	Earl		Roman Forest Police Dept.
300891	Langenberg	David		Village Fire Dept.
121091	Lawson	Calloway	D	Bexar Co. Const. Pct. 3
107194	Lewis	Larry	E	Baytown Police Dept.
99077	Loyd	Brian	W	Williamson Co. Sheriff's Office
58388	Macha	Mark	D	Fort Bend Co. Const. Pct. 3
57880	Macha	Raynard	V	Floyd Co. Sheriff's Office
326501	Maldonado	Ida		Kleberg Co. Const. Pct. 3
84280	Marin	Salvador	C	Bexar Co. Sheriff's Office
317100	Martin	Nicklaus	A	Santa Fe Police Dept.
341481	Martinez	Steve		Bexar Co. Sheriff's
368114	Mascorro	Herminia		Goliad Co. Sheriff's Office
342985	Mathis	James	K	Matagorda Co. Const. Pct. 4
302367	Mattison	Keith	T	Whitesboro Police Dept.
128229	Maynez	Juan	D	El Paso Co. Court at Law No. 2
64952	McBride	Brian	D	Young Co. Sheriff's Office
270790	McCandless	Michael	H	Parker Police Dept.
72839	McColister	Richard	L	Houston I.S.D. Police Dept.
97241	McKee	Johnny	L	Palo Pinto Co. Sheriff's Office
23897	Mclain	Tuck	M	Grimes Co. Dist. Atty's Office
370225	Medina	LETICIA	E	El Paso Co. Criminal Court at Law #2
89599	Mendoza	Abel	S	Columbia-Brazoria I.S.D. Police Dept.
21500	Mergele	Joe	W	San Antonio Airport
67786	Mills	Sammy	B	Jefferson Co. Sheriff's Office
90081	Moblo	Timothy	M	Harris Co. Sheriff's Office

170694	Montalvo	Javier		Duval Co. Sheriff's Office
336757	Moore	Wesley	A	Lamb Co. Sheriff's Office
245937	Morales	Jose	A	Maverick Co. Const. Pct. 3 Place 1
365881	Morrow	Michael	D	Dallas Co. Const. Pct. 5
318850	Narvaez	Jacinto	J	Harris Co. Const. Pct. 6
366556	Neff	James	G	Jack Co. Sheriff's Office
80904	Nelson	Alice	M	Harris Co. Sheriff's Office
278633	Nickson	Dexter	R	Patton Village Police Dept.
9618	Nimmo	John	B	Harris Co. Sheriff's Office
320457	Nunn	William	D	Hardin Co. Sheriff's Office
32036	Omberg	Max	K	Benbrook Fire Dept.
44421	O'Reagan	Michael	W	Harris Co. Const. Pct. 4
63857	Ortiz	Rudy	L	Pleasanton Police Dept.
20483	Owen	Charles	K	Cooke Co. Sheriff's Office
288126	Parker	Robert	L	Harris Co. Sheriff's Office
254205	Parson	Jeffery	M	Harris Co. Sheriff's Office
209395	Pedraza	Nathaniel	E	Bexar Co. Hosp. Dist. Police Dept.
61662	Pennington	Toby	J	Jasper Co. Sheriff's Office
32668	Perales	Israel		Aransas Pass Police Dept.
177301	Perez	Edward		Harris Co. Const. Pct. 6
176514	Perry	Christopher	S	Harris Co. Sheriff's Office
30938	Primental	Michael	A	Mathis Police Dept.
49742	Prentiss	Robert	H	Sabinal Police Dept.
20391	Price	Paul	C	Magnolia Police Dept.
95728	Prince	Timothy	S	Mineola Police Dept.
30628	Radack	Steve	M	Harris Co. Const. Pct. 1
305561	Ramirez	Larry		Zapata Co. Sheriff's Office
299404	Ramsey	Cameron	G	McCulloch Co. Sheriff's Office
4668	Reilly	Brian	P	Harris Co. Sheriff's Office
343038	Robinson	Sheila	G	Travis Co. Const. Pct. 1
157867	Rodriguez	Jose	L	Alamo Police Dept.
28278	Rodriguez	Raul	E	South San Antonio I.S.D. Police Dept.
279338	Rodriguez	Roy	L	Childress Police Dept.
106059	Rookwood	Gregory	L	Ladonia Police Dept.
102071	Rosenbusch	Robert	A	Round Rock Police Dept.
14455	Rosette	Archie	W	Bexar Co. Const. Pct. 3
7906	Ross	Francis	M	Prairie View Police Dept.
290838	Roussett	George	E	Cameron Co. Sheriff' Office
271590	Ryan	Phillip		Woodville Police Dept.
36068	Sandstrum	Allen	W	Harris Co. Sheriff's Office
116415	San Miguel	Daniel	L	Goliad Co. Cost. Pct. 1
235325	Santos	Roger	L	Poteet Police Dept.
55667	Schmidt	Jason	S	Cedar Park Police Dept.
299143	Schuler	Richard	T	Pilot Point Police Dept.
97621	Seals	Brian	P	Collin Co. Sheriff's Office
12162	Sharpe	Reginald	C	Harris Co. Const. Pct. 6
61569	Shaw	Carl	D	Harris Co. Const. Pct. 6
43952	Shelton	Tammy	L	Fisher Co. Sheriff's Office
13300	Shepherd	Martin	S	Travis Co. Sheriff's Office
67515	Silva	Ruben	D	Cameron Co. Const. Pct. 2

279774	Sims	Kiley	L	Magnolia Police Dept.
44439	Sisk	Jerry	E	Anderson Co. Const. Pct. 1
47602	Smith	Joseph	D	Harris Co. Sheriff's Office
220668	Smith	Ronald	R	Wichita Co. Const. Pct. 2
368088	Smithey	James	D	Freer Police Dept.
101524	Springer	Clint	W	Harris Co. Sheriff's Office
22040	Steinberg	Bart	H.	Brookshire Police Dept.
257026	Strickland	Jennifer	L	Harris Co. Const. Pct. 6
224559	Sullivan	Verlin	W	Houston Co. Sheriff's Office
80817	Sullivan	William	T	Coryell Co. Sheriff's Office
316630	Swafford	Nathaniel	C	Needville Police Dept.
360262	Taylor	Roderic		Wharton Co. Const. Pct. 2
29679	Torres	Stephen	M	Bexar Co. Sheriff's Office
247551	Trevino	Alan	A	Edinburg Police Dept.
107210	Valenzuela	Andy	F	65 th Dist. Court
309759	Vasquez	Felix	N	Josephine Police Dept.
267947	Velasco	Jessie	J	Parmer Co. Sheriff's Office
341070	Venecia	Nancy	E	La Joya Police Dept.
63696	Vidaurri	Alfredo	G	Karnes Co. Const. Pct. 3
213407	Vincent	Joshua	G	Alvarado Police Dept.
274445	Walker	Ricardo	B	Webb Co. Const. Pct. 1
13866	Waltman	Fred	A	Bowie Co. Const. Pct. 4
49293	Watkins	Dan	C	Anderson Co. Sheriff's Office
92481	Watkins	Beaumont	W	Humble Police Dept.
34110	Watters	Joe	M	Midland Co. Sheriff's Office
71043	Wells	David	C	Polk Co. Dist. Atty's Office
69969	West	James	D	Nueces Co. Const. Pct. 4
371601	WILEY	David	C	Van Police Dept.
323710	Wiley	Tamisha	E	Angleton Police Dept.
302906	Wiley	Todd	D	Terrell Police Dept.
48307	Williams	Freddy	D	Port Aransas Police Dept.
267980	Willoughby	George	M	Itasca Police Dept.
76550	Witt	Kenneth	D	McLennan Co. Sheriff's Office
66264	Wood	James	R	Temple Police Dept.
19237	Woods	Robert	L	Fort Bend Co. Const. Pct. 2
333540	Zarco	Oracio		Harris Co. Const. Pct. 6

Mr. Winter noted that these items are for information and no action needs to be taken.

Agenda item #13, Receive public comment on any topic, without action

Robert Armbruster addressed the commission asking that in light of proposed rule 217.19 the commissioners consider requiring the separating agency to provide a copy of the reactivation rule to those leaving the agency, but not those retiring from the agency.

Agenda item #14, Executive Session to discuss pending litigation and personnel issues consistent with Section 551.074 and Section 551.071 of the Texas Government Code, Open Meetings Act

At 11:40 a.m., the commissioner went into executive session.

Agenda item #15, 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 12:20 p.m. Presiding Officer Richardson stated that no action was taken during executive session.

Agenda item #16, Adjourn

Commissioner Oakley made a motion to adjourn.

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