



Kim Vickers
Executive Director

TEXAS COMMISSION ON LAW ENFORCEMENT

Quarterly Meeting Minutes June 20, 2019

On Thursday, June 20, 2019, 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 W. Richardson, Presiding Officer; Major Jason D. Hester, Assistant Presiding Officer; Patricia Burruss, Secretary; Sharon Breckenridge Thomas; Constable Ron E. Hood; Chief Kim Lemaux; Jack W. Taylor, and Janna Atkins. Commissioner Tim Whitaker was absent.

Attending from the Office of the Attorney General were Halie Daniels and Robert Savage. TCOLE staff attending included Executive Director Kim Vickers, Credentialing & Field Services Director Kenny Merchant, Government Relations Director Gretchen Grigsby, Finance Director Brian Roth, Lisa Landry, Jennifer Castillo, Doug Skolaut, David New, Shane Norie, Derry Minor, Lynn Beard, Jim Clifton, Mike Hobbs, Jessica Capraro, Trey Slider, Gary Connella, Dennis Graffious, Lita Rendon, Iris Martinez, Richard Gutierrez, Kaitlyn Tonkin, and Laurie Jackson.

Agenda item #1, Call to order

The Presiding Officer called the meeting to order at 9:30 a.m. Trooper Paul Martin, Trooper Gabe Macias, Trooper Brandon Boyd, Trooper Joe Duran, and Trooper Robert Jackson of the Texas Department of Public Safety Color Guard posted the colors. Commissioner Lemaux led the pledges of allegiance and Commissioner Hester gave the invocation. Roll was called and a quorum was present.

Agenda item #2, Reading of peace officer/jailer deaths since the March 7, 2019 meeting.

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

- Deputy Sheriff Peter Herrera
EOW Sunday, March 24, 2019
- Police Officer Albert J. Castaneda
EOW Friday, June 7, 2019
- Sergeant David Jones Fitzpatrick
EOW Monday, June 10, 2019

Executive Director Kim Vickers recognized the passing of Sheriff Gary Painter.

A moment of silence was observed.

Agenda item #3, Approval of the minutes of the March 7, 2019, quarterly commission meeting at Austin, Texas.

Commissioner Hester made a motion to approve the minutes. Commissioner Burruss seconded the motion. Commissioner Thomas suggested two changes to the March meeting minutes. The motion passed unanimously with the suggested changes.

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

Executive Director Kim Vickers announced staff changes and the new employees were introduced. Director Vickers noted that the Sunset review process has begun and explained the process. Director Vickers talked about the challenges with the My TCOLE Account. The company that we contracted with became unresponsive at the end of the contract. The bids that came in to replace the contract were 4 and 5 times the amount of money and we do not have that in our budget. The New Training Coordinators Training is offered each quarter the day before our quarterly commission meeting and suggested that all trainers attend the course. Commissioner Lemaux offered feedback on the course. Director Vickers reminded the commissioners that the annual TCOLE Achievement Awards will be held at the capitol tomorrow. IT manager Jessica Capraro spoke about the changes with the My TCOLE Account. Viable options that fit within our budget are being looked at for the My TCOLE Account services that were previously offered and a replacement for online training. The TCLEDDS conversion went smoothly and no data was lost. Director Merchant spoke about the volume of Help Desk tickets.

Credentialing and Field Services Director Kenny Merchant noted that the second round of non-compliance notifications were mailed in May. The number included in the notifications sent was 17,000 which is down about 9,000.

Government Relations Director Gretchen Grigsby gave an update on the legislative session. At the end of the filing period, there were 66 bills filed that have a direct impact to TCOLE. At the end of the legislative session, 17 bills passed. Some of the changes include modifications to Human Trafficking, an active shooter course for school based law enforcement, and 2 amendments to the existing Special Investigative topics. TCOLE will also be working with the Department of State Health Services on a training for the administration of Epinephrine Auto Injectors. Director Grigsby noted that the Sunset process has begun. The self-evaluation report is due at the beginning of September.

Commissioner Hood presented the Audit Committee report. Four assessments were discussed during the meeting. Commissioner Hood described each assessment and gave the status and recommendations of each one.

Commissioner Burruss made a motion to accept the reports as presented. Commissioner Atkins seconded the motion. The motion passed unanimously.

Agenda item #5, Discuss and take action to approve the recommendations for the 2019 Law Enforcement Achievement Awards.

Director Grigsby noted that in the commissioner's packet there is a list of 32 individuals that have been nominated for the Law Enforcement Achievement Awards. Commissioner Atkins made a motion to approve the nominations. Commissioner Burruss seconded the motion. The motion passed unanimously.

Agenda item #6, Discuss and take action on final orders of amendments to existing TCOLE rules.

- Final Amendment 1
§211.1, Definitions amendment

Commissioner Burruss made a motion to accept the final amendment number one, Rule 211.1. Commissioner Thomas seconded the motion. The motion passed unanimously.

- Final Amendment 2
§217.1, Minimum Standards for Enrollment and Initial Licensure

Executive Director Vickers requested that the rule be pulled down. The rule will be proposed again in the September meeting.

The Commission took a break from 10:25 – 10:43 a.m.

Agenda item #7, Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.

Halie Daniels reviewed the disciplinary actions.

Default Suspension Orders

Culton Jr., Travis G.	Peace Officer	Spring I.S.D. Police Dep't
Dow, Scott, P.	Jailer	Denton Cnty. Sheriff's Office
Gonzales, Nichole A.	Jailer	Johnson Cnty. Sheriff's Office
Hernandez, Anna M.	Telecommunicator	Fort Worth Police Dep't
Hilton, Marcus V.	Peace Officer	Texas Dep't of Public Safety
Holcombe, Matthew S.	Jailer	Collin Cnty. Sheriff's Office

London, Anthony C.	Jailer	Dallas Cnty. Sheriff's Office
Miller, Jeremy A.	Peace Officer	Midland Police Dep't
Steger, Hershelyn, J.	Peace Officer	Dallas Cnty. Constable, Precinct 1
Williamson, Daniel B.	Telecommunicator	Center Police Dep't

Commissioner Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final default order as authorized under the provisions of 37 Texas Administrative Code, Section 223.3 and as required under the provisions of Texas Occupations Code, Chapter 1701, Section 1701.501 to suspend the licenses of Travis Culton through Daniel Williamson. Commissioner Burruss seconded the motion. The motion passed unanimously.

Agreed Suspension Waivers

Galvan, Sasha	Peace Officer	Dimmit Cnty. Sheriff's Office
Hernandez, Jose E.	Peace Officer, Jailer	Bexar Cnty. Sheriff's Office
Wolf, Martha M.	Jailer, Telecommunicator	Archer Cnty. Sheriff's Office

Commissioner Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Suspension Waiver for Sasha Galvan, Jose Hernandez, and Martha Wolf. Commissioner Burruss seconded the motion. The motion passed unanimously.

Default Cancellation Orders

Galvan, Rogelio	Jailer	Lasalle Cnty. Sheriff's Office
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Commissioner Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final default cancellation order to cancel the license of Rogelio Galvan. Commissioner Burruss seconded the motion. The motion passed unanimously.

Default Revocation Orders

Boudreaux, Stuart L.	Peace Officer, Jailer	Orange Cnty. Constable, Precinct 3
Rivas Jr., Ricardo G.	Telecommunicator	San Antonio Police Dep't

Commissioner Hester moved 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, and as required under the provisions of Chapter 1701, Section 1701.501 to revoke the licenses of Stuart Boudreaux and Ricardo Rivas, Jr. Commissioners Burruss seconded the motion. The motion passed unanimously.

Agreed Suspension Orders

Cardenas, Eloy

Peace Officer

Edcouch Police Dep't

Commissioner Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter final Agreed Suspension Order for Eloy Cardenas. Commissioner Atkins seconded the motion. The motion passed unanimously.

Proposals for Decision

Brown, Dallas W.

Peace Officer

Winnsboro Police Dep't

Commissioner Hester made a motion to accept the Proposal for Decision to cancel the license of Dallas W. Brown. Commissioner Burruss seconded the motion. The motion passed unanimously.

Denney, Christopher C.

Peace Officer, Jailer

Ovilla Police Dep't

Commissioner Hester made a motion to accept the Proposal for Decision and revoke the license of Christopher Denny. Commissioners Burruss and Lemaux seconded the motion. The motion passed unanimously.

Thorworth, Derek C.

Commissioner Hester made a motion to accept the Proposal for Decision to revoke the peace officer license of Derek Thorworth. Commissioner Thomas seconded the motion. The motion passed unanimously.

Presiding Officer Richardson noted that the remaining disciplinary items are for information only.

For Information Only

Statutory Revocations

Johnson, Keith D.

Peace Officer, Jailer

Tarrant Cnty. Constable, Precinct 8

McDonald, Earnest T.

Peace Officer, Jailer

Amarillo Police Dep't

Pearson, James M.

Peace Officer, Jailer

Littlefield Police Dep't

Redmond, Christopher A.

Peace Officer

Fort Bend Cnty. Constable,
Precinct 2

Statutory Suspensions

Coronado, Edgar	Telecommunicator	El Paso Police Dep't
Islam, Naveed M.	Jailer	Fort Bend Cnty. Sheriff's Office

Term Surrenders

Bresko, Dustin J.	Peace Officer, Jailer	Leon Cnty. Sheriff's Office
Deleon, Teresa C.	Peace Officer	Hamilton Police Dep't
Johnson, Christopher D.	Peace Officer, Jailer	Dallas Cnty. Sheriff's Office
Monk, Brandon D.	Peace Officer, Jailer	Leon Cnty. Sheriff's Office
Negron, Christian A.	Peace Officer	Leon Cnty. Sheriff's Office
Roberts, Duncan M.	Peace Officer	Llano Police Dep't

Permanent Surrenders

Allison, Timothy P.	Peace Officer	Liberty Cnty. Constable, Precinct 1
Bernhardt, Richard A.	Peace Officer	Texas Department of Public Safety
Bolton, Weslee J.	Peace Officer, Jailer	Memphis Police Dep't
Bradley, Shawn B.	Peace Officer	Yoakum Cnty. Sheriff's Office
Burke, Mark E.	Peace Officer	Llano Police Dep't
Cowan, Matthew B.	Peace Officer	Normangee Police Dep't
Crosby, Cassandra	Peace Officer	Houston Police Dep't
Davis, Landon E.	Peace Officer	Harris Cnty. Sheriff's Office
Flores, Garrett C.	Peace Officer, Jailer	Bexar Cnty. Sheriff's Office
Foale, Kenneth W.	Peace Officer	Plano Police Dep't
Franklin V, George	Peace Officer, Jailer	Montgomery Cnty. Sheriff's Office
Gomez, Michael	Jailer	Bexar Cnty. Sheriff's Office
Hoskins, Michael G.	Peace Officer	Talty Police Dep't
Jennings, Bobby L.	Peace Officer	Houston Police Dep't
Johnson, Korben G.	Jailer	Denton Cnty. Sheriff's Office
Johnson, Mitchell B.	Peace Officer, Jailer	Lubbock I.S.D. Police Dep't
Lewis, Robert F.	Peace Officer	Williamson Cnty. Sheriff's Office
Meacham, Gary B.	Jailer	Childress Cnty. Sheriff's Office
Merkel II, Paul E.	Peace Officer, Jailer	Harris Cnty. Sheriff's Office
Rodriguez, Eric A.	Peace Officer, Jailer	Bexar Cnty. Sheriff's Office

Rodriguez, Estevan	Peace Officer	Eules Police Dep't
Sanders, James W.	Peace Officer	Sulphur Springs Police Dep't
Vermeulen, Jonathan D.	Peace Officer	Grapevine Police Dep't

Suspensions for Failing to Complete Legislatively Required Continuing Education

Mendez, Albert	Jailer	Caldwell Cnty. Sheriff's Office
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Reprimands for Failing to Complete Legislatively Required Continuing Education

Godlove, Jimmy J.	Peace Officer	Lubbock County Sheriff's Office
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Reprimands for Administrative Violations

Arnold, Sharon E.	Peace Officer	Fort Bend Cnty Constable, Precinct 2
Martinez, Jose R.	Peace Officer	Ysleta I.S.D. Police Department

Agenda item #8, 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 #9, 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 Commission went into Executive Session.

Agenda item #10, 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.

No decisions were made and no votes were taken during the Executive Session.

Commissioner Hester made a motion to move the Executive Directors salary to the cap as approved by the Texas Legislature. Commissioner Burruss seconded the motion. The motion passed unanimously.

Agenda item #11, Adjourn.

The Presiding Officer adjourned the meeting until the next meeting on September 5, 2019.

Patricia G. Burruss, Secretary
PGB/lj

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