



Kim Vickers  
Executive Director

# TEXAS COMMISSION ON LAW ENFORCEMENT

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## Quarterly Meeting Minutes March 7, 2019

On Thursday, March 7, 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, Secretary; Patricia Burruss, Sharon Breckenridge Thomas; Constable Ron E. Hood; Chief Kim Lemaux; Senior Police Officer Timothy H. Whitaker, and Janna Atkins. Commissioner Jack Taylor was absent.

Attending from the Office of the Attorney General were Raymond C. Winter and Hailey Daniels. TCOLE staff attending included Executive Director Kim Vickers, Enforcement & Special Services Director Michael Antu, Credentialing & Field Services Director Kenny Merchant, Government Relations Director Gretchen Grigsby, Finance Director Brian Roth, General Counsel John Beauchamp, Lisa Landry, Doug Skolaut, David New, Shane Norie, Derry Minor, Lynn Beard, Jessica Capraro, Gary Connella, Dennis Graffious, Leena Mahaffey, Lita Rendon, Iris Martinez, Cera Garrett, Chris Varady, Cullen Grissom, Richard Gutierrez, Kaitlyn Tonkin, Kim Boyd, and Laurie Jackson.

### **Agenda item #1, Call to order**

The Presiding Officer called the meeting to order at 9:30 a.m. Detective Michael Morris, Sgt. Rene Alvarez, Sgt. Kyle Sanford, and Sgt. Chris Gerstner of the Georgetown Police Department Color Guard posted the colors. Commissioner Burruss led the pledges of allegiance and Commissioner Hester gave the invocation. Roll was called and a quorum was present.

Presiding Officer Richardson introduced Commissioner Janna Atkins and recognized Commissioner Patt Hollingsworth for her service on the commission.

**Agenda item #2, Comments by Chairman Oscar Longoria** This agenda item was not addressed.

**Agenda item #3, Reading of peace officer/jailer deaths since the December 6, 2018, meeting.**

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

- Supervisory Deputy US Marshal Norman D. Merkel, EOW Wednesday, January 16, 2019
- Deputy Sheriff Ray Elwin Horn III, EOW Thursday, January 17, 2019
- Border Patrol Agent Donna Doss, EOW Saturday, February 2, 2019
- Police Officer Nathan Hayden Heidelberg, EOW Tuesday, March 5, 2019

A moment of silence was observed.

**Agenda item #4, Approval of the minutes of the December 6, 2018, quarterly commission meeting at Austin, Texas.**

Commissioner Hester made a motion to approve the minutes. Commissioner Lemaux seconded the motion. The motion passed unanimously.

**Agenda item #5, Election of Assistant Presiding Officer and Secretary, to comply with Chapter 1701.055(b), Texas Occupations Code, if necessary.**

This agenda item was addressed after the break following Agenda item #6. Presiding Officer Richardson asked for nominations for the position of Assistant Presiding Officer. Commissioner Hood nominated Commissioner Burruss. Commissioner Lemaux nominated Commissioner Hester. With voting by a show of hands, Commissioner Hester was named the new Assistant Presiding Officer. Presiding Officer Richardson appointed Commissioner Burruss as Secretary.

**Agenda item #6, Receive reports. Take action if necessary.**

Executive Director Kim Vickers announced that the Texas State Guard and the Pasadena Fire Marshals' Office had been approved as new training providers. Director Vickers announced staff changes and the new employees were introduced. Director Vickers gave a report on the waiver process since it was started. There have been a total of 24 Class A waivers requests. Twelve of the 24 were approved through the commission and 12 were denied before it got to the commission. Of the 24, 10 have been appointed. One was appointed and has been F5'd. There have been 12 Class B waiver requests. Eight of the 12 were approved and 4 were denied. One of the 4 was denied by the commission. All of the Class B waiver request that were approved have gone to work and not been F5'd.

Credentialing and Field Services Director Kenny Merchant noted that noncompliance letters were mailed to 1,200 agencies. The letters included 23,000 peace officers, 400 chiefs, and 2,400 telecommunicators that need training. Director Merchant discussed possible changes to TCOLE Rule §219.2, Reciprocity for Out of State Peace Officers, Federal Criminal Investigators, and Military Police. Commissioner Hester asked about how many of these applications we look at in a year. Director Merchant stated to the best of his knowledge there were about 150 a year.

Enforcement and Special Services Director Michael Antu noted that Racial Profiling was closed with 93 percent of agencies reporting. Director Vickers added that the law has changed and that there would be a penalty for an agency not filing a Racial Profiling report. There was discussion on what the penalty would be for not filing and if there would be a timeline to correct. The planned trainings under the School Marshal grant have been completed. An application has been submitted to renew the grant for a 12 month period to conduct six more classes throughout the state. There is legislation proposed to change some of the requirements for School Marshals. Since the last commission meeting six new agencies have opened, four of them being ISD police departments. The release of the Basic Peace Officer Course will be delayed due to legislative changes that may add courses to the BPOC. TCOLE anticipates knowing a solid release date in May. The new BPOC course will be approximately 690 hours for the proposed new course without any additions the legislature may add. Commissioner Hester suggested that the course be released after the legislative session and asked what the timeframe was to academies to make the transition. Director Antu stated that they would have 180 days to implement the new BPOC course. The Jailer course was rolled out successfully. Three hundred thirty new jailers have taken and passed the course. Twenty seven did not succeed on the first attempt. The Telecommunicator course is in final review. It is currently 40 hours with the addition of 24 hours of Crisis Communications. The proposed course will combine the two courses into the Basic Telecommunicator course that would make the proposed hours for the course 80 hours. TCLEDDS is being upgraded and is in beta testing. The current system will be brought down to get everything in place. Online services will be brought down until May. Commissioner Hester asked for confirmation that My TCOLE Accounts would be down. Director Antu stated that certificates would be processed manually. Director Antu also stated that email blasts will be sent to educate the users. There will also be an article in the Briefing.

Government Relations Director Gretchen Grigsby gave an update on the legislative session. There have been 47 bills filed that have a direct impact to TCOLE. Several of the changes are to the School Marshal program. Five new trainings are among the 47 filed.

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

The Commission took a break from 10:40 – 10:55 a.m.

**Agenda item #7, Discuss and take action to approve the recommendations for the 2018 Law Enforcement Achievement Awards** This agenda item was not addressed.

**Agenda item #8, Discuss and take action on proposed orders of amendments to existing TCOLE rules.**

- Proposed Amendment 1  
§211.1, Definitions amendment
- Proposed Amendment 2  
§217.1, Minimum Standards for Enrollment and Initial Licensure

John Beauchamp explained that the Proposed Amendments clarified what is a background investigation under TCOLE rules and who is responsible for doing background investigations. The discussion that followed referenced the language of the amendments and having consistency in the rule. Commissioner Hester made a motion to approve amendment number one and number two as amended by the general counsel. Commissioner Burruss seconded the motion. The motion passed unanimously.

**Agenda item #9, Discussion of and take actions on proceedings for revocation, suspension, and other disciplinary actions.**

Halie Daniels reviewed the disciplinary actions.

#### *Default Suspension Orders*

|                      |               |   |
|----------------------|---------------|---|
| Blevins, Kara A.     | Jailer        | Denton Cnty. Sheriff's Office                             |
| Ceazar, Sandy        | Peace Officer | Harris Cnty. Constable Pct. 4                             |
| Crennel, Christie E. | Jailer        | Comal Cnty. Sheriff's Office                              |
| Daniel, Fregens      | Peace Officer | Houston I.S.D. Police Dep't                               |
| Ramirez, Anthony M.  | Peace Officer | Texas A&M University -<br>San Antonio Campus Police Dep't |
| Romo, Darren J.      | Jailer        | Hays Cnty. Sheriff's Office                               |

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 Kara Blevins, Sandy Ceazar, Christie Crennel, Fregans Daniel, Anthony Ramirez, and Darren Romo. Commissioner Burruss seconded the motion. The motion passed unanimously.

*Agreed Suspension Waivers*

Angle, Amanda M.  
Palomares, John J.

Peace Officer, Jailer  
Jailer

Burkburnett Police Dep't  
Johnson Cnty. Sheriff's Office

Commissioner Hester made moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Suspension Waiver for Amanda Angle and John Palomares. Commissioner Lemaux seconded the motion. The motion passed unanimously.

*Default Cancellation Orders*

Salinas, Marta

Jailer

San Patricio Cnty. Sheriff's Office

Commissioner Hester made 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 Marta Salinas. Commissioner Burruss seconded the motion. The motion passed unanimously.

*Agreed Cancellation Waiver*

Candelaria, Albert

Jailer

San Patricio Cnty. Sheriff's Office

Commission Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Cancellation Waiver for Albert Candelaria. Commissioner Burruss seconded the motion. The motion passed unanimously.

*Default Revocation Orders*

Carrier, Joseph L.

Peace Officer, Jailer

Harris Cnty. Constable Pct. 1

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 license of Joseph Carrier. Commissioners Burruss seconded the motion. The motion passed unanimously.

*Agreed Suspension Orders*

Armendariz, Rodolfo R.  
Galarza, Wilson J.

Jailer  
Peace Officer

Travis Cnty. Sheriff's Office  
Houston Police Dep't

Commissioner Hester made a motion that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Suspension Waiver for Rodolfo Armendariz and Wilson Galarza. Commissioners Burruss and Thomas seconded the motion. The motion passed unanimously.

### *Proposals for Decision*

|                        |                       |                        |
|------------------------|-----------------------|------------------------|
| Brown, Dallas W.       | Peace Officer         | Winnsboro Police Dep't |
| Denney, Christopher C. | Peace Officer, Jailer | Ovilla Police Dep't    |

Mr. Beauchamp stated that staff requested that the Proposals for Decision for Dallas Brown and Christopher Denny be tabled for this agenda and moved to June due to notice issues for both of these respondents.

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

### **For Information Only**

#### *Statutory Revocations*

|                   |               |                      |
|-------------------|---------------|----------------------|
| McGee, Stephen D. | Peace Officer | Houston Police Dep't |
| Salinas, David O. | Peace Officer | Kyle Police Dep't    |

#### *Permanent Surrenders*

|                       |                          |                                   |
|-----------------------|--------------------------|-----------------------------------|
| Ballard, Ceresa G.    | Peace Officer            | Chandler Police Dep't             |
| Contreras, Asael      | Peace Officer, Jailer    | Harlandale I.S.D. Police Dep't    |
| Davis, Brandon S.     | Peace Officer            | Rhame Police Dep't                |
| Dunlap, James L.      | Peace Officer, Jailer    | Howard Cnty. Sheriff's Office     |
| Essary, Dennis L.     | Jailer                   | Brown Cnty. Sheriff's Office      |
| Goddard, Dylan R.     | Jailer                   | Harris Cnty. Sheriff's Office     |
| Gonzalez, Raymond L.  | Jailer                   | El Paso Cnty. Sheriff's Office    |
| Horton Jr., Jamie R.  | Jailer                   | Guadalupe Cnty. Sheriff's Office  |
| Johnson, Darren D.    | Peace Officer            | Port Arthur Police Dep't          |
| Martell Jr., Fernando | Jailer                   | Webb Cnty Sheriff's Office        |
| Matlock, Holly M.     | Peace Officer            | Conroe I.S.D. Police Dep't        |
| Ramirez, Gene C.      | Jailer                   | Harris Cnty. Sheriff's Office     |
| Ramirez, Jose J.      | Peace Officer, Jailer    | Harris Cnty. Sheriff's Office     |
| Selph, Dakota A.      | Jailer                   | Jasper Cnty. Sheriff's Office     |
| Smith, Edrick D.      | Peace Officer            | Dallas Police Dep't               |
| Smith, Heidi L.       | Jailer, Telecommunicator | Lampasas Cnty. Sheriff's Office   |
| Soroko, Eveleen A.    | Peace Officer, Jailer    | Montgomery Cnty. Sheriff's Office |
| Stallings, Tatum G.   | Peace Officer, Jailer    | Lorenzo Police Dep't              |

Stephen, Alan L.  
Weathers II, Artie R.

Peace Officer  
Peace Officer

L.C.R.A. Public Safety Dep't  
Houston Police Dep't

*Suspensions for Failing to Complete Legislative Required Continuing Education*

|                          |                  |                                      |
|--------------------------|------------------|--------------------------------------|
| Allred, Angela K.        | Peace Officer    | Caldwell Cnty. Sheriff's Office      |
| Bernal, Mayra S.         | Telecommunicator | Kermitt Police Dep't                 |
| Brazelton, David L.      | Jailer           | Nolan Cnty. Sheriff's Office         |
| Brown, Jesse J.          | Peace Officer    | Hidalgo Cnty. Sheriff's Office       |
| Busby, Bryant W.         | Peace Officer    | Lubbock Cnty. Sheriff's Office       |
| Calhoun, Wendy L.        | Jailer           | Burnet Cnty. Sheriff's Office        |
| Claiborne IV, Eli        | Peace Officer    | Harris Cnty. Sheriff's Office        |
| Covarrubias, Carlos M.   | Jailer           | Hudspeth Cnty. Sheriff's Office      |
| Davis, Cody L.           | Telecommunicator | Culberson Cnty. Sheriff's Office     |
| Davisson, William C.     | Jailer           | Caldwell Cnty. Sheriff's Office      |
| Enge, Carl               | Peace Officer    | Hitchcock Police Dep't               |
| Foster, Lee P.           | Peace Officer    | Hidalgo Cnty. Sheriff's Office       |
| Galvan, Rafael B.        | Peace Officer    | Harris Cnty. Sheriff's Office        |
| Granderson II, Roosevelt | Peace Officer    | Austin Police Dep't                  |
| Gonzalez, Vanessa R.     | Jailer           | Pecos Cnty. Sheriff's Office         |
| Hall, William B.         | Peace Officer    | City of Happy Police Dep't           |
| Hernandez, Rosa I.       | Telecommunicator | Socorro Police Dep't                 |
| Hernandez III, Salome    | Peace Officer    | Nueces Cnty. Constable Precinct 4    |
| Herrera, Daniel C.       | Jailer           | Val Verde Cnty. Sheriff's Office     |
| Herrera, Ricardo D.      | Jailer           | Reeves Cnty. Sheriff's Office        |
| Hess Jr., James D.       | Jailer           | Caldwell Cnty. Sheriff's Office      |
| Kamperman, Richard J.    | Peace Officer    | Houston Police Dep't                 |
| Kendrick, Kyle R.        | Jailer           | Taylor Cnty. Sheriff's Office        |
| Knight, Richard T.       | Peace Officer    | Lumberton Police Dep't               |
| Langford, James E.       | Telecommunicator | Collingsworth Cnty. Sheriff's Office |
| Lankford, Fred R.        | Telecommunicator | Rockdale Police Dep't                |
| Magee, Hugh R.           | Peace Officer    | Uvalde Cnty. Sheriff's Office        |
| Martinez Jr., Juan J.    | Peace Officer    | Crane Cnty. Sheriff's Office         |
| Martinez, Sarah A.       | Peace Officer    | Jones Creek Police Dep't             |
| Matsis, Edward M.        | Peace Officer    | Schulenburg Police Dep't             |
| Meneley, Kathryn A.      | Jailer           | Bastrop Cnty. Sheriff's Office       |
| Meyer, Richard W.        | Jailer           | Taylor Cnty. Sheriff's Office        |
| Morrison, Clifton W.     | Peace Officer    | Hamlin Police Dep't                  |
| Munoz, Jessie            | Peace Officer    | Maverick Cnty. Constable Precinct 4  |
| Narvaez, Nick A.         | Peace Officer    | Nueces Cnty. Constable Precinct 1    |
| Odegard, Michael         | Peace Officer    | Bexar Cnty. Sheriff's Office         |

|                         |                  |  |
|-------------------------|------------------|--|
| Olavarrieta, Jaime A.   | Peace Officer    | Hidalgo Cnty. Sheriff's Office         |
| Ornelas Jr., Joe        | Peace Officer    | Frio Cnty. Sheriff's Office            |
| Patterson, Andre D.     | Telecommunicator | Paducah Police Dep't                   |
| Ragan, Glen M.          | Jailer           | Taylor Cnty. Sheriff's Office          |
| Reza, Luis F.           | Peace Officer    | Hudspeth Cnty. Sheriff's Office        |
| Richard Jr., Michael J. | Jailer           | Harris Cnty. Sheriff's Office          |
| Rodriguez, Victor R.    | Peace Officer    | Laredo Police Dep't                    |
| Schreffler, Harold D.   | Peace Officer    | Texas Alcoholic Beverage Commission    |
| Summers, Charles R.     | Peace Officer    | Mitchell Cnty. Sheriff's Office        |
| Supak, Candace L.       | Jailer           | Jackson Cnty. Sheriff's Office         |
| Taylor, Bradley D.      | Peace Officer    | Yoakum Cnty. Sheriff's Office          |
| Tullis, Claudette M.    | Telecommunicator | Crosby Cnty. Sheriff's Office          |
| Tyler, Marinete         | Telecommunicator | Garza Cnty. Sheriff's Office           |
| Valles, Vidal E.        | Jailer           | Reeves Cnty. Sheriff's Office          |
| Van Goethem, David C.   | Peace Officer    | Williamson Cnty. Constable Precinct 2  |
| Vera, Brenda L.         | Jailer           | Hansford Cnty. Sheriff's Office        |
| Walters, Larry J.       | Peace Officer    | San Jacinto Cnty. Constable Precinct 1 |
| Webb Jr., Sylvester C.  | Telecommunicator | Liberty Cnty. Sheriff's Office         |
| White, Ross W.          | Peace Officer    | Fort Stockton Police Dep't             |
| White, Tracy K.         | Peace Officer    | Harris Cnty. Sheriff's Office          |
| Yarnall Jr., Clovis G.  | Peace Officer    | Rockport Police Dep't                  |

*Reprimands for Failing to Complete Legislatively Required Continuing Education*

|                   |                       |                               |
|-------------------|-----------------------|-------------------------------|
| Brown, Robert K.  | Peace Officer, Jailer | Harris Cnty. Sheriff's Office |
| Lockhart, John C. | Peace Officer, Jailer | Donley Cnty. Sheriff's Office |
| Kirk, Steven R.   | Peace Officer, Jailer | Harris Cnty. Sheriff's Office |

*Reprimands for Administrative Violations*

|                      |               |                                  |
|----------------------|---------------|----------------------------------|
| Blanchard, Robert H. | Peace Officer | Randall Cnty. Sheriff's Office   |
| Rodriguez, Roy L.    | Peace Officer | Paducah Police Dep't             |
| Smith, Mark J.       | Peace Officer | Pecan Hill City Marshal's Office |

**Agenda item #10, 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 #11, 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. No decisions were made and no votes were taken during the Executive Session.

**Agenda item #12, 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.**

**Agenda item #10, Adjourn.**

The Presiding Officer adjourned the meeting until the next meeting in June of 2019.

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Patricia G. Burruss, Secretary  
PGB/lj