



TEXAS COMMISSION ON LAW ENFORCEMENT

Commission Meeting Minutes October 26, 2022

On Wednesday, October 26, 2022, at 9:00 A.M., the quarterly meeting of the Texas Commission on Law Enforcement (TCOLE) was held at the American Bank Center, 1901 Shoreline Blvd., Henry Garrett Ballroom, Convention Center Second Floor, Corpus Christi, Texas.

Commissioners attending were Presiding Officer Kim Lemaux; Assistant Presiding Officer Jason Hester; Secretary Patricia Burruss; Constable Ron Hood; Sheriff Michael Griffis; Janna Atkins; Martina Lemond Dixon; and Justin Berry. Mario Lizcano was absent.

TCOLE Executive staff attending included Interim Executive Director John Beauchamp; Credentialing, Education and Field Services Director Cullen Grissom; Information Technology and Special Services Director Jessica Capraro; Enforcement Major T.J. Vineyard; Government Relations Director Gretchen Grigsby; and Finance Director Brian Roth.

Attending from the Office of the Attorney General was Robert Savage.

Agenda item 1, Call to order.

The Presiding Officer called the meeting to order at 9:06 a.m. The Corpus Christi Police Department Senior Officers Julio Ramos, Manny Fonseca, Charla Hemerly, Joel Torrez and Gary Williams presented the Colors. Commissioner Patricia Burruss led the pledges of allegiance. Senior Chaplain Rick Randall with the Austin Police Department gave the Invocation. Roll call of members was called and a quorum was present. Welcoming remarks were made by Presiding Officer Kim Lemaux.

Agenda item 2, Approval of the minutes of the August 4, 2022 Commission Meeting at Odessa, Texas.

Commissioner Patricia Burruss made a motion to accept the August 2022 commission meeting minutes. Commissioners Michael Griffis and Janna Atkins seconded the motion. The motion passed unanimously.

Agenda item 3, Receive reports. Take action if necessary.

Interim Executive Director John Beauchamp briefly reiterated his remarks from the opening ceremony held on Monday and announced the timeline of the TCOLE Sunset Review. The Sunset Commission's Final TCOLE Report will be published on November 17, 2022, TCOLE's first hearing with the Sunset Advisory Commission will be held on December 6, 2022 in Austin, followed by a final decision hearing on January 11, 2023. Interim Executive Director John Beauchamp discussed the exceptional items that TCOLE is requesting from the State Legislature. New TCOLE staff were announced.

Credentialing, Education and Field Services Director Cullen Grissom announced that starting in the 2023-25 training unit, telecommunicators will need Cardiopulmonary Resuscitation and Cardiac Emergency Communication every two-year training unit. Education Services is currently working on adding the Cardiac Emergency Communications course available in the MyTCOLE account for licensees.

Director Grissom provided brief discussion of the Basic and Advanced Instructor Courses revision project, potentially renaming to Instructor Proficiency course and Instructional Design course. The Peace Officer Salary survey required from the 87th Legislative Session is in its final draft and will be submitted to the Governor's Office and Legislature, followed by publishing on the TCOLE website in a few weeks. The Credentialing division is fully staffed.

In Field Services, Director Grissom announced that the two Academy and Contract Evaluators (ACE) positions are being converted to standard Field Service Agent (FSA) positions with the reorganization of regions into a total of ten regions.

Information Technology and Special Services Director Jessica Capraro discussed that in September the TCOLE File Secure Share application was increased from 2 megabytes to 500 megabytes making it easier for users to upload several documents into one file. Customer service for TCLEDDS users has improved based on results from the customer satisfaction survey.

Enforcement Major T.J. Vineyard discussed three ongoing projects, including TCOLE's Target 100 initiative meant to eliminate license suspensions and revocations for training noncompliance. In the next unit, licensees will be receiving noncompliance warnings/reminders via email and text. Licensees are encouraged to update their contact information through their MyTCOLE account and reminded that they are responsible for keeping their education and licenses up to date. TCOLE Enforcement has been meeting with departments with high rates of noncompliance, or who have the most violations, to aid them in improving compliance with legislative training mandates. TCOLE is also creating a new online complaint system that will simplify the classification of non-jurisdictional complaints. TCOLE is also meeting with vendors to identify a records management system, comparable to a traditional police reporting system, that will aid in house investigations, reporting, and communication to collect useful data, identify systemic issues, and track resolutions of criminal and administrative cases.

Government Relations Director Gretchen Grigsby thanked Commissioner Hood for working with TCOLE command staff on the agency's Legislative Appropriations Request (LAR) to the 88th Texas Legislature. TCOLE command staff continues to meet with legislative offices in the interim, prioritizing conversations around additional staff, IT needs, and TCOLE's limited scope Sunset review. Director Grigsby discussed TCOLE's involvement with the recent Peer Network event, which around 20 media outlets attended, as well as Senator Royce West. TCOLE is working with other members of the Sexual Assault Survivor Task Force to amend the Basic Peace Officer Course (BPOC). The 2023 Texas Peace Officers' Memorial Ceremony will be held at the State Capitol on April 30, 2023. The Texas Peace Officers' Memorial Committee, along with Commissioners Ron Hood and Justin Berry, have been meeting to discuss a potential statewide coordinator position to better support constituents and their families in the case of a line-of-duty death. Director Grigsby also reminded the audience that TCOLE is accepting nominations for the Texas Law Enforcement Achievement Awards until January 15, 2023.

Finance Director Brian Roth announced that TCOLE has recently had several retirements and has hired 21 new employees, bringing the agency up to a total of 63 current employees. TCOLE has completed the agency's Legislative Appropriation Request (LAR) ahead of the 88th Texas Legislature. Director Roth also mentioned that Comptroller Glen Hegar announced a substantial surplus in his most recent Biennial Revenue Estimate (BRE) for 2022-2023 and stated the potential for a statewide state employee salary increase. In addition, TCOLE's budget execution was approved by the Legislative Budget Board (LBB) and the Governor's office.

Commission Jason Hester made a motion to accept the reports presented. Commissioners Patricia Burruss and Justin Berry seconded the motion. The motion passed unanimously.

A break was taken from 10:20 A.M. to 10:34 A.M.

Agenda item 4, Discuss and take action on the Request for Waiver of TCOLE Rule 217.1 Minimum Standards for Enrollment and Initial Licensure.

- Austin Police Department, Chief Joseph D. Chacon on behalf of Nathan E. Canche

Chief Joseph D. Chacon spoke on behalf of Nathan E. Canche. Mr. Canche addressed the Commission and made himself available to answer any questions.

Austin Police Department Officers Joseph Swann, Christopher Juusola, Al Garibay and Brett Magill spoke positively about Mr. Canche. Lt. Elijah Myrick appeared on behalf of Mr. Canche, who did not wish to speak but requested his position be recorded.

After discussion and questions to Mr. Canche by Commissioners Jason Hester, Martina Lemond Dixon, Janna Atkins, and Commissioner Patricia Burruss, Commissioner Ron Hood made a motion to approve the waiver. Commissioner Michael Griffis seconded the motion. The motion passed on a 6 to 1 vote with Commissioners Jason Hester, Patricia Burruss, Ron Hood, Martina Lemond Dixon, Michael Griffis and Kim Lemaux voting in favor, Commissioner Janna Atkins voting against. Commissioner Justin Berry abstained from voting.

Agenda item 5, Discuss and take action on proceeding for revocation, suspension, and other disciplinary actions.

Robert Savage reviewed the disciplinary actions.

Default Suspension Order

Rainwater, Shonn C. Peace Officer Rusk Cnty. Sheriff's Office

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order to suspend the license of Shonn C. Rainwater. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Default Revocation Orders

Escalon, Melissa D. Peace Officer Hidalgo Cnty. Constable Precinct 1

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order to revoke the license of Melissa D. Escalon. Commissioners Janna Atkins, Patricia Burruss, and Michael Griffis seconded the motion. The motion passed unanimously.

Haber, Howard A. Peace Officer Benbrook Fire Dep't

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order to revoke the license of Howard A. Haber. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Parris, Gregory R. Peace Officer Hutto Polie Dep't

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order to revoke the license of Gregory R. Parris. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Thomas, Bruce E. Peace Officer Live Oak Cnty. Sheriff's Office

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order to revoke the license of Bruce E. Thomas. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Agreed Revocation Waiver

Currie, Tammy R. Peace Officer San Jacinto Cnty. Constable Precinct 4

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final agreed revocation waiver for Tammy R. Currie. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Default Cancellation Order

Crabtree, Robert L. Peace Officer University of Houston-Downtown LEA

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a default final order to cancel the certification and license of Robert L. Crabtree. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Agreed Suspension Orders

Floyd, John L. Peace Officer Henderson Cnty. Constable Precinct 4

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Order of Suspension for John L. Floyd. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Phipps, Stephen Peace Officer Bee Cnty. Constable Precinct 3

Commissioner Jason Hester moved that the Commission accept and adopt the recommendations of the Executive Director to enter a final Agreed Order of Suspension for Stephen Phipps. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

Agenda item 6. Discuss and take action to propose the readoption of Title 37 Texas Administrative Code Chapters 211-229 pursuant to the TCOLE Rule Review Plan.

Commissioner Jason Hester made a motion to accept to propose the readoption of Title 37 Administrative Code Chapters 211-229 pursuant to the TCOLE Rule Review Plan. Commissioner Janna Atkins seconded the motion. The motion passed unanimously.

Agenda item 7. Discuss and take action on the progress of the strategic plan, if necessary.

There was no new information to discuss. No motion was made.

Agenda item 8. Discuss and take action on legislative items to include exceptional items and performance measures, data information provided by TCOLE staff, and updates from TCOLE divisions, if necessary.

There was no new information to discuss. No motion was made.

Agenda item 9, Discuss and take action on mandates for the 2023-25 continuing education unit under House Bill 3712, 87th Leg. R.S. (2021), if necessary.

Director Cullen Grissom reminded the audience that under House Bill 3712, 87th regular session instructed TCOLE to determine up to 16 hours of the mandated 40 training hours and specify topics for each two-year training unit. TCOLE is proposing course 470 or an equivalent, which is Trauma Informed/Sexual Assault Investigations that is available on MyTCOLE be one of the mandates. Director Cullen Grissom added that this course is being recommended without requirement for this unit, if already taken, it would not be required again in the next unit.

The second course being proposed is to be developed with the partners at Meadows Mental Health Policy Institute and are looking into co-developing an officer mental health awareness course with a suicide prevention component. The plan is that this course will be built to be available as a face-to-face course for training instructors or academies to teach, but an online version will be available *via* MyTCOLE account and accessible to all licensees.

Commissioner Justin Berry made motion to accept the mandates for the 2023-25 continuing education unit under House Bill 3712. Commissioners Patricia Burruss and Michael Griffis seconded the motion. The motion passed unanimously.

Agenda item 10, Discuss and take action on the process, procedure, and qualifications related to the selection of the next Executive Director, if necessary.

Presiding Officer Kim Lemaux stated that the Commission is currently reviewing applications and will be setting interviews soon. The Executive Director job posting will remain open until selected. No motion was made.

Agenda item 11, Received public comment on any topic, without action.

There was no public comment.

Agenda item 12, Executive Session to discuss pending or contemplated litigation, settlement offers, and personnel issues, including evaluation of Executive Director's job performance, and selection of Executive Director, pursuant to sections 551.071 and .074 of the Texas Government Code, Open Meetings Act.

Executive Session was not held.

Agenda item 13, Return from Executive Session to report and discuss further actions to be taken as a result of the Executive Session, if necessary.

Agenda item 14, Adjourn.

Commissioner Martina Lemond Dixon made a motion to adjourn. Commissioner Patricia Burruss seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:57 A.M.



Patricia G. Burruss, Secretary
PGB/im/sf