

MINUTES
PUBLIC SAFETY COMMISSION
May 16, 2011
Austin, TX

The Public Safety Commission met in Austin, Texas on May 16, 2011. Attending the meeting were Chairman Allan Polunsky, Commissioners Ada Brown, Carin Barth and John Steen. Commissioner Cynthia Leon was absent. A quorum was present for the meeting. DPS staff members and guests were also present.

Call to order

The meeting was called to order by Chairman Polunsky at 10:07 a.m. Proper notice had been posted.

Approval of Minutes (00:54 - indicates time stamp from audio file)

A motion was made by Commissioner Steen and seconded by Commissioner Barth approving the minutes as submitted for the April 21, 2011 meeting. Motion passed unanimously.

Public Comment (01:22)

There was no public comment.

Director's Report (01:48)

Director McCraw presented his report which included presentations on the DPS Ten Most Wanted and the role the advertising plays; and an overview of the Crash Error Reports.

He acknowledged CID for the video shown on the Ten Most Wanted Crime Stoppers advertisement which will be on Time Warner Cable.

He followed with the Crash Error Report displaying the error rates found by DPS Sergeants prior to being sent to the Texas Department of Transportation. The rate at that time was 39%, however since addressing the rate has dropped to 2% in 2011. Commissioner Barth stated she wanted to see the comparisons between new Troopers and tenured Troopers to ensure those coming out of the training academy were being trained properly. She inquired if any monitoring was being done of new graduates first six months versus a year later. The Director stated the Sergeant was taking care of monitoring the new recruits, but the errors were not being tracked. He added they were also looking at different ways to further improve reports and getting them into the system, which would also help the error rate. Commissioner Steen inquired if the problem was solved and if they were ready to move on, which the Director agreed. Commissioner Steen asked if Chief Baker would come up, and provide his perspective. AD Baker reiterated all the Director had stated and added the controls in the system were now working along with training and reeducating of those using it. Commissioner Steen thanked AD Baker for taking care of resolving the problem. Commissioner Brown added that in her past experience, she always enjoyed working with cases that Troopers were involved in because they were well documented. She added "good job" to them, she was seeing the back end of this now and their training paid off.

New Business (00:13:00)

Chairman Polunsky announced the renaming ceremony of the State Operations Center to the Jack Colley State Operations Center would be postponed until a later date.

(13:08) Chief Auditor Steve Goodson reported on two new proposed adjustments to the 2011 approved audit plan and asked the Commission for action to approve. The first change was the Texas Division of Emergency Management Central Billing Process, which after initiating; CAO learned that there was no TDEM central billing process in place. One has been proposed, but not developed. They will provide advice to TDEM as they pursue developing the new process, but CA Goodson stated there was nothing

to audit at this time. The second adjustment was Call Center Operations. The audit will be delayed to allow the IT team time to make improvements currently underway. Two projects CAO proposed to replace Call Center Operations and TDEM Central Billing were Regional/Division, Administration Reviews.

Commissioner Steen asked Chief Auditor Steve Goodson how long he had been with the Department and for him to provide a brief overview of the transition of his division since joining. Chief Auditor Goodson stated he had been with the Department one year. He said he had moved the division from the inspection compliance focus to an internal control based approach. He added he had also hired a professional audit staff, having hired 21 of 25 FTE's, who were focused on issues of the Department, and he felt very good about their progress and impact. **A motion was made by Commissioner Barth and seconded by Commissioner Steen approving the changes to the 2011 approved audit plan as outlined. Motion passed unanimously.**

CA Goodson presented a slide which showed the status on Follow-Up of Audit and Inspection Open Issues. It outlined issue status over the last three years detailing: 1) if implemented, 2) in progress, 3) delayed, 4) withdrawn or 5) no response. Commissioner Barth expressed she had a concern with the no response time taking too long. She asked Director McCraw to look into it for her. She felt improvement was needed and stated that a year and a half ago they addressed the response time to SAO occurring in a timely fashion. Commissioner Steen added it did look like a large number with no response - essentially ignoring the issues. Chairman Polunsky made it very clear CA Goodson had the Commission's complete support in going forward on this, reiterating the importance of getting the percentages improved in the future. He asked for a follow-up report in June.

Chairman added he also wanted a determination from the Chief Auditors Office on the North Texas Toll Authority contract specifically to ensure the agreement was being implemented and working as originally designed and that the Department was receiving full compensation for service as the contract outlined.

AD Mark Doggett, IT reported on the Call Center modernization. He provided the past and current status in IT's modernization, and plans for the future. He stated of the 30,000+ calls per day; there had been a 50% reduction in call volume. He added of the 45+ minute minimum hold times, IT reduced hold time by more than 50%. Other changes - through IVR messages 50% of caller's questions were being resolved; only 10% of calls to agent queues were being turned away; 5 minutes was the average call handler time, implemented self-service; on hold messaging and usage of online services doubled. Future plans include: automated self service, how to questions; continuing improvement of web communications and email contact services, online chat; online applications, scheduling and services; proactive outbound messaging after hours; less than five minute hold time; no busy signal and no limiter message and Customer Service excellence. Commissioner Steen stated the hold time significantly improved and asked when they would be able to reach the 5 minute hold time goal. AD Doggett said after more self service was added and figuring out the escalation calls, but hopefully within the next 90 days. Commissioner Barth inquired when credit cards would be accepted at the Driver License offices statewide. AD Doggett said he would report back, it was being resolved. She asked if DPS lost any fee charges, AD Doggett said we should lose nothing as \$1 went back to the Comptroller's office out of the \$24 fee. Commissioner Steen asked how long AD Doggett had been CIO and if having come from the private sector helped. Doggett stated he had been with DPS since September and came from USAA. He added that coming from the private sector where USAA prided themselves in their Customer Service, added a new level of frustration. Commissioner Steen said it was great to have AD Doggett with the Department to help out in this area.

Chairman Polunsky asked if DPS could keep any of the transaction fees when credit cards were implemented. General Counsel Phillip Adkins said he would need to research and report back.

The Commission went into Executive Session to discuss security issues, to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; deliberation regarding real estate matters; consideration of any other items authorized by law, including personnel matters, the Director's action of discharging employees as identified in this agenda; and ongoing criminal investigations. Executive Session began at 10:45 a.m.

The Public Safety Commission reconvened at 12:50 p.m. A quorum was present.

Ongoing Business (40:50)

Commissioner Brown reported there was nothing to present on the 28-day work cycle and overtime and compensatory time policy. She stated that at the last meeting she announced they would be waiting until Session had concluded. This is because many of the conclusions could be determined by the outcome of Session, and they may need to reassess the options at that time.

(41:56) General Platt, Office of Inspector General reported the latest update on the Legislative initiatives for modification of the provisions of Government Code 411.244 stating the bill was progressing and on schedule right now. Chairman stated the OIG had the support of the Commission.

(42:42) AD Denise Hudson, Finance reported on: the FY2011 Operating Budget, followed by the seized fund purchases of which there were no changes or requests; and the FTE update report that reflected 323 Commissioned vacancies.

(45:22) DAD Frank Woodall, Education, Training, and Research provided the recruitment report joined by Commissioner Brown who added that she would be working with Commissioner Leon and DAD Woodall in pursuing recruiting avenues to fill the vacancies. DAD Woodall said the current counts are: 18 recruits approved for the B11 School, 2 interns and 12 who are currently in psychological and physical testing, plus 9 to be interviewed this week. He added there were 112 in various phases of the academy acceptance process (I, II & III). He advised also that a Screen Vision video clip would be marketed in theaters to promote recruiting starting Memorial Day week and provided locations and dates it would run. Commissioner Brown added she had materials from Commissioner Leon and they were ready to get underway with their recruiting project at the end of the month.

Commissioner Barth asked if there were still 35 in the training academy. DAD Woodall stated the class started with 52 and current enrollment is 32, 1 resigned, and 2 were now interns due to injuries. Chairman added serious discussion would be deferred to June to obtain information from the committee to use as a platform to begin discussing ideas and perspectives. He added he thought DPS recruiting was still not getting where it needed to be to stay level, that he felt we were losing ground. DAD Woodall agreed stating on average 63% of applicants became disqualified, so only 37% were coming into training. Chairman Polunsky said he thinks there are other ways to cull out before entering the academy, but still be able to raise the numbers going forward with quality applicants. DAD Woodall said he hoped the advertising and proposed billboards in target areas would help with their efforts, as well as the ideas Commissioners Brown and Leon contribute.

(54:55) Director McCraw reported on the draft ethics policy. He added that based on discussions he had with each member that the changes be made and resubmitted for the next Public Safety Commission meeting for review and approval. Commissioner Steen said he had a specific interest and asked for a contact person for input to language on Gifts and Favors. The Director said he could speak with him or the Chief of Staff Robert Bodisch. Commissioner Brown asked if there was one ethics officer for all of DPS. The Director stated the General Counsel's office was the Ethics office. He added there was no FTE available for this position, but he would still tie it to the General Counsel's office.

A total of twelve policies were being reviewed including high speed pursuit, search warrants, and high risk warrant policies. Robert Bodisch stated a Delaware company was doing the review and added they were experienced with law enforcement agencies throughout the country and were overseen by the

Justice Department. A grant was provided for this overview. It is a \$225K contract and would take about a year to complete. Commissioner Steen requested a review at the next meeting.

Chairman Polunsky stated he would appreciate the high risk, etc. being brought to the Commission, however, better left to the professionals. He felt Ethics was what the Commission should be involved in and would approach in a case by case method, so as not to micro-manage. He added they would certainly become involved as needed.

Chairman Polunsky advised the Director that he supported the retire/rehire program as a short term solution to the recruiting problems and issues. He added something had to be done.

(01:05:43) AD David Baker, Texas Highway Patrol provided an update on the progress of the vehicle cross over median dividers. He stated requests had increased by two and the number installed remained at 71. He added 26% were completed and they were moving forward, yet it was an involved engineering process.

(01:07:31) Commissioner Brown commented to AD Fulmer, Administration how impressive it was that DPS had chaplains in the Chaplain Program who volunteered 219.75 hours of their time during the month in assisting with various needs at the Department.

She then bragged to AD Tom Ruocco, Criminal Investigations on a recent apprehension of a sex offender on the Ten Most Wanted Sex Offenders. She informed all in attendance that the individual was wanted since July 2010 and had 18 counts of aggravated sexual assault of a child.

Commissioner Barth asked Chief Kidd, TDEM to report at the next meeting where the Department had generators for emergencies, most likely impacted during hurricane season.

Hank Whitman introduced his newly appointed Deputy Assistant Director, Kirby Dendy. Commissioner Steen asked him to tell the audience a little about himself. DAD Dendy stated he had worked at DPS since he was 18 years old and would be celebrating his 40th year with the department in August of this year. He had been in Highway Patrol before becoming a Ranger in Waco. AD Whitman stated he could not be happier nor have selected anyone better for this position. Commissioner Brown said she had heard nothing but wonderful things about him.

Commissioner Brown also complimented the Rangers for the support in a recent grizzly murder case that occurred in Dallas. She said she was very proud the Rangers were on the case adding she knew with them that justice would be done and procedures would be followed. AD Whitman said they were involved in 50-60 homicides a month.

Commissioner Brown went on to comment on a case where someone was charged with a 1994 murder and what a blessing for the family that the DPS Rangers were involved. Chairman Polunsky echoed the compliments and the choice of a high quality individual such as DAD Dendy.

A motion was made by Commissioner Steen and seconded by Commissioner Barth approving Consent Items A and B as set out. Item C was requested to be deferred. Motion passed unanimously.

(01:16:34) There were no Commission member reports.

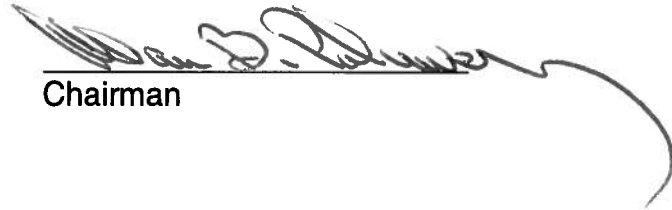
There were no additional division reports.

At the request of the Commission an update on the Department's Sexual Harassment policy would be included on the next meeting agenda.

(01:17:29) The next meeting of the Public Safety Commission will be held June 16, 2011. Chairman added that at the next meeting the event renaming the State Operations Center in honor of Jack Colley would possibly occur. He also stated a discharge appeal hearing would be conducted.

(01:19:05) The meeting was adjourned at 1:30 p.m.

Read and approved this 16 day of June, 2011.

A handwritten signature in black ink, appearing to read "Dan D. [unclear]", written over a horizontal line. The signature is stylized and extends to the right with a long, sweeping tail.

Chairman

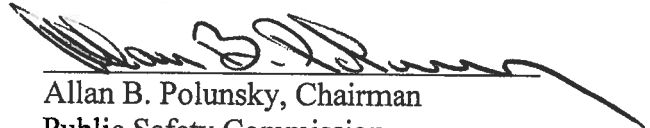
IN THE MATTER OF § BEFORE THE
THE DISCHARGE OF § PUBLIC SAFETY COMMISSION
PROBATIONARY EMPLOYEE § IN AUSTIN, TRAVIS COUNTY, TX

Advice and Consent

In accordance with Government Code Section 411.007(f), the Director found that the following named probationary employee was unsuitable for continued employment in the Department of Public Safety. The Public Safety Commission has consented to discharge this employee:

Employee Name	Employee Title/Division	Date of Discharge
Alesha Scott	Driver License Examiner/Driver License Division	04/25/11

Approved:



Allan B. Polunsky, Chairman
Public Safety Commission
Date: May 16, 2011

SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS

Special Ranger Applicants

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Gray, Dwight L.	THP	HP/Daingerfield	5/31/2002	29 years	
Miles, Jr., Kennis	THP	CVE/Garland	2/28/2011	29 years	
Ramirez, Gregory F.	THP	HP/Lubbock	8/31/2003	26 years	

Special Texas Ranger Applicants

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Ray, Bryan K.	Rangers	Midland	3/31/2011	23 years	
Hildebrand, Gerald W.	Rangers/CAO	Austin	2/28/2004	22 years	

Approved by the Public Safety Commission on: *May 16, 2011*