

DPS Chaparral



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June 2008

Trooper shot and killed during pursuit

Trooper **James Scott Burns**, 39, was shot and killed by a driver he was pursuing on the evening of April 29 in Marion County northeast of Lake o' the Pines.

Trooper Burns was pursuing a 1997 Dodge Intrepid driven by Brandon Wayne Robertson, 37. Robertson turned off of FM 729 onto FM 1969 and stopped suddenly. He exited the vehicle, pulled a shotgun and fired five rounds at Trooper Burns as he rounded the corner. Trooper Burns was fatally wounded by the gunfire, and his vehicle struck Robertson's vehicle.



Tr. Scott Burns

At approximately 7:57 p.m., Marion County dispatchers received a call over the trooper's radio from a citizen stating that the trooper had been shot.

Trooper Burns is the eighty-third DPS officer to die in the line of duty.

"Our profession is dangerous," said Col. **Thomas A. Davis Jr.**, "but ensuring the safety of the people of Texas is a noble goal. Trooper Burns
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Commission orders organizational study

The Public Safety Commission has ordered an independent, top-down study of the Department to determine whether there are any changes that should be made to improve the department's performance and to identify resources that the Department may need in the future.

Commissioner **Tom Clowe**, of Waco, conducted a brief investigation into organizational issues for the Department. In the report he gave to the Public Safety Commission at the April meeting, he said, "We do not want change for change's sake but rather recommendations that will actually improve the Department's ability to provide public safety in the State of Texas, today and into the future."

The last major reorganization of the Department occurred in 1957, af-

Dear fellow employee,

It had been almost eight years since we lost an officer to gunfire. But on April 29, Tr. **Scott Burns** lost his life when a violator he was pursuing suddenly turned off the road and shot him. This incident emphasizes how dangerous our line of work is. Hug your children and your spouse each day before you leave for work. And be careful.

I was impressed by the support shown for Trooper Burns and his family: A reward totaling \$30,000 was offered for the arrest of the violator. More than 1,000 people attended the funeral. And many people lined the roads from the church to the cemetery as Trooper Burns was laid to rest. I won't forget it.

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The Department's retire/rehire program has been canceled based on a new ruling issued by the Employees Retirement System. Declaring a retirement date, while at the same time seeking a binding commitment to return to employment, will not be considered a bona fide retirement.

Therefore, no retiring employee, commissioned or non-commissioned, will be allowed

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Awards

Tr. **Thomas McGinnis**, HP Corsicana, was awarded a Purple Heart for his personal sacrifice and serious injuries suffered in November 2005. McGinnis pulled a car over on I-45 in Corsicana for speeding. The driver exited the passenger side and shot McGinnis in the right hand. McGinnis took cover and returned fire. The suspect fled on foot, while McGinnis held the passenger at gunpoint until help arrived. The 19-year-old suspect was later captured. After Tr. McGinnis' surgery, he required four months of recovery due to the trauma and broken bones suffered in the shooting.

Tr. **Larry W. Buxton**, HP Denton, was awarded a Purple Heart for his personal sacrifice and serious injuries suffered in an April 2007 traffic incident. Buxton stopped a reckless driver who appeared intoxicated. While he had the pickup pulled over in a rest area on I-35 in Denton County, another car, driven by an intoxicated driver, entered the rest area and struck Tr. Buxton. He was pinned between the two vehicles, crushing his lower leg. Because of injuries, he missed three months of regular duty. Both drivers were determined to be intoxicated and were convicted.

Briefs

Speir Scholarship deadline

Wilson E. Speir Scholarship applications will be accepted through Aug. 15. Students must be classified as full-time criminal justice majors and enrolled in Texas universities.

Two scholarships will be awarded for \$500 per semester for up to two semesters.

Applicants should submit resumes and transcripts of completed college work to: Director's Office, c/o DPS, P.O. Box 4087, Austin TX 78773-0110.

FBI graduate

Lt. **Henry "Hank" Whitman**, Texas Rangers San Antonio, became the latest DPS employee to graduate from the FBI National Academy in Quantico, Virginia, March 2008.

Breath test award

Randall Beaty, Asst. Manager, Breath Alcohol Testing Austin, received the prestigious International Association for Chemical Testing's Kurt M. Dubowski Award on May 21, 2008, in Tempe, Arizona. This award is given annually to an individual with at least twenty years of active service in the field of alcohol/drugs and workplace or transportation safety, with contributions to the field gaining national and or international prominence.

DPS supports organ donation

Every day, 18 people die waiting for a life-saving organ transplant. DPS is doing its part by offering Texans a chance to become an organ donor when conducting transactions at driver license offices.

In 2007, the Legislature renamed the program the Glenda Dawson Donate Life-Texas Registry Program. The name change was made to honor State Rep. Glenda Dawson, who passed away in 2006. Dawson, who received a donated kidney from her sister, authored the original bill in 2005 that created the program.

"DPS has a process in place to provide our customers with the opportunity to register in the program," said Asst. Chief **Greg Gloria**, DL Austin, who is a member of the Texas Organ, Tissue and Eye Donor Council.

At driver license offices around the state, customers are asked if they want to become an organ donor, register with the Internet-based registry or donate \$1 to the program when they originally apply, renew or duplicate their DL or ID card.

Since September 2006, DPS is responsible for 86 percent of the certified donors entered in the registry, which is now up to 138,377 people who are giving the gift of life. In addition, DPS has raised an average of \$395,000 a year through the \$1 donations.

"It is our hope that all our customers and employees will find out more about organ donation," said Gloria.

Additional information and the ability to register as an organ, tissue or eye donor is available at www.DonateLifeTexas.org. The official registry site can be accessed in the Driver License section of the DPS Web site.



Mile Markers

Promotions

Administration

Ren Earl Bowie, Lt., Regulatory and Licensing Svc. Austin to Capt., Regulatory and Licensing Svc. Austin; **James William Morgan**, Sgt., CIS Hurst to Lt., Regulatory and Licensing Svc. Austin.

CLE

John Dallas Waits, Lt., Narcotics Svc. San Angelo to Capt., Narcotics Svc. Austin; **Donald Ray Wilks**, Sgt., MVT McAllen to Lt., Bureau of Information Analysis Austin; **Jeffrey Allen Williams**, Sgt., Narcotics Svc. Garland to Lt., Narcotics Svc. Austin; **Jose Luis Coy**, Sgt., Narcotics Svc. Waco to Lt., Narcotics Svc. San Antonio;

Ronald Saenz, Sgt., Narcotics Svc. Corpus Christi to Lt., Narcotics Svc. Alpine; **Adam Ray Russell**, Tr. II, HP Refugio to Sgt., Narcotics Svc. Amarillo; **Wayne Watson**, Tr. II, HP Lubbock to Sgt., Narcotics Svc. El Paso; **John David Lingle**, Tr. II, HP Weatherford to Sgt., Narcotics Svc. McAllen;

George Correa, Jr., Cpl. II, HP Pearsall to Sgt., Narcotics Svc. Eagle Pass; **Christopher Vance Brock**, Tr. II, HP Longview to Sgt., Narcotics Svc. McAllen; **Lionel Trevino**, Cpl. III, CVE Harlingen to Sgt., Narcotics Svc. Laredo;

Robert Villafranca, Jr., Tr. III, HP Austin to Sgt., Narcotics Svc. Laredo; **Clara Brown**, Tr. III,

DL Angleton to Sgt., Narcotics Svc. El Paso; **Shawn Cleston Hallet**, Sgt., HP Conroe to Sgt., Narcotics Svc. Laredo.

THP

Melvin Howard Harp, Jr., Sen. Tr., CVE Victoria to Sgt., CVE Laredo-WTB; **Mark Wayne Gumaer**, Tr. III, CVE Shamrock to Sgt., CVE El Paso.

DL

Rebecca L. Uresti, Tr. IV, HP Sherman to Sgt., DL McKinney.

Retirements

Benjamin Gabriel Valdez, Lt., HP Garland, 30 yrs., 4 mos., 23 days; **Nina Rae Earles**, Tech., HP Odessa, 6 yrs., 7 mos., 29 days; **Nelda Kay Walker**, Admin. Tech. II, DL Abilene, 30 yrs., 27 days; **Gary Ray Stone**, Asst. Chief, CLE Austin, 31 yrs., 14 days;

Betty Carol Mellem, Tech., DL Mineral Wells, 29 yrs., 1 mo., 29 days; **James Martin Thomas**, Mgr. II, Crime Lab Lubbock, 29 yrs., 7 days; **Ronald Fredrick Fields**, Sgt., Narcotics Svc. Houston, 27 yrs., 3 mos., 16 days;

Kenneth Hampton Bibby, Sen. Tr., HP Mineola, 26 yrs., 10 mos., 20 days; **Marcus Emmitt Banks**, Sen. Tr., DL Dallas, 25 yrs., 10 mos., 21 days; **Jon Travis Janica**, Sen. Tr., HP Edna, 25 yrs., 10 mos., 21 days; **Larry Wayne Haag**, Asst. Administrator, Building Programs Austin, 20 yrs., 11 mos., 29 days;

Wesley Keith Denning, Sgt., Rangers Hurst, 20 yrs., 9 mos., 23 days; **Mary Charlotte Perry**,

Secretary, HP Garland, 19 yrs., 11 mos., 7 days; **Raymond Eric Malmquist**, Sec. Officer III, HP Austin, 16 yrs., 7 mos., 29 days;

Gloria Lira Collins, Tech., HP San Antonio, 12 yrs., 9 mos., 11 days; **Patricia Ann Lowe**, Examiner, DL McKinney, 10 yrs., 7 mos., 29 days; **Barbara Faye Lester**, Tech., DL Corsicana, 8 yrs., 10 mos., 15 days;

James E. Milward, Clerk, DL Austin, 7 yrs., 3 mos., 15 days; **Oscar Mireles Medel**, Scheduler, DL Austin, 5 yrs., 9 mos., 3 days.

Deaths

James Scott Burns, Tr., HP Marshall (March 2003 – April 2008) died April 29, 2008; **Willis Jaecks**, ret. Tech. II, Fleet Austin (December 1960 – March 1987) died April 21, 2008; **Elmer Thomas (Willie) Wilhelm**, ret. Supv. II, General Svc. Austin (July 1956 – August 1985) died May 3, 2008; **John T. Rogers**, ret. Lt., Director's Staff (February 1951 – July 1992) died May 7, 2008; **Ralph W. Robertson**, ret. Sgt., HP Mt Pleasant (August 1937 - November 1976) died May 13, 2008.



On the mend...

Great news! No one's on the mend (as of May 14). Stay safe!

Trooper shot and killed during pursuit, continued from page 1

was doing his job, despite the dangers. We will never forget the sacrifice that Trooper Burns and his family have made.”

Robertson fled the area with an alleged accomplice, Jennifer Lynne Petrick, 36. Hundreds of law enforcement officers participated in a manhunt that lasted 72 hours before Robertson shot and killed himself as authorities closed in. Petrick was taken into custody at the scene.

Agencies that assisted DPS in the investigation and manhunt included the FBI, the U.S. Marshals Service, the Bowie County Sheriff's Office, the Cass County Sheriff's Office, the

Gregg County Sheriff's Office, the Smith County Sheriff's Office and the Longview Police Department, plus the District Attorneys of Bowie, Cass, Marion and Smith counties.

Several businesses in the Northeast Texas area donated \$30,000 toward a reward for the arrest and indictment of Robertson.

“We are grateful for the support that the community showed toward the DPS and Trooper Burns' family,” Col. Davis said. “It meant a great deal to everyone involved.”

Trooper Burns joined DPS on March 1, 2003. After graduation from the DPS Recruit School, he was

stationed in Linden until that office was closed. He then transferred to the Atlanta Highway Patrol office on April 1, 2004. He transferred to Jefferson on Sept. 1, 2006, and was stationed there when he died.

Before joining the DPS, Trooper Burns had worked for the Texas Department of Criminal Justice. He was born in Longview and attended college at Tyler Junior College, Texarkana College and Ouachita Baptist University.

Trooper Burns is survived by his wife, Michaela, and his six-month-old daughter, Micah.

Organizational study ordered by commission, continued from page 1

ter an extensive study by the Texas Municipal League. That study resulted in dividing the state into six (now eight) regional commands.

The Commission is asking that a contractor examine the Department's current organizational structure, regional boundaries, supervision, division of labor, degree of specialization, decision-making authority, span of control, the internal communications between functions, accountability, controls, degree of centralization, functional differentiation, vertical differentiation, spatial differentiation, discretion, direction, staffing levels, leadership and communications, goal setting, planning, staff allocation process, resource allocation and development of human capital.

The study will also conduct a best practices audit, looking at current trends and how well DPS is performing its tasks.

The study will make necessary

recommendations for improvement, as well as recommendations on how to implement any of those changes.

“Considering a rapidly changing operating climate, the Department seeks to ensure the proper structure, resource allocation and workforce is

in place to ensure operational efficiency and effectiveness,” Commissioner Clowe said. “This process will be open, straight forward and one that invites participation.”

The report on the study is due Sept. 11, 2008.

Colonel's column, continued from page 1

to apply for a position within the Department until after the effective date of their retirement. There can be no request, offer, promise, agreement, or commitment to be rehired in any capacity prior to retirement. And remember, an individual may not return to state employment during the month following their retirement. If they were to do so, their retirement would be cancelled.

While there is no prohibition against a retired individual seeking employment with the state, there can be no explicit or implied

preferential status given to a retiree. Also, there can be no speculation made to an employee contemplating retirement about their potential ability to rehire at some future date after retirement. Any representations made on the subject are strictly prohibited and without effect.

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The results from the Texas RoundUp are in. TxDOT won the Governor's Cup this year. The Administration Division won the DPS Director's Award.

Thomas A. Davis Jr.