

AGENDA
Public Safety Commission Meeting
February 13, 2014, 9:00 a.m.
6100 Guadalupe, Building E
Austin, TX 78752

The Public Safety Commission will convene as posted to consider and take formal action, if necessary, on the following agenda items:

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. PUBLIC COMMENT

(Members of the public wishing to address the Commission are subject to a time limit of 5 minutes and must complete a Public Comment Registration Card located at the entry. Should a member of the public bring an item to the Commission for which the subject was not posted on the agenda of the meeting, state law provides that the Commission may receive the information but cannot act upon it at the meeting. The Commission may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion.)

IV. DIRECTORS REPORT

- A.** Recognition of service for Ada Brown – Former Commissioner, Texas Public Safety Commission
- B.** Human Trafficking Assessment
- C.** Metal Regulatory Issues
- D.** Annual Report Update

V. NEW BUSINESS

- A.** Report from the Texas Department of Public Safety Foundation regarding recent progress and status including hiring of Foundation Executive Director
- B.** Report, discussion, and possible action on OIG Annual Report
- C.** Report, discussion, and possible action on potential county drug analysis support
- D.** Report, discussion, and possible action on cyber security (Executive Session anticipated)
- E.** Report, discussion, and possible action on proposed amendments to Media and Communications Policies Rule: 37 TAC Section 1.58, concerning Release of Information on Victims

- F. Report, discussion, and possible action on the proposed repeal of Public Safety Communications Rule: 37 TAC Section 9.3, concerning Release of Information on Accident Victims
- G. Report, discussion, and possible action on proposed amendments to Driver License Rule for publication to receive public comment: 37 TAC Section 15.5, concerning Learner License
- H. Report, discussion, and possible action on proposed new Driver License Rule for publication to receive public comment: 37 TAC Section 15.172, concerning Issuance by Counties
- I. Report, discussion, and possible action on the proposed reorganization Driver Education Rules for publication to receive public comment, including: repeal of 37 TAC Sections 18.1 – 18.4, Sections 18.21 – 18.25, and Sections 18.31 – 18.33 and proposed new 37 TAC Sections 18.1 – 18.4, Section 18.11, Section 18.21, and Section 18.22
- J. Report, discussion, and possible action on proposed amendments to Crime Records Rule: 37 TAC Section 27.1, concerning Right of Review

VI. ONGOING BUSINESS

Reports, discussion and possible action regarding the following:

- A. Report, discussion and possible action regarding Commission requests for additional auditing to be performed by the Chief Auditor’s Office. Updates regarding status of recent CAO activity
- B. Update report, discussion and possible action regarding recruitment
- C. Report, discussion, and possible adoption of the following previously published rules:
 1. 37 TAC Section 1.111, concerning Ten General Orders
 2. 37 TAC Section 1.143, concerning Use of Unmanned Aircraft by a Law Enforcement Authority
 3. 37 TAC Sections 9.61 – 9.68, concerning State Amateur Radio Operator Service
 4. 37 TAC Section 15.61, concerning Third Party Skills Testing
 5. 37 TAC Section 15.142, concerning Agreement to Purchase Driver Record Information
 6. 37 TAC Section 27.42, concerning Criteria for Entry into the Missing Persons Bulletin
- D. Report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071

- E. Report, discussion and possible action regarding the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
- F. Report, discussion and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

VII. REPORTS

- A. Commission member reports and discussion
- B. Finance Report
- C. Chief Auditors Office
- D. Division status reports on activities and action

VIII. CONSENT ITEMS

All of the following items may be enacted with one motion. These items are typically self-explanatory or have been previously considered by the Commission. There will be no separate discussion of these items unless a commissioner so requests.

- A. Discussion and possible action on the Director's action of discharging probationary employees: Delisha Thomas and Michael White
- B. Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024: Special Rangers: Joseph D. Armistead, Louis R. Cardinal, Jimmy L. Dunklin, Donna K. Kennedy, Marty C. Lucke, Ismael M. Orosco, and Byron D. Smith; Special Texas Rangers: None
- C. Donations:
 - 1. Additional donation items, as needed

IX. ITEMS FOR FUTURE AGENDA

X. DATE FOR FUTURE MEETING

Discharge hearings will be scheduled on April 9, 2014, and the regular Public Safety Commission meeting is scheduled for April 10, 2014.

XI. ADJOURN INTO EXECUTIVE SESSION

(if required) 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; ongoing criminal investigations

XII. ADJOURN

The Commission may take items out of the order in which they are posted on this agenda. Also, an item that has been adopted, passed upon, delayed or tabled for a later meeting may be considered or reconsidered at the same meeting.

The Public Safety Commission may meet and discuss in Executive Session and have action taken in an Open Meeting where required on the following items

Government Code Sec. 551.071 Consultation and deliberation with legal counsel about pending or contemplated litigation or a settlement offer, or on a matter where the Commissioners seek the advice of their attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, and to discuss the Open Meetings Act and the Administrative Procedures Act with their attorney

Government Code Sec. 551.074 Appointment, employment, evaluation, reassignment, duties, discipline or dismissal of director, assistant director, and persons appointed to management team positions pursuant to Govt. Code Sec. 411.0071

Government Code Sec. 551.076 Deliberations about security audits, security devices, including deployment and implementation of security personnel and devices

Government Code Chapter 411, Sec. 411.0041 Ongoing criminal investigations

Government Code Sec. 551.072 Deliberation of the purchase, exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the government body in negotiations with a third person

Government Code Sec. 551.073 Deliberation of a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person