

**MINUTES
PUBLIC SAFETY COMMISSION
APRIL 16, 2015
AUSTIN, TX**

The Public Safety Commission met in Austin, Texas on April 16, 2015. Attending the meeting were Chairman Cynthia Leon, Commissioners Faith Johnson, Manny Flores, Steven Mach and Randy Watson. A quorum was present at the meeting. DPS staff members and guests were also present.

CALL TO ORDER (0:00:06)

The meeting was called to order by Chairman Leon at 9:02 a.m. Proper notice had been posted.

APPROVAL OF MINUTES (0:00:50)

A motion was made by Commissioner Watson, seconded by Commissioner Johnson, approving the minutes from the February 11th and 12th meetings. Motion passed unanimously.

PUBLIC COMMENT (0:01:19)

None

Chairman Leon acknowledged Luis Moreno, Chief of Staff for Senator Juan "Chuy" Hinojosa, in attendance.

DIRECTORS REPORT (0:01:54)

A. Presentations

Service Awards

Patrick Hernandez – 30 years

Lora Beshears – 35 years

Lori Carlsson – 35 years

Linda Moorer – 35 years

James Asby – 40 years

Charlie Ramirez – 40 years

Jeff Sones – 40 years

Dudley Speed – 40 years

William P. Clements Excellence Awards

Agent Leo Pena – Commissioned
Forensic Artist Jorge Molina – Non-Commissioned

Javier Arana Top Trooper Awards

Trooper Nicole Sanchez
Trooper Roggan Stanzel

Purple Heart

Trooper Chad Foster

Lifesaving Awards

Trooper Brant Johnston – 2 awards for 2 different events
Lieutenant Pilot Glen Stafford
Tactical Flight Officer Cody Klaehn
Tactical Flight Officer Curtis LaRue
Trooper Edwin Lara

DHS IT Community Federal 100 Award

Amy Herchek

2014 Motorola Trooper of the Year, Southern Region

Trooper Leopoldo Sanchez

2015 United States Attorney's Award (Operation Crossbones)

Special Agent Paul Quintanilla

(0:54:38) Break 9:56 a.m. – 10:12 a.m.

B. Operation Strong Safety Update (0:55:06)

Director McCraw provided an update on Operation Strong Safety:

-6/18/14, DPS is directed by Speaker, Lieutenant Governor and Governor to execute surge operations of increased law enforcement in border counties and directed to:

1. Provide the operation plan and detailed cost estimates

-Speaker directed House Committee on Appropriations and the House Committee on Homeland Security and Public Safety to monitor and assess the cost and outcome of operation until session began in January 2015

-Speaker notified Committee Chairmen that Director McCraw is available to individually discuss border security operations with all chairs of House committees

-Speaker issued proclamation establishing select committee on fiscal impact of

border security operation

2. Establish metrics and collect data to enable measurements for impact and effectiveness of operation

-Speaker Pro Tem Dennis Bonnen, chair of Committee, is directed to:

- a) Monitor state's and local governments' response to increased influx of immigrants entering Texas through the Texas/Mexico border, including measures taken by Texas to provide security and human services and potential increase in budgetary costs for these measures;
- b) Review and evaluate the support Texas has received from federal government to address issues including use and additional federal funds in Texas;
- c) Study short and long term budgetary impact of increased influx of immigrants on costs of Texas border security operations, economic resources and infrastructure of operations of local and state governments and agencies; and
- d) Determine long-term budgetary costs associated with ensuring health and safety of Texas citizens and the economy

3. Report monthly on significant developments or impacts

-DPS is working with 142 separate local, state and federal law enforcement agencies located in the border and coastal bend regions to produce the following:

- ***Border Operation Sector Assessment (BOSA)** distributed weekly to over 2,000 individuals, including legislative members and staff (LES/FOUO)
- ***Texas Border Security Dashboard** – consolidates data from BOSA by border security sector and calendar year (LES/FOUO)
- ***SPOT Reports** – distributed daily to over 3,500 users (LES/FOUO)
- ***OSS Summary Reports** – distributed weekly and includes Drawbridge data (LES/FOUO)
- ***BOSA South Texas Ranch Edition** – distributed at the request of South Texas property owners (Not LES)
- ***Operation Drawbridge Dashboard** – distributed monthly (LES/FOUO)
- ***DPS Dashboard** – distributed monthly detailing performance measures for the agency (not LES and available on our website)

4. Prepare a full report to the 84th Legislature and the Governor detailing cost, its effectiveness and any recommendations regarding cost of continuing or expanding operation

-January 28, 2015, Operation Strong Safety report submitted to the 84th Legislature and the Governor (LES-FOUO) Public version was also created.

NEW BUSINESS (1:25:35)

A. Report and discussion on Legislative Update

DAD Candace Nolte provided a timeline of events:

-1/13/15 84th Legislature began

- 1/20/15 Governor Abbott delivered inaugural speech (border security - priority item)
- 1/28/15 Governor called on state agencies to reform contracting processes
- 2/17/15 Governor delivered State of the State Address (border security listed as an emergency item for the 84th session)
- Mid-February House/Senate committee appointed
- 181 hearings attended to date (several occurring simultaneously)
- 3/13/15 Bill Filing Deadline – 6,240 bills filed, of which 1,200 are being tracked by DPS
- Budget is pending – HB1 made it to the Senate and they placed their version on top and moved it out of Committee. Senate version of budget bill passed on Tuesday (4/14/15). Conference Committee members will be appointed to work out the differences.
- Decision by nomination committee pending for Commissioners Mach, Johnson and Flores. Nominations will go to full Senate floor, then confirmed.
- 6/1/15 Regular Session ends

B. Report, discussion, and possible action on Vehicle Inspection Advisory Committee Membership (1:34:48)

AD RenEarl Bowie is seeking approval to appoint two individuals to the Vehicle Inspection Advisory Committee for a term of three years:

- Michael David Oswalt – Safety & Emissions Inspection Stations
- Abel Porras – Safety-Only Inspection Stations

A motion was made by Commissioner Mach, seconded by Commissioner Flores accepting the appointment of Michael Oswalt and Abel Porras to the Vehicle Inspection Advisory Committee. Motion passed unanimously.

C. Intelligence Threat Briefing (Clearance Required – Executive Session Expected)

ONGOING BUSINESS

A. Update report, discussion and possible action regarding recruitment (1:37:22)

AD Frank Woodall providing the following recruitment update:

- Command College is three-quarters of the way thru and graduation is scheduled for May 14th @ 3 p.m.
- Those attending Command College seeking a Master's level, developed a project to publish a newsletter (copies supplied to the commissioners)
- Nominations for the second Command College are currently open and will close May 1st. Next College to begin August 2015
- Recruit school stands at 77; graduation will be June 19, 2015
- B-2015 school begins June 21st – 855 total applicants; 199 applications still active; 100 starting the eight week school

- C-2015 school begins July 8th – 3,760 applicants; 266 applications still active
- May 1st, we will start a year-long application process and no longer have an open and close date
- Currently accepting applications for the A-2016 school which will begin in January 2016

B. Report, discussion, and possible adoption of the following previously published rules:

1. Amendments to 37 TAC Section 15.62, concerning Additional Requirements

(1:40:26)

No comments.

2. Amendments to 37 TAC Section 15.171, concerning Identifying Document for Offenders/Memorandum of Understanding (1:41:13)

No comments.

A motion was made by Commissioner Mach, seconded by Commissioner Johnson, to approve amendments to Sections 15.62 and 15.171. Motion passed unanimously.

C. 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 (1:42:04)

None.

D. 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 (1:42:16)

None.

E. Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

To be discussed during Executive Session.

REPORTS (1:42:26)

A. Commission member reports and discussion - none

B. Finance Report - none

C. Chief Auditors Office - none

D. Division status reports on activities and action - none

CONSENT ITEMS (1:42:51)

A. Advice and consent regarding Director's determination that certain probationary employees found unsuitable for work during January 2015

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: Robert Bernard Jr., Joseph T. Birt, Charles C. Carpenter, William J. Haynes, Stephen D. Holloway, Fred R. Little, Garry E. Pollard, Charles A. Richardson, Ronnie M. Tacquard, and David A. Trevino; Special Texas Rangers: Wesley K. Denning

C. Donations:

1. Additional donation items, as needed

A motion was made by Commissioner Mach, seconded by Commissioner Watson approving Consent Items A, B, and C. Motion passed unanimously.

ITEMS FOR FUTURE AGENDA (1:43:28)

-Commissioner Mach requested an update on our current fingerprinting policy, as per request from Senator Van Taylor.

DATE FOR FUTURE MEETING (1:45:10)

There will not be a discharge hearing on June 17th, as the Florence dedication will occur that day at 11:00 a.m. The regular Public Safety Commission meeting is scheduled for June 18, 2015.

ADJOURN INTO EXECUTIVE SESSION (1:46:29)

The Commission adjourned 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; ongoing criminal investigations. Executive Session began at 11:04 a.m.

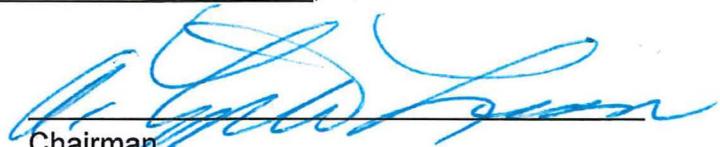
(1:47:04) The Public Safety Commission reconvened this open session at 2:34 p.m. Commissioners present were Chairman Cynthia Leon, Commissioners Faith Johnson, Manny Flores, Steven Mach, and Randy Watson.

ADJOURN (1:47:20)

A motion was made by Commissioner Flores, seconded by Commissioner Mach to adjourn the meeting. Motion passed unanimously.

The meeting was adjourned at 2:34 p.m.

Read and approved this 15th day of June, 2015.


Chairman

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On April 16, 2015, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter K
Section 15.171

The Texas Department of Public Safety (the department) adopts amendments to Section 15.171, concerning Identifying Document for Offenders/Memorandum of Understanding. This section is adopted without changes to the proposed text as published in the February 27, 2015 issue of the *Texas Register* (40 TexReg 906) and will not be republished.

The proposed amendment is intended to delete the attached graphic from the rule. Figure: 37 TAC Section 15.171(c) represents a previous version of the memorandum of understanding with the Texas Department of Criminal Justice (TDCJ) and Texas Department of State Health Services (DSHS) for the issuance of personal identification certificates to inmates preparing for release. As stated in the rule, the current version of the memorandum of understanding is filed with the department, TDCJ, and DSHS and may be reviewed during regular business hours.

No comments were received regarding the adoption of these amendments.

This proposal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and Texas Government Code, Section 501.0165.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



A. Cynthia Leon, Chair
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY
ORDER ADOPTING A RULE

On April 16, 2015, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Driver License Rules
Title 37 T.A.C. Part I, Chapter 15
Subchapter C
Section 15.62

The Texas Department of Public Safety (the department) adopts amendments to Section 15.62, concerning Additional Requirements. This section is adopted without changes to the proposed text as published in the February 27, 2015 issue of the *Texas Register* (40 TexReg 905) and will not be republished.

These amendments are intended to clarify the requirements for completion of the Impact Texas Teen Drivers (ITTD) program for all applicants that complete an approved parent taught or minor and adult driver education course, regardless of age.

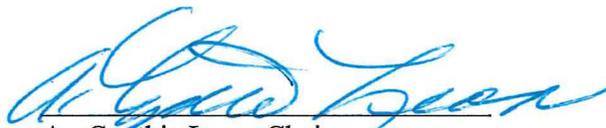
No comments were received regarding the adoption of these amendments.

This proposal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and Texas Transportation Code, Sections 521.142, 521.1601, 521.165, and 521.205.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

The effective date of the rules is 20 days after the rules are filed with the Texas Register Division, Office of the Secretary of State.

This order constitutes the order of the commission required by the Administrative Procedures Act, Government Code, Section 2001.033.



A. Cynthia Leon, Chair
Public Safety Commission

SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS
April 16, 2015



Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Bernard, Jr., Robert	THP	CVE/Garland	12/31/14	30 years	
Birt, Joseph T.	THP	Tyler	06/30/04	25 years	
Carpenter, Charles C.	CID	Alpine	08/31/01	30 years	
Haynes, William J.	CIS	Del Rio	09/30/98	28 years	
Holloway, Stephen D.	THP	Woodville	09/30/14	25 years	
Little, Fred R.	THP	Tyler	08/31/01	32 years	
Pollard, Garry E.	CID	McKinney	12/31/04	27 years	
Richardson, Charles A.	CID	Houston	12/31/01	21 years	
Tacquard, Ronnie M.	ETR	Florence	12/31/14	24 years	
Trevino, David A.	CID	San Antonio	11/30/14	24 years	

Special Texas Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Denning, Wesley K.	Texas Rangers	Hurst	04/30/08	20 years	

Approved by the Public Safety Commission:

[Handwritten Signature] Date: 4/16/15