

# TEXAS METALS ADVISORY COMMITTEE

## MEETING MINUTES

**Tuesday, December 6, 2016**

Texas Department of Public Safety, Regulatory Services Division  
5608 Guadalupe St., Austin, Texas 78752

**Members Present:** Committee Chairman Arnold Gachman, Major Jay Alexander, Tom Baker, David Bayouth, Carlos Breeden, Jesse Fite, David Landry, Jeff Marin, Jim Shapiro, Sheriff Don Sewell

**Members via Phone / Online:** Jerry Brewer

**Member Absent:** Joshua Dean and Kevin Lanahan

**Non-Members Present:** Carrie Fortner, Nick Rozumny and Special Agent Jari McPherson

Chairman Gachman called the meeting to order at 10:03 a.m.

### AGENDA ITEMS

#### I. Old Business

Chairman Gachman began the meeting with a review of the minutes from the previous meeting and requested one small change in the minutes be made – the location of the meeting was DPS RSD. Jim Shapiro made a motion to accept the previous meeting minutes from August 3, 2016, motion seconded by Tom Baker. Motion passed by all in attendance.

#### II. Presentation of Database Upgrades to Texas Online Metals (TOM)

Nick Rozumny began by reminding the committee the TOM site is now a stand-alone site and no longer attached to other DPS databases. The site has been updated to reflect a TOM-centric design, while retaining the benefits of a common code base. He added the vendor will continue to monitor the xml format, as well as troubleshooting processes. Most inquiries are confusion regarding changes in navigation.

Updates included improvements to look and feel, ease of navigation (*unique to TOM*):

- \* MRE application and sign-up process enhancements
- \* Create secure TOM application on the secure site
- \* Application status enhancements (*MRE can track online progress*)
- \* Administrative Dashboard (*all necessary reports on one page*)
- \* Allow TOM administrators to create organization affiliations (*link MREs*)
- \* Case file enhancements (*add administrative actions and links*)
- \* Duplicate physical address, phone and email report (*search capabilities*)

- \* DPS-approved Inspection form, modifications and workflow enhancement (*electronic approval system for geographically dispersed agents / inspectors*)
- \* MRE application and sign-up process enhancements
  - \* Creates a modified and enhanced signup process that indicates completed, and in-process steps
  - \* Allow MRE to partially complete the application, exit, and return to complete.
  - \* Update and simplify the language throughout the application process

Shapiro asked how MREs are to now report walk-ins since the option is no longer available in TOM. Nick explained program staff are open to suggestions, but the option was taken away since most MREs were using that option as a default designation and therefore difficult for reporting.

Major Alexander suggested one option is to email MREs when systems are complete.

Sgt. Fite added LeadsOnline (*online investigation system provides real-time electronic access to transactions from thousands of reporting businesses including scrap metal processors, etc. LeadsOnline MTIS is the Metals Theft Investigations System specifically tailored to LE investigators to manage reports of metals thefts*) prepares a batch file to upload to TOM. However, when the vendor separates it through SnapDragon, SnapDragon settings should be set accordingly to prevent this issue. Houston PD helps as much as possible.

### III. Statistics

#### As of 12/1/2016:

ACTIVE DEALERS: 395

ACTIVE LOCATIONS: 783

#### ENFORCEMENT ACTIVITY:

|                                                | Jan-16 | Feb-16 | Mar-16 | Apr-16 | May-16 | Jun-16 | Jul-16 | Aug-16  | Sep-16 | Oct-16 | CY2016    |
|------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|---------|--------|--------|-----------|
| <b>METALS</b>                                  |        |        |        |        |        |        |        |         |        |        |           |
| ARRESTS, FELONY                                | -      | 4      | 1      | 2      | 1      | 1      | 1      | 1       | 2      | -      | 13        |
| ARRESTS, MISDEMEANOR                           | 1      | -      | -      | -      | -      | 1      | -      | -       | -      | -      | 2         |
| CHARGES FILED, FELONY                          | -      | 14     | 1      | 3      | 3      | 1      | 3      | 3       | 4      | 1      | 33        |
| CHARGES FILED, MISDEMEANOR                     | 1      | -      | -      | -      | -      | 2      | -      | 1       | -      | -      | 4         |
| INSPECTIONS, MRE                               | 39     | 37     | 31     | 19     | 62     | 68     | 35     | 15      | 49     | 43     | 398       |
| INVESTIGATIONS                                 | 1      | 9      | 3      | 2      | 4      | 6      | 1      | 5       | 9      | 3      | 43        |
| ADMIN INVESTIGATIONS                           | 1      | -      | -      | 2      | -      | -      | -      | -       | -      | -      | 3         |
| PROPERTY, NUMBER RECOVERED                     | -      | -      | 2      | -      | 1      | 85     | -      | 4       | 3      | 40     | 135       |
| PROPERTY, VALUE RECOVERED                      | -      | -      | 228    | -      | 145    | 1,300  | -      | 360,220 | 89     | 2,145  | \$364,127 |
| PROPERTY, TOTAL WEIGHT RECOVERED LBS.          | -      | -      | 183    | -      | 89     | 85     | -      | 14      | 63     | -      | 434       |
| WARNINGS                                       | 19     | 4      | -      | 5      | 3      | 38     | 34     | 12      | 11     | 5      | 131       |
| STINGOPS                                       | -      | -      | -      | -      | -      | 3      | 1      | 1       | -      | 2      | 7         |
| NUMBER OF RSD CRIMINAL INVESTIGATIONS RESOLVED | -      | -      | -      | -      | -      | -      | -      | -       | -      | -      | -         |
| Tier 1-3                                       | -      | -      | 1      | 1      | 2      | 1      | -      | 1       | -      | -      | 6         |

|                  | Jan-16 | Feb-16 | Mar-16 | Apr-16 | May-16 | Jun-16 | Jul-16 | Aug-16 | Sep-16 | Oct-16 | CY2016 |
|------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| ADVISORY LETTERS | 6      | 13     | 11     | 11     | 13     | 12     | 28     | 34     | 27     | 14     | 169    |
| REPRIMANDS       | 7      | 16     | 14     | 10     | 3      | 10     | 14     | 18     | 14     | 14     | 120    |
| SUSPENSIONS      | 7      | 14     | 3      | 4      | 7      | 4      | 1      | 1      | 6      | 3      | 50     |

**IV. Upcoming Legislative Session:** DPS does not lobby or advocate for / against state law, but is providing the committee with this opportunity to share thoughts and/or concerns.

Chairman Gachman proposed additional legislation for explosives and the need to report to the Texas Legislature what the industry is seeing, as well. He added that additional collaboration on the federal level would help and that the Legislature could possibly assist.

Major Alexander confirmed that DPS whole-heartedly cooperates and collaborates with several contacts in Washington, D.C., just as we do here on the state and local levels. DPS is looking forward to San Antonio and Austin police departments joining DPS in regard to metals thefts. He continued to say if you consider where we were just six years ago, the different is night and day. Can it better? It always can be.

**V. Other Topics**

Chairman Gachman suggested an enhanced penalty for cemetery vases and to identify them as a stolen product, including identification on each with time of installation and to be marked as a non-sellable item.

Sgt. Fite added the problem is where most vases are not marked, where plaques have names and markings. A Houston-area case included 9lbs. of vases, cut into sections and polished to look like brass. After two weeks of contacting a few cemeteries, one reported they were missing more than 150 cemetery vases.

Chairman Gachman suggested monument companies personalize vases and for rejects or mistakes to be marked as such and should be paid with check.

Sgt. Fite went on to suggest each cemetery should mark the bottom of vases so they can be traced as to where it came from. This would mean LE would get the responsibility to ensure they're reporting.

**VI. Explosives Presentation**

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**VII. Online Metals Training Development**

Overview of the training program being designed for MREs and law enforcement given by Carrie Fortner and Nick Rozumny.

Carrie presented the raw video of the recently recorded video introduction from Col. Steve McCraw, DPS Executive Director. Video shoots in Austin, Dallas and Houston have been completed and additional narration will be done before the end of the year. Also, ETR's production and test modules for the committee are promised to be completed by the end of January 2017.

Members are anxious to test the modules to confirm terminology and testing ability.

## **VIII. Adjournment**

Chairman Gachman asked the committee for a potential timeframe for the next meeting. With the pending online training, we should look at meeting again sometime around March 2017. Meeting adjourned by Chairman Arnold Gachman at 11:58 a.m.