

**MINUTES
PUBLIC SAFETY COMMISSION
JUNE 21, 2019
AUSTIN, TX**

The Public Safety Commission met in Austin, Texas on June 21, 2019. Attending the meeting were Chairman Steven Mach, Commissioners Cynthia Leon and Jason Pulliam. DPS staff members and guests were also present.

CALL TO ORDER (0:00:06)

The meeting was called to order by Chairman Mach at 9:01 a.m. Proper notice had been posted.

PLEDGES (0:00:32)

Trooper Tyler R. Watson (son of Randy Watson) led the Pledges of Allegiance to the US and Texas Flag.

APPROVAL OF MINUTES (0:01:24)

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, approving the minutes from the Public Safety Commission meetings held April 18, 2019 and May 1, 2019. Motion passed unanimously.

PRESENTATIONS (0:01:45)

Service Awards

Steven Rundell – 30 years
Rhonda Fleming – 35 years
Joe Matlock – 35 years
Quirino Reyes – 35 years
James Thomas – 40 years
Wynonie Bell – 45 years

Adolph Thomas Distinguished Service Award

Byron Mitchell – Non-Commissioned
Clay Lacey - Commissioned

Lifesaving Award

Trooper Steven Mayfield

Trooper Angelita Martinez
Trooper Steven Creader
Trooper Randall Allday
Trooper Daniel Michael

Directors Award

Police Officer Christopher Dunshie
Mary E. Moreno

Unit Citation

Violent Crime Squad - Criminal Investigations Division
Firearms Training Unit – Education, Training and Research Division
Criminal Enterprise Intelligence Unit – Intelligence and Counter Terrorism Division

Directors Awards were presented to Sonia Garcia (Chief, ETR) and Rhonda Fleming (Inspector General) on their upcoming retirements.

Former Commissioners Manny Flores and Randy Watson were recognized and presented with Directors Awards for their service and dedication to the Texas Department of Public Safety and the State of Texas.

A motion was made by Commissioner Pulliam, seconded by Commissioner Leon, naming Manny Flores and Randy Watson as Honorary Texas Ranger Captains. Motion passed unanimously.

(1:02:20) Break 10:03 – 10:16 a.m.

PUBLIC COMMENT (1:02:29)

-Gyl Silzer – Executive Director, Texas Gun Sense
-Heather Kennedy – volunteer with the Texas Chapter of Moms Demand Action for Gun Sense

DIRECTORS REPORT (1:10:48)

Dr. Mark Escott and Major Brian Baxter provided a brief on the DPS Life Saving Program:

-In 2015, DPS developed a medical First Responder Program (FRP) to provide immediate medical response capabilities across the state for vehicle crashes, active shooter events, natural disasters and other medical emergencies.
-Program consists of 122 Troopers, Security Officers, Special Agents and Texas

Rangers stationed across the state.

-FRP provides additional medical support for:

- *recruit school training

- *events at the Capitol (rallies, protest, daily operations)

- *events hosted at the DPS Tactical Training Center

- *field deployments supporting specialized operations

-FRP staff have provided medical care to:

- *290 individuals (civilians, DPS employees, and outside law enforcement agencies)

- *two K9 search dogs

-In June 2015, the Tactical Emergency Casualty Care (TECC) Program was implemented to focus on training and providing equipment across the agency on major bleeding control measures focusing on tourniquet training and other bleeding control measures encountered during traumatic events.

-As of June 19, 2019 there have been:

- *2,406 Troopers, Special Agents and Texas Rangers trained in TECC

- *157 lives saved using TECC training

-In March 2019, DPS implemented a statewide Narcan Program in which Troopers, Special Agents and Texas Rangers were provided training in handling Opioid exposures and issued Narcan kits.

-As of June 19, 2019, DPS has administered Narcan to 3 victims, saving their lives.

-Two Tactical Paramedics (John Dunn and Ryan Schaefer) are assigned to the Texas Rangers Special Operations Group and provide enhanced services to victims and support to DPS personnel.

A. Case Update: Operation Fallen Kings (1:28:22)

Update provided by Special Agent Ricky Garcia and Captain Kyle Edwards regarding an organized group focused on narcotics trafficking in Lubbock and other parts of the U.S.

B. Legislative Update (1:36:28)

Update provided by Kevin Cooper:

-Bills passed impacting DPS:

- *HB 8 – “The Lavinia Masters Act” by Representative Neave – ensures rape kits are processed in a timely fashion and gives prosecutors more time to file charges and must be retained for 40 years or until the statute of limitations expires.

- *HB 833 by Representative Ana Hernandez and HB 1769 by Representative Greg Bonnen:

- >HB 833 creates an opt-in ‘CAMO Alert’ for missing military members with mental illness.

- >HB 1769 requires the Department to develop and implement a statewide alert for

missing adults, missing for less than 72 hours and in imminent danger.

*SB 1397 by Senator Flores exempts honorably retired Schedule C peace officers from continuing education requirements.

*HB 3703 by Representative Klick requires the CUP Program expand to include patients with additional forms of epilepsy, seizure disorders, multiple sclerosis, amyotrophic lateral sclerosis, autism, terminal cancer or an incurable neurodegenerative disease; and eliminates the previous requirement for two prescriptions.

*SB 1213 by Senator Nichols allows Chevron Phillips acquisition of the Orange DPS office for expansion of a new plant adjacent to the DPS office. The new building will be a multi-use DPS office that includes a Driver License office. General Land Office will negotiate and close the transaction.

Kevin acknowledged Jake Robinson from Representative Tony Tinderholt's office in attendance.

*HB 4428 by Representative Tinderholt changes the LTC expiration date to match an individual's lawful presence expiration date.

*SB 616 by Representative Birdwell (DPS Sunset Bill) continues the Department until 2031; conduct study transfer of the Driver License Division to the Texas Department of Motor Vehicles; restructures the Texas Private Security Board as a committee at DPS; And transfers the motorcycle and off-highway vehicle operator training program to the Texas DLR.

*HB 2794 by Representative Morrison transfers the Texas Division of Emergency Management to Texas A&M University System on September 1, 2019.

*Bills in Memoriam: Trooper Damon Allen, Trooper Jerry Don Davis, Corporal Roel Garcia, Trooper Tom Nipper, Trooper Carlos Ray Warren and Sergeant Chris Kelley (Hutto Police Department)

Driver License update provided by Amanda Arriaga: (1:42:43)

-Legislative Changes:

*Extend term of the Driver License from 6 to 8 years, effective June 1, 2020

*Extend term of the Commercial Driver License from 5 to 8 years, effective June 1, 2020

*Repeal of the Driver Responsibility Program effective September 1, 2019

*Funding to reclassify Customer Service Representatives to License and Permit Specialists

*Funding to add 15 additional offices

*Funding to increase staff by 762 employees

>Increases staff in 194 offices, with 94 of the 229 Driver License offices fully staffed

- *Funding for a Driver License office in Angleton and Denton
- *Funding for the Third Party Study transferring the Driver License Program to the Department of Motor Vehicles or becoming a stand alone agency
- Timing and Expectations:
 - *All funding is provided as of September 1, 2019
 - *Staff will need to be hired and trained and will be fully in place by late 2019/early 2020
 - *Extended Hours Pilot – DL is required to conduct a pilot program for extended hours and choose two rural and two urban offices to keep open until 9:00 p.m. on weekdays for three months and then submit a report to the Legislature.
- Summer 2019 Plan:
 - *Class C Drive Test Task Force:
 - >Partnering the Texas Highway Patrol to conduct Class C drive tests
 - >Identified 310 4-hour shifts in 82 offices per day
 - >Each shift allows DL employees to spend more time serving customers and conducting transactions
 - *Target Customers Under 21:
 - >Customers who turn 21 do not need to come into a DL office to remove the Under 21 restriction; can be done through Texas.gov
 - >Will contact over 434,000 customers who will turn 21 to remind them of this option
 - *Audit Number Substitution:
 - >For an additional \$1.75, customers without access to their audit number can still conduct their renewal or duplicate transaction at Texas.gov

(1:55:25) Director McCraw reported that earlier this month Governor Abbott directed DPS to work with the Dallas Police Department to reduce crime in the City of Dallas.

NEW BUSINESS

A. Report, discussion, and possible action regarding emergency succession planning (2:00:25)

Update provided by Director McCraw and General Counsel Adkins.

Order Regarding Emergency Succession Planning and Directives:

1. Upon retirement, resignation, incapacity, or death of the Director, the Deputy Director with the most seniority in the Deputy Director position will serve as the Acting Director until the next meeting of the Public Safety Commission. If the Deputy Director with the most seniority is unable to serve, the Deputy Director with the next highest level of seniority will serve as the Acting Director until the next meeting of the Public Safety Commission.
2. Upon the elevation of a Deputy Director to Acting Director as discussed in the paragraph above, the Chairman of the Public Safety Commission is delegated

authority to seek submissions from interested candidates and otherwise commence a search process for Director prior to the next meeting of the Public Safety Commission.

3. In initiating a search as described in the above paragraph, the Chairman will be guided by the following criteria regarding qualifications for Director:
- a minimum of five years of experience as the administrative head of a local or state agency employing at least 1,000 commissioned officers,
 - a minimum of five years of experience at the rank of Regional Director or higher within the department, or
 - a minimum of five years of experience as a senior management level executive of a federal agency who supervises at least 1,000 special agents; and
 - the ability to obtain and maintain a secret security clearance granted by the United States Government.

A motion was made by Commissioner Pulliam, seconded by Commissioner Leon, implementing all three aspects of the emergency succession plan, including criteria for the position of Director of DPS. Motion passed unanimously.

B. Discussion and possible action to approve increase of Director's salary to amount authorized by the 86th Legislature (2:08:29)

Update provided by General Counsel Adkins:

The Legislature, each session, sets out a not to exceed amount regarding the salary of the Director of the Department of Public Safety. The 86th Legislature increased this amount from \$232,969 to \$247,981 for each year of the biennium beginning September 1, 2019.

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, approving the authorized increase in the Director's salary to the amount authorized by the 86th Texas Legislature. Motion passed unanimously.

C. Report and discussion on Sexual Assault Kit (SAK) Process Improvement Project (2:10:13)

Report provided by Chief Auditor Catherine Melvin, Carrie Green and Assistant Chief Brady Mills:

-System-Wide Recommendations:

- *Balance Training
- *Align Resources
- *Enhance Production Reporting
- *Adopt a Single Flow Process
- *Define and Set Cadence
- *Develop (Team) Goal-Centered Performance Measures

*Visible Work and Measurement

-During 2019, will be sharing best practices throughout their system while focusing on reducing inventory and decreasing cycle times to complete sexual assault kits.

D. Report, discussion, and possible action regarding the appointment of commission liaison to the Contract Review Board (2:34:55)

General Counsel Adkins advised with Commissioner Watson leaving the Commission it creates a vacancy for the Contract Review Board Liaison position. Commissioner Leon volunteered to serve as the liaison.

A motion was made by Commissioner Pulliam, seconded by Commissioner Leon, appointing Commissioner Leon as the Contract Review Board Liaison. Motion passed unanimously.

E. Intelligence Threat Briefing (Clearance Required – Executive Session)

To be discussed in Executive Session.

ONGOING BUSINESS

A. Report, discussion, and possible action regarding the modification of the DPS organizational structure and the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team (2:36:50)

Director McCraw requested advice and consent for the following appointments:

With retirement of Sonia Garcia effective July 31, 2019; recommend RenEarl Bowie as Chief, Education, Training and Research.

A motion was made by Commissioner Pulliam, seconded by Commissioner Leon, appointing RenEarl Bowie to Chief, Education, Training and Research. Motion passed unanimously.

With RenEarl Bowie's appointment to ETR it leaves a vacancy for Chief, Human Resource Operations; recommend Valerie Brown as Chief, Human Resource Operations.

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, appointing Valerie Brown to Chief, Human Resource Operations. Motion passed unanimously.

With Phillip Ayala as the new Inspector General; recommend Todd Snyder as Regional Director, Central Texas Region.

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, appointing Todd Snyder to Regional Director, Central Texas Region. Motion passed unanimously.

With retirement of Gary Albus effective July 31, 2019; recommend Joe Longway as Regional Director, Northwest Texas Region.

A motion was made by Commissioner Pulliam, seconded by Commissioner Leon, appointing Joe Longway to Regional Director, Northwest Texas Region. Motion passed unanimously.

With the Texas Division of Emergency Management (TDEM) moving to Texas A&M; recommend moving Education, Training and Research (ETR) from Deputy Director Skylor Hearn to Deputy Director Freeman Martin.

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, approving transfer of ETR from Deputy Director Skylor Hearn to Deputy Director Freeman Martin. Motion passed unanimously.

B. Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session)
To be discussed during Executive Session.

REPORTS (2:44:50)

A. Commission member reports and discussion - none

B. Finance Report – none

C. Chief Auditors Office – none

D. Division status reports on activities and action

(2:46:04) Tom Ruocco, Chief – Criminal Investigations Division, recognized and thanked Phillip Johnson, Roben Taglienti, James Houdek and Joseph Anguiano for the new landscape in the front of the CLE building. These individuals spent the past four days in the hot sun improving the appearance of the building.

CONSENT ITEMS (2:45:10)

A. Advice and consent regarding director's determination that a certain probationary employee was found unsuitable for work during April 2019

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: Mark H. Ball, Brandon C. Calvin, Shedrick J. Duffey, Jr., Bonifacio Esquivel, Billy M. Fulton, Roger D. Hill, Brant W. Lambeth, Joseph J. Millhouse, Timothy K. Morris, Daniel R. Peña, John D. Reed, Rodman G. Stafford, Raul Villalpando, Jr., and Gilbert Villarreal; Special Texas Rangers: Alan P. Davidson, Garth A. Davis, Stephen M. Foster, and Peter D. Maskunas

C. Donations:

1. Texas Rangers Special Operations Group, Aircraft Division, and Tactical Marine Unit – use of Reveille Peak Ranch for law enforcement training purposes

2. Additional donation items, as needed

A motion was made by Commissioner Leon, seconded by Commissioner Pulliam, approving all Consent Items. Motion passed unanimously.

ITEMS FOR FUTURE AGENDA (2:47:19)

-Update on Physical Fitness Program

-PSC has final decision authority for administrative hearings on various regulatory programs – Chairman Mach to serve as the liaison

-Private Security Board is becoming an Advisory Committee – need action to appoint members to the Advisory Committee effective September 1, 2019

DATE FOR FUTURE MEETING (2:51:34)

Any discharge hearings will be scheduled on August 7, 2019, and the regular Public Safety Commission meeting is scheduled for August 8, 2019. The A-2019 Recruit Graduation is scheduled for August 9, 2019. We currently have one discharge hearing scheduled.

ADJOURN INTO EXECUTIVE SESSION

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 12:07 p.m.

(2:53:39) The Public Safety Commission reconvened in open session at 3:16 p.m. Commissioners present were Chairman Steven Mach, Commissioners Cynthia Leon and Jason Pulliam.

ADJOURN

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

The meeting was adjourned at 3:16 p.m.

Read and approved this 19 day of Sept, 2019.



Chairman

Texas Public Safety Commission

Order Regarding Emergency Succession Planning

On June 21, 2019, the Commission deliberated emergency succession planning and approved the following directives:

1. Upon the retirement, resignation, incapacity, or death of the Director, the Deputy Director with the most seniority in the Deputy Director position will serve as the acting Director until the next meeting of the Public Safety Commission. If the Deputy Director with the most seniority is unable to serve, the Deputy Director with the next highest level of seniority will serve as the acting Director until the next meeting of the Public Safety Commission.
2. Upon the elevation of a Deputy Director to acting Director as described in paragraph 1 above, the Chairman of the Public Safety Commission is delegated authority to seek submissions from interested candidates and otherwise commence a search process for Director prior to the next meeting of the Public Safety Commission.
3. In initiating a search as described in paragraph 2 above, the Chairman will be guided by the following criteria regarding qualifications for Director:
 - i) a minimum of five years of experience as the administrative head of a local or state agency employing at least 1,000 commissioned officers,
 - ii) a minimum of five years of experience at the rank of Regional Director or higher within the department, or
 - iii) a minimum of five years of experience as a senior management level executive of a federal agency who supervises at least 1,000 special agents, and
 - iv) the ability to obtain and maintain a secret security clearance granted by the United States Government.

WHEREFORE, the above succession plan is APPROVED by the Public Safety Commission.

ENTERED AND SIGNED on the 21st day of June, 2019.



Steven P. Mach, Chairman
Public Safety Commission

TEXAS PUBLIC SAFETY COMMISSION
ORDER APPROVING SALARY INCREASE

1. The Appropriations Act for 2019-2020, Article V-46, authorizes the Public Safety Commission to increase the salary of the Director of the Department of Public Safety from \$232,969 to \$247,981 for each year of the biennium.
2. The Appropriations Act for 2019-2020, Article IX, Section 3.04(d) directs that any salary increase from appropriated funds within the limits provided by Section 3.04 and salary increases within the limit established under an agency's bill pattern must be: (1) in writing; (2) signed by the presiding officer of the governing board; (3) submitted to the Governor, the Legislative Budget Board and the Comptroller; and (4) approved by the governing board in a public meeting.
3. The Public Safety Commission met in public session on June 21, 2019 in a duly noticed public meeting and deliberated current circumstances and applicable law and concluded that it was appropriate to authorize the increase in salary for the Director to the full amount authorized by the Appropriations Act. The Commission further directed that the increase be reduced to writing as documented in this order, be signed by the presiding officer of the Public Commission and submitted to the Governor, the Legislative Budget Board and the Comptroller as provided by law.

IT IS THEREFORE ORDERED AND APPROVED by the Public Safety Commission that the Director of the Department of Public Safety salary be increased to \$247,981 for each year of the 2019-2020 biennium effective September 1, 2019. The Commission further directs that this document be submitted to the Governor, the Legislative Budget Board and the Comptroller as notification as provided by the Appropriations Act.

ENTERED AND SIGNED on the 21st day of June, 2019.



Steven P. Mach, Chairman
Public Safety Commission

**SPECIAL RANGER /
SPECIAL TEXAS RANGER APPLICANTS
June 21, 2019**

Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Ball, Mark H.	CID	Wichita Falls	08/31/2013	28	
Calvin, Brandon C.	THP	Hurst	03/31/2019	21	
Duffey, Jr., Shedrick J.	THP	El Paso	03/31/2019	23	
Esquivel, Bonifacio	CID	Lubbock	12/31/2003	27	
Fulton, Billy M.	DSS	Austin HQ	09/30/2012	23	
Hill, Roger D.	THP	Glen Rose	11/30/1999	24	
Lambeth, Brant W.	THP	Garland	04/30/2019	22	
Millhouse, Joseph J.	CID	Austin	12/31/2008	26	
Morris, Timothy K.	THP	Odessa	05/31/1994	25	
Peña, Daniel R.	THP	Kingsville	12/31/2016	32	
Reed, John D.	THP	Corpus Christi	08/31/2003	30	
Stafford, Rodman G.	AOD	Austin	05/31/2019	23	
Villalpando, Jr., Raul	THP	Alice	05/31/2019	20	
Villarreal, Gilbert	THP	Georgetown	05/31/2019	18	

Special Texas Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Davidson, Alan P.	TRD	Hurst	11/30/2018	22	
Davis, Garth A.	TRD	Austin	08/31/2011	22	
Foster, Stephen M.	TRD	Waco	08/31/2007	29	
Maskunas, Peter D.	TRD	Lufkin	02/28/2011	20	

Approved by the Public Safety Commission on:



Date: 6/20/19