

## **MINUTES**

### **Public Safety Commission Meeting**

**February 15, 2024**

**Austin, TX**

The Public Safety Commission met in Austin, Texas on February 15, 2024, at 10 a.m. for its regular meeting. Attending the meeting were Chairman Steven Mach, Commissioners Nelda Blair, Larry Long, Steve Stodghill, and Dale Wainwright. A quorum was present.

**I. Call to Order (0:00:01)**

Chairman Mach called the meeting to order at 10 a.m. Proper notice was posted.

**II. Invocation (0:00:30)**

Chaplain Ferman Carpenter provided the invocation.

**III. Pledges (0:02:05)**

Corporal Raul Macias led the pledge of allegiance to the U.S. and Texas flag.

**IV. Approval of Minutes (0:02:45)**

The minutes of the last regular meeting held on December 7, 2023, were approved.

**V. Presentations (0:03:15)**

**30 Year Service Award**

Monica Medrano

Travis Brazil

Leah Dalton

Randy Garcia

Matias Ochoa III

Lucinda Russell

Steven Tellez

Rodney Tucker

**35 Year Service Award**

William Drabble

Regional Director Joseph Longway

Monty Posey

**40 Year Service Award**

Herman Ward, Jr.

**William P. Clements Excellence Award**

Brenda Headrick

Juan Torrez

**Lifesaving Award**

Diego Rodriguez

Michael Benitez

Kenneth Haralson

Andres Hernandez

Joshua Kelly

Tactical Marine Unit

**Director's Award**

Florida Fish and Wildlife Conservation Commission

**Unit Citation Award**

Criminal Investigations Division – Computer Information Technology and Electronic Crime (CITEC) Unit

**VI. Public Comment (0:44:40)**

Chase Bearden provided comments on the Compassionate Use Program.

Susan Hays provided comments on the Compassionate Use Program.

**VII. Director's Report**

**A. Operation CMP (0:55:40)**

Criminal Investigations Division Lieutenant Danny Martinez provided a presentation on the outcome of Operation CMP, an investigation targeting a human smuggling organization.

**B. Operation Lone Star Update (1:09:45)**

Director Steven C. McCraw and Deputy Director Freeman Martin provided an update on Operation Lone Star.

Chairman Mach acknowledged attendance of legislative staff. (1:38:10)

**VIII. New Business**

**A. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision: (1:38:40)**

1. SOAH Docket No. 405-23-23686.MVI – Godwin Chibuzo Osuji
2. SOAH Docket No. 405-24-01460.MVI – Jamal Qaissi
3. SOAH Docket No. 405-24-01456.MVI – Michael Pinnock
4. SOAH Docket No. 405-24-03418.MVI – John Taylor
5. SOAH Docket No. 405-23-23277.PSB – Christian Oliver Sauder

General Counsel Phillip Adkins presented the proposal for decision for items (1)-(5). A motion was made by Commissioner Blair, seconded by Commissioner Long, to adopt the proposal for decision issued by the administrative law judge of the State Office of Administrative Hearings for items VIII(B)(1)-(5) as the final determination of the Public Safety Commission. Motion passed unanimously.

**B. Report, discussion, and possible action on the following rule proposals for publication to receive public comment: (1:43:20)**

1. Proposed amendments to 37 TAC Section 6.17, concerning Protective Order Designation

Regulatory Services Division Chief Wayne Mueller presented the rule proposal for item (1). A motion was made by Commissioner Wainwright, seconded by Commissioner Stodghill, to approve for publication in the Texas Register item VIII(C)(1). Motion passed unanimously.

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

**IX. Ongoing Business**

**A. Report, discussion, and possible adoption of the following previously published rules: (1:46:05)**

1. Proposed amendments to 37 TAC Section 15.29, concerning Alternative Methods of Driver License Transactions
2. Proposed amendments to 37 TAC Section 25.8, concerning Reinstatement

Driver License Division Chief Sheri Gipson presented the rule adoptions for items (1)-(2). A motion was made by Commissioner Long, seconded by Commissioner Wainwright, to adopt the rules under IX(A)(1)-(2). Motion passed unanimously.

3. Proposed amendments to 37 TAC Section 35.7, concerning Firearm Standards

4. Proposed amendments to 37 TAC Section 35.143, concerning Training Instructor Approval
5. Proposed amendments to 37 TAC Section 36.60, concerning Administrative Penalties

Regulatory Services Division Chief Mueller presented the rule adoptions for items (3)-(5). A motion was made by Commissioner Blair, seconded by Commissioner Wainwright, to adopt the rules under IX(A)(3)-(5). Motion passed unanimously.

**B. 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 (1:52:35)**

Director McCraw made a recommendation to appoint Texas Rangers Chief Jason Taylor as the Lieutenant Colonel/Deputy Director of Law Enforcement Operations. A motion was made by Commissioner Blair, seconded by Commissioner Long, to appoint Jason Taylor as the Lieutenant Colonel/Deputy Director of Law Enforcement Operations. Motion passed unanimously.

Director McCraw made a recommendation to appoint Capitol Regional Director Scotty Shiver as the Chief of the Texas Rangers. A motion was made by Commissioner Blair, seconded by Commissioner Stodghill, to appoint Scotty Shiver as the Chief of the Texas Rangers. Motion passed unanimously.

Director McCraw made a recommendation to appoint Criminal Investigations Division Major Gabriel Ortiz as the Regional Director for the Capitol Region. A motion was made by Commissioner Long, seconded by Commissioner Blair, to appoint Gabriel Ortiz as the Regional Director for the Capitol Region. Motion passed unanimously.

Director McCraw provided information on the reassignment of Finance Division Assistant Chief Vanessa Mayo to the position of Assistant Chief of the Regulatory Services Division.

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

To be discussed during Executive Session.

**X. Reports**

**A. Commission member reports and discussion (1:56:50)**

None.

**B. Finance Report (1:57:00)**

None.

**C. Chief Auditor's Office (1:57:05)**

Chief Auditor Catherine Melvin provided a report on the FY 24 mid-year update.

**D. Division status reports on activities and action (2:00:00)**

Crime Laboratory Division Chief Brady Mills provided an update on the seized drug backlog reduction project.

**XI. Consent Items (2:09:20)**

**A. 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: Orlando Alanis, Steve Scott Bailey, Anthony Roland Bennett, Joseph Thomas Kosmalski, Meldon Gene Mickles, Mario Reyes III, Michael Brent Roper, James David Wheeler, and David Wade Yarberr; Special Texas Rangers: Anthony Lynn Bradford and Philip Dean Vandygriff**

**B. Donations:**

1. Texas Rangers – Collins Creek Ranch, lodging, and training facilities
2. Additional donation items, as needed

A motion was made by Commissioner Wainwright, seconded by Commissioner Long, to approve all consent items under XI(A)-(B). Motion passed unanimously.

**XII. Items for Future Agenda (2:09:55)**

None at this time.

**XIII. Date for Future Meeting (2:10:05)**

Discharge hearings will be scheduled for April 10, 2024; and the regular Public Safety Commission meeting is scheduled for April 11, 2024.

**XIV. Adjourn into Executive Session (2:10:15)**

Executive Session began at 12:18 p.m. 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; to deliberate regarding real estate matters; to consider any other items authorized by law, including personnel matters, the Director's action of discharging employees as identified in this agenda; and to discuss ongoing criminal investigations.

The Public Safety Commission reconvened in open session at 1:45 p.m. Chairman Steven Mach and Commissioners Nelda Blair, Larry Long, and Steve Stodghill were present. A quorum was present. (2:10:40)

**XV. ADJOURN**

The meeting was adjourned at 1:45 p.m.

Read and approved this 11<sup>th</sup> day of April, 2024.



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Steven P. Mach, Chairman  
Public Safety Commission

**DOCKET NO. 405-23-23686.MVI**

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
GODWIN CHIBUZO OSUJI, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

**FINAL ORDER**

On February 15, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Godwin Chibuzo Osuji’s vehicle inspection certification should be suspended for 12 months and a \$500 administrative penalty be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Godwin Chibuzo Osuji is suspended for 12 months and a \$500 administrative penalty is assessed.

SIGNED this 15<sup>th</sup> day of February, 2024.

  
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Steven P. Mach, Chairman  
Public Safety Commission

**DOCKET NO. 405-24-01460.MVI**

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
JAMAL QAISSI, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

**FINAL ORDER**

On February 15, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Jamal Qaissi’s vehicle inspection certification should be suspended for 12 months.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Jamal Qaissi is suspended for 12 months.

SIGNED this 15<sup>th</sup> day of February, 2024.

  
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Steven P. Mach, Chairman  
Public Safety Commission



**DOCKET NO. 405-23-01456.MVI**

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
MICHAEL PINNOCK, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

**FINAL ORDER**

On February 15, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Michael Pinnock’s vehicle inspection certification should be suspended for 12 months.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Michael Pinnock is suspended for 12 months.

SIGNED this 15<sup>th</sup> day of February, 2024.

  
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Steven P. Mach, Chairman  
Public Safety Commission

**DOCKET NO. 405-24-03418.MVI**

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
JOHN TAYLOR, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

**FINAL ORDER**

On February 15, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that John Taylor’s vehicle inspection certification should be suspended for 12 months and a \$500 administrative penalty be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of John Taylor is suspended for 12 months and a \$500 administrative penalty is assessed.

SIGNED this 15<sup>th</sup> day of February, 2024.

  
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Steven P. Mach, Chairman  
Public Safety Commission

**DOCKET NO. 405-23-23277.PSB**

TEXAS DEPARTMENT OF PUBLIC SAFETY	§	BEFORE THE
PUBLIC SAFETY COMMISSION	§	
	§	
	§	STATE OF TEXAS
VS.	§	
	§	
CHRISTIAN OLIVER SAUDER,	§	
APPLICANT	§	PUBLIC SAFETY COMMISSION

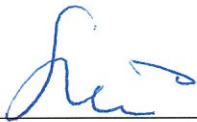
**FINAL ORDER**

On February 15, 2024, the Public Safety Commission held a public meeting and considered the Proposal for Decision issued in the above referenced case by the Administrative Law Judge (ALJ) of the State Office of Administrative Hearings. For purposes of this Order, the Commission adopts the findings of fact and conclusions of law reflected in the Proposal for Decision.

The Commission, after review and due consideration of the Proposal for Decision, accepts the recommendation of the ALJ that Christian Oliver Sauder's noncommissioned security officer license be denied.

IT IS THEREFORE ORDERED that the application for noncommissioned security officer license of Christian Oliver Sauder be denied.

SIGNED this 15<sup>th</sup> day of February, 2024.



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Steven P. Mach, Chairman  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On February 15, 2024, 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 B  
Section 15.29

The Texas Department of Public Safety (the department) adopts amendments to §15.29, concerning Alternative Methods for Driver License Transactions. This rule is adopted without changes to the proposed text as published in the November 10, 2023, issue of the *Texas Register* (48 TexReg 6570) and will not be republished.

The proposed amendment adds applicants convicted of an offense under Penal Code, Chapter 20A, Trafficking of Persons, to those not eligible to renew or apply for a duplicate driver license or identification certificate using an alternative method and must do so in person consistent with Senate Bill 1527, 88th Leg., R.S. (2023).

No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §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, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code.

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.

  
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Steven P. Mach, Chairman  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On February 15, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Safety Responsibility Regulations  
Title 37 T.A.C. Part I, Chapter 25  
Section 25.8

The Texas Department of Public Safety (the department) adopts amendments to §25.8, concerning Reinstatement. This rule is adopted without changes to the proposed text as published in the December 22, 2023, issue of the *Texas Register* (48 TexReg 7877) and will not be republished.

The proposed amendment implements House Bill 3224, 88th Leg., R.S. (2023), by removing the reference to reinstating a suspended motor vehicle registration because the bill removed the ability to suspend a motor vehicle registration for a second conviction of failure to establish financial responsibility, and only a driver license may be suspended under that circumstance.

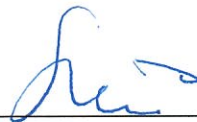
No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §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, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Texas Transportation Code and Texas Transportation Code §601.021, which authorizes the department to administer and enforce Chapter 601 of the Texas Transportation Code.

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, §2001.033.



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Steven P. Mach, Chairman  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On February 15, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security  
Title 37 T.A.C. Part I, Chapter 35  
Subchapter A  
Section 35.7

The Texas Department of Public Safety (the department) adopts amendments to §35.7, concerning Firearm Standards. This rule is adopted without changes to the proposed text as published in the November 10, 2023, issue of the *Texas Register* (48 TexReg 6571) and will not be republished.

The proposed amendments authorize the carrying of certain rifles by commissioned security officers and personal protection officers who are licensed Texas peace officers or honorably retired Texas peace officers and make various clarifying changes to other firearm related provisions.

The department accepted comments on the proposed amendments through December 11, 2023. The substantive comments received and the department's responses are summarized below.

COMMENT: Jace Stevens asks that rifles be allowed for all security officers who provide proof of valid firearm proficiency and knowledge.

COMMENT: Representative Matt Shaefer asks that the department consider adding training requirements that would enable anyone who is licensed as a commissioned security officer or personal protection officer be able to have access to a rifle when performing security services on the property of an educational institution.

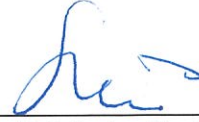
RESPONSE: The department carefully considered this issue prior to submission of this rule and determined the changes should be limited to a licensed Texas peace officer or an honorably retired Texas peace officer. However, the department will continue to evaluate this issue and consider further changes in the future. No changes are being made based on the comments received by the department.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Occupations Code, §1702.061(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702.

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.



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Steven P. Mach, Chairman  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On February 15, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Private Security  
Title 37 T.A.C. Part I, Chapter 35  
Subchapter L  
Section 35.143

The Texas Department of Public Safety (the department) adopts amendments to §35.143, concerning Training Instructor Approval. This rule is adopted without changes to the proposed text as published in the November 10, 2023, issue of the *Texas Register* (48 TexReg 6573) and will not be republished.

The proposed amendments implement House Bill 3424, 88th R.S. (2023), which requires applicants for a commissioned security officer license to obtain in-person classroom training in self-defense tactics. The amendments require prospective instructors to have the experience necessary to teach self-defense tactics. Additional changes include an alternative method by which prospective training instructors may qualify for approval to provide instruction and the removal of an outdated requirement relating to required hours of training that is inconsistent with the certifications otherwise required.

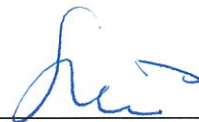
No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Occupations Code, §1702.061(a), which authorizes the Public Safety Commission to adopt rules to guide the department in its administration of Texas Occupations Code, Chapter 1702 and §1702.1675(f), which authorizes the Commission to adopt rules necessary to administer training requirements.

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.



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Steven P. Mach, Chairman  
Public Safety Commission



TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On February 15, 2024, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Metals Recycling Entities  
Title 37 T.A.C. Part I, Chapter 36  
Subchapter E  
Section 36.60

The Texas Department of Public Safety (the department) adopts amendments to §36.60, concerning Administrative Penalties. This rule is adopted without changes to the proposed text as published in the December 22, 2023, issue of the *Texas Register* (48 TexReg 7878) and will not be republished.

The proposed amendments remove obsolete language and modify the penalty schedule to implement changes made in rule §36.11 and in Senate Bill 224, 88th Leg., R.S. (2023), amending Occupations Code, Chapter 1956, Metal Recycling Entities.

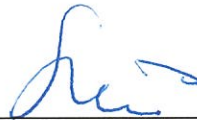
The department accepted comments on the proposed amendments through January 22, 2024. Written comments relating to §36.60 were submitted by Senator Carol Alvarado, Representative Jeff Leach, and Steve Bresnen on behalf of PGM of Texas in support of the new rule. No changes were made to the proposal based on these comments.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Occupations Code, §1956.013, which authorizes the Public Safety Commission to adopt rules to administer Chapter 1956.

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.



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Steven P. Mach, Chairman  
Public Safety Commission

**SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS**  
**February 15, 2024**

**Special Ranger Applicants:**

<b>Name</b>	<b>Division at Ret.</b>	<b>Svc./Station at Ret.</b>	<b>Retire Date</b>	<b>Yrs. of Svc. at Ret.</b>
Alanis, Orlando	THP	Austin HQ	11/30/2023	27
Bailey, Steven Scott	THP	Kansas City	11/30/2023	20
Bennett, Anthony Roland	CID	Austin	08/31/2023	25
Kosmalski, Joseph Thomas	THP	San Antonio	12/31/2023	20
Mickles, Meldon Gene	THP	Beaumont	12/31/2023	28
Reyes III, Mario	CID	Austin-Capitol	12/31/2023	30
Roper, Michael Brent	THP	Baytown	12/31/2023	23
Wheeler, James David	THP	Abilene	12/31/2023	20
Yarberry, David Wade	THP	Tyler	04/30/2023	27

**Special Texas Ranger Applicants:**

<b>Name</b>	<b>Division at Ret.</b>	<b>Svc./Station at Ret.</b>	<b>Retire Date</b>	<b>Yrs. of Svc. at Ret.</b>
Bradford, Anthony Lynn	TRD	Mineral Wells	12/31/2023	26
Vandygriff, Philip Dean	TRD	Snyder	12/31/2023	26

Approved by the Public Safety Commission on:



Date:

2/15/24