

MINUTES
PUBLIC SAFETY COMMISSION
April 16, 2013
AUSTIN, TX

The Public Safety Commission convened in Austin, Texas on April 16, 2013. Attending the meeting were Chairman Cynthia Leon, Commissioners Carin Barth, Ada Brown, Allan Polunsky and Randy Watson. A quorum was present at the meeting. DPS staff members and guests were also present.

Call to Order

The meeting was called to order by Chairman Leon at 8:32 a.m. Proper notice had been posted.

Introduction of Members of Private Security Board

Chairman John Chism, Vice Chair Howard Johnsen, Charles Crenshaw, Brian England and Mark Smith were present for the introduction.

Discharge Appeal Hearing

Possible action regarding DPS employees:

Jorge Falcon
Raul Cerda Jr.
Manuel Puebla

Executive Sessions

The Commission adjourned into Executive Session to receive legal advice on items posted on this agenda and to consider personnel matters and the Director's action of discharging employees as identified in this agenda.

The executive session was convened from open session and began at 1:50 p.m. and ended and reconvened to an open session at 2:45 p.m. during the Falcon hearing.

Commissioner Polunsky left the meeting at 9:53 a.m. and returned at 11:53 a.m.

Chairman Leon left the hearing at 1:30 p.m. and returned at 6:00 p.m.

A brief break began at 2:45 p.m. at the conclusion of the Cerda hearing and reconvened to an open session at 5:28 p.m.

Commissioner Brown moved to affirm the director's decision to discharge Jorge Falcon. Commissioner Watson seconded the motion. Commissioner Brown, Commissioner Watson, and Commissioner Barth voted to affirm the director's decision. Commissioner Polunsky abstained based upon his absence during the presentation of evidence.

Commissioner Brown moved to set aside the director's decision to discharge Raul Cerda Jr. Commissioner Barth seconded the motion. Commissioner Brown, Commissioner Barth, Commissioner Polunsky, and Commissioner Watson voted to set aside the director's decision.

Commissioner Brown moved to affirm the director's decision to discharge Manuel Puebla. Commissioner Polunsky seconded the motion. Commissioner Brown, Commissioner Polunsky, Chairman Leon, Commissioner Barth, and Commissioner Watson voted to affirm the director's decision.

Adjourn

The meeting was adjourned at 7:23 p.m.

Read and approved this 4th day of June, 2013.


Presiding Officer

IN THE MATTER OF

THE APPEAL OF DISCHARGE OF

JORGE FALCON

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BEFORE THE

PUBLIC SAFETY COMMISSION

IN AUSTIN, TRAVIS COUNTY, TX

ORDER

BE IT REMEMBERED that the Public Safety Commission convened to hear the appeal of discharge of Jorge Falcon, on the 16th day of April, 2013. Mr. Falcon received adequate notice of the hearing on this matter and did appear in person and through counsel. Pursuant to §411.007, Government Code, the Commission proceeded to hear evidence in the above-captioned matter.

After reviewing all of the evidence presented at the hearing, the Commission finds that there is just cause to discharge Jorge Falcon and affirms the Director's decision in this matter.

On motion of Commissioner Ada Brown, seconded by Commissioner Randy Watson, the discharge was affirmed.

ENTERED AND SIGNED on the 16th day of April, 2013.

A handwritten signature in black ink, appearing to read "Ada Brown", written over a horizontal line.

Presiding Officer
Public Safety Commission

IN THE MATTER OF

THE APPEAL OF DISCHARGE OF

RAUL CERDA, JR.

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BEFORE THE

PUBLIC SAFETY COMMISSION

IN AUSTIN, TRAVIS COUNTY, TX

ORDER

BE IT REMEMBERED that the Public Safety Commission convened to hear the appeal of discharge of Raul Cerda, Jr., on the 16th day of April, 2013. Mr. Cerda received adequate notice of the hearing on this matter and did appear in person and through counsel. Therefore, pursuant to §411.007, Government Code, the Commission proceeded to hear evidence in the above-captioned matter.

On motion of Commissioner Ada Brown, seconded by Commissioner Carin Barth, the discharge was set aside.

ENTERED AND SIGNED on the 16th day of April, 2013.

A handwritten signature in black ink, appearing to read 'Ada Brown', is written over a horizontal line.

Presiding Officer
Public Safety Commission

IN THE MATTER OF

THE APPEAL OF DISCHARGE OF

MANUEL PUEBLA

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BEFORE THE

PUBLIC SAFETY COMMISSION

IN AUSTIN, TRAVIS COUNTY, TX

ORDER

BE IT REMEMBERED that the Public Safety Commission convened to hear the appeal of discharge of Manuel Puebla, on the 16th day of April, 2013. Mr. Puebla received adequate notice of the hearing on this matter and did appear in person and through counsel. Pursuant to §411.007, Government Code, the Commission proceeded to hear evidence in the above-captioned matter.

After reviewing all of the evidence presented at the hearing, the Commission finds that there is just cause to discharge Manuel Puebla and affirms the Director's decision in this matter.

On motion of Commissioner Ada Brown, seconded by Commissioner Allen Polunsky, the discharge was affirmed.

ENTERED AND SIGNED on the 16th day of April, 2013.

A handwritten signature in black ink, appearing to read 'Ada Brown', written over a horizontal line.

Presiding Officer
Public Safety Commission