

MINUTES

Public Safety Commission Meeting

June 10, 2021

Austin, TX

The Public Safety Commission met in Austin, Texas on June 10, 2021, at 9 a.m. for its regular meeting. Attending the meeting were Chairman Steven Mach, Commissioners Nelda Blair, Steve Stodghill, and Dale Wainwright. A quorum was present.

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

Chairman Mach called the meeting to order at 9:06 a.m. Proper notice was posted.

II. Invocation (0:00:55)

Chaplain Ferman Carpenter provided the invocation.

III. Pledges (0:02:50)

Trooper Adrian Castillo led the pledge of allegiance to the U.S. and Texas flag.

IV. Approval of Minutes (0:03:35)

The minutes of the last regular meeting held on April 29, 2021, were approved.

Chairman Mach introduced State Representative James White, Chairman of the Texas House Committee on Homeland Security and Public Safety. Chairman White provided comments on the legislative session. (0:04:05)

V. Presentations (0:17:25)

30 Year Service Award

Larry Smith

40 Year Service Award

Briscoe Davis

Adolph Thomas Distinguished Service Award

Michael Harper

Captain James Thomas

Life Saving Awards

Special Agent Angel Martinez

Trooper Mario Rios

Trooper Enrico Salinas

Director's Award

Deputy Jack Baker, Culberson County Sheriff's Office

VI. Public Comment (0:38:00)

John Valentine Criado provided comments on SOAH Docket No. 405-21-0960.PSB.

Major Charlie Dismore, USMC, Retired, provided comments on House Bill 1927, 87th Leg., R.S. (2021).

Kevin Lawrence, Executive Director of Texas Municipal Police Association and Chairman of Trustees of Texas Fraternal Order of Police, provided comments on House Bill 1927, 87th Leg., R.S. (2021).

Raul Camacho provided comments on House Bill 1927, 87th Leg., R.S. (2021).

Andrea Brauer provided comments on House Bill 1927, 87th Leg., R.S. (2021).

Lon Krieger provided comments on House Bill 1927, 87th Leg., R.S. (2021).

Mark Ryan provided comments on House Bill 1927, 87th Leg., R.S. (2021).

Gyl Switzer, Executive Director of Texas Gun Sense, provided comments on House Bill 1927, 87th Leg., R.S. (2021).

Chairman Mach acknowledged virtual attendance of the following: (1:19:10)

Suzanne Mackowiack – Lieutenant Governor's Office

Margaret Wallace, Senator Roland Gutierrez's Office

VII. Director's Report

Director Steven C. McCraw provided an update on the budget, legislative session, and border security. (1:19:30)

A. Case Update: Update on Unsolved Crime Investigation Program (UCIP)

(1:29:50)

Director McCraw introduced Texas Rangers Chief Chance Collins. Chief Collins provided an update on the Unsolved Crime Investigation Program and discussed its capabilities and accomplishments.

VIII. New Business

A. Report and discussion on Texas Rangers 2023 Bicentennial Event (1:45:40)

Texas Rangers Association Foundation Chairman Russell Molina provided information on the Texas Rangers 2023 Bicentennial Event.

B. Report, discussion, and possible action on use of State Seized Funds and update on State Seized Funds Expenditures (2:03:00)

Chief Financial Officer Suzy Whittenton and Finance Assistant Chief Megan Sanchez provided information on the availability of \$300,000 in state seized funds to upgrade the electronic surveillance equipment used by the Criminal Investigations Division (CID). A motion was made by Commissioner Blair, seconded by Commissioner Wainwright, to approve the expenditure of \$300,000 from state seized funds to purchase upgraded 5G enablers for electronic surveillance for CID and to approve the remaining amount of funds available for additional pistols for Texas state troopers. Motion passed unanimously.

C. Report and discussion on Legislative Changes to DPS Appropriations (2:06:40)

Agenda item was tabled.

D. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision: (2:06:50)

1. SOAH Docket No. 405-21-0420.MVI – Abraham Gowayed
2. SOAH Docket No. 405-21-0474.MVI – Zion Guetta
3. SOAH Docket No. 405-21-0920.MVI – Celestine Harris
4. SOAH Docket No. 405-20-3771.MVI – Phuong Mai and A-J Inspection
5. SOAH Docket No. 405-21-0805.PSB – Ruben Oscar Aguilera
6. SOAH Docket No. 405-21-0960.PSB – John Valentine Criado
7. SOAH Docket No. 405-20-1462.PSB – Marcus Floyd
8. SOAH Docket No. 405-21-0863.PSB – Stacey Yvette Jones

General Counsel Phillip Adkins presented the proposals for decision. In response to a question from the Commission, General Counsel Adkins explained the distinction between the Commission adopting a proposal for decision as its final determination, an appeal of the Commission's final determination to the district court, and the circumstances under which the Commission may not adopt a proposal for decision. A motion was made by Commissioner Blair, seconded by Commissioner Wainwright, to adopt the proposal for decision as the final determination of the Public Safety Commission in each case under VIII(D)(1)-(8). Motion passed unanimously.

E. Report, discussion, and possible action regarding designation or re-designation of Commission liaisons to Chief Auditor's Office and Contract Review Board (2:11:30)

Chairman Mach presented this item. A motion was made by Commissioner Stodghill, seconded by Commissioner Blair, to appoint Commissioner Wainwright as Commission liaison to the Chief Auditors Office and Commissioner Blair as Commission liaison to the Contract Review Board, to serve until replaced. Motion passed unanimously.

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

IX. Ongoing Business

A. Report, discussion and possible 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 (2:13:55)

Chief Auditor Catherine Melvin made a recommendation to promote Susan Oballe to Assistant Chief in the Chief Auditor's Office. A motion was made by Commissioner Wainwright, seconded by Commissioner Blair, to appoint Susan Oballe as Assistant Chief in the Chief Auditor's Office. Motion passed unanimously.

B. 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 (2:16:05)

None.

B. Finance Report (2:16:10)

None.

C. Chief Auditors Office (2:16:15)

Chief Auditor Melvin provided information on the State Auditor's Office audit on the Criminal Justice Information System.

D. Division status reports on activities and action (2:18:20)

None.

XI. Consent Items (2:18:25)

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: Jesse Lucio DeLeon, Richard Earl Easterwood, Rheanne Garcia, James Henry Pamplin, Bryon Keith Prall, and Franky McScott; Special Texas Rangers: Daniel Alan Young

B. Donations:

1. Texas Rangers "Company A" – use of Pate Ranch for lodging and training purposes
2. Additional donation items, as needed

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

XII. Items for Future Agenda (2:19:30)

None at this time.

XIII. Date for Future Meeting (2:19:40)

Discharge hearings will be scheduled for August 11, 2021. The regular Public Safety Commission meeting is scheduled for August 12, 2021.

XIV. Adjourn into Executive Session (2:20:35)

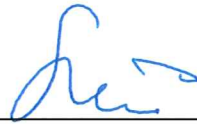
Executive Session began at 11:35 a.m. The Commission adjourned into executive session to discuss security issues; to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; to deliberate regarding real estate 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 1:41 p.m. Chairman Steven Mach and Commissioners Nelda Blair, Steve Stodghill, and Dale Wainwright were present. (2:21:00)

XV. ADJOURN

The meeting was adjourned at 1:41 p.m.

Read and approved this 12th day of August, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-21-0420.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – VEHICLE INSPECTION PROGRAM	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
ABRAHAM GOWAYED, Respondent	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On June 10, 2021, 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 Abraham Gowayed’s vehicle inspection certification should be suspended for twelve months.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Abraham Gowayed is suspended for twelve months.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-21-0474.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – MOTOR VEHICLE INSPECTION PROGRAM	§ § § § § § §	BEFORE THE
VS.		STATE OF TEXAS
ZION GUETTA, Respondent		PUBLIC SAFETY COMMISSION

FINAL ORDER

On June 10, 2021, 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 Zion Guetta’s vehicle inspection certification should be suspended for twelve months.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Zion Guetta is suspended for twelve months.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-21-0920.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – MOTOR VEHICLE INSPECTION PROGRAM	§ § § § § § §	BEFORE THE
VS.		STATE OF TEXAS
CELESTINE HARRIS, Respondent		PUBLIC SAFETY COMMISSION

FINAL ORDER

On June 10, 2021, 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 Celestine Harris, certified vehicle inspector should be fined \$500.

IT IS THEREFORE ORDERED that the certified vehicle inspector, Celestine Harris is fined \$500.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-20-3771.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – MOTOR VEHICLE INSPECTION PROGRAM	§	BEFORE THE
	§	
	§	
VS.	§	
	§	
PHUONG MAI,	§	STATE OF TEXAS
Inspector, and	§	
A-J INSPECTION	§	
Inspection Station	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On June 10, 2021, 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 Phuong Mai’s vehicle inspection certification and A-J Inspection’s vehicle inspection station certification should be fined \$500.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Phuong Mai and the vehicle inspection station certification of A-J Inspection, is fined \$500.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-21-0805.PSB

TEXAS DEPARTMENT OF PUBLIC SAFETY – §	§	BEFORE THE
VS.	§	STATE OF TEXAS
RUBEN OSCAR AGUILERA, RESPONDENT	§	PUBLIC SAFETY COMMISSION

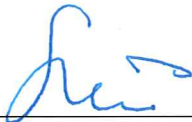
FINAL ORDER

On June 10, 2021, 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 Ruben Oscar Aguilera’s noncommissioned security officer license be revoked and his application for a security officer commission be denied.

IT IS THEREFORE ORDERED the noncommissioned security officer license of Ruben Oscar Aguilera is hereby REVOKED and the application for a security officer commission of Ruben Oscar Aguilera is hereby DENIED.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-21- 0960.PSB

TEXAS DEPARTMENT OF PUBLIC SAFETY – PRIVATE SECURITY	§	BEFORE THE
	§	
VS.	§	STATE OF TEXAS
	§	
JOHN VALENTINE CRIADO, APPLICANT	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On June 10, 2021, 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 Valentine Criado’s application for registration as a commissioned security officer be denied.

IT IS THEREFORE ORDERED that the application for registration as a commissioned security officer of John Valentine Criado, is hereby DENIED.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-20- 1462.PSB

TEXAS DEPARTMENT OF PUBLIC SAFETY – PRIVATE SECURITY	§	BEFORE THE
	§	
VS.	§	STATE OF TEXAS
	§	
MARCUS D. FLOYD, RESPONDENT	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On June 10, 2021, 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 Marcus D. Floyd’s noncommissioned security officer license be suspended.

IT IS THEREFORE ORDERED the noncommissioned security officer license of Marcus D. Floyd is hereby SUSPENDED.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-21- 0863.PSB

TEXAS DEPARTMENT OF PUBLIC SAFETY – PRIVATE SECURITY	§	BEFORE THE
	§	
VS.	§	STATE OF TEXAS
	§	
STACEY YVETTE JONES, APPLICANT	§	PUBLIC SAFETY COMMISSION


FINAL ORDER

On June 10, 2021, 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 Stacey Yvette Jones’s application for registration as a noncommissioned security officer be denied.

IT IS THEREFORE ORDERED that the application for registration as a noncommissioned security officer of Stacey Yvette Jones, is hereby DENIED.

SIGNED this 10th day of June, 2021.



Steven P. Mach, Chairman
Public Safety Commission

**SPECIAL RANGER /
SPECIAL TEXAS RANGER APPLICANTS
June 10, 2021**

Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
De Leon, Jesse Lucio	CID	Austin	04/30/2021	26	
Easterwood, Richard Earl	CID	Paris	11/30/2003	29	
Garcia, Rheanne	THP	Austin-Capitol	03/31/2021	22	
Pamplin, James Henry	THP	Austin-Capitol	03/31/2021	20	
Prall, Bryon Keith	THP	McAllen	07/31/2006	21	
Scott, Franky Mc	THP	Dalhart	07/31/2000	26	

Special Texas Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Young, Daniel Alan	TRD	Beaumont	08/31/2018	28	

Approved by the Public Safety Commission on: _____



Date: _____

6/10/2021