

## **MINUTES**

### **Public Safety Commission Meeting**

**April 21, 2023**

**Austin, TX**

The Public Safety Commission met in Austin, Texas on April 21, 2023, at 9 a.m. for its regular meeting. Attending the meeting were Chairman Steven Mach, Commissioners Nelda Blair, Larry Long, and Steve Stodghill. A quorum was present.

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

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

**II. Invocation (0:00:45)**

Chaplain Ferman Carpenter provided the invocation.

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

Trooper Josh Nance led the pledge of allegiance to the U.S. and Texas flag.

**IV. Welcome Commissioner Larry Long (0:02:45)**

Chairman Mach introduced and welcomed Larry Long as the newest commissioner to the Public Safety Commission.

**V. Approval of Minutes (0:06:30)**

The minutes of the last regular meeting held on February 16, 2023, were approved.

**VI. Presentations (0:06:55)**

**30 Year Service Award**

Assistant Chief Brian Baxter

Jacklyn Parker-Rogers

**40 Year Service Award**

Judith Miller

**William P. Clements Excellence Awards**

Orlando Salinas

Max Honesto

**Lifesaving Award**

Sean Smith

David Moore  
Josiah Burzynski  
Colten Prater

**Unit Citations**

Crime Laboratory Division – Garland DNA Section, North Texas Region  
Crime Laboratory Division – Rapid DNA Pilot Project, Headquarters

**VII. Public Comment (0:30:55)**  
None.

Chairman Mach acknowledged attendance of legislative staff. (0:31:25)

**VIII. Director's Report**

**A. Case Update: Operation Burnout (0:31:40)**

Criminal Investigations Divisions Special Agent Ange Amani discussed Operation Breakout targeting Street Takeovers.

**B. Operation Lone Star (0:49:00)**

Director Steven C. McCraw provided an update on Operation Lone Star.

**IX. New Business**

**A. Report, discussion, and possible action on use of State Seized Funds (0:57:05)**

Chief Financial Officer Suzy Whittenton made a request to use state seized funds which expire August 31, 2023, to purchase breaching tools and shields. A motion was made by Commissioner Long, seconded by Commissioner Stodghill, to approve the expenditure of state seized funds on the purchase of breaching tools and shields. Motion passed unanimously.

**B. Report, discussion, and possible action on the following rule proposals for publication to receive public comment: (01:04:05)**

1. Proposed amendments to 37 TAC Section 15.49, concerning Proof of Domicile
2. Proposed new 37 TAC Section 15.174, concerning Interagency Application Fees
3. Proposed amendments to 37 TAC Section 16.7, concerning Proof of Domicile

Driver License Division Chief Sheri Gipson presented the rule proposal for items (1)-(3). A motion was made by Commissioner Blair, seconded by

Commissioner Long, to approve for publication in the Texas Register items IX(B)(1)-(3). Motion passed unanimously.

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

**X. Ongoing Business**

**A. Discussion and possible action regarding Compassionate Use Program (1:07:30)**

Regulatory Services Division Chief Wayne Mueller provided an update on progress of the Compassionate Use Program. No action was requested or taken.

**B. Report, discussion and possible adoption of the following previously published rule: (1:12:30)**

**1. Proposed amendments to 37 TAC Section 27.1, concerning Right of Review**

Crime Records Division Chief Michelle Farris presented the rule adoption for item (1). A motion was made by Commissioner Blair, seconded by Commissioner Stodghill, to adopt the rule under X(B)(1). Motion passed unanimously.

**C. 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. (1:13:50)**

None.

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

To be discussed during Executive Session.

**XI. Reports**

**A. Commission member reports and discussion (1:14:40)**

None.

**B. Finance Report (1:14:45)**

None.

**C. Chief Auditor's Office (1:14:50)**

None.

**D. Division status reports on activities and action (1:14:55)**

None.

**XII. Consent Items (1:15:00)**

**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: Joe Lee Applewhite, David Cabrera, Bonnie Kay Casey-Moore, Kristy Ann Davis, Serapio Zamera Flores, Martin Walker Gens, Adelido Hinojosa, Christian Sean Ledbetter, William Franklin Maley, Order Derrell Manner, Deana Raquel Matthews, Tommy Glynn Matthews, Steven Hud Royal, Randall Kevin Van Deventer, and James Ira Weaver III; and Special Texas Rangers: Antonio DeLuna, Roger Wayne Millican, and Michael Gregory Parker**

**B. Report, discussion, and possible action on the Victim & Employee Support Services Other Victim Assistance Grant (OVAG) FY 2024 – FY 2025 Funding**

**C. Donations:**

- 1. Texas Highway Patrol – DPSOA, prizes for the 2023 Javier Arana, Jr. Top Trooper Competition (two Smart TVs, two pistols, and eight Yeti Tumblers)**
- 2. Additional donation items, as needed**

A motion was made by Commissioner Long, seconded by Commissioner Blair, to approve all consent items under XII(A)-(C). Motion passed unanimously.

**XIII. Items for Future Agenda (1:15:55)**

None at this time.

**XIII. Date for Future Meeting (1:16:00)**

The regular Public Safety Commission meeting is scheduled for June 8, 2023. Discharge hearings will be scheduled for June 9, 2023.

**XIV. Adjourn into Executive Session (1:16:05)**

Executive Session began at 10:16 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 12:01 p.m. Chairman Steven Mach and Commissioners Nelda Blair, Larry Long, and Steve Stodghill were present. A quorum was present. (1:16:35)

**XV. ADJOURN**

The meeting was adjourned at 12:01 p.m.

Read and approved this 8<sup>th</sup> day of June, 2023.

  
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Steven P. Mach, Chairman  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On April 21, 2023, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Crime Records  
Title 37 T.A.C. Part I, Chapter 27  
Subchapter A  
Section 27.1

The Texas Department of Public Safety (the department) adopts amendments to §27.1, concerning Right of Review. This rule is adopted without changes to the proposed text as published in the March 3, 2023 issue of the *Texas Register* (48 TexReg 1269) and will not be republished.

These amendments update and clarify language related to current procedures for the personal review of criminal history record information and the required fees.

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; §411.083(b)(3), which requires the department to grant access to criminal history record information to the person who is the subject of the information; and §411.086, which requires the department to adopt rules that provide for a uniform method of requesting criminal history record information from the department.

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

**SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS**  
**April 21, 2023**

**Special Ranger Applicants:**

Name	Division at Ret.	Svc./Station at Ret.	Retire Date	Yrs. of Svc. at Ret.
Applewhite, Joe Lee (Retire/Rehire)	THP	Garland	07/31/2016	25
Cabrera, David	HSO	Austin HQ	02/28/2023	24
Casey-Moore, Bonnie Kay	OIG	Austin HQ	11/30/2022	27
Davis, Kristy Ann	CID	The Woodlands	12/01/2022	24
Flores, Serapio Zamera	THP	Uvalde	12/31/2022	19
Gens, Martin Walker (Retire/Rehire)	THP	New Caney	10/31/2007	22
Hinojosa, Adelido (Retire/Rehire)	THP	Lubbock	10/31/2007	26
Ledbetter, Christian Sean	CID	Hurst	07/31/2019	23
Maley, William Franklin	THP	Austin Capitol	02/28/2023	27
Manner, Order Derrell	THP	Austin Capitol	01/31/2023	20
Matthews, Deeana Raquel	OIG	Austin HQ	01/31/2023	26
Matthews, Tommy Glynn	THP	San Angelo	08/31/2011	29
Royal, Steven Hud	THP	Gatesville	02/28/2023	14
Van Deventer, Randall Kevin	THP	Anahuac	12/31/2000	26
Weaver III, James Ira	THP	Burnet	02/28/2023	18

**Special Texas Ranger Applicants:**

Name	Division at Ret.	Svc./Station at Ret.	Retire Date	Yrs. of Svc. at Ret.
DeLuna, Antonio	TRD	Austin	01/31/2023	24
Millican, Roger Wayne	TRD	San Antonio	03/31/2014	19
Parker, Michael Gregory	TRD	Amarillo	01/31/2023	25

Approved by the Public Safety Commission on: \_\_\_\_\_



Date: 4/21/23

**RESOLUTION OF GOVERNING BODY-REQUIRED**

**REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 5:00 P.M. CDT Friday, April 14, 2023. IF THE TIMING OF THE APPLICATION DUE DATE AND REQUIREMENTS OF THE OPEN MEETINGS ACT OR OTHER REQUIREMENTS PREVENTS THE GOVERNING BODY FROM REVIEWING AND APPROVING THE RESOLUTION, THEN IT MAY BE SUBMITTED TO THE OAG AFTER THE DUE DATE. THE AUTHORIZED OFFICIAL IS NOT PERMITTED TO SIGN THE FORM ON BEHALF OF THE APPLICANT.**

LEGAL NAME OF APPLICANT: Department of Public Safety of the State of Texas

UNIQUE APPLICATION NUMBER (if applicable): **2024-6450789991**

*Be it known as follows:*

WHEREAS, the Department of Public Safety of the State of Texas, [Name of Applicant] has applied or wishes to apply to the Office of the Attorney General, (OAG) Crime Victim Services Division for the following grant program (check one):

- Other Victim Assistance Grant (OVAG)
- Victim Coordinator and Liaison Grant (VCLG)

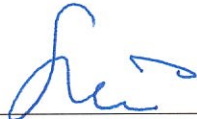
WHEREAS, the Public Safety Commission, [Name of Governing Body of Applicant, such as City Council, County Commissioners' Court or Board of Directors], has considered and supports the Application filed or to be filed with the OAG;

WHEREAS, the Department of Public Safety of the State of Texas, [Name of Applicant] has designated or wishes to designate the following individual as the "Authorized Official" who is given or has been given the power to apply for, accept, reject, alter, or terminate that certain grant with the OAG, Crime Victim Services Division as well as given the authority to sign all grant adjustment requests, inventory reports, progress reports and financial reports or any other official documents related to the grant on behalf of the grantee:

Name of Person Designated as "Authorized Official": Steven C. McCraw

Position Title: Director

**NOW THEREFORE, BE IT RESOLVED** that this governing body approves the submission of the Application to the OAG, Crime Victim Services Division as well as the designation of the Authorized Official.

  
\_\_\_\_\_  
Signature

Steven P. Mach  
\_\_\_\_\_  
Commissioner Printed Name

4/21/23  
\_\_\_\_\_  
Date