

**MINUTES
PUBLIC SAFETY COMMISSION
April 18, 2019
AUSTIN, TX**

The Public Safety Commission met in Austin, Texas on April 18, 2019. Attending the meeting were Chairman Steven Mach, Commissioners Cynthia Leon, Manny Flores, Jason Pulliam and Randy Watson. DPS staff members and guests were also present.

CALL TO ORDER (0:00:03)

The meeting was called to order by Chairman Mach at 10:01 a.m. Proper notice had been posted.

APPROVAL OF MINUTES (0:00:36)

A motion was made by Commissioner Leon, seconded by Commissioner Watson, approving the minutes from the discharge hearing held on February 20, 2019, and the Public Safety Commission meeting held February 21, 2019. Motion passed unanimously.

PRESENTATIONS (0:01:10)

Service Awards

Robert Ynclan – 35 years

Carl Lecoche – 40 years

Javier Arana Top Trooper Awards

Trooper Mary “Dani” Basye

Trooper Aaron Jones

Purple Heart

Trooper Kenneth Burman

Medal of Valor

Trooper Trent Harben

Lifesaving Award

Trooper Daniel Cordes

Trooper Michael Blackwell

Trooper Aaron Shelton

Trooper Roy Clint III
Trooper Charles Loftin II

Directors Award

James Maher

Directors Citation

Major Brian Baxter
Jason Dush
Trooper Brian Fratus
Trooper Francisco Hernandez
Trooper JohnHenry Bradshaw
Trooper Abiel Obregon

Unit Citation

North Texas Trafficking Task Force: Mark Negri, Colby Langford, Robert Mendez, Nisha Thompson, Wayne Watson and Gina Jones

Robert F. Borkenstein Award

Randall Beaty

Trooper of the Year Award

Trooper Joshua Moer – IACP/Motorola Solutions 2018 Trooper of the Year

(0:59:43) Break 11:00 – 11:12 a.m.

PUBLIC COMMENT (1:00:11)

None.

DIRECTORS REPORT (1:00:20)

- Director McCraw reported that Trooper Moises Sanchez was shot in the shoulder and head in Edinburg when he was ambushed. He is in stable condition and we continue to pray for him and his family daily.
- Troopers have been hit from behind 51 times since January 2016 due to distracted drivers.
- February 20, 2019, Texas Ranger Gus Sanchez was contacted by the El Paso Police Department on a Capital Murder case (murder of a convenience store clerk). Description of the vehicle was provided and was reported travelling eastbound

on Interstate 10. Trooper Lee Meadow identified the vehicle and attempted to conduct a traffic stop. Videos from the dash and body cameras were viewed and show the driver pulling out a gun and firing rounds at Trooper Meadow as he approached the passenger window. Luckily, Trooper Meadows dodged the bullets and was not hurt.
-Reminder: Every stop matters!

A. Case Update: Organized Crime – Target Store Burglaries (1:04:34)

Update provided by Ranger Joe Evans regarding an organized group responsible for numerous burglaries across Texas and the country.

B. Legislative Update (1:26:55)

Update provided by Kevin Cooper:

- Forty days remain in the legislative session.
- SB 616 (DPS Sunset Bill) – Passed out of Committee favorably – Passed the Senate on April 17th – new in House Committee on Homeland Security & Public Safety – will be heard on Wednesday (4/24/19) at 8:00 a.m.
- HB 2794 by Representative Geanie Morrison – Passed Second Reading April 17th and is on the calendar for Final Passage on April 18th (moving TDEM to Texas A&M System).
- HB 11 (transfer of DLD to TxDMV) - Passed House on Second Reading April 17th – Third Reading is April 18th
- *Chief Arriaga discussed the three major amendments:
 - >Restore Third Party Study to be completed by March 1, 2020
 - >No TxDMV personnel can be diverted to issue driver licenses and help the Driver License system
 - >DPS retains access to Driver License and Suspensions
- HB 181 by Canales – Establishes a pilot program for the issuance of a digital ID.
- HB 3260 by Allen – Changing eligibility requirements for a Capitol Access Pass. Committee report sent to Calendars.
- SB 918 by Huffman – Repeal of Driver Responsibility Program. Committee report distributed.
- HB 338 by Representative Hugh Shine – relating to the designation of a portion of Interstate Highway 35 as the Trooper Tom Nipper Memorial Highway. Sent to Local & Consent Calendar.
- HB 693 by Representative Kyle Kacal – relating to the designation of U.S. Highway 84 in Limestone County as the Trooper Damon Allen Memorial Highway. Sent to Local & Consent Calendar.

NEW BUSINESS

A. Report, discussion, and possible action on DPS Goals and Priority Actions (1:36:35)

Update provided by Director McCraw:

-Mission: Protect and Serve Texas (Unchanged)

-Vision: Proactively protect the citizens of Texas in an ever changing threat environment while always remaining faithful to the U.S. and State Constitution (Unchanged)

-Motto: Courtesy, Service and Protection (Unchanged)

-Core Values: (Unchanged)

*Integrity: We demonstrate through our actions honesty, fairness and respect for others in our professional and personal lives

*Excellence: We strive to be outstanding in everything we do and we never settle for less

*Accountability: We seek and accept responsibility for our actions, performance and results

*Teamwork: We work closely with other agencies to achieve common objectives

-Goals:

*Current: Combat Crime and Terrorism

*Proposed: *Prevent Crime and Terrorism*

*Current: Enhance Highway and Public Safety

*Proposed: *Enhance Safety on Texas Roadways*

*Current: Enhance Statewide Emergency Management

*Proposed: *Enhance Response, Rescue and Life Saving Capabilities*

*Current: Enhance Public Safety Licensing and Regulatory Services

*Proposed: *Provide Effective and Efficient Licensing and Regulatory Services*

-Proposed: *Priority Actions:*

*1. *Collect, Analyze, Produce and Share Public Safety Threat Information and Intelligence Assessments*

*2. *Plan and Prepare for All Contingencies*

*3. *Provide Direct Support to Local Law Enforcement Agencies*

*4. *Conduct Intelligence Driven Crime and Crash Prevention Patrols*

*5. *Conduct Thorough and Unbiased Investigations*

*6. *Provide the Public and our Local and State Partners Public Safety Education and Information*

*7. *Prevent Mass Casualty Attacks at Schools, the Capitol Complex and at Special Events*

*8. *Rescue People Using All Available Ground, Marine and Air Assets When Ever and*

Where Ever Needed

- *9. Conduct Combined, Multijurisdictional Crime Prevention Operations in High Crime Areas*
- *10. Provide Statewide Hostage Negotiation and Tactical Response Capabilities*
- *11. Provide Expert Forensic Analysis for Local and State Criminal Justice Agencies*
- *12. Prepare For and Provide Life Saving Actions On and Off Duty*
- *13. Conduct Continuous Process Improvement in All Licensing, Regulatory and Operational Programs Using Business Process Reengineering, Six Sigma and the Scientific Method*

A motion was made by Commissioner Flores, seconded by Commissioner Pulliam, adopting the proposed DPS Goals and Priority Actions. Motion passed unanimously. The newly adopted DPS Goals and Priority Actions are attached.

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

To be discussed in Executive Session.

(1:56:04) Chairman Mach acknowledged the following in attendance:
Sergio Hernandez – Representative Vikki Goodwin

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 (1:56:15)

None.

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 (1:56:51)

A. Commission member reports and discussion - none

B. Finance Report – none

C. Chief Auditors Office – none

D. Division status reports on activities and action - none

CONSENT ITEMS (1:57:15)

A. Advice and consent regarding director's determination that a certain probationary employee was found unsuitable for work during March 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: Craig M. Ashley, Carl G. Clayton, Barbara J. Dean, David W. Dudley, Clifford C. Duncan, Juanita D. Garcia, Michelle D. Johnson, Carol J. Knight, Juan G. Medrano, Rolando Rivas, Philip D. Steen III, Donald E. Stewart and Pete E. Ybarra; Special Texas Rangers: Valentin Cenicerros Jr.

C. Report, discussion, and possible action on the Office of Psychological Services and Other Victim Assistance Grant (OVAG) FY2020 & FY 2021 Funding

D. Donations:

1. Aviation Operations Division – donation of 27 HEEDS bottles from John Pike, executive director of the Texas DPS Officers Association

2. Additional donation items, as needed

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

ITEMS FOR FUTURE AGENDA (1:57:57)

DATE FOR FUTURE MEETING (1:58:05)

Any discharge hearings will be scheduled on June 20, 2019, and the regular Public Safety Commission meeting is scheduled for June 21, 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 12:11 p.m.

(1:59:06) The Public Safety Commission reconvened in open session at 2:56 p.m. Commissioners present were Chairman Steven Mach, Commissioners Cynthia Leon, Jason Pulliam, Manny Flores, and Randy Watson.

Chairman Mach called a special meeting of the Public Safety Commission for May 1, 2019, at 11:00 a.m. to discuss the pending replacement of Rhonda Fleming (Inspector General) who will be retiring effective June 30, 2019. DPS will solicit internal candidates to be submitted for consideration one week prior to the meeting. Commissioners Pulliam and Watson were appointed to serve as a subcommittee to screen all applicants and provide list of finalists to the Commission.

A motion was made by Commissioner Flores, seconded by Commissioner Leon, to hold a special meeting on May 1, 2019, to solicit internal candidates; Commissioners Pulliam and Watson to screen applicants and provide list of finalists to the Commission for the review and selection of the new Inspector General with a state date upon Rhonda Fleming's retirement of June 30, 2019. Motion carried unanimously.

ADJOURN

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

The meeting was adjourned at 2:59 p.m.

Read and approved this 21st day of June, 2019.



Chairman

Texas Department of Public Safety

Mission: *Protect and Serve Texas*

Vision: *Proactively protect the citizens of Texas in an ever changing threat environment while always remaining faithful to the U.S. and State Constitution*

Motto: *Courtesy, Service and Protection*

Core Values:

Integrity: *We demonstrate through our actions honesty, fairness and respect for others in our professional and personal lives*

Excellence: *We strive to be outstanding in everything we do and we never settle for less*

Accountability: *We seek and accept responsibility for our actions, performance and results*

Teamwork: *We work closely with other agencies to achieve common objectives*

Goals:

- 1. Prevent Crime and Terrorism*
- 2. Enhance Safety on Texas Roadways*
- 3. Enhance Response, Rescue and Life Saving Capabilities*
- 4. Provide Effective and Efficient Licensing and Regulatory Services*

Priority Actions:

1. *Collect, Analyze, Produce and Share Public Safety Threat Information and Intelligence Assessments*
2. *Plan and Prepare for all Contingencies*
3. *Provide Direct Support to Local Law Enforcement Agencies*
4. *Conduct Intelligence Driven Crime and Crash Prevention Patrols*
5. *Conduct Thorough and Unbiased Investigations*
6. *Provide the Public and our Local and State Partners Public Safety Education and Information*
7. *Prevent Mass Casualty Attacks at Schools, the Capitol Complex and at Special Events*
8. *Rescue People Using All Available Ground, Marine and Air Assets When Ever and Where Ever Needed*
9. *Conduct Combined, Multijurisdictional Crime Prevention Operations in High Crime Areas*
10. *Provide Statewide Hostage Negotiation and Tactical Response Capabilities*
11. *Provide Expert Forensic Analysis for Local and State Criminal Justice Agencies*
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IN THE MATTER OF § BEFORE THE
THE DISCHARGE OF § PUBLIC SAFETY COMMISSION
PROBATIONARY EMPLOYEE § IN AUSTIN, TRAVIS COUNTY, TX

Advice and Consent

In accordance with Government Code Section 411.007(f), the Director found that the following named probationary employee was unsuitable for continued employment in the Department of Public Safety. The Public Safety Commission has consented to discharge this employee:

Employee Name	Employee Title/Division	Date of Discharge
Samuel Tate	Customer Service Representative, Driver License	03/18/2019

Approved:



Steven P. Mach, Chairman
Public Safety Commission
Date: April 18, 2019

**SPECIAL RANGER /
SPECIAL TEXAS RANGER APPLICANTS
April 18, 2019**

Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Ashley, Craig M.	THP	Bryan	01/31/2009	26	
Clayton, Carl G.	CID	Austin HQ	01/31/2019	24	
Dean, Barbara J.	CID	Temple	01/31/2019	20	
Dudley, David W.	CID	Austin	05/31/2018	24	
Duncan, Clifford C.	CID	Austin HQ	09/30/2018	23	
Garcia, Juanita D.	CID	McKinney	02/28/2019	18	
Johnson, Michelle D.	THP	Corpus Christi	02/28/2019	24	
Knight, Carol J.	THP	Brownsville	01/31/2019	20	
Medrano, Juan G.	CID	Amarillo	01/31/2019	20	
Rivas, Rolando	THP	Corpus Christi	02/28/2019	30	
Steen III, Philip D.	Dir. Staff	Houston	08/31/2018	36	
Stewart, Donald E.	THP	Denton	07/31/2002	28	
Ybarra, Pete E.	THP	Hurst	08/31/2017	33	

Special Texas Ranger Applicant:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Ceniceros, Jr., Valentin	TRD	Angleton	09/30/2018	21	

Approved by the Public Safety Commission: _____

Suo

Date: _____

4/18/19

RESOLUTION OF GOVERNING BODY-REQUIRED

REQUIRED TO BE SUBMITTED WITH THE APPLICATION BY 5:00 P.M. CDT WEDNESDAY, April 12th, 2019. 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.

LEGAL NAME OF APPLICANT: Texas Department of Public Safety

UNIQUE APPLICATION NUMBER (if applicable): 2020-00155

Be it known as follows:

WHEREAS, the Texas Department of Public Safety, [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)
 Sexual Assault Prevention and Crisis Services (SAPCS) – State Grant

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 Texas Department of Public Safety, [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

S. P. Mach
Commissioner Printed Name

4/18/19
Date