

**MINUTES  
PUBLIC SAFETY COMMISSION  
OCTOBER 17, 2013  
AUSTIN, TX**

The Public Safety Commission met in Austin, Texas on October 17, 2013. Attending the meeting were Chairman Cynthia Leon, Commissioners Carin Barth and Randy Watson. A quorum was present at the meeting. DPS staff members and guests were also present.

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

The meeting was called to order by Chairman Leon at 9:01 a.m. Proper notice had been posted.

**Approval of Minutes** (0:00:46)

**A motion was made by Commissioner Barth seconded by Commissioner Watson approving the minutes for August 16, 2013, subject to the amendment of adding the effective date of September 1, 2013, to the approved salary structure for the director and executive staff. Motion passed unanimously.**

**Public Comment** (0:03:07)

Nikelle Meade works for a law firm that represents ASSIST and provided comment regarding Ongoing Business, Item E (repeal of the five day rule):

**Directors Report** (0:09:43)

**A. Presentations**

Retirement certificate, Texas flag with certificate and retired credentials were presented to Lon Stuart Platt for his service to DPS as General Counsel and Inspector General

**Director's Citation**

Trooper John Bradford

**Director's Award**

Rockey Butler

John W. Brown

Brenda J. Brown

Special Agent Timothy Townsend

**Life Saving Award**

Corporal T. Coy Morales

## **Service Awards**

Donna B. Jones – 40 years

Aristeo Elizondo Jr. – 35 years

Mary Ann Scribner – 35 years

## **Flip Flop Boot Presentation**

Pilot Marcus Tomerlin – Commissioner Watson presented a flip flop boot to Pilot Tomerlin for a foot pursuit that occurred approximately two months ago while he was off duty wearing cargo pants and flip flops. Pilot Tomerlin ran right out of his flip flops for approximately 1 ½ miles after a man who stole \$100 from an elderly woman.

## **B.Report on Operation Strong Safety (0:29:20)**

Director McCraw provided a briefing on Operation Strong Safety:

-Operation Strong Safety is a unified effort that combines a surge of local, state and federal resources to keep contraband from crossing the Texas/Mexico border with defined areas of operation for sustained periods.

### **Known facts:**

- unsecure Texas/Mexico border
- Mexican Cartels
- Rio Grande Valley (RGV) is the center of gravity for cartel drug and human smuggling operations
- spillover crime
- gang trends (cooperation and coordination among rival gang members to achieve common criminal objectives)

### **Recent Trends in RGV:**

- Marijuana increase 1.1%
- Cocaine increase 13%
- Heroin increase 249%
- Methamphetamine increase 28%
- Currency increase 15%
- Weapons increase 42%
- Decrease in bulk cash and recovery of vehicles
- Pursuits increased 32%

### **Three ways to reduce crime:**

- 1.Mass high visibility patrols at chronic crime locations
- 2.Arrest and incarcerate chronic offenders
- 3.Arrest and incarcerate the mid-level and senior leadership of the most dangerous Criminal organizations

### **Outcomes (3 week period):**

- 49% decrease in marijuana
- 42% decrease in cocaine
- 95% decrease in methamphetamine
- 28% decrease in detention of illegal aliens
- 79% decrease in pursuits
- 185% increase in bulk cash seizures
- 67% increase in stolen vehicle recovery
- Operation Drawbridge – 31% decrease in activity during three week period
- Texas Hold'em – 134 cases (truck drivers carrying contraband) in three week period (average is 300 per year)

### **New Business** (0:51:14)

#### **A.Report and discussion regarding strategic roadmap**

Director McCraw provided a draft of the agency strategic roadmap:

- DPS Decision Cycle
- Texas Homeland Security Decision Cycle (inclusion of several agencies)
- Planning
- People
- Tools – Tactical and IT
- Facilities
- Border Security
- Gangs
- Human Trafficking
- Highway Safety & Security
- Outreach Partnerships
- Funding Shortfall
- Legislative Licensing Requirements

#### **B.Report, discussion, and possible action regarding Capitol Complex security;**

##### **Government Code 411.062(g)** (1:22:40)

GC Adkins updated the Commission on DPS' role on Capitol Complex security, Texas Weapons Law and current enforcement status. Measures currently in place to give guidance to officers:

- 1.Right of CHL holders to lawfully carry acknowledged throughout Capitol Complex
- 2."Open Carry" weapons allowed in Capitol Complex outside of Capitol Grounds except if carried in manner calculated to alarm
- 3.Firearms and other deadly weapons carried other than as authorized under CHL authority prohibited on Capitol Grounds, Capitol Building and Capitol Extension

4. Individuals will be afforded opportunity to comply with officer request prior to consideration of enforcement action

Seeking motion allowing director to impose measures determined to be necessary to protect the safety and security of persons and property within the Capitol Complex.

**A motion was made by Commissioner Barth seconded by Commissioner Watson approving the motion allowing the director to impose necessary measures to protect the Capitol Complex. Motion passed unanimously. The Public Safety Commission Order reflecting the above action is attached.**

C. Update and discussion regarding Election Identification Certificates (1:37:18)

AD Peters provided an update on the Election Identification Certificates (EIC):

-78 counties do not have Driver License offices; 39 responses received for training and equipment

-EIC kits were purchased through the Secretary of State's Office and the Office of the Governor for deployment

-Initially 25 mobile EIC kits were purchased and deployed, 82 kits added

-Saturday hours offered at the 13 busiest counties – 49 offices

-53 EICs have been issued to date (3 were invalid and not issued)

Commissioner Barth suggested we contact legislators whose counties elected not to respond and accept our offer for training and equipment.

D. Report, discussion, and possible action on amendments to Driver License Rule for publication to receive public comment: 37 TAC Section 15.142, concerning Agreement to Purchase Driver Record Information (1:51:21)

AD Peters is seeking approval to repost Rule 15.142 concerning driver record monitoring.

**A motion was made by Commissioner Barth seconded by Commissioner Watson approving amendments to Driver License Rule 15.142 to receive public comment. Motion passed unanimously.**

The Commission adjourned for a small break at 10:58 a.m. before continuing with the agenda. The Commission reconvened at 11:10 a.m.

Ongoing Business (1:58:01)

E. Report, discussion, and possible adoption of the proposed repeal of Private Security Rule, 37 TAC Section 35.185, concerning Registration Deadline, as previously published



AD Bowie advised that several comments had been received for the proposed repeal of Private Security Rule 35.185 and General Counsel had responded to all comments. **A motion was made by Commissioner Watson seconded by Commissioner Barth adopting the proposed repeal of Private Security Rule 35.185. Motion passed unanimously.**

**New Business** (2:08:04)

**E.Report, discussion, and possible action regarding Traffic Regulatory Checkpoints**

DAD Madden provided an update on the 12-day operation that occurred in Hidalgo County (Operation Strong Safety 9/15/13 – 10/4/13):

**Criteria:**

- clear line of sight in both directions
- free of road hazards and not near any school zones
- secondary vehicles location needed
- hours of operation (9 a.m. – 2 p.m.)
- 12 roadways were selected to conduct operations
- traffic was only monitored going one direction
- every third vehicle was stopped for driver license and registration verifications
- other vehicles had visual inspection and only stopped if violations were noticed
- 288 citations issued
- 257 warnings issued
- 37 arrested for warrants
- 28 fugitive warrants
- total crashes decreased by almost 28% during that time

**Subsequent results:**

- increase noted in people getting insurance, paying local warrants, vehicle inspections and getting driver licenses
- Ranchers and landowners were asked to complete a survey for the three week operation and 76% reported they saw a significant change

Commissioner Barth asked for a one-pager with the criteria of regulatory checkpoints and results.

**F.Report, discussion, and possible action on proposed new Aircraft Operations Rule for publication to receive public comment: 37 TAC Section 1.143, concerning Use of Unmanned Aircraft by a Law Enforcement Authority** (2:23:06)

Chief Pilot Nabors requested approval to seek public comment on Rule 1.143 which relies on a FAA Memorandum of Understanding between the FAA and the Department of Justice for law enforcement.

**A motion was made by Commissioner Barth seconded by Commissioner Watson approving proposed Aircraft Operations Rule 1.143 to receive public comment. Motion passed unanimously.**

G.Report, discussion, and possible action on proposed amendments to Crime Records Rule for publication to receive public comment: 37 TAC 27.42, concerning Criteria for Entry into the Missing Persons Bulletin (2:28:23)

DAD Avant is seeking approval to publish Rule 27.42 to receive public comment.

**A motion was made by Commissioner Watson seconded by Commissioner Barth approving proposed amendments to Crime Records Rule 27.42 to receive public comment. Motion passed unanimously.**

**Ongoing Business (2:31:12)**

A.Report, discussion and possible action on the Annual Year 2014 Operating Budget including Federal Seized Funds

AD Hudson reported 382 commissioned position vacancies. After December's graduation, that total will be 276.

B.Report, discussion and possible action regarding Commission requests for additional auditing to be performed by the Chief Auditor's Office. Updates regarding status of recent CAO activity (2:36:17)

Chief Auditor Goodson is seeking approval to proceed with two audit requests:

- Employee Moving Expenditures Contract
- Commercial Driver License Issuance Process

**A motion was made by Commissioner Barth seconded by Commissioner Watson approving the two audit requests. Motion passed unanimously.**

Completed projects:

- Audit of Cash Management
- TDEM Financial Review of Payment Cards
- Background Checks and Investigations
- RSD Private Security Bureau
- Local Border Security Expenditures
- Special Requests 2 of 3: Audit of Federal Grant Compliance

C.Update report, discussion and possible action regarding recruitment (2:41:26)

AD Woodall provided an update on the current recruit class:

-105 recruits; one recruit is being moved into the intern program which will reduce class to 104

-14<sup>th</sup> week of training

Stats for January 2014 school:

- 3,544 total applicants
- 1,809 passed screening
- 1,082 prescreened waiting for written and physical fitness testing
- 363 completed testing
- 275 waiting for polygraph
- 72 waiting for oral boards
- 17 waiting for backgrounds
- 23 accepted recruits
- goal is 130 recruits for the January 2014 school

Commissioner Watson praised Lieutenant Derek Prestridge's Interdiction & Protection of Children presentation. This presentation is part of the final week of recruit school training and is also presented internationally.

D.Report, discussion, and possible adoption of proposals made pursuant to Government Code, Section 2001.039, Agency Review of Existing Rules, as previously published:

1.Repeal of Criminal Law Enforcement Rule, 37 TAC Sections 5.51 – 5.71, concerning Multicounty Drug Task Forces (2:47:12)

DAD Bateman reported no comments were received for the repeal of Criminal Law Enforcement Rule 5.51 – 5.71.

**A motion was made by Commissioner Barth seconded by Commissioner Watson adopting the repeal of Criminal Law Enforcement Rule 5.51 – 5.71 concerning Multicounty Drug Task Forces. Motion passed unanimously.**

2.Amendments to Public Safety Communications Rules, 37 TAC Sections 9.1 – 9.3, concerning Disaster Communications (2:50:00)

AD Kidd reported no comments were received for amendments to the Public Safety Communications Rules 9.1 – 9.3.

**A motion was made by Commissioner Barth seconded by Commissioner Watson adopting the amendments to Public Safety Communications Rules 9.1 – 9.3 concerning Disaster Communications. Motion passed unanimously.**

F.Report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071 (2:51:20)

None.

G.Report, discussion and possible action regarding the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team (2:53:25)

None.

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

### **Reports (2:54:00)**

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 (2:54:28)**

A.Discussion and possible action on the Director's action of discharging probationary employees: Artis Bordelon, Racheall Gray and Chrystal Thomas

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: Larry Brown, Glen E. Buzek, Jimmie D. Coleman, Victor J. Combs, Justin D. Corp, Jose M. Garza, Phillip C. Harris, Sammy B. Lovelace, Norbert Ortiz, Jules Peterson, and Paul D. Webb; Special Texas Rangers: Alvin Alexis and Gary H. Shaw; Special Ranger Applicant from the Texas and Southwestern Cattle Raisers Association: Kenneth D. Wadsworth

#### **C.Donations**

1. Renovation of Humvee – Highway Patrol, Region 5A

2. Seat Belt Convincer – Highway Patrol

3. Additional donation items, as needed

AD Arriaga reported that Consent Item C2 has not gone to the Contract Review Board and should be removed from consideration at this time.

**A motion was made by Commissioner Barth seconded by Commissioner Watson adopting Consent Items A, B, and C, excluding item C2. Motion passed unanimously.**

### **Items for Future Agenda (2:56:39)**

1. Commissioner Barth requested periodic updates on the Election Identification Certificates (EIC)

2. Commissioner Barth requested an update on the contracting report for the December PSC meeting
3. Commissioner Barth requested to move future rules publications out of New Business along with adoption of rules and/or repeals if no comments are received out of Ongoing Business and placed under Consent Items
4. Chairman Leon asked for Executive Session to be moved toward the end of the agenda, if possible

**Date for Future Meeting** (3:00:48)

Discharge hearings will be held on December 4, 2013, and the Public Safety Commission meeting will be held December 5, 2013.

**Adjourn Into Executive Session** (3:00:57)

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 12:13 p.m.

(3:01:38) The Public Safety Commission reconvened this open session at 2:21 p.m. Commissioners present were Chairman Leon, Commissioners Carin Barth and Randy Watson.

**Adjourn** (3:02:23)

The meeting was adjourned at 2:22 p.m.

Read and approved this 5<sup>th</sup> day of December, 2013.

  
Chairman

IN THE MATTER OF                         §                 BEFORE THE

THE DISCHARGE OF                         §                 PUBLIC SAFETY COMMISSION

PROBATIONARY EMPLOYEES                 §                 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 employees were unsuitable for continued employment in the Department of Public Safety. The Public Safety Commission has consented to discharge these employees:

Employee Name	Employee Title/Division	Date of Discharge
Artis Bordelon	Customer Service Representative/Driver License	08/26/13
Racheall Gray	Customer Service Representative/Driver License	08/28/13
Chrystal Thomas	Hourly Customer Service Representative/Driver License	09/09/13

Approved:

A. Cynthia Leon, Chair  
Public Safety Commission  
Date: October 17, 2013



**SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS**  
**October 17, 2013**



**Special Ranger Applicants:**

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Brown, Larry	THP	CVE/Abilene	04/30/04	20 years	
Buzek, Glen E.	CID	Houston	09/30/12	26 years	
Coleman, Jimmie D.	Aircraft OPS	San Antonio	08/31/13	24 years	
Combs, Victor J.	THP	CVE/New Waverly	08/31/13	30 years	
Corp, Justin D.	CID	San Angelo	08/31/10	29 years	
Garza, Jose M.	CID	Austin	08/31/95	20 years	
Harris, Phillip C.	CID	Austin	08/31/13	23 years	
Lovelace, Sammy B.	THP	CVE/Georgetown	07/31/13	28 years	
Ortiz, Norbert	THP	CVE/Del Rio	04/30/13	24 years	
Peterson, Jules	CID	Houston	07/31/13	24 years	
Webb, Paul D.	THP	CVE/New Waverly	08/31/11	23 years	

**Special Texas Ranger Applicant:**

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Alexis, Alvin	Texas Rangers	San Antonio	08/31/13	24 years	
Shaw, Gary H.	Texas Rangers	El Paso	08/31/13	27 years	

**Special Ranger Applicant from the Texas and Southwestern Cattle Raisers Association:**

Name	Approved
Wadsworth, Kenneth D.	

Approved by the Public Safety Commission on:

A handwritten signature in blue ink is written over a horizontal line. The signature appears to be "A. G. [unclear]".

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On October 17, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Criminal Law Enforcement  
Title 37 T.A.C. Part I, Chapter 5  
Subchapter D  
Sections 5.51 – 5.71

The Texas Department of Public Safety (the department) adopts the repeal of Sections 5.51 – 5.71, concerning Multicounty Drug Task Forces. This repeal is adopted without changes to the proposed text as published in the August 30, 2013 issue of the *Texas Register* (38 TexReg 5692) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined the reason for initially adopting this rule no longer exists. This chapter is obsolete because the Multicounty Drug Task Forces no longer exist.

No comments were received regarding the adoption of this repeal.

The repeal is adopted pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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.

  
A. Cynthia Leon, Chair  
Public Safety Commission



TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On October 17, 2013, the Public Safety Commission (the commission) by majority vote approved rules concerning:

Public Safety Communications  
Title 37 T.A.C. Part I, Chapter 9  
Subchapter A  
Sections 9.1 – 9.3

The Texas Department of Public Safety (the department) adopts amendments to Sections 9.1 -9.3, concerning Disaster Communications. These amendments are adopted without changes to the proposed text as published in the August 30, 2013 issue of the *Texas Register* (38 TexReg 5692) and will not be republished.

Pursuant to Government Code, Section 2001.039, the department reviewed this chapter and determined an update to these rules was necessary to reflect current department titles. Additional nonsubstantive changes were made for conformity and consistency through the subchapter.

No comments were received regarding the adoption of these amendments.

This adoption is made pursuant to Texas Government Code, Section 411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work, and Section 2001.039, which requires state agencies to review their rules and readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

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.



A. Cynthia Leon, Chair  
Public Safety Commission

TEXAS DEPARTMENT OF PUBLIC SAFETY  
ORDER ADOPTING A RULE

On October 17, 2013, 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 35.185

The Texas Department of Public Safety (the department) adopts the repeal of Section 35.185, concerning Registration Deadline. This repeal is adopted without changes to the proposed text as published in the August 30, 2013 issue of the *Texas Register* (38 TexReg 5694) and will not be republished.

This rule relates to the manner in which application for private security registrations are submitted, but it is in conflict with the governing statute, Chapter 1702 of the Texas Occupations Code (the "Private Security Act") and is therefore being repealed.

The department accepted comment on the proposed repeal of this rule through September 30, 2013. Written comments were received from 29 individuals in response to the department's proposal. Comments were largely repetitive and are summarized below. Each comment is followed by the department's response.

COMMENT: Statutory procedure reflected in Occupations Code, Section 1702.0611 is not being followed. Under this provision the Private Security Board must approve all private security rules. The Public Safety Commission has exceeded its authority in proposing the repeal of the board's rule.

RESPONSE: Section 1702.0611 of the Occupations Code ("the Private Security Act") provides an exclusive mechanism by which the board may propose rules, but the use of this mechanism, or the proposal of a rule by the board, is not a requirement for the commission's adoption or repeal of a rule under the Act. This provision limits the board's rulemaking authority, not that of the commission.

In many cases it may be appropriate for rules relating to the administration of Chapter 1702 to be proposed through the Private Security Board as Section 1702.0611 contemplates. However, the rule at issue is in direct conflict with the statute and is incompatible with the department's administration of the statute as legislatively mandated. It is also inconsistent with public safety and the public policy underlying regulation of the private security industry.

COMMENT: Required negotiated rulemaking procedure not followed.

RESPONSE: Government Code, Section 2008.051 provides that an agency *may* engage in negotiated rulemaking to assist it in drafting a proposed rule. Section 1702.0612 of the Act provides only that the board will adopt a policy *encouraging* negotiated rulemaking. The department has adopted a rule in this regard as well, which provides for public participation in the rulemaking process when appropriate (37 TAC Section 1.282). However, under neither statute nor rule is either entity *required* to engage in

negotiated rulemaking. The department has determined that under the circumstances it is neither appropriate nor helpful to engage in such a procedure.

COMMENT: Adverse economic impact on individuals and small businesses.

(a) The repeal of Section 35.185 will impact small businesses that hire a person, register the person online and make an appointment for electronic fingerprints, only to have the employee not report for work. The company will incur the costs of the application and related fees.

RESPONSE: The scenario assumes that under the rule currently in effect an employer would not be subject to this cost. The argument is based on a misunderstanding of current statute and rule. Under current rule the employee could begin employment in a regulated capacity prior to submission of the application, fees, or fingerprints, so long as these materials are submitted by the fifth day. The comment assumes the employer could withhold the fees if the individual did not return to work. However, current rule does not exempt the employer from submitting a substantially complete application on an employee who performed regulated service. If the employee works in the five days prior to the submission of the application, the application, fingerprints, and fees must still be submitted.

(b) The repeal of Section 35.185 will deny individuals the right to earn a living while waiting for a fingerprinting appointment, and will deny the employer the ability to meet immediate demands for security services.

RESPONSE: The statute does not provide a right to work in a regulated capacity prior to submission of a substantially complete application.

(c) The repeal of Section 35.185 will result in applicants having to wait several weeks before being able to work, while waiting for their pocket card (license).

RESPONSE: This comment is based on a misunderstanding of current statute and rule. The authority to work in a regulated capacity while one's application is being processed is provided in statute. The repeal of Section 35.185 will not alter this.

COMMENT: The rule preamble materially misstates the department's authority to adopt rules: the statute refers to the authority of the board, not that of the department.


RESPONSE: The referenced statement is not a direct quotation of the statute; it merely refers to Chapter 1702's statutory provision for rulemaking authority. The board's rules are ultimately departmental rules, requiring approval by the Public Safety Commission. Therefore the department's authority under Chapter 1702 arises from Section 1702.061(b). The statement is accurate.

The repeal is adopted pursuant to Texas Government Code, Section 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, Section 1702.061(b), which authorizes the department to adopt rules to administer 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.



A. Cynthia Leon, Chair  
Public Safety Commission

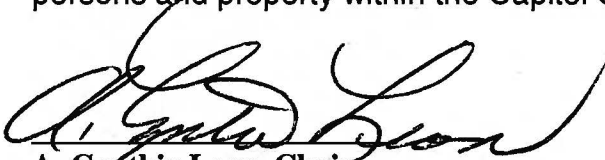
## **PUBLIC SAFETY COMMISSION ORDER**

Government Code 411.062(a) provides that the Department of Public Safety has primary responsibility for law enforcement and security services on the Capitol Complex.

Government Code 411.062(g) provides that the Public Safety Commission may authorize the Director of the Department of Public Safety to impose within the Capitol Complex measures the Director determines necessary to protect the safety and security of persons and property within the Capitol Complex.

The Public Safety Commission met in public session on October 17, 2013 and deliberated current circumstances and applicable law and concluded that it was appropriate to authorize the Director to impose safety and security measures to protect persons and property within the Capitol Complex and that the directive be recorded in the Commission Minutes and recorded as a formal order in the records of the Public Safety Commission.

**IT IS THEREFORE ORDERED** by the Public Safety Commission that the Director of the Department of Public Safety is authorized to impose within the Capitol Complex measures the Director determines necessary to protect the safety and security of persons and property within the Capitol Complex.



A. Cynthia Leon, Chair  
Public Safety Commission

DATE SIGNED: \_\_\_\_\_

11/15/13