

MINUTES

Public Safety Commission Meeting

December 7, 2023

Austin, TX

The Public Safety Commission met in Austin, Texas on December 7, 2023, at 10 a.m. for its regular meeting. Attending the meeting were Chairman Steven Mach, Commissioners Nelda Blair, Larry Long, Steve Stodghill, and Dale Wainwright. A quorum was present.

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

Chairman Mach called the meeting to order at 10 a.m. Proper notice was posted.

II. Invocation (0:00:30)

Chaplain Ferman Carpenter provided the invocation.

III. Pledges (0:01:40)

Trooper Marcus Waechter led the pledge of allegiance to the U.S. and Texas flag.

IV. Approval of Minutes (0:02:35)

The minutes of the last regular meeting held on October 26, 2023, were approved.

V. Presentations (0:03:00)

30 Year Service Award

Beverly Foust

Timothy Preece

Denise Reyes

40 Year Service Award

Sandra Uzzell

Director's Citation Award

Kevin King

Steven Tellez

Michael Abay

Damian Conner

Joseph Sherman

Director's Award

Michael Bustamante

Joshua Lascano
Jay Tidwell
Lance Lewis

Lifesaving Award

Jacob Morrow

Unit Citation Award

Aircraft Operations Division – North Texas Region

VI. Public Comment (0:36:15)

Elisa Tamayo, Governmental Affairs Manager for El Paso County, provided comments on high speed pursuits along the border.

VII. Director's Report

A. Case Update: Comal County Intoxication Manslaughter Case (0:39:20)

Texas Highway Patrol Chief Bryan Rippee introduced then-Trooper Calven Ayala and Comal County Assistant District Attorney Jessica Frazier who provided a presentation on a Comal County triple intoxication manslaughter case.

B. Operation Lone Star Update (0:49:05)

Director Steven C. McCraw and Deputy Director Freeman Martin provided an update on Operation Lone Star.

VIII. New Business

A. Discussion and possible action on the re-appointment of a member to the Vehicle Inspection Advisory Committee (1:23:30)

Regulatory Services Division Chief Wayne Mueller requested the re-appointment of Julie Claussen to the Vehicle Inspection Advisory Committee. A motion was made by Commissioner Long, seconded by Commissioner Wainwright, to re-appoint Julie Claussen to the Vehicle Inspection Advisory Committee for a term to expire on August 1, 2026. Motion passed unanimously.

B. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision: (1:25:30)

1. SOAH Docket No. 405-23-20827.MVI – Jose Romero Amaya
2. SOAH Docket No. 405-23-19233.MVI – Batool Arsalan
3. SOAH Docket No. 405-23-20269.MVI – Mynar Inspection
4. SOAH Docket No. 405-23-21145.MVI – Nihar Shah
5. SOAH Docket No. 405-23-22224.MVI – Jesus Manual Solis

6. SOAH Docket No. 405-23-21148.MVI – Stickers-N-More Pearland

General Counsel Phillip Adkins presented the proposal for decision for items (1)-(6). A motion was made by Commissioner Blair, seconded by Commissioner Stodghill, to adopt the proposal for decision issued by the administrative law judge of the State Office of Administrative Hearings for items VIII(B)(1)-(6) as the final determination of the Public Safety Commission. Motion passed unanimously.

C. Report, discussion, and possible action on the following rule proposals for publication to receive public comment: (1:30:10)

1. Proposed amendments to 37 TAC Section 25.8, concerning Reinstatement

Driver License Division Chief Sheri Gipson presented the rule proposal for item (1). A motion was made by Commissioner Blair, seconded by Commissioner Long, to approve for publication in the Texas Register item VIII(C)(1). Motion passed unanimously.

2. Proposed amendments to 37 TAC Section 36.60, concerning Administrative Penalties

Regulatory Services Division Chief Wayne Mueller presented the rule proposals for item (2). A motion was made by Commissioner Wainwright, seconded by Commissioner Blair, to approve for publication in the Texas Register item VIII(C)(2). Motion passed unanimously.

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

Chairman Mach acknowledged attendance of legislative staff. (1:33:30)

IX. Ongoing Business

A. Discussion regarding Compassionate Use Program (1:33:55)

Regulatory Services Division Chief Mueller provided an update on the Compassionate Use Program.

B. 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 (1:38:00)

Director McCraw made a recommendation to appoint Ericka Miller as Chief of Media and Communications. A motion was made by Commissioner Blair, seconded by Commissioner Wainwright, to appoint Ericka Miller as Chief of Media and Communications effective January 1, 2024. Motion passed unanimously.

Director McCraw made a recommendation to appoint Interim Chief Innovation Officer Jessica Ballew as the Chief Innovation Officer. A motion was made by Commissioner Long, seconded by Commissioner Blair, to appoint Jessica Ballew as the Chief Innovation Officer effective immediately. Motion passed unanimously.

Director McCraw made a recommendation to appoint Interim Chief of the Infrastructure Operations Division Jason Hester as the Chief of the Infrastructure Operations Division. A motion was made by Commissioner Blair, seconded by Commissioner Long, to appoint Jason Hester as the Chief of the Infrastructure Operations Divisions effective immediately. Motion passed unanimously.

C. 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 (1:44:05)

None.

B. Finance Report (1:44:15)

None.

C. Chief Auditor's Office (1:44:20)

None.

D. Division status reports on activities and action (1:44:25)

Infrastructure Operations Division Chief Hester and Director of Procurement and Contract Services Michael Parks provided an update on its annual contract management report.

Office of Inspector General Phillip Ayala and Lieutenant Travis Randolph provided an update on its administrative investigations related to Operation Lone Star.

Training Operations Division Chief James Thomas provided a recruiting update.

XI. Consent Items (2:07:25)

A. Advice and consent regarding director's determination that a certain probationary employee was found unsuitable for work during November 2023

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: David Blake Burnett, Rhyan Cory Droddy, Pamela Rochelle Hatchett, Bryan Gerard Jarzombek, Roger Paul Kucera, Bryan Thomas Little, Cliff Thomason Manning, David Ray Morris, Chad Douglas Olive, Billy Antonio Shelton, Christopher Clay Shelton, Jerry Earl Simpson, Jr., and Larry Don Watson

C. Donations:

1. Additional donation items, as needed

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

XII. Items for Future Agenda (2:08:05)

None at this time.

XIII. Date for Future Meeting (2:08:15)

Discharge hearings will be scheduled for February 14, 2024; and the regular Public Safety Commission meeting is scheduled for February 15, 2024.

XIV. Adjourn into Executive Session (2:08:25)

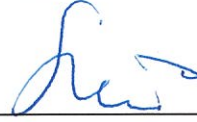
Executive Session began at 12:16 p.m. The Commission adjourned into executive session to discuss security issues; to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; to deliberate regarding real estate 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 1:26 p.m. Chairman Steven Mach and Commissioners Nelda Blair, Larry Long, Steve Stodghill, and Dale Wainwright were present. A quorum was present. (2:08:50)

XV. ADJOURN

The meeting was adjourned at 1:26 p.m.

Read and approved this 15th day of February, 2024.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-23-20827.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
JOSE ROMERO AMAYA VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 7, 2023, 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 Jose Romero Amaya’s vehicle inspection certification should be suspended for 12 months and a \$500 administrative penalty be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Jose Romero Amaya is suspended for 12 months and a \$500 administrative penalty is assessed.

SIGNED this 7th day of December, 2023.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-23-19233.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
BATOOOL ARSALAN, VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 7, 2023, 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 Batool Arsalan’s vehicle inspection certification should be suspended for 12 months and a \$500 administrative penalty be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Batool Arsalan is suspended for 12 months and a \$500 administrative penalty is assessed.

SIGNED this 7th day of December, 2023.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-23-20269.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY -	§	BEFORE THE
PUBLIC SAFETY COMMISSION	§	
	§	
VS.	§	STATE OF TEXAS
	§	
MYNAR INSPECTION	§	
INSPECTION STATION	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 7, 2023, 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 Mynar Inspection's vehicle inspection station certification be suspended for 12 months and a \$500 administrative penalty be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Mynar Inspection is suspended for 12 months and a \$500 administrative penalty assessed.

SIGNED this 7th day of December, 2023.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-23-21145.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
NIHAR SHAH	§	
VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 7, 2023, 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 Nihar Shah’s vehicle inspection certification should be suspended for 12 months.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Nihar Shah is suspended for 12 months.

SIGNED this 7th day of December, 2023.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-23-22224.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY – PUBLIC SAFETY COMMISSION	§	BEFORE THE
	§	
	§	
VS.	§	STATE OF TEXAS
	§	
JESUS MANUEL SOLIS VEHICLE INSPECTOR	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 7, 2023, 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 Jesus Manuel Solis’ vehicle inspection certification should be revoked.

IT IS THEREFORE ORDERED that the certification as a vehicle inspector of Jesus Manuel Solis is revoked.

SIGNED this 7th day of December, 2023.



Steven P. Mach, Chairman
Public Safety Commission

DOCKET NO. 405-23-21148.MVI

TEXAS DEPARTMENT OF PUBLIC SAFETY -	§	BEFORE THE
PUBLIC SAFETY COMMISSION	§	
	§	
VS.	§	STATE OF TEXAS
	§	
STICKERS-N-MORE PEARLAND,	§	
INSPECTION STATION	§	PUBLIC SAFETY COMMISSION

FINAL ORDER

On December 7, 2023, 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 Stickers-N-More Pearland's vehicle inspection station certification be suspended for 12 months and a \$500 administrative penalty be assessed.

IT IS THEREFORE ORDERED that the certification as a vehicle inspection station of Stickers-N-More Pearland is suspended for 12 months and a \$500 administrative penalty assessed.

SIGNED this 7th day of December, 2023.



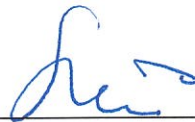
Steven P. Mach, Chairman
Public Safety Commission

SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS
December 7, 2023

Special Ranger Applicants:

Name	Division at Ret.	Svc./Station at Ret.	Retire Date	Yrs. of Svc. at Ret.
Burnett, David Blake	THP	Clarksville	9/30/2023	20
Droddy, Rhyan Cory	CID	Conroe	9/30/2023	22
Hatchett, Pamela Rochelle	THP	Hurst	5/31/2022	24
Jarzombek, Bryan Gerard	CID	San Antonio	8/31/2023	24
Kucera, Roger Paul	CID	Waco	8/31/2023	35
Little, Bryan Thomas	THP	Graham	10/31/2023	27
Manning, Cliff Thomason	CID	Houston	2/28/2023	27
Morris, David Ray	THP	Livingston	10/31/2023	27
Olive, Chad Douglas	THP	Rosenberg	8/31/2023	25
Shelton, Billy Antonio	THP	Austin	9/30/2023	29
Shelton, Christopher Clay	AOD	Amarillo	9/30/2023	22
Simpson, Jr., Jerry Earl	THP	Mount Pleasant	9/30/2023	20
Watson, Larry Don	THP	Garland	02/28/2001	20

Approved by the Public Safety Commission on: _____



Date: 12/07/23