

MINUTES
PUBLIC SAFETY COMMISSION
September 19, 2019
AUSTIN, TX

The Public Safety Commission met in Austin, Texas on September 19, 2019. Attending the meeting were Chairman Steven Mach, Commissioners Cynthia Leon and Steve Stodghill. DPS staff members and guests were also present.

CALL TO ORDER (0:00:21)

The meeting was called to order by Chairman Mach at 9:03 a.m. Proper notice had been posted.

INVOCATION (0:00:52)

Invocation was given by Chaplin Ferman Carpenter.

PLEDGES (0:01:55)

Pledge of Allegiance to the US Flag and Pledge of Allegiance to the Texas Flag were led by Brian Burzynski.

APPROVAL OF MINUTES (0:02:50)

A motion was made by Commissioner Leon, seconded by Chairman Mach, approving the minutes from the discharge hearing held June 20, 2019, and the Public Safety Commission meeting held June 21, 2019. Commissioner Stodghill abstains.

PUBLIC COMMENT (0:03:34)

None.

NEW BUSINESS

A. Introduction of Commissioner Steve Stodghill (0:03:44)

Chairman Mach and Commissioner Leon welcomes Steve Stodghill to the Public Safety Commission.

B. Report, discussion, and update regarding Mass Casualty Attacks including progress on Executive Order GA-07 issued September 5, 2019 (0:04:44)

Update provided by Director McCraw:

-Due to the aftermath of the El Paso and Odessa attacks; Governor Abbott issued an Executive Order on September 5, 2019, directing DPS with eight orders:

- *Order No. 1 – Interim Chief, Dale Avant, reported immediately after the order was issued; DPS began working with partners throughout the state to develop a standardized intake questionnaire. A draft has been generated and expected to be in compliance with the 30 day deadline.
- *Order No. 2 – DPS is working with the other seven fusion centers in Texas on submitting Standard Activity Reports. iWatch is the enterprise-wide capability that will be used within all fusion centers.
- *Order No. 3 – Educate law enforcement agencies on what to report and utilizing the fusion centers and the Standard Activity Report.
- *Order No. 4 – Educate the public on what to report – no threat goes unaddressed.
- *Order No. 5 – Two videos have been produced for our school systems.
- *Order No. 6 – Four teams established (aligned with the four major Joint Terrorism Task Force field offices) consisting of a CID lieutenant, 4 special agents, 4 officers, psychologist and an analyst.
- *Order No. 7 – Threat assessment and monitoring section within the fusion centers will consist of analysts to vet and analyze potential threats.
- *Order No. 8 – Conviction Reporting Disposition Completeness (consisting of Class B misdemeanors and above) – every arrest goes into the central database within 7 days is currently the requirement. Most of the time they post within 24 hours since its automated then it works its way through the court system. Under current law, final conviction is not final for 30 days from time it's issued. Statute allows for an additional 30 days to then submit the final disposition into the system. Target is to have final dispositions reported within 7 days during the first year then within 5 days for the second year.

Director McCraw and Deputy Director Hearn testified this week before the House Select Committee on Mass Violence and Community Safety. DPS was assigned with several taskings which are currently in the works. Representative Gerren inquired about the correct number of ATF submissions where individuals applied to obtain a weapon and were denied through the National Insta Check System (NICS) (possible perjury; rarely prosecuted). ATF produced a document as an example to show on a weekly basis there are about 140 cases where someone completed the application to purchase a weapon thru Federal Firearm Licensee (FFL) and subsequent NICS check is denied. Meaning a piece of information is wrong whether accidental or intentional. DPS is in the

process of checking with prosecutors to get their opinions whether they would take an intentional action of falsifying a government record and prosecute it at the state level.

Office Chief Kevin Cooper provided an update on Civilian Response for Active Shooter Event (CRASE) training. House and Senate members along with other agencies within the Capitol Complex area were notified of the upcoming training. Seven hundred attended training on September 18th and 220 more were in attendance this morning at the Capitol. Training is conducted thru Region 7 and is a 2-hour class. Chairman Mach and Commissioner Leon recommended CRASE training to be placed online.

Chairman Mach requested an update on the progress of the Executive Orders for future meeting agendas.

Chairman Mach also suggested a tour of the Fusion Center and the TAG for Commissioner Stodghill.

C. Report, discussion, update, and possible action regarding Driver License Action Plan (0:37:47)

Chief Arriaga provided an update on the Driver License Action Plan:

- Additional funding received to reclassify Customer Service Representatives to License and Permit Specialists.
- Additional funding to increase staff by 762 employees:
 - *Increases staff in 194 offices, with 94 Driver License Offices fully staffed.
 - *The 94 fully staffed offices represented 77% of all in office transactions in FY17 and FY18.
- Funding is provided as of September 1, 2019.
- Due to the amount of vacant positions in 2019, the increase in salary for current employees began on July 1, 2019, which was reflected in their August 1, 2019 paycheck.
- At the entry level all Customer Service Representative II positions were increased from a salary of \$26K to \$35K.
- Funding for additional staff:
 - *Aggressive hiring plan implementing "Open House" events.
 - *Qualified candidates were invited to an Open House to learn about the position and the salary. Candidates who are still interested participate in panel interviews that include three candidates and three DPS employees. Successful candidates are provided a Conditional Job Offer at conclusion of the Open House.
- 135 Open Houses have been conducted statewide.
- As of September 1, 2019, DL has provided conditional job offers to 923 candidates and 560 vacancies remain to fill in the hiring process.

- Additional funding is provided for a Driver License office in Angleton and Denton; likely to open in December 2020.
- The Third Party Study is due for completion by September 1, 2020. It has been posted and will likely involve an Interagency Agreement since many colleges and universities were involved. Responses are due by September 20, 2019, and will be awarded by the end of September or October.
- Class C Drive Test Task Force – as of September 1, 2019, over 12,000 drive tests have been conducted.
- Target Customers Under 21: These individuals can remove the Under 21 restriction through Texas.gov.
- Audit Number Alternative: For an additional \$1.75, customers without access to their audit number can conduct their renewal or duplicate transaction at Texas.gov.
- REAL ID implementation deadline is October 1, 2020. As of September 6, 2019, 15,270,507 Texas cardholders are compliant (68%).

D. Report, discussion, and update on Crime Prevention – Operation D-Town (0:53:59)

Update provided by Regional Director Jeoff Williams:

- Early 2019, Dallas experienced a spike in crime.
- 40 Homicides reported in May 2019 (compared to City of Chicago with twice the population; reported 51 Homicides in May 2019)
- June 2019, Governor Abbott offers DPS support to City of Dallas (DPD is down 600 – 700 officers)
- Engaged DPD Leadership
- Researched crime problem
- Developed a shared strategy
- DPS staff implemented operational plan (THP, CID, ICT, AOD)
- Data Driver:
 - *8 Zones with 3 Common Factors: Gangs/Guns/Drugs
- DPS Patrol Activities (12 weeks):
 - *Public Contacts – 17,242
 - *92% of Drivers issued warnings
 - *Over 1,000 Arrests
 - *Over 500 Felony Offenses
 - *417 Gang Members
 - *120 Firearms
 - *581 Drug Seizure Events

E. Legal Briefing, as needed for new commissioner regarding Open Meetings/Executive Session, Public Records, Communications, Litigation, and Recurring Legal Issues (Executive Session)

(1:16:58) Chairman Mach acknowledged the following in attendance:
Michael Hull and Fisher Reynolds – Office of the Governor

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 (1:17:07)

Director McCraw requested advice and consent for the following:

-Dale Avant – Chief, Intelligence and Counterterrorism

A motion was made by Commissioner Leon, seconded by Commissioner Stodghill, approving the promotion of Dale Avant to Chief, Intelligence and Counterterrorism. Motion passed unanimously.

-Amy Hauck – Assistant Chief, Intelligence and Counterterrorism

A motion was made by Commissioner Leon, seconded by Commissioner Stodghill, approving the promotion of Amy Hauck to Assistant Chief, Intelligence and Counterterrorism. Motion passed unanimously.

-Victor Escalon – Regional Director, South Texas Region

A motion was made by Commissioner Leon, seconded by Commissioner Stodghill, approving the promotion of Victor Escalon to Regional Director, South Texas Region. Motion passed unanimously.

-Brian Burzynski – Assistant Chief, Texas Rangers

A motion was made by Commissioner Leon, seconded by Commissioner Stodghill, approving the promotion of Brian Burzynski to Assistant Chief, Texas Rangers. Motion passed unanimously.

-Jason Hester – Assistant Chief, Regulatory Services Division

A motion was made by Commissioner Leon, seconded by Commissioner Stodghill, approving the promotion of Jason Hester to Assistant Chief, Regulatory Services Division. Motion passed unanimously.

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

To be discussed during Executive Session.

ITEMS FOR FUTURE AGENDA (1:22:22)

DATE FOR FUTURE MEETING (1:22:41)

A discharge hearing will be scheduled on October 9, 2019, and the regular Public Safety Commission meeting is scheduled for October 10, 2019.

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 10:27 a.m.

(1:24:04) The Public Safety Commission reconvened in open session at 1:15 p.m. Commissioners present were Chairman Steven Mach, Commissioners Cynthia Leon and Steve Stodghill.

ADJOURN

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

The meeting was adjourned at 1:16 p.m.

Read and approved this 10th day of October, 2019.

Steven P. Mach
Chairman