

**MINUTES
PUBLIC SAFETY COMMISSION
OCTOBER 15, 2015
AUSTIN, TX**

The Public Safety Commission met in Austin, Texas on October 15, 2015. Attending the meeting were Chairman Cynthia Leon, Commissioners Faith Johnson, Steven Mach and Randy Watson. A quorum was present at the meeting. DPS staff members and guests were also present.

CALL TO ORDER (0:00:08)

The meeting was called to order by Chairman Leon at 9:00 a.m. Proper notice had been posted.

APPROVAL OF MINUTES (0:00:47)

A motion was made by Commissioner Mach, seconded by Commissioner Johnson, approving the minutes from the August 26th and 27th, 2015 meetings. Motion passed unanimously.

PUBLIC COMMENT (0:01:09)

None

DIRECTORS REPORT (0:01:20)

A. Presentations

Service Awards

Lillian Boulden – 30 years

Angeline Kendall – 30 years

Melva McQueen – 30 years

Judy Waits – 30 years

Rene Garza – 35 years

Rosendo Martinez – 35 years

Mark Proveaux – 35 years

Warren Wallace – 35 years

Renee Weise – 35 years

Roy Hyatt – 50 years

Texas Narcotics Officers Association Unit of the Year

DPS Drug Trafficking Organization Squad 6C1

- Lieutenant Mark Koenig
- Special Agent Chris Hanson
- Special Agent Greg Lanford
- Special Agent Matt Rueter
- Special Agent Brian Dismukes
- Special Agent Billy Mims
- Special Agent Cody Pahl
- Special Agent Morgan Conn
- FBI Special Agent Kevin Hicks
- DEA Special Agent Royce Clayborne

(0:16:16) Break 9:18 – 9:30 a.m.

Chairman Leon acknowledged the following individuals attending the meeting:

Laura Fleming – Lieutenant Governor’s Office

Brady Franks – Speaker’s Office

Brady Vaughn – Senate Finance

DIRECTORS REPORT

C. Traffic Enforcement Update (0:17:19)

- Every Trooper takes an oath to protect and defend the U.S. Constitution and the laws of the United States and this state, which include federal and state prohibitions against racial profiling (more than 2.3 million traffic stops conducted each year).
- Videos are maintained for 90 days in the event of an allegation of misconduct, violation of policy or unprofessional conduct by a Trooper during a traffic stop.
- In addition, Texas Highway Patrol sergeants are required to randomly review videos of traffic stops made by the assigned troopers under their supervision.
- Correspondence was recently received from a legislative member voicing concern over a recent newspaper article stating there had been a dramatic increase in the number of tickets issued to Hispanic drivers by DPS troopers.
- From 2009 to 2014, DPS Troopers stopped more White drivers than Hispanic drivers as a percentage of the population. (Measuring traffic stops by race as a percentage of the population would be the most valid indicator of possible racial profiling).

-Traffic Stop figures are as follows:

<u>2000 Census (% of state population)</u>		<u>2010 Census (% of state population)</u>	
Black	11.34%	Black	11.48%
Hispanic	31.99%	Hispanic	37.62%
Asian	2.8%	Asian	3.8%
White	52.43%	White	45.33%

<u>2001 – 2009 Traffic Stop %</u>		<u>2010 – 2014 Traffic Stop %</u>	
Black	9.43%	Black	9.85%
Hispanic	23.37%	Hispanic	17.81%
Asian	1.07%	Asian	1.52%
White	64.53%	White	65%

-Changes made by the 81st Texas Legislature to the Racial Profiling Statute, TCCP, Art. 2.132, is responsible for some of the increases in the traffic stop numbers of Hispanic drivers.

-Effective September 1, 2009, peace officers in Texas were required to report whether they knew what the race or ethnicity of a driver was before making the traffic stop.

-Troopers received additional training on the collection of racial profiling data as a result of this new requirement.

-Years ago, the only choices given for race, when applying for a driver license, were Caucasian, Black and Asian.

-In 2010, paper driver license system was modified to add 'Hispanic' and individuals were able to self certify their ethnicity. Applications are entered into the Driver License system based on information submitted.

-In May 2013, the driver license application was modified to add 'Hispanic'.

-During a traffic stop, the Trooper will scan the driver license and their ethnicity is automatically displayed.

NEW BUSINESS

A. Report regarding agency inscriptions on department vehicles pursuant to 37 Texas Administrative Code Rule 1.151 (0:38:54)

Director McCraw reported many non-commissioned staff feel threatened when driving DPS vehicles (with inscriptions) in public due to recent events and threats. Inscriptions will be removed from some department vehicles but the exact number of vehicles has not been determined at this time.

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

ONGOING BUSINESS

A. Report, discussion and possible action regarding employee weapon policy (0:42:25)

Director McCraw and General Counsel Adkins reported on a new agency policy regarding open carry. Non-commissioned staff, who hold a Concealed Handgun License (CHL), will not be allowed to open carry on the job.

DIRECTORS REPORT

B. Operation Secure Texas Update (0:46:50)

- The Implementation Framework was developed to track requirements and tasks issued by the Legislature and Governor Abbott (Detection/Interdiction/Target Transnational Criminal Enterprises and Crime/Target Border Related Corruption/Establish a Statewide System to Track and Report Transnational Criminal Activity and Other Border Security Related Data/Increase Capacity)
- Texas is the nation's transshipment center for drugs and human smuggling and the Rio Grande Valley is the center of gravity.
- Operation Secure Texas is an overarching statewide strategy intended to address all elements of the legislation, and we will continue to refer to border deterrence, detection and interdiction activities in the designated area of operation as "Operation Strong Safety" (OSS).
- The goal of OSS remains the same: to prevent the flow of drug and human smuggling between the Ports of Entry using a sufficient combination of fully-integrated ground, air and marine detection and interdiction resources.
- 1,600 cameras deployed (YTD)
- Snapshot on numbers is for 6 months/last 12 months/prior 12 months

ONGOING BUSINESS

B. Update, report, discussion and possible action regarding recruitment (1:23:27)

AD Woodall provided an update on recruitment:

- C-2015 has 102 recruits; currently in the second half of the new 9 mm Sig pistol training (6,000 rounds per person)
- A-2016 School currently has: 54 approved applications (8 Female/46 Male/of the 54; 16 are Veterans); 57 in polygraph; 12 in first review; 101 pending medical/psychological testing; 50 in background check; and 16 in home interviews
- B-2016 School has received 2,000 applications
- With increase in recruiting staff, a new process has been implemented that has shown a drastic decrease in 'no responses'. As applications are received they are immediately

forwarded to the recruiter in the field who has 3 days to contact the applicant. As a result, 'no responses' have dropped from 80% to 31%.

C. Report, discussion, and possible adoption of the following previously published rules:

1. Amendments to 37 TAC Section 35.25, concerning Assumed Names; Corporations (1:32:07)

AD Bowie requested no vote on this rule at this time. A further review is needed by General Counsel before it is submitted for adoption.

D. 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 (1:34:24)

None.

E. 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 (1:34:33)

None.

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

To be discussed during Executive Session.

REPORTS (1:34:53)

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 (1:35:13)

A. Advice and consent regarding the Director's determination that a certain probationary employee was found unsuitable for work during August

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: Sally A. Arredondo, Curtis L. Beckham, Exiquiel Benavides, Curtis D. Bitz, Edward H. Burris, Policarpo Garcia Jr., Alvin D. Hale, Judy K. Haley, Lemuel M. Helton, Jules Peterson, Jamie D. Price; Larry D. Reddic, Thurman L. Roberson, Keith E. Simmons, Peter J. Steuer, Chris A. Thompson, Gary D. White and Benjamin A. Zamora; Special Texas Rangers: Norris L. Akin, Dewayne A. Dockery and Marshall W. Thomas

C. Donations:

1. Land Lease – Lazbuddie Tower site – Law Enforcement Support Division
2. Digital Billboard Space – Intelligence and Counter Terrorism Division
3. Additional donation items, as needed

A motion was made by Commissioner Mach, seconded by Commissioner Johnson, approving Consent Items A, B, and C. Motion passed unanimously.

ITEMS FOR FUTURE AGENDA (1:35:58)

None as of yet.

DATE FOR FUTURE MEETING (1:36:24)

Discharge hearing is scheduled for December 16, 2015, and the regular Public Safety Commission meeting is scheduled for December 17, 2015.

ADJOURN INTO EXECUTIVE SESSION (1:37:02)

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 10:51 a.m.

The Public Safety Commission reconvened this open session at 2:04 p.m. Commissioners present were Chairman Cynthia Leon, Commissioners Faith Johnson, Steven Mach, and Randy Watson.

ADJOURN

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

The meeting was adjourned at 2:05 p.m.

Read and approved this 17th day of December, 2015.



Chairman

SPECIAL RANGER/SPECIAL TEXAS RANGER APPLICANTS
October 15, 2015




Special Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Arredondo, Sally A.	CID	Lubbock	08/31/15	25 years	
Beckham, Curtis L.	CID	Conroe	11/30/01	30 years	
Benavides, Exiquiel	THP	Corpus Christi	08/31/15	34 years	
Bitz, Curtis D.	CID	Tyler	08/31/15	32 years	
Burris, Edward H.	Aviation	San Antonio	08/31/15	20 years	
Garcia, Jr., Policarpo	THP	CVE/Brownsville	08/31/15	27 years	
Hale, Alvin D.	THP	HP/San Angelo	08/31/95	28 years	
Haley, Judy K.	THP	Canyon	02/28/15	10 years	
Helton, Lemuel M.	THP	HP/Bowie	08/31/15	33 years	
Peterson, Jules	CID	Houston	07/31/13	24 years	
Price, Jamie D.	CID	Tyler	08/31/15	28 years	
Reddic, Larry D.	THP	HP/Tyler	07/31/15	26 years	
Roberson, Thurman L.	RSD	Austin	10/31/04	22 years	
Simmons, Keith E.	THP	CVE/New Braunfels	01/31/00	28 years	
Steuer, Peter J.	THP	CVE/Waxahachie	08/31/03	23 years	
Thompson, Chris A.	CID	Tyler	06/30/15	25 years	
White, Gary D.	THP	Temple	11/30/94	24 years	
Zamora, Benjamin A.	THP	San Antonio	08/31/03	20 years	

Special Texas Ranger Applicants:

Name	Division	Service/Station	Retire Date	Years of Service	Approved
Akin, Norris L.	Texas Rangers	Garland	08/31/03	26 years	
Dockery, Dewayne A.	Texas Rangers	Garland	08/31/15	28 years	
Thomas, Marshall W.	Texas Rangers	Wichita Falls	08/31/15	25 years	

Approved by the Public Safety Commission on:  Date: 10/15/15