

MINUTES
PUBLIC SAFETY COMMISSION
November 15, 2006
Austin, Texas

The Public Safety Commission met in Austin, Texas on November 15, 2006. Attending the meeting were Chairman Ernest Angelo, Jr., and Commissioner Louis E. Sturns.

DPS Staff members present:

Tommy Davis, Director
David McEathron, Assistant Director
Oscar Ybarra & Tom Haas, Accounting & Budget Control
Randy Elliston, Lamar Beckworth, Larry Story, James Sanders, Tim Thompson & Joel McKinney, Texas Highway Patrol
Gary Stone, Criminal Law Enforcement
Burt Christian, Administration
Greg Gloria & Rebekah Lammey, Driver License
Ray Coffman, Texas Rangers
Farrell Walker, Office of Audit & Inspection
Russ Lecklider, Emergency Management Division
Mary Ann Courter, General Counsel
Ed Kelly, Information Management Service
Tela Mange, Public Information Office
David Outon, Internal Affairs
Michael Kelley, Legislative Liaison Office
Rick Kautz, Information Resources Section
Dorothy Wright, Secretary

Guests present:

Candace Brown, House Law Enforcement Committee

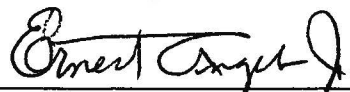
The meeting was called to order by Chairman Angelo. Proper notice had been posted.

- I. **Minutes.** Upon motion by Commissioner Sturns and seconded by Commissioner Angelo, the minutes of the October 18, 2006 meeting were approved.
- II. **Public comment.** There was no public comment.
- III. **Discharge appeal hearing of DPS employee Keith Ferguson.** Phil Adkins, attorney representing DPS, advised he had been contacted by Mr. Ferguson the previous evening advising he chose to withdraw his appeal. A motion was made by Commissioner Sturns and seconded by Commissioner Angelo affirming the discharge of Keith Ferguson (see attached order).
- IV. **Budget matters.** Oscar Ybarra updated the Commission on gasoline prices and current vacancies.

- V. **Audit & Inspection report.** Farrell Walker gave the audit & inspection report. There was some discussion on the annual report submitted to the State Auditor.
- VI. **Division reports.** Burt Christian gave the Administration Division report, including an update on livescan deployment, electronic arrest and disposition reporting, CHL processing backlog, fleet vehicle production and the building program. The Texas Highway Patrol Division report was given by Randy Elliston. There was some discussion on the recent awards presented by the Midlothian Police Department and DPS to area troopers and THP drug and criminal interdiction efforts. Greg Gloria gave the Driver License Division report, including an update on the driver license reengineering project, preliminary crash data and identity theft investigations by the fraud unit. The Driver Responsibility Program update was given by Greg Gloria. Russ Lecklider gave the Emergency Management Division report advising that a federal disaster declaration had been requested for the Southeast Texas flooding incident. The Criminal Law Enforcement Division report, including enforcement of 8 liner and illegal casino operating in Texas and increased use of CODIS and DNA for crime solving, was given by Gary Stone. Ray Coffman gave the Ranger Division report. The Information Management Service report was given by Ed Kelly. Chief Kelly gave an update on the TLETS reengineering project.
- VII. **Personnel matters, pending and contemplated litigation, ongoing criminal investigations, status of purchase of real property.** The Commission went into Executive Session pursuant to Tex. Gov. Code Secs. 551.071, 551.074, 551.072 & 411.0041 to discuss personnel matters, including the Director's action of discharging probationary employees Jessica Alpern and Christina Salazar; pending and contemplated litigation; status of purchase of real property; and ongoing criminal investigations. Upon reconvening Regular Session, Commissioner Angelo announced that the Commission had discussed personnel matters, pending litigation and ongoing criminal investigations. Upon motion by Commissioner Sturns and seconded by Commissioner Angelo, the Director's action of discharging probationary employees Jessica Alpern and Christina Salazar was affirmed (see attached Order). A Special Texas Ranger commission had been considered for Douglas Hutchison of the Texas & Southwestern Cattle Raisers Association. A motion was made by Commissioner Sturns and seconded by Commissioner Angelo approving Douglas Hutchison as a Special Texas Ranger.

There being no further business, the meeting was adjourned.

Read and approved this 10th day of January, 2007.



Chairman



Member

IN THE MATTER OF

THE APPEAL OF DISCHARGE OF

KEITH FERGUSON

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BEFORE THE

PUBLIC SAFETY COMMISSION

IN AUSTIN, TRAVIS COUNTY, TX

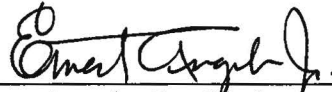
ORDER

BE IT REMEMBERED that the Public Safety Commission ("Commission") convened to hear the appeal of discharge of Keith Ferguson on the 15th day of November, 2006. Mr. Ferguson received adequate notice of this hearing but did not appear for the hearing. Pursuant to the Policies and Procedures for the Appeal of an Employment Discharge to the Public Safety Commission, Keith Ferguson is deemed to have withdrawn his appeal of the discharge and request for a hearing, and the Director's decision in this matter will be affirmed.

Therefore, the Commission finds that there is just cause to discharge Keith Ferguson and affirms the Director's decision in this matter.

On motion of Comm. Sturns, seconded by Comm. Angelo, the discharge was affirmed.

Entered and signed this 15 day of November, 2006.



Ernest Angelo, Jr., Chairman
Public Safety Commission

11/15/06

