



Public Safety Commission Meeting

February 22, 2017, 10:00
a.m.

6100 Guadalupe, Building E
Austin, TX 78752

Summary

(This report represents a summary of events of the meeting,
and is not necessarily complete nor an exact transcript of testimony.)

The Public Safety Commission convened as posted to consider and take formal action, if necessary, on the following agenda items:

I. CALL TO ORDER

10:02 am – Chairwoman Cynthia Leon called the meeting to order. In attendance: Chairwoman Cindy Leon, Commissioners Randy Watson, Steven Mach and Manny Flores. A quorum was present. Also present were, Director Steve McCraw, Deputy Director David Baker, Deputy Director Robert “Duke” Bodisch, and General Counsel Phil Adkins.



I. APPROVAL OF MINUTES

A motion was made by Commissioner Mach and seconded by Commissioner Watson to

approve the minutes from the December 15, 2016 PSC Meeting. Motion carried.

II. PRESENTATIONS

Director Steve McCraw – Made the following presentations for Service Awards:

30 Year Service Awards



Jeffrey Lee Car - THP - Reg. 3



Charles Ray Goble - THP - Austin HQ



Joseph "Chad" Grange - THP - Reg. 5



Clarence David Magee - THP - Reg. 2



Charlotte Natalie Adams - Emergency Mgt. - Austin HQ



Sara Smith - DLD - Reg. 2

35 YEAR SERVICE AWARD



Gay Lorene Smith - DLD - Reg. 5



Dorothy Elizabeth Hart - DLD - Reg. 1



Victor Jeffery Gails - THP - Reg. 2



Dana Clark Moore - THP - Austin HQ



Lawrence Thomas - THP - Reg. 1

William P. Clements Excellence Award

(DPSOA thanks the DPS Media and Communications Office for the following report regarding the Awards.)

DPS Recognizes Exceptional Employees, Good Samaritan

AUSTIN – The Texas Public Safety Commission (PSC) and Texas Department of Public Safety (DPS) Director Steven McCraw presented a *Purple Heart*, two *Lifesaving Awards* and a *Unit Citation* to current and retired employees for their remarkable service and heroic actions. In addition, two DPS employees were recognized with *William P. Clements Excellence Awards* for outstanding service throughout their careers; and one good Samaritan received a *Director's Award*.

“These remarkable individuals have distinguished themselves as caring citizens and outstanding employees, who selflessly stepped forward to help their fellow Texans – even in the face of danger,” said Director McCraw. “Today we say ‘thank you’ to our DPS employees and other heroes for their unwavering dedication to helping others.”



The *William P. Clements Excellence Award*, named in honor of the former governor and his commitment to excellence in government, recognizes employees who display exceptional performance throughout their DPS career. The commissioned recipient was **Special Agent Cody Ryan Allen**, Criminal Investigations Division in Midland, and the non-commissioned recipient was **John Michael Morse**, Criminal Justice Information Systems (CJIS) Auditor in Austin.

John Michael Morse - LES - Austin HQ

Allen began his career with DPS in 2007, and served in Highway Patrol, where he received a *Director's Citation* for assisting a wounded law enforcement officer during an active shooter incident. In 2013, Allen promoted to Special Agent, Criminal Investigations Division in Midland. Since joining the Criminal Investigations Division, Allen has established himself as a leader in human trafficking investigations and has led the way in developing and implementing innovative child predator and child pornography interdiction operations.



Cody Ryan Allen - CID - Reg. 4

Morse began his DPS career in 2000 as a fingerprint technician at the department's headquarters in Austin. In 2004, he promoted to Criminal Justice Information System Field Representative and promoted again to CJIS Auditor III in 2015. Throughout his 12 years in the CJIS Field Support Unit, Morse has consistently received commendation and praise from co-workers, supervisors and managers within DPS as well as individual he works with from other agencies.

The following awards also were presented today:

- **Retired Capt. R.L. "Rusty" Davis** received a *Purple Heart*. On Oct. 19, 1971, while working patrol duties as a Trooper on U.S. Highway 87, Davis was seriously injured during a traffic stop. While standing alongside the stopped vehicle, a second vehicle traveled across the roadway, striking the first vehicle and subsequently throwing Davis into a field. Davis ultimately recovered from his injuries to return to duty and retired from the Department as a Highway Patrol Captain.



- **Sgt. D.L. Wilson**, Highway Patrol in Waco, received a *Lifesaving Award*; and civilian **Robert Sneed** received a *Director's Award*. On March 10, 2016, Wilson was traveling south on I-35 in Bell County when he witnessed a truck tractor semi-trailer jackknife, strike the concrete traffic barrier and catch fire. Wilson approached the cab of the truck and attempted to rescue the trapped driver. A nearby resident who heard the crash while at home also approached the scene and assisted Wilson in pulling the driver to safety. The driver was ultimately transferred to San Antonio for medical treatment.



- **Trooper Trainee Nicholas Wingate**, Recruit Class D-2016 from Odessa, received a *Lifesaving Award*. While eating dinner in a DPS cafeteria on Oct. 17, 2016, Wingate observed a fellow Trooper Trainee choking. Wingate applied the Heimlich maneuver until the food became dislodged and the trainee was able to breathe normally.



- **Fleet Operations Installation Department** received a *Unit Citation* for initiatives that contributed to significant cost savings for the agency. The initiatives included staff refurbishing existing light bars for Texas Highway Patrol vehicles by using new lens kits, utilizing reclaimed sirens for vehicles and implementing in-house installation of equipment to avoid additional labor costs. In all, the unit's actions saved DPS \$966,500. **Paul Lancaster, Jaime Guerra, Joe Cavazos, Mark Frazier, Layton Saegert, Michael Vigo, Ricky Aguilar, Thomas Cruz, Jason Horelica, Esteban Alvarez, Robert Walker, Danny Moore, James Johnson, James Hawthorne, Hector Martinez and Emily Meads** were all recognized as part of the Unit Citation.



III. PUBLIC COMMENT

(Members of the public wishing to address the Commission are subject to a time limit of 5 minutes and must complete a Public Comment Registration Card located at the entry. Should a member of the public bring an item to the Commission for which the subject was not posted on the agenda of the meeting, state law provides that the Commission may receive the information but cannot act upon it at the meeting. The Commission may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion.)

Chair Cindy Leon stated that there were multiple requests to address the Commission. We will defer public comment regarding the Compassionate Use regulation until after our staff have had a chance to make their presentation to the Commission. There were no requests for comment on any other topics.



Rhonda Taylor – complained that the DPS Criminal Records altered information against statute and named Director McCraw as complicit.

Chuan Chang? – asked for more transparency and resolution on how to get licensed to distribute low THC Cannabis.

Shannon Way, is here to speak for legalizing low THC for treatment for serious medical conditions such as epilepsy. She read a letter from Alexis Bortelle, an 11 year old who is writing a book on the medical use of cannabis in treatment of epilepsy. She had to move to Colorado from her native Texas in order to get the treatment that she needs and deserves. She hopes to some day move back to Texas.

Po Washington has an investment group wanting to know if there will be more than these initial 3 licenses awarded in future years, and what the levels of THC will be permitted.



Christopher Taylor – here to speak in favor of the compassionate use rule, and has concerns regarding comments on the DPS website regarding production limits. Setting production limits should not be only limited by plant count but also by square footage of space available as well. Regarding statewide shortages, I recommend padding the availability to accommodate unforeseen shortages that could occur for various reason. I recommend a surplus of at least 2/3 supply to accommodate possible shortages.

Susan Hays – representing a company a company licensed in Nevada and California and hopefully soon in Texas. I have been able to tour operating facilities and want to emphasize the importance of quality control in the production of low THC cannabis. The plants are subject to various things that can affect the quality of the product.


IV. DIRECTORS REPORT

A. AFIS Case Update





Director Steven McCraw asked Forensic fingerprint specialists (did not get the names) to discuss a case solved using ingenuity and skill – AFIS is the Automated Fingerprint Identification System – In a child pornography case, we had images but no fingerprints. We did have a clear

photograph of a full fingerprint. We were able to scale the image based on average hand size to approximate a full size fingerprint and had a hit on a former convicted perpetrator in Florida. With our fingerprint and a scar on the perpetrator's thumb, we got a conviction that will keep him in jail for over 50 years. In addition, he has agreed to






Background Information (July 2015)


- Texas Attorney General's (AG) Child Exploitation Unit (CEU)
 - Receive CyberTipline report from the National Center for Missing and Exploited Children
 - Multiple digital images stored on a suspect's online storage account depicting sexual assault of a child by unknown subject
 - One image depicted a hand with the fingerprints being clearly visible



provide information regarding other pedophiles who are now being investigated and likely to lead to further arrests.



- CEU contacted the Georgia Bureau of Investigation (GBI) Internet Crimes Against Children Task Force; Bossick was arrested within 3 hours & confessed to sexual assault of a child
- Rare case of a "live victim" – victim identifiable through clothing, approximate age, surroundings – offense is occurring now
- Investigative leads were forwarded to the Internet Crimes Against Children Task Forces in multiple states regarding subjects engaging in child pornography



Robert Bossick, Jr.
(Photo at place of employment during arrest by GBI)

Robert Bossick, Jr.
(Photo at place of employment during arrest by GBI)

B. Use of Force



Director Steven McCraw introduced Major Chance Collins – In 2015 director McCraw formed a committee and asked the Texas Ranger to determine how we can collect better, and more thorough information/evidence that can be reviewed in use of force incidents. In 2012 we had 395 non-lethal use of force incidents, which dropped to 317 in

2013,
216
in
2014,
and 175

in 2015. In 2016, it rose again to 245. Overall, non-lethal use of force declined by 50% from 2012-2016.

With 2.2 million public contacts, the average use of non-lethal force happens only 1 in 7,300 contacts. Use of deadly force, however, has increased in that same time period by a total of 50%.

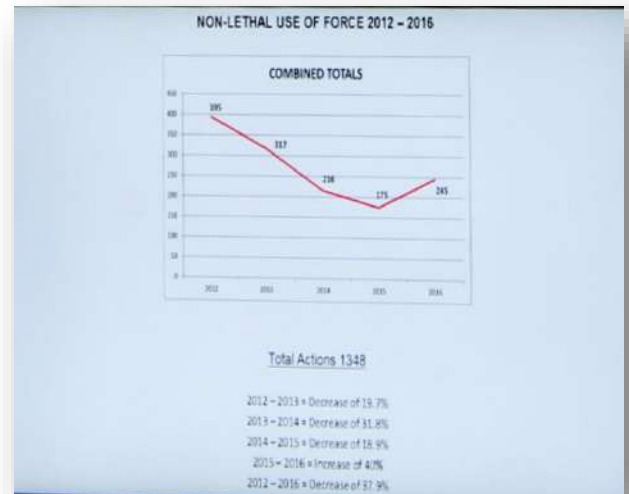
The demographic breakdown was interesting, showing:

Non-lethal use of force:

| | |
|------------|-------|
| White - | 44.4% |
| Black - | 14.9% |
| Hispanic - | 38.9% |
| Asian - | 0.4% |
| Other - | 1.2% |

Suspect shooting deaths

| | |
|------------|-----|
| White - | 51% |
| Black - | 15% |
| Hispanic - | 31% |
| Other - | 3% |

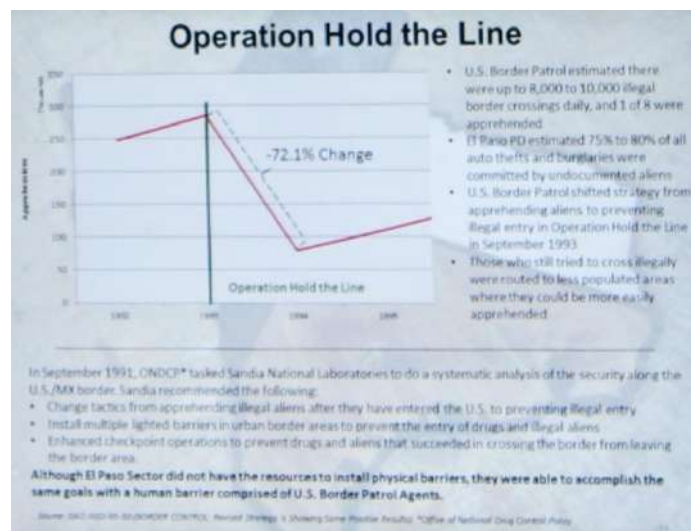


Comm. Watson asked if the figures were broken down by division. No they weren't but the majority were in THP where most of the public contacts occur. He also asked if there were comparisons to other law enforcement agencies.

Not at this time.

C. Update on Legislative Testimony, including Senate Finance Committee

Director Steven McCraw – We testified before Congressman McCall's Homeland Security Committee in Washington regarding Border security. Our written testimony is public record. We focused on two items: 1. Assaults on border patrol agents and 2. How do we measure results? DPS has a very comprehensive matrix system of reporting and reporting. Secretary Kelly was present for the testimony and subsequently toured our border operations with Governor Abbott.



Director McCraw lead with Operation Hold the Line operation in the El Paso Region. It occurred in 1993 as recommended by then Congressman Sylvestre Reyes. It is obvious by the graphic that the operation had a dramatic one year result.

We have over 2000 sensors along the border that provide real time information on crossings that can be sent to our aircraft division for eyes-on intel. We also are adding many more cameras, which now only cost the department about \$350 each, compared to the non-detectable sensors

which can cost up to \$14,000 each.

Looking at the data, we are seeing dramatic reductions in criminal activity including crossings, drugs, human trafficking, etc. in the areas where we are focusing. Some of the operations have moved to other areas, but overall there is still a significant reduction.

Chairman Leon asked when other agencies around the state will move to this data collection and reporting system. August of 2019 is the goal to get all other involved agencies using the system. Some agencies can just plug it in and load data already collected and be online. Many more will have more wholesale changes required and a learning curve to get up to speed.

Senate Finance and House Appropriations Committees – we are very careful about what we measure. Sometimes when you count numbers and when they go up it is a sign of success, or

when they go down it is also a sign of success. We are more concerned with the impact and benefits of our operations.

We have had some cuts as have all state agencies, but we are doing our best to hold the line on personnel. Over 1,200 vehicles in our fleet have over 127,000 miles on them. We are asking for 1,240 additional vehicles. In Senate Finance, one of the concerns was about our rape kits processing and turnaround. AD Skyler Hearn was asked to discuss our sex kit processing operations. Any kit that is untested in the timeframe back to 1996 were made active again. We were advised that 15,000 such kits were in the state. The legislature provided \$10



million to allow outsourcing the testing of these kits to private labs. Many of the kits were deemed unnecessary to the prosecution of the case so the decision was made not to test the majority of those 15,000 kits. There was a small percentage that were backlogged. We contracted with 3 private vendors, but only 2 were able to handle the load and agreed to process 256 per month. One of the labs was bought out and closed. We still believe that we will be able to complete the 15,000 – 20,000 kits by August 17, 2017, and within the \$10 million allotted. These should not be confused with our look “forward” load.

Looking forward, all sex kits that come into the hands of law enforcement have to be tested, regardless of whether the case will be pursued. We have \$4.2 million on hand to process kits as of December 2016. The department has added exceptional items for more full time employees and additional money to handle our load. If all funding is approved, we should be in good shape.



One other issue was addressed by Amanda Arriaga. One rider asked what would happen if we should move the agency’s location. The other issue is how we will fund deferred maintenance. We have not provided a study yet, and I have provided the PSC with our internal estimate (not using an external commercial estimator). The statute requires DPS HQ to be in Austin. It was estimated several years ago that to upgrade our current facilities would take \$740 million...now \$800 million in today’s dollars. If we need 100 acres and the going commercial price is \$100,000 per acre for a total of \$10,000; we would need a total of about \$750 million to re-locate.

Chair Leon asked what it would take legislatively to allow building a HQ outside of Austin, but still in Travis County to save on costs. We could start putting out feelers as to whether this

could be an option. In 2012, the value of our current property was estimated at \$60 million. This could be taken into consideration when factoring our cost to re-locate.

One other issue came up in the House Appropriations Committee regarding our legacy system of case management expense. AD Arriaga was able to explain that the comparisons of projected and actual costs were not comparing apples to apples. We have gone back and provided the Commission with more accurate comparisons. AD Arriaga assured the PSC that we do not have an over-budget contract.

Director McCraw asked AD Arriaga as to why the contract was late. Ms. Arriaga explained that after evaluation, the vendor that we wanted to go with initially, failed to meet one key requirement. While it was delayed due to a flaw that our stated requirements had. Once corrected, the new Request for Offer proceeded on schedule.

V. NEW BUSINESS

A. Update on Legislative Appropriations Requests



Assistant Director Suzy Whittenton – CFO – much of my report has already been discussed. Both the House and Senate cut significantly from our LAR, but the Senate added back in funding for border security.

\$1.3 million was requested for fuel and maintenance for the new Pilatus aircraft, but only \$600,000 was included in both bills.

Additional funds for additional troopers was approved only in the Senate bill. And the 50-hour work week is in both bills.

We took out the things that were already added, and asked for additional items.

Additionally, we asked for \$800 thousand to be added for Crimes Against Children from the \$1 million that was cut.

| Department of Public Safety | | | |
|--|------------------|-------------------|-----------------|
| Comparison of Senate and House Introduced Budget Bills | | | |
| General Revenue Related Funds 2018-19 | | | |
| (Millions) | | | |
| | Senate Bill | House Bill | Difference |
| General Revenue and GR-Dedicated Fund Adjustments | \$ (90.1) | \$ (210.6) | \$ 120.5 |
| • 4% GR Reduction | (46.5) | (50.2) | 3.7 |
| • Elimination of One-time Items | (26.3) | (26.3) | 0.0 |
| • Reduction of OSS Surge Funding | (49.6) | (79.6) | 30.0 |
| • Elimination of Cross-Agency Flexible Funding | (72.0) | (72.0) | 0.0 |
| • Transfer NIBRS Grants to Governor's Office | (16.4) | (16.4) | 0.0 |
| • Reduction of Funding for Crimes Against Children | (1.0) | (1.0) | 0.0 |
| • Reduction of Fuel Funding | (1.9) | (1.9) | 0.0 |
| • Reduction of Training Funds for 250 Troopers | (10.0) | 0.0 | (10.0) |
| • Elimination of Deferred Maintenance Funding | (14.9) | 0.0 | (14.9) |
| • Added Funding Fuel for new Pilatus | 0.6 | 0.6 | 0.0 |
| • Annualized Salaries for 250 Troopers | 27.6 | 27.6 | 0.0 |
| • Added Funding for Ranger Overtime | 3.0 | 3.0 | 0.0 |
| • Added Funding for Sexual Assault Kit Testing | 4.2 | 4.2 | 0.0 |
| • Added Funding for Additional 250 Troopers | 97.1 | 0.0 | 97.1 |
| • Added Funding for Drawbridge Program | 16.0 | 0.0 | 16.0 |
| • Included Pay raise for Certain LEOs with > 20 years | 0.0 | 1.4 | (1.4) |
| Total | \$ (90.1) | \$ (210.6) | \$ 120.5 |

B. Texas Rangers – Unsolved Crime Investigation Program Update



Texas Rangers Assistant Director Randy Prince – In September of 2001 the legislature mandated unsolved crimes as a priority. Over the years (some over 20 years old) evidence has deteriorated and gone missing. We have been able to solve many of these unsolved cases. We hired James Scoggins, a former Texas Ranger who was injured and paralyzed in 2013, as a non-commissioned investigator. Through his work since 2015, and under his direction and expertise, and by reallocating personnel and resources, we have been able to solve 24 of these cases in these two years.

Although we are proud of our accomplishments in working as a team, we do not celebrate in that there is much work to be done.



Mr. Scoggins went on to discuss the cold case operations. A Texas Ranger from each Ranger Company is assigned to head up the Unsolved Crime Investigations in that area. The decision to prosecute is, of course, left up to the local prosecutor. We use all tools available to us to make the best, most thorough case that we can.

The first case involved 4 unsolved cases, one of which was still listed as a missing person case. The team found that there were several corpses in the morgue where one of the victims was taken, so they checked the DNA and found that one of the other corpse's DNA had cross-contaminated their victim. Clearing that early error, lead the way to convicting the suspect who went on to confess to the other murders.

- Since 2001, working with local law enforcement agencies, the Texas Ranger Unsolved Crimes Program has cleared or solved approximately 62 cases.
- In 2016;
 - ❖ 13 cold cases were cleared or solved.
 - ❖ 11 suspects were arrested, indicted or convicted of Murder or Capital Murder.

Case Profile



- Laura Smither - April 1997



- Kelli Cox - July 1997



- Tiffany Johnston - July 1997



- Jessica Cain - August 1997

William Lewis Reece



- William Lewis Reece, then 37 years old, was developed as a suspect early in these investigations.
- No evidence linked him to the cases at the time.
- Reece remained a suspect, but the cases grew cold.
- In 2015, UCR Texas Ranger James Holland began assisting in the investigation, at the request of several of the involved agencies.
- Ranger Holland interviewed Reece (while incarcerated in TDCJ).
- After subsequent interviews, Reece agreed to take Ranger Holland to the bodies of Jessica Cain and Kelli Cox.
- In March 2016, Reece led Ranger Holland to rural locations in the recovery operation of Jessica Cain's body.

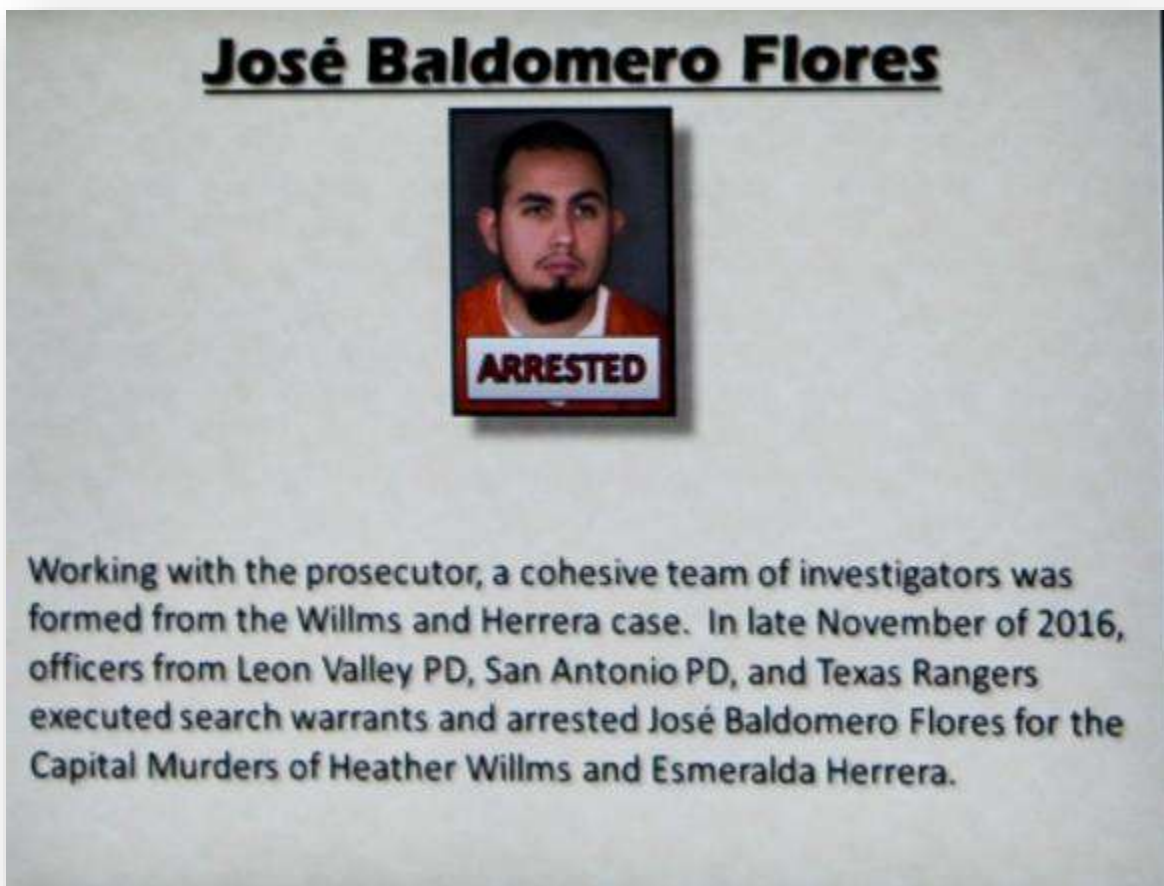
William Lewis Reece

- Confessed and provided details on all four homicides.
- Reece has been indicted for 3 of these murders.
- The following agencies were involved in the investigation:

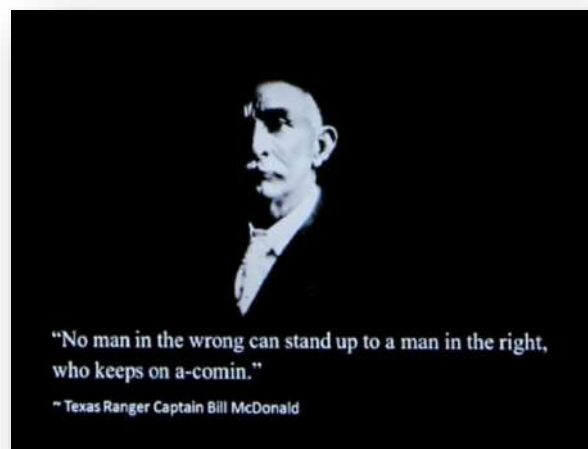


- ❖ Friendswood Police Department
- Denton Police Department
- Lamarque Police Department
- Galveston County SO
- Harris County DA
- Galveston County DA
- Denton County DA
- OSBI
- Oklahoma Attorney General
- FBI (Houston)

The second case that Mr. Scoggins discussed involved murder/rapes of two young ladies in the San Antonio area. In both cases, the perpetrator tried to destroy the evidence by burning the bodies. Below is the results of the cold case investigative team.



We still have approximately 75 cold cases to work. We typically focus on 1 or 2 cases at a time.



Inspector General Rhonda Fleming – reported that OIG investigations increased significantly in 2016, with a total of 557 cases investigated. Included in the investigations were 223 OIG-EEO investigations, 281 Division referrals, and 53 ECI's tracked.

- Courtesy Policy Violation
- Assault (On Duty)
- Falsifying Reports
- Misuse of DPS Vehicles
- Claims of Race Discrimination
- Claims of Gender Discrimination

There were also 16 complaints resulting in OIG investigations, but there were 0 incidents of policy violations.

COMPLAINTS/COMPLIMENTS HP-3 INITIATIVE

10/13/16 to 12/31/16

D. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:

1. Proposed Department Rule Review Plan in accordance with Texas Government Code, Section 2001.039

General Counsel Phil Atkins – Seek permission to publish the proposed rule in the Texas Register for public review and comment.

A motion was made and seconded. The motion carried.

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

Discussed in executive session.

VI. ONGOING BUSINESS

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

1. Amendments to 37 TAC Chapter 15, concerning Driver License Division Rules
 - (a) Amendments to 37 TAC Section 15.25, concerning Address
 - (b) Amendments to 37 TAC Section 15.55, concerning Waiver of Knowledge and/or Skills Test
 - (c) Simultaneous repeal of current 37 TAC Section 15.62 and proposed new 37 TAC Section 15.62, concerning Additional Requirements

Assistant Director Skyler Hearn – we have 4 clean-ups that we are looking for adoption. The first 3 had no comments.

Comm. Mach moved to approve items 1 a-c. The motion was seconded by Comm. Flores. The motion carried.

2. New 37 TAC Section 16.31, concerning Third-Party Skills Testing Program

A motion was made by Commissioner Mach, second by Comm. Watson. Carried.

3. Simultaneous repeal of current 37 TAC Chapter 6 and proposed new 37 TAC Chapter 6, concerning License to Carry Guns
AD Renearl Bowie

Motion by Comm. Mach, second by Comm. Watson. Carried.

4. Amendments to 37 TAC Section 35.132, concerning Subscription Fees

No comments received.

Moved by Comm. Mach, second by Comm. Flores. The motion carried.

5. Amendments to 37 TAC Chapter 12, concerning Compassionate-Use/Low-THC Cannabis Program

(a) Amendments to 37 TAC Sections 12.1-12.4, 12.7, 12.8 and proposed new Section 12.9, concerning General Provisions

These amendments are to clarify and enhance the rules and we received a comment relative to the threshold for the 10% owner's interest in the company.

A motion was made by Comm. Mach to approve, and seconded by Comm. Watson. Carried.

(b) Amendments to 37 TAC Sections 12.11, 12.14, and 12.15, concerning Application and Renewal

Has to do with licensing fees, which we lowered after public comment at the last PSC Meeting

A motion was made by Comm. Mach to approve, and seconded by Comm. Flores. The motion carried.

(c) Amendments to 37 TAC Section 12.21 and Section 12.23, concerning Compliance and Enforcement

Regarding licensing regulation – when a license can be revoked.

A motion was made by Comm. Flores to approve, and seconded by Comm. Mach. The motion carried.

(d) Amendments to 37 TAC Sections 12.31-12.34, concerning Security

Regarding security, vehicles, routes, security breaches, loss theft and fire.

Several comments were received. Allowing for outdoor cultivation. Department disagreed with this.

A motion was made by Comm. Mach, and seconded by Comm. Watson. The motion carried.

(e) Amendments to 37 TAC Section 12.41 and Section 12.42, concerning Compassionate-Use Registry

Access to Compassionate Use Registry, and patient RX is to be verified. 1 comment received.

A motion was made by Comm. Flores to approve, and seconded by Comm. Mach. The motion carried.

(f) New 37 TAC Section 12.61, concerning Production Limits

Concerning Production Limits – we received numerous comments. The rule is a “one size fits all” is not appropriate. There is no standard for dosage. Limitation of number of plants doesn't account for the trimming and carefully cultivation. The rule allows for the department to increase these limits.

*A motion was made by Comm. Mach, and seconded by Comm. Watson.
The motion carried.*

B. Update report, discussion and possible action regarding recruitment

Assistant Director Frank Woodall – Education, Training & Research – Reported that Class D-16, the 158th recruit class of DPS will graduate 134 on Friday, February 24, 2017. This is the largest graduating class since the A-2000 class. DPS will have graduated 570 recruits over the last 14 months.

The A-17 Recruit Class began on January 28, 2017 with 153 invited to attend. 130 are currently in the class. The B-17 Class will begin on March 12, 2017. There are currently 111 invited to attend this class.

AD Woodall also reported that the 3rd Leadership University Class will graduate 30 at the end of their 4 weeks of training. They have focused on project management, contract management, resilience training, among other things.

C. 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



Director McCall reported that AD Joe Peters is retiring, and he requested approval for AD Skyler Hearn to move into the vacated Assistant Director position in the Driver License Division. He also asked for approve to promote Mike Bledsoe to be the new Assistant Director for Law Enforcement Support.

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

Discussed in executive session.

VII. REPORTS

- A.** Commission member reports and discussion
- B.** Finance Report
- C.** Chief Auditors Office
- D.** Division status reports on activities and action

No additional reports.

I. CONSENT ITEMS

All of the following items may be enacted with one motion. These items are typically self-explanatory or have been previously considered by the Commission. There will be no separate discussion of these items unless a commissioner so requests.

- A.** 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: Kenneth R. Adams, Laurance P. Adams, Bob L. Alford, Larry L. Allen, Gilbert C. Arredondo, Selso Artiaga, Jr., Edward M. Bazan, Kenneth H. Bibby, Ralph C. Cheek, Larry M. Cowie, Denman B. Dunkin, Michael W. Fincher, Kevin B. Franklin, Albert W. Henkes, James L. Henry, Patrick B. Hernandez, Donald L. Johnson, Caroline Y. Knauth, Steven D. Lauderdale, Lawrence C. Marshall, Jr., Marvin T. McLeroy, Jose M. Morales, John W. Pelath, Bryon K. Prall, Hector Ramos, Sr., Michael L. Ray, Robert W. Richardson, Jose A. Salas, Corwin N. Schalchlin, Michael L. Turner, Charles K. Waggoner; Special Texas Rangers: Andrew F. Carter, James R. Holder, James R. Wilson
- B.** Donations:
 - 1. Additional donation items, as needed

Commissioner Mach made a motion to approve all of the Consent Items, and the motion was seconded.

The motion carried.

II. ITEMS FOR FUTURE AGENDA

None.

III. DATE FOR FUTURE MEETING

Any discharge hearings will be scheduled on April 12, 2017, and the regular Public Safety Commission meeting is scheduled for April 13, 2017.

IV. ADJOURN INTO EXECUTIVE SESSION

(If required) 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

Chairman Leon adjourned into executive session at 1:32 pm.

V. ADJOURN

The Commission may take items out of the order in which they are posted on this agenda. Also, an item that has been adopted, passed upon, delayed or tabled for a later meeting may be considered or reconsidered at the same meeting.

The Public Safety Commission may meet and discuss in Executive Session and have action taken in an Open Meeting where required on the following items:

Government Code Sec. 551.071 Consultation and deliberation with legal counsel about pending or contemplated litigation or a settlement offer, or on a matter where the Commissioners seek the advice of their attorney as privileged communications under

the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, and to discuss the Open Meetings Act and the Administrative Procedures Act with their attorney

Government Code Sec. 551.074 Appointment, employment, evaluation, reassignment, duties, discipline or dismissal of director, assistant director, and persons appointed to management team positions pursuant to Govt. Code Sec. 411.0071 Government Code Sec. 551.076

Deliberations about security audits, security devices, including deployment and implementation of security personnel and devices Government Code Chapter 411, Sec. 411.0041 Ongoing criminal investigations Government Code Sec. 551.072 Deliberation of the purchase,

exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the government body in negotiations with a third person

Government Code Sec. 551.073 Deliberation of a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person