



Public Safety Commission Meeting

February 11, 2021, 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

10:00 am – Chairman Steven Mach called the meeting to order. In attendance: Chairman Steve Mach, Commissioners Steve H. Stodghill, Commissioner Nelda L. Blair, and Commissioner Dale Wainwright. A quorum was present. Also present were, Director Steve McCraw, and General Counsel Phil Adkins.

II. INVOCATION

Chaplain Ferman Carpenter gave the invocation.

III. PLEDGES

Trooper Robert Armstrong lead the meeting in the Pledge of Alliance and the Texas Pledge of Allegiance.

IV. APPROVAL OF MINUTES

A Motion made by Commissioner Wainwright to approve the minutes from the December 10, 2020 Public Safety Commission Meeting, and Seconded by Commissioner Blair; with a roll call vote, the motion passed.

V. PRESENTATIONS

30 Year Service Awards



30 Year Service Award - Jeffrey Funseten



30 Year Service Award - Charlotte Minsck

The report below was sent out from the DPS Public Information Office:

DPS Recognizes Lifesaving Actions, Awards Purple Heart

AUSTIN – The Texas Public Safety Commission (PSC) along with Texas Department of Public Safety (DPS) Director Steven McCraw presented one *Purple Heart* and eight *Lifesaving Awards* to members of the Texas Highway Patrol at the PSC meeting on Thursday, Feb. 11, at the DPS Headquarters in Austin.

“The Texas Highway Patrol has highly-trained, outstanding men and women who embody the DPS motto of courtesy, service, protection, while doing extraordinary things on a daily basis,” McCraw said. “I’m proud to recognize the DPS Troopers today who selflessly went into dangerous situations in order to serve people throughout Texas, saving lives in the process. It’s a privilege to recognize them for their heroic actions.”

The following DPS personnel were recognized at the Thursday meeting:

Sgt. Jerrod Burtnett, Highway Patrol — Lubbock, received a *Purple Heart* for his actions on Dec. 27, 2019. Burtnett, then a Trooper, was investigating a series of crashes due to zero visibility fog in Lubbock County. Burtnett had just finished checking on a bystander along the side of the road, when a fast moving tractor-trailer lost control and struck another vehicle. The tractor-trailer went into the ditch, hitting more vehicles as well as Burtnett, causing him serious injury. After a series of surgeries, he continues to improve. Burtnett was presented a *Purple Heart* in recognition of his courageous service and personal sacrifice. (pictured above)

Trooper Jeremy Amis, Highway Patrol — Waco, received a *Lifesaving Award* for his actions on April 15, 2020. Amis overheard radio traffic from the McLennan County Sheriff’s Office about a possible suicidal person in Lorena and went to the scene. Upon arrival, he found the person with a knife to his throat. When the person asked for a cigarette, the Trooper located a cigarette and lighter, tossing both just far enough away that he had to move. When the subject went to light the cigarette, he lowered the knife. Amis seized the chance and was able to pin the person’s wrists to the ground, while other officers removed the knife and took him into custody.

Trooper Chad Brooks, Highway Patrol — Pampa, received a *Lifesaving Award* for his actions on Aug. 29, 2020. Brooks was eating at a café when he heard a commotion at a nearby table. Brooks saw a 2-year-old boy choking and the child closed his eyes and went limp. Brooks immediately jumped up and asked the mother for the child and laid him facedown over his leg, striking the boy on

his back. As a result, a large piece of food was ultimately dislodged from the little boy's mouth, and he took a gasp of air and began to cry. Brooks ensured the child was alright before returning him to his mother.

Trooper Roy Haley, Highway Patrol — McKinney, received a *Lifesaving Award* for his actions on Jan. 20, 2020, when he responded to a domestic disturbance in Collin County. An elderly woman had been stabbed by her son. Haley saw she was losing a significant amount of blood due to the wound in her arm, so he removed the woman's jacket and applied a tourniquet from his duty belt. Noticing a wound to the woman's neck, he used gauze from another officer on the scene and applied pressure, which helped reduce the blood loss. The woman was taken by EMS to a local hospital, where she fully recovered.

Trooper Samuel Perez, Highway Patrol — Mission, received a *Lifesaving Award* for his actions on Aug. 2, 2020, when he attempted a traffic stop on two people on an ATV. The driver refused to stop and continued at a high rate of speed, passing other vehicles illegally. Eventually, the driver lost control and crashed, causing him and his passenger to be ejected. The driver suffered a large wound on his left arm that was bleeding extensively. Perez immediately applied a tourniquet to stop the bleeding. The tourniquet likely saved the man's arm and possibly his life.

Trooper William Robbins, Highway Patrol — Greenville, and **Trooper Cody Sagnibene**, Highway Patrol — Greenville, each received a *Lifesaving Award* for their actions on Aug. 8, 2020. The two Troopers were called to assist the Royce City Police Department after a motorcycle crashed into a guardrail. When Robbins and Sagnibene arrived they found the motorcyclist's foot was severed. At this point, there had not been any pressure applied to the injured leg. Sagnibene and Robbins worked together to apply a tourniquet and provide medical treatment until EMS arrived.

Trooper (Jonathan) Daniel Britton, Highway Patrol — Queen City, and **Trooper Wayne Johnson**, Highway Patrol — Linden, each received a *Lifesaving Award* for their actions on April 5, 2020. Johnson was informed by the Atlanta Police Dispatch that a woman was in cardiac arrest near a Texas/Louisiana COVID-19 checkpoint on U.S. 77. Johnson phoned Britton, who was able to locate an elderly woman who wasn't breathing and had no pulse. Britton began chest compressions until Johnson arrived; then together, they continued lifesaving measures. The woman eventually regained a pulse and began breathing. EMS arrived and took her to a hospital. She was expected to make a full recovery.

Purple Heart



Life Saving Awards



Jeremy Amis, THP, Central Texas Region



Chad Brooks, THP, North West Texas Region



Roy Haley, THP, North Texas Region



Chad Brooks, THP, North West Texas Region



Samuel Perez, THP, South Texas Region



*William Robbins, THP, North Texas Region
and Cody Sagnibene, THP, North Texas Region*



*Daniel Britten, THP North Texas Region
Wayne Johnson, THP, North Texas Region*

Before moving on, Chairman Mach introduced Representative James White, newly appointed Chair of the Homeland Security Committee in the House. Chairman White said that he wanted to weigh in by showing his support of DPS and the excellent work that they provide to our state, and to ensure the Commission and DPS leadership that he would do all he can in working with them through the session. The Commissioners and Director McCraw all thanked him for taking the time and for his support.

VI. PUBLIC COMMENT

(Members of the public wishing to address the Commission are subject to a time limit of 5 minutes and must register in advance at the link provided above. 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.)

Chairman Mach said that there was one person who signed up to speak. Sylvester Comargo, who spoke through an interpreter, his son, Diego Comargo. Mr. Comargo asked the Commission to investigate a Motor Vehicle Inspector who was providing inspections without a license.


Chairman Mach asked if the Commission had the location of this inspection site and General Counsel Phil Adkins said that they did.

VII. DIRECTORS REPORT

Report regarding the UT Appointment Solution Survey Director McCraw introduced Noel Landuyt, PhD, from the U.T. Institute for Organizational Excellence, who joined the meeting virtually. Dr. Landuyt explained the results to date of the ongoing assessment of the effectiveness of the DLD customer appointment system. This presentation was taken out of agenda sequence order to accommodate the presenter (was to be presented under "New Business").

Via CiscoWebex

YouTube apps



REPORT REGARDING THE UT APPOINTMENT SOLUTION SURVEY

(NEW BUSINESS A)

APPOINTMENT SYSTEM CUSTOMER ASSESSMENT

Via CiscoWebex

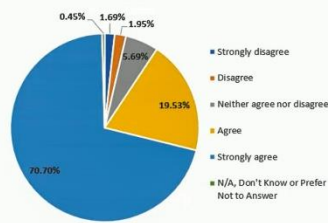
About the Survey

- Designed Collaboratively between DLD and the UT Institute of Organizational Excellence (IOE)
 - Dr. Noel Landuyt, PhD
 - UT School of Social Work
- Survey Conducted in October 2020
 - Today's discussion is the result of the October Survey
- Administered via email and online
- Over 5,500 responses
- Survey will be conducted again in February 2021 and May 2021
 - Provide trend analysis

Via CiscoWebex

Customers Prefer Appointments

- 91% Strongly Agree or Agree
 - 71% Strongly Agree
 - 20% Agree

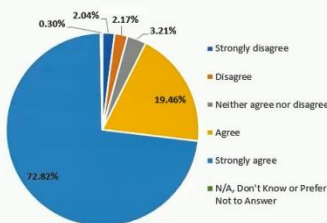


Response	Percentage
Strongly disagree	0.45%
Disagree	1.69%
Neither agree nor disagree	1.95%
Agree	5.69%
Strongly agree	19.53%
N/A, Don't know or Prefer Not to Answer	70.70%

Via CiscoWebex

Customers Find Staff Courteous and Efficient

- 92% Strongly Agree or Agree
 - 73% Strongly Agree
 - 19% Agree
- Our staff is doing their job well



Response	Percentage
Strongly disagree	0.30%
Disagree	2.04%
Neither agree nor disagree	2.17%
Agree	3.21%
Strongly agree	19.46%
N/A, Don't know or Prefer Not to Answer	72.82%

Via CiscoWebex

Customers Are Aware of Appointments

- 89% reported knowing in advance
- 9% reported not knowing in advance
- Communication to Customers is working

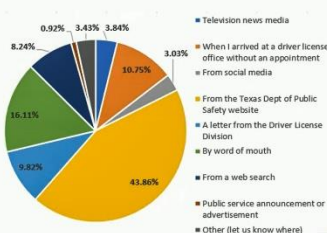


Response	Percentage
Strongly disagree	1.45%
Disagree	9.45%
Neither agree nor disagree	0.00%
Agree	0.00%
Strongly agree	89.10%
N/A, Don't know or Prefer Not to Answer	0.00%

Via CiscoWebex

How Customers Heard About Appointments

- 44% from DPS Website
- 16% by Word of Mouth
- 11% when Arrived at an Office without an Appointment
- 10% from a Letter Sent by DLD

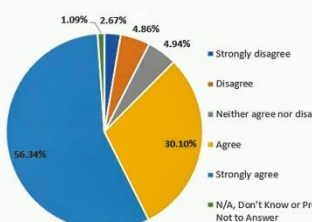


Source	Percentage
Television news media	0.92%
When I arrived at a driver license office without an appointment	3.43%
From social media	3.84%
From the Texas Dept of Public Safety website	3.03%
A letter from the Driver License Division	10.75%
By word of mouth	16.11%
From a web search	9.82%
Public service announcement or advertisement	43.86%
Other (let us know where)	8.24%

Via CiscoWebex

Customers Find Scheduling Process Easy, but with Room to Improve

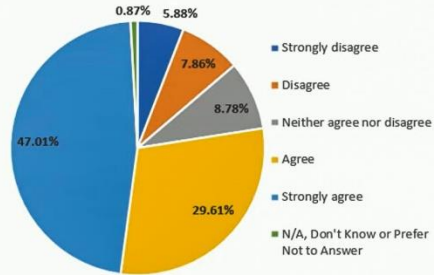
- 86% Strongly Agree or Agree
 - 56% Strongly Agree
 - 30% Agree
- Strong indicator process is easy
 - DLD is interested in making the process even easier



Response	Percentage
Strongly disagree	1.09%
Disagree	2.67%
Neither agree nor disagree	4.86%
Agree	4.94%
Strongly agree	30.10%
N/A, Don't know or Prefer Not to Answer	56.34%

Again with Room to Improve

- 77% Strongly Agree or Agree
- Customers generally find convenient appointments
- DLD is interested in increasing convenience
- Issue is the time between getting online to schedule and available appointments in the most convenient locations
 - COVID-19 has played a role
 - Saturday service has been explored
 - Extending office hours is currently being explored



+19

Commissioner Mach asked Dr. Landuyt if there was one thing that surprised him regarding the results of the survey. Dr. Landuyt said that the percentage of people surveyed that were aware of the appointment system prior to showing up at a DL office. He was also impressed by the number of people who were satisfied with their appointment system and that the wait times were generally acceptable to the respondents. He concluded by saying that while the results were good, the DLD and all agree that there is still room for improvement.

Director McCraw asked Chief Renearl Bowie to give an update report on the A-21 Recruit Class Academy. Chief Bowie stated that DPS had received approximately 3,000 applications, and invited 185 to attend the A-21 Academy. 182 showed up to start the class, and so far, 21 have dropped out, primarily because the regimen is too rigorous for them, with a couple having to leave due to injuries. Chief Bowie pointed out that this is the first class ever to have more minority participants than white male participants. He also stated that this is the largest recruit class that DPS has ever had, and they can be accommodated safely with Covid protocols due to the fact that DPS has cancelled all other agency classes and in-service classes. They are utilizing three separate classroom auditoriums to maintain proper distancing, and of course following all sanitizing procedures. All recruits were tested for Covid upon arrival, and continue to be tested regularly. Any testing positive are moved immediately to a facility that is housing other positive testing first responders in the area, and from there, they are continuing their training and classes. Below are slides showing the details of the A-21 recruit class:

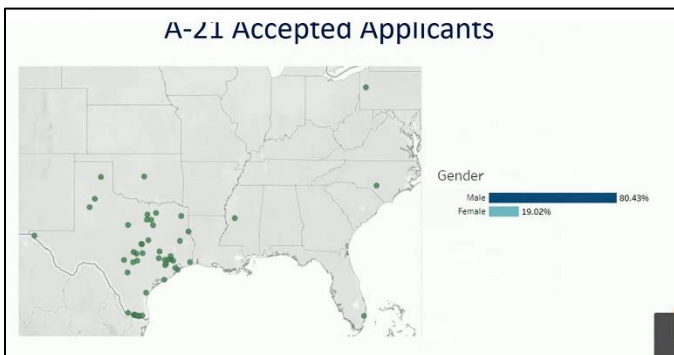


Gender & Ethnicity						
Status	Black	Hisp	Asian	Other	White	Total
Male	14	65	2	2	67	150
Female	6	19	0	0	10	35
Total Approved for the A-2021						185

Regions	Total
One	24
Two	49
Three	56
Four	9
Five	16
Six	31
Total	185

Regions							
	1	2	3	4	5	6	Total
Male	20	40	45	8	14	23	150
Female	4	9	11	1	2	8	35
Total Approved for the A-2021							185

Candidates Invited	185
Candidates Declined	3
PRT Failure	0
Academy Start Total	182
Resigned	21
Termination	
Transfer to Re-Entry Program	
Current Enrollment	161
% Total Attrition	11.54%



- Trainees are currently divided into four classrooms, with chairs in between, to allow for spacing.
- Trainees and staff are tested for COVID-19 upon arrival each Sunday and on Wednesday mornings to minimize possible exposure.
- Trainees are spread throughout the barracks to allow for social distancing.
- Hand sanitizer has been placed in each classroom and gym in order to encourage sanitation and assist in minimizing exposure.

- Via CiscoWebex
- If a trainee tests positive or is having symptoms they are sent to an alternate location where they are cared for 24/7 to protect their own family and the integrity of the school. While at the alternate location, trainees attend class via WebEx and their attendance is monitored by their respective platoon Sergeants via web camera.
 - Trainees are split into two groups during meal times and have been spaced out to accommodate social distancing while eating in the cafeteria.
 - Trainees are spaced out during Physical Training and Arrest and Control Tactics training, in the gym, and on the PT field.

- Via CiscoWebex
- #### Trooper Training Academy Courses Taught
- Professionalism and Ethics
 - Professional Policing
 - Fitness, Wellness, and Stress Management
 - TCLE Rules
 - Multiculturalism and Human Relations
 - Racial Profiling
 - US and Texas Constitution
 - Penal Code
 - Code of Criminal Procedure
 - Arrest, Search, and Seizure
 - Asset Forfeiture
 - Identity Crimes
 - Consular Notification
 - Civil Process
 - Health and Safety Code
 - Alcoholic Beverage Code
 - Family Violence, Child Victims, and Related Offenses
 - Missing and Exploited Children
 - Child Alert Checklist
 - Victims of Crime
 - Human Trafficking
 - Transportation Code
 - Crash Investigation
 - Traffic Incident Management System (TIMS)
 - Intoxicated Driver (SPST)
 - Written Communication
 - Verbal Communication, Public Interaction
 - Spanish
 - De-Escalation Strategies
 - Force Options Theory
 - Crisis Intervention Training (CIT)
 - Traumatic Brain Injury
 - Arrest and Control (ACT)
 - TASER (2 Days)
 - OC
 - Criminal Investigations
 - Juvenile Offenders
 - Professional Police Driving (EVOC)
 - Patrol Skills, Traffic Stops
 - Radio Communications, TCOC, TLETS
 - Civilian Interaction Training (CITP)
 - Interacting with Deaf and Hard of Hearing
 - Canine Encounters
 - Emergency Medical Assistance
 - Firearms
 - Hazardous Materials Awareness
 - Body Worn Camera
 - Boundaries
 - RADAR/LIDAR
 - Tire Deflation Device
 - Shooting at Vehicles
 - Multi-Situational
 - LET
 - Emergency Medical Assistance, TECC, First Aid, CPR/AED
 - ALERT
 - CRASE
 - Swift Water Awareness Training
 - Front Pursuits
 - FFO Training
 - SPURS
 - Officer Involved Shooting (Rangers)
 - DPS Cyber Security
 - Extreme Ownership



Chief Bowie also showed maps that are interactive in their system and enable his team to click on any dot from where the recruits are coming from, and see the details such as how many, names, etc. Chairman Mach asked Chief Bowie what he felt was the source of their success in drawing such a diverse group of applicants. Chief Bowie mentioned a couple of things: 1. The enhanced presence of DPS troopers along the border has served as a constant reminder that DPS is there to serve and protect and has been welcomed by the community and draws people in due to their courtesy and professionalism. 2. He mentioned their targeted recruitment at primarily minority colleges and universities across the country. He hopes to expand this

recruiting to perhaps include testing in those remote areas.

Director McCraw pointed out that Chief Bowie himself is a great source for influence with his energy, demeanor, and professional representation of what the Department has to offer.

Chief Bowie was also asked if the 21 leaving is on par with other classes in the past. He responded that they classes generally lose between 20% and 30% during the course of training. We are currently at 11% only 2-3 weeks in so we are probably on target for similar numbers. July 30, 2021 is the date for graduation. Chairman Mach highly encouraged all of the PSC members to plan to attend this impressive event.

Director McCraw said that staffing is always a critical element and with about 150+ commissioned officers leaving every year (retirement, quitting, etc.), it is a constant battle to recruit, train and retain the best qualified candidates. He credited the Governor and Legislature to enabling the Department to recruit the best.

Director McCraw also mentioned that the Legislative Session is under way, and DPS will be presenting the increased threats that DPS is facing to various committees. He mentioned that he is thankful for the support that the Governor and the legislature gives to DPS.

VIII. NEW BUSINESS

A. Report regarding the UT Appointment Solution Survey


This presentation was made earlier in the meeting.

B. Report and discussion regarding the Crime Laboratory Division 2020 Strategy – Completing Blood Alcohol Testing for Driving Cases within Thirty Days, the Toyota Process Improvement Project

Director McCraw asked James Nichols, Trevis Beckworth, and Grady Mills to provide an update report on the progress made on completing blood alcohol testing for driving cases within 30 day.

Below are the slides that outlined the bulk of their report:

Via CiscoWebex



**CRIME LAB DIVISION 2020 STRATEGY-
COMPLETING BLOOD ALCOHOL TESTING FOR
DRIVING CASES WITHIN THIRTY DAYS, THE
TOYOTA PROCESS IMPROVEMENT PROJECT
(NEW BUSINESS B)**

+19

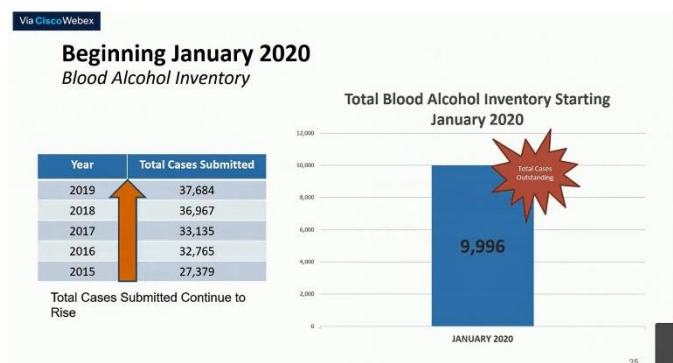
Via CiscoWebex

Crime Lab Division's 2020 Strategy
*Completing Blood Alcohol Testing
for Driving Cases within Thirty Days*



Chief, Lab Director, Brady Mills
Assistant Lab Director, Trevis Beckworth
Garland Lab Manager, James Nichols

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Via CiscoWebex

Strategy to Reduce Inventory in 2020
Quarterly Plan

- Q1 & 2- Focus efforts on Hiring and Training Employees.
- Q2 & Q3 – Work with Toyota and identify process improvement opportunities.
- Q4 – Share learnings with all locations across the system for added benefit.



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Beginning in May, 2020

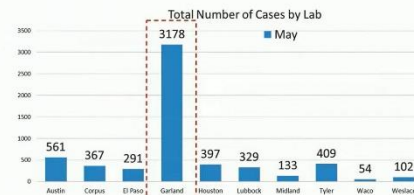
Our relationship with Toyota began in our Garland Location.



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A Snapshot of our Data by Location in May 2020

Our oldest cases in Garland had a mean of 155 days.



What Did we Learn?

Getting the Analysts involved was a priority.

Kaizen Activities:

Problem Statement: Analyst don't have any place to safely rest their arms / elbows.



What was the impacted (Safety, Quality, Productivity, Cost)?:

The hoods have rough metal edges that can be uncomfortable for the analyst as they sit and pipette for long periods of time.

Countermeasure Statement: Install cushion / foam to the metal.



The Results:

The team purchased pool noodles to cover the rough edges for a more comfortable working environment. This will reduce soreness while pipetting.

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Additional Kaizen Activities

Making the lives of our employees better.

- Developed a Visual Production Board.
- Placed an IDEA Board in the lab for employee improvement suggestions.
- Improve Work Station Set Up (Ergonomics).

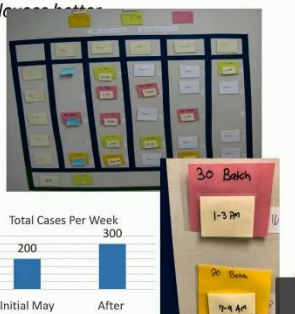


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Additional Kaizen Activities

Making the lives of our employees better.

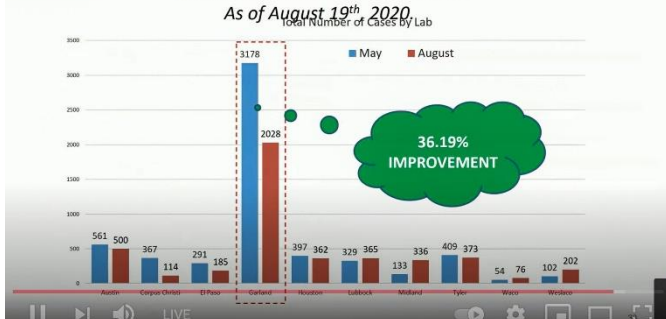
- Developed an Instrument Plan to visualize instrument run times.
- Shared Ideas from other Locations such as using cigar cutter to open blood tubes vs. a scalpel.



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Key Performance Indicators

As of August 19th 2020



Post TSSC Executive Review

Strategy to Reduce all Cases Across Texas to less than Thirty Days

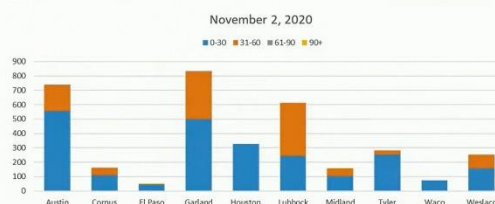
- September – Process Improvement Overview for Blood Alcohol Section Supervisors.
- October - Each team created Production, Schedule, and Idea Board's.
- November – With everyone ready – kicked of the project – Taking it to the Limit.



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Baseline on Day One of the Project

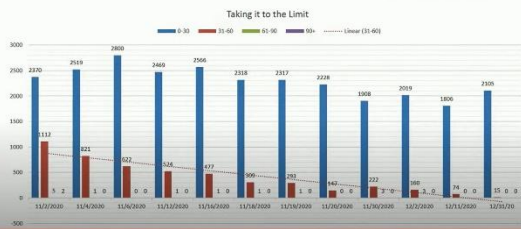
3,489 Total Cases Across the State



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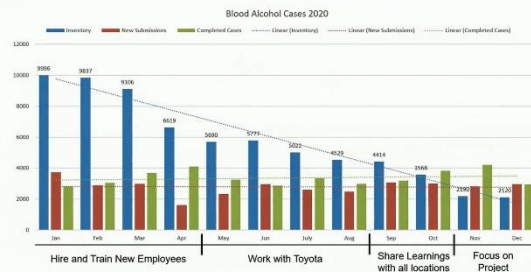
December 31st, 2020

2,120 Total Cases Across the State



The View of 2020

Looking in the rear view mirror.



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Strategy 2021

Ongoing Efforts and Plan

- Crime Lab continues to work with Toyota in the Drug Toxicology Unit.
- Toyota has started working with the Driver License Division.
- Continue to share learning with all disciplines and locations across the Crime Lab to reduce inventory and perfect processes.



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The basic conclusion to the report is that while they have not fully reached their goal of 30 days, they have made a lot of progress. The process has moved from an average of 170 days to 46 days. Each individual process has gone from 14 days to 7 days. The oldest cases on the books has moved from 185 days to 54 days. Much of the change has come through low tech improvements such as adding a split swim noodle to the armrest edge of the work stations to add comfort to the technician. The partnership with The Toyota Project Improvement Project, which is based in Plano, has proven to be an ideal match. Their focus is on improving processes and efficiency, and the results have shown the results.

- C.** Report, discussion, and possible action regarding appointment of members and designating a chair of the Texas Private Security Advisory Committee as required by Texas Occupations Code Section 1702.021 and 1702.026

Chief Wayne Mueller, Licensing and Regulatory Division, said that Patti Jones, his recommendation for re-appointment to the Private Security Advisory Committee and to be named to Chair the Committee, has a proven history of commitment to the industry and the PSAC, and should be considered for this appointment.

A motion was made to re-appoint Patti James to the Private Security Advisory Committee and to be appointed as Chair of the Committee by Commissioner Blair, and Seconded by Commissioner Stodghill. The motion passed.

**D. Final Determination in Contested Cases – consideration and possible action on
Proposals for Decision:**

1. SOAH Docket No. 405-20-3987.MVI – Carlos Portillo Mendez and Charly Auto Care
2. SOAH Docket No. 405-20-4001.MVI – Eric Collins
3. SOAH Docket No. 405-20-4114.MVI – Silvestre Camargo
4. SOAH Docket No. 405-20-4573.MVI – Adam Abbad and Executive Motor Group, LLC
5. SOAH Docket No. 405-20-4578.MVI – Farris Barakat
6. SOAH Docket No. 405-20-4099.MVI – Jorge Maldonado
7. SOAH Docket No. 405-20-4537.MVI – Virgilio Salinas

General Counsel Phil Adkins said that none of the above Contested Cases published in the Texas Register received any public comment, so he asked that they all be approved for final determination.

A motion was made by Commissioner Wainwright, and seconded by Commissioner Stodghill to approve the 7 cases for final determination.

The motion passed.

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

8. Repeal of 37 TAC Sections 15.27, 15.28, and 15.39, concerning Application Requirements – Original, Renewal, Duplicate, Identification Certificates
9. Proposed new 37 TAC Section 15.27 and Section 15.28, concerning Application Requirements – Original, Renewal, Duplicate, Identification Certificates
10. Repeal and proposed new 37 TAC Section 15.57, concerning Restrictions, Physical
11. Proposed new 37 TAC Section 15.64, concerning Examinations Administered by Other Entities
12. Repeal 37 TAC Sections 18.1 – 18.4, concerning Issuance and Examination Requirements for Learner and Provisional Licenses

Chief Sheri Gipson requested that items VII, E, 1-5 be approved for publication in the Texas Register for public comment. All items were required updates for clarification and compliance.

A motion was made by Comm. Wainwright and seconded by Comm. Blair to publish items 1-5 in the Texas Register for comment.

The motion passed.

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

This item was handled in Executive Session.

IX. ONGOING BUSINESS

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

1. Proposed new 37 TAC Section 15.29, concerning Alternative Methods for Driver License Transactions
2. Proposed amendments to 37 TAC Section 15.34, concerning Renewal Period Prior to Expiration
3. Proposed repeal of 37 TAC Section 15.59, concerning Alternative Methods for Driver License Transactions
4. Proposed amendments to 37 TAC Section 15.62, concerning Additional Requirements

Chief Sheri Gipson, DL Division, asked that items 1-4 previously published in the Texas Register be adopted; there was no public comment.

A motion was made by Comm. Stodghill, and seconded by Comm. Wainwright to adopt items 1-5.

The motion passed.

5. Proposed new 37 TAC Section 1.92, concerning Reimbursement of Witnesses at Public Safety Commission Hearings
6. Proposed amendments to 37 TAC Sections 29.1 – 29.3, 29.5, 29.21, 29.24, 29.27, 29.29, 29.30, 29.32, and 29.33, concerning Practice and Procedure
7. Proposed repeal of 37 TAC Sections 29.4, 29.6 – 29.10, 29.12 – 29.19, 29.22, 29.23, 29.25, 29.26, 29.28, 29.34, and 29.201, concerning Practice and Procedure

Gen. Counsel Phil Adkins asked that items 1-7 be adopted by the Commission . There was no public comment.

General Counsel Phil Adkins asked that items 5-7 be adopted having no public comment.

A motion was made by Comm. Stodghill and seconded by Comm. Blair to adopt items 5-7.

The motion passed.

8. New 37 TAC Sections 38.1 – 38.3, concerning Fusion Center Operations

Chief Dale Avant, Intelligence and Counter Terrorism, explained that this rule brought a consistency in procedures and terminology across the state.

A motion was made by Comm. Blair, and Seconded by Comm. Wainwright to adopt Item #8.

The motion passed.

- 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

Director McCraw said that there were no changes at this time.

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

This item was handled in Executive Session.

X. 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 were offered by Commissioners, Finance, Auditor, nor Divisions.

XI. 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. Advice and consent regarding director's determination that a certain probationary employee was found unsuitable for work during November 2020.
- 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: Dennis Wayne Brassfield, Craig Allen Cadan, Manuel Alfredo Castro, Jr., John Edward Cruddas, Joseph Randall Dillard, Mark Ray Elgin, Scott J. Garrison, Duane J. Maldonado, Olivia Mendez, Enrique Muniz, Billy Earnest Rowles, and Derome Daniel West; Special Texas Rangers: Arthur Richard Barrera and Andrew Lopez, Jr.
- C. Donations:
 - 1. Capitol Region – security equipment and installation services by Garrett Metal Detectors
 - 2. Additional donation items, as needed



CONSENT ITEMS

(confirm items with DD Randy Prince)

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- C. Donations:
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A motion was made by Comm. Wainwright, and seconded by Comm. Stodghill to approve Items A, B, and C 1 and C 2.

The motion passed.

Director McCraw said that the TSA had donated the metal detectors used at the Capitol. They were 2009 models, We were very appreciative. But technology has advanced. A very generous citizen from Garland, and owner of Garrett Metal Detectors, offered to donate new scanners which will be installed this Saturday, February 13.

XII. ITEMS FOR FUTURE AGENDA

Chairman Mach reminded the Commissioners to send items for future meetings to Sophie Yanez or to Phil Adkins.

XIII. DATE FOR FUTURE MEETING

Discharge hearings will be scheduled for March 9, 2021 and April 28, 2021. The regular Public Safety Commission meeting is scheduled for April 29, 2021.

XIV. 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 Mach adjourned the PSC Meeting to Executive Session at 12:12 pm.

XV. 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

