

THE BRIEFING



A Publication of the Texas Commission on Law Enforcement

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Military Service Credit

As you may know, TCOLE has long offered training credit for college hours and a more rapid advancement in proficiency level. Until now, no similar option was available to account for military service. Earlier this year, the Texas Legislature passed House Bill 971, which fills this gap for peace officers who have served in the military. After much discussion (and number crunching, and more discussion...), the matrix for this credit has been posted on the TCOLE website as form F-8, Military Service Credit .

Much like college credit, documents submitted to TCOLE reflecting federal military service will add to the overall training hours needed to move to the next proficiency level. It will not take the place of any specific courses required or count toward hours required during a continuing education unit or cycle. The years of peace officer service required remain as shown on the current charts for each proficiency level.

Some questions we anticipate:

- Hours- Military service will be credited at 960 hours per year, 80 hours per month, and 2.6 hours per day (to be rounded down to the number of full hours completed once totaled).
- Stipends- TCOLE cannot get involved in discussions related to stipends for those agencies that offer soft money for proficiency levels.
- Reserves- Reserve time will be calculated for time spent on active duty/under orders.
- Total hours- There is no overall maximum number of training hours a peace officer can achieve.
- License types- Though the legislation only applied to peace officers, this credit will be offered to all licensees who qualify.

Upcoming Events

Quarterly Commission Meetings

March 5, 2020
June 18th, 2020
September 3, 2020
December 3, 2020

Peace Officers' Memorial Ceremony

May 4, 2020

Achievement Awards Ceremony

June 19, 2020

Commission Meeting Notes

The latest Commission meeting was held at the J.J. Pickle Research Campus on Thursday, December 5, 2019. Here are a few highlights from the meeting:

Executive Director's Report: Chief Vickers reported that the 2019 TCOLE Conference had the largest attendance on record with 924 attendees, and the reviews that were received were favorable. We are currently preparing for next year's conference in 2020. We are working on the Tour of Texas, and planning out the locations that we will visit with agencies to discuss strategic plans. More information to come. On December 31, 2019, our Curriculum Specialist, Susan Brundage, will be retiring. TEEX has been a vital partner with TCOLE with the implementation of the school marshal training initiative. Most recently, TEEX has assisted TCOLE in creating a contract with Texas A&M for the restoration of MyTCOLE.

Enforcement and Special Services Director's Report: Director Antu reported that we have two new training providers who we have contracted with since the last commission meeting. We have entered into user testing of the MyTCOLE system and will hopefully be back up and running shortly. With the relaunch of MyTCOLE, this launch will happen in two phases: (1) self-service functions will be the only services that will work, such as personal status reports; (2) the second phase will be to implement the DRS component, so agencies are able to complete necessary reports such as the racial profiling and body worn camera reports. The Special Services team has successfully renewed 64 contracts, and by the end of December we will have 17 contracts renewed, and 43 to-be renewed in March of this year. Finally, the Enforcement team has started the phone calls for noncompliance and letters have been mailed out.

Credentialing and Field Services Director's Report: Director Merchant reported that the 2017-2019 unit for non-compliance has been transferred from credentialing to enforcement, with more than 900 cases, which is a lower number than what has been reported in the past. With the influx of responses from licensees and waivers issued, the number of cases has substantially decreased. The number of licensees that have not taken the new CITP course is about 13,000. This is a 2-hour course that is available online through multiple vendors for those who still need to take it; the deadline is January 1, 2020. Other courses that are required in order to be compliant within the 2-year unit are: Human Trafficking, K-9 Encounters, and Interacting with Deaf and Hard of Hearing Drivers. We have reached the first 90 day deadline for temporary jailers to be enrolled in a basic licensing course. Temporary jailers appointed on or before September 1 must now be enrolled in a basic licensing course. Following this, enrollment letters will be going out daily for jailers who have reached that 90-day limit.

Government Relations Director's Report: Director Grigsby reported that TCOLE is finalizing implementation of new laws passed during the 86th legislative session. This includes rule changes based on legislation that will be adopted at this meeting. We are developing the matrix of training hours that will be given to those who have previous military service. Also, we have met with the committee for the school-based law enforcement active shooter course requirement and are making progress on creating the curriculum for this course. We are also working with the Department of State Health Services for the course on Epinephrine Auto-Injectors. Interviews for the sunset review of the agency will not begin until June of next year. That process will continue through the 2021 legislative session.

Rules: There are 11 rules that were voted on for final adoption. These rules are located in the Licensed Actions and Final Rules section of this newsletter on page 7.

For more information

Meeting Minutes: Other items, including line of duty deaths, waiver requests, proceedings for revocation, suspension, and other disciplinary actions, and previous meeting minutes, can be found under the Who We Are/The Commission section on our website at: www.tcole.texas.gov.

Live Recordings: Live and archived video recordings of the meetings can be found on our website on the Who We Are/The Commission page at: www.tcole.texas.gov.

Public Comment: Anyone wishing to make a public comment may do so at the following email address: public_comment@tcole.texas.gov.

Changes in Jailer Requirements

In House Bills 1552 and 3503, the 86th Texas Legislature created statutory requirements for county jailers licensed by the Commission in order to carry firearms while on duty. The statutes extend to all county jailers who carry a firearm, whether they began carrying the firearm prior to the effective date or not. The bills do not affect jailers who do not carry firearms. The bills are codified under Occupations Code 1701.2561 and 1701.355 and went into effect on June 18, 2019.

In short, the statute requires the jailer to complete a course of training as approved by the Commission and receive a certification from the Commission. The jailer may then carry a firearm “during the course of performing duties as a county jailer, including while transporting persons confined in the county jail...and while traveling to and from the jailer’s place of assignment.” Once certified, the jailer is required to adhere to annual firearms qualification, the same as a peace officer. This change does not authorize a county jailer to act in any capacity as a peace officer, including working security under Occupations Code Chapter 1702.

The Commission has approved the existing Jail Firearms Course (3599), even if taken prior to the effective date of the statute, as meeting the requirements of the recent change to statute. In addition, for those jailers who also have successfully completed a Texas Basic Peace Officer Course at any time in their history, the 3599 course is waived. Exceptions are not approved for any other firearms training courses, including License to Carry, Out-of-State courses, Federal courses, military courses, etc. To receive the certification from the Commission, the applicant must be currently appointed as a county jailer, have completed the required course, and have a current firearms qualification for the type of weapon to be carried.

To find the resource for the Jail Firearms 3599 course, simply click on the link below:

<http://www.tcole.texas.gov/content/course-curriculum-materials-and-updates-0>

College Credit Hours

Commission licensees may receive credit for courses that are successfully completed at accredited colleges and universities. That credit is combined with credit hours received by taking regular law enforcement training and can be used to shorten the length of time needed to earn proficiency certifications. Here are some important reminders when considering completing or submitting college credit hours:

1. College credit/degrees cannot replace the needed requirement to complete a basic licensing course, unless the degree is specifically completed at an Academic Alternative Program Provider listed on our website and approved by the Commission. <http://www.tcole.texas.gov/academic-alternative-programs>
2. The Commission recognizes college credit only from colleges/universities accredited by one of six regional accrediting entities. Those entities are listed in both TCOLE rule and on the College Education Request Form (F7) on the website- <http://www.tcole.texas.gov/content/forms-and-applications> If your college is not accredited by one of those agencies, it will not be considered. Individual law enforcement agencies are not prohibited from recognizing hours/degrees from unaccredited colleges for local purposes. Applicants must remember that their agency and the Commission may not accept the same college credit.

*Note- for the most recent list of accrediting entities, please refer to the F7 Form, as it is easier to update than rule.

3. College hours are recognized at 20 hours to 1 college credit for transactional purposes. For example, a 3 hour college course will count as 60 hours on your Personal Status Report (PSR). These hours, combined with your law enforcement training hours, provide your total training hours.
4. Degrees/hours from outside of the United States, or any hours/degrees from an unaccredited college, must first be accepted by an accredited college/university for transfer before being credited by the Commission. Most accredited colleges have a process for recognizing transfer hours. The Commission does not do this for you; you must provide documentation of the transfer hours on your own. Once transferred, the hours may be submitted under the name of the accredited college.
5. When submitting hours from multiple colleges, the applicant must remember not to duplicate hours. 60 hours completed at one college, then transferred to another college, does not equal 120 hours completed.
6. Completed degrees should be submitted as such and not just as college hours. Completed degrees have added benefits in obtaining proficiency certificates.
7. Individuals may report their own college credit to the Commission via the F7 Form, but should remember that a \$35 fee will be charged. An agency may submit the same college credit via the TCLEDDS database, free of charge.

TCOLE Rules Overview and the State Licensing Exam Endorsement

Ensure your cadets are endorsed to take the state licensing exam prior to their arrival at the exam site. In many instances, cadets are required to successfully complete the TCOLE Rules Overview course well before they ever finish the licensing course. Since the TCOLE rules overview is part of the testing endorsement, it is important to check the person's record prior to arrival at the exam site. If cadets are required to print out the certificate of completion, there are a few visual cues that can tell you immediately if the person has credit or not. **This article will focus solely on the TCOLE Rules overview portion of the endorsement.**

An efficient process to make sure cadets are not missing the TCOLE rules overview will be:

- Make sure cadets know and enter the correct PID when creating their account.
- Take the TCOLE rules overview course well in advance before taking the state licensing exam.
- If requiring a certificate print out, follow the visual checks explained.
- Check TCLEDDS to be sure the course is on record for each person.
- Allow a MINIMUM of five business days if you need to contact support@tcole.texas.gov for assistance. The email must include the name, PID, and certificate or course number and course name. If an incorrect PID was used, include that as well.

We will begin with the best case scenario first.

In this example, the cadet has completed the rules overview. You can see the name and PID are correct, so the person should have credit in TCLEDDS when you check. If the course does not show in TCLEDDS, verify the cadet's name and PID are correct, give the system a full 24 hours to process, and then contact TCOLE Support.

Your email to support@tcole.texas.gov must include the person's name and PID, along with a copy of the certificate. Please allow up to five business days for a response. In some instances, a person will create an account with no PID or an incorrect PID. If you see that on the certificate, the person will not have credit in TCLEDDS, creating an endorsement error. Please follow the process to contact support for assistance.



Law Changes in the Purchasing of Tobacco

If you've already taken the latest State and Federal Law Update course (3186), you should already be aware of the new law pertaining to the sale and purchase of tobacco products. For those who haven't, the Legislature passed Senate Bill 21, raising the age to purchase cigarettes, e-cigarettes, and tobacco products from 18 years of age to 21 years of age effective September 1, 2019.



There are two exceptions, however, that you need to be aware of as enforcement of this new statute begins. The first is for those who are at least 18 years of age and present a valid military identification card of the United States military forces or the state military forces. The second exception is for those who were born on or before August 31, 2001, and were therefore already 18 at the time that the law became effective.

New Season for Commission

TCOLE has enjoyed the last eight years of steady leadership from our outgoing Presiding Officer, Sheriff Joel Richardson of Randall County. He was appointed to the Commission in 2007, and was appointed as Presiding Officer by Governor Perry in 2011. He was reappointed to this position by Governor Abbott. He has been a tremendous leader and we are grateful for his service to the Commission and the law enforcement community in Texas.



We look forward to working with Chief Kim Lemaux, whom Governor Abbott has appointed as the new Presiding Officer. We have had the opportunity to see her in action as a commissioner since 2017, and has proven herself to be engaged and thoughtful in her decision making. We are excited to work with her in her new capacity.

Susan Brundage Retirement

After more than 16 years with TCOLE, our Curriculum Specialist, Susan Brundage, has retired effective December 31. If you are at all familiar with the TCOLE curriculum process, you know that she has been working tirelessly since 2011 as a division of one. Many of you have gotten to know her through curriculum committees, at the TCOLE conference, or visiting our offices. She has been a tremendous asset to the agency, and will be dearly missed. Please join us in wishing her all the best in her retirement.



**NATIONAL SHOOTING SPORTS FOUNDATION, INC.**

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BILL BRASSARD JR.
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COMMUNICATIONS

Thanks to a generous grant from the Office of Governor Greg Abbott, the National Shooting Sports Foundation (NSSF) is able to provide your agency with free Project ChildSafe firearm safety kits to help promote responsible gun ownership and safe storage in your community. Project ChildSafe is NSSF's national firearms safety education program.



Project ChildSafe firearm safety kits include a cable gun lock and safety brochure. In addition, Project ChildSafe will provide a program handbook with tips on promoting firearm safety in your community and a poster highlighting the many additional firearms safety resources available on the program's website, ProjectChildSafe.org, including the Safe Storage Options [infographic](#), child safety [pledge](#), safety [videos](#) for adults and children, and information on the role that securely storing firearms when not in use plays in [suicide prevention](#).

To receive the free Project ChildSafe gun locks, **please go to projectchildsafesafe.org, click on the Law Enforcement tab and fill out the request form.** Locks must be ordered in increments of 100. The gun locks will ship separately from other materials.

Your agency may already be a partner with our national Project ChildSafe program. If so, we thank you for your dedication to promoting gun safety in your community with our Project ChildSafe materials. If not, we are pleased to introduce the program to you. You can learn more at ProjectChildSafe.org, or email the program's director, Bill Brassard, at bbrassard@nssf.org, with any questions you may have.

NSSF and Project ChildSafe look forward to working with your agency on this important firearms safety initiative designed to help prevent accidents, thefts and misuse, including suicide. Our collective efforts are making a difference. From 1999-2017, fatal firearms accidents have declined by 41 percent.

Respectfully,

A handwritten signature in black ink that reads "Steve Sanetti".

Steve Sanetti
CEO
National Shooting Sports Foundation

License Actions

The following proceedings for revocation, suspension and other disciplinary actions took place at the December 2019 Commission Meeting. For a complete listing of these license actions, including names, departments, and case numbers, see the meeting agenda found on our website under Who We Are/The Commission/Meeting Minutes at www.tcole.texas.gov.

Type of Action	Number of Licenses
Default Suspension Orders	11
Default Cancellation Orders	2
Default Revocation Orders	2
Proposal for Decision Order	1
Agreed Suspension Waivers	2
Agreed Suspension Orders	4
Statutory Revocations	6
Statutory Suspensions	0
Permanent Surrenders	19
Reprimands for Administrative Violations	3
Suspensions for Failing to Complete Legislatively Required Continuing Education	0
Reprimands for Failing to Complete Legislatively Required Continuing Education	0

Final Rules for Adoption

The updated rules handbook will be available February 1, 2020, on our website at <http://www.tcole.texas.gov> under <http://www.tcole.texas.gov/content/commission-rules>.

Adopted Rule Amendments

- **Adopted Amendment 1**

§211.1 Definitions. (amend)

Allows for updated names of accrediting entities for colleges or universities.

- **Adopted Amendment 2**

§211.26 Law Enforcement Agency Audits. (amend)

Allows TCOLE Field Agents to have discretion whether to forward the results of an audit in the event that subsequent enforcement action may be necessary.

- **Adopted Amendment 3**

§217.1 Minimum Standards for Enrollment and Initial Licensure. (amend)

Clarifies enrollment standards for license types; sets standards for background investigation; updates temporary jailer license requirements.

- **Adopted Amendment 4**

§217.7 Reporting Appointment and Separation of a Licensee. (amend)

Refers all procedures related to F5 appeals statute to ensure conformity.

Adopted Rule Amendments, cont'd.

- **Adopted Amendment 5**

§218.3 Legislatively Required Continuing Education for Licensees. (amend)

This updates the assignment-specific requirements as a result of statutory changes.

- **Adopted Amendment 6**

§218.9 Continuing Firearms Proficiency Requirements. (amend)

This rule updates the firearms proficiency requirements to allow for jailers who must qualify with a firearm.

- **Adopted Amendment 7**

§219.2 Reciprocity for Out-of-State Peace Officers, Federal Criminal Investigators, and Military Police. (amend)

Removes requirement for prior service to have been within the last four years.

- **Adopted Amendment 8**

§219.11 Reactivation of a License. (amend)

Updates rule to distinguish reactivation requirements for different license types.

- **Adopted Amendment 9**

§221.1 Proficiency Certificate Requirements. (amend)

Adds allowance for training hours with proof of college credit or military service.

- **Adopted Amendment 10**

§221.43 School-Based Law Enforcement Proficiency Certificate. (amend)

Updates requirements for school-based law enforcement as a result of statutory changes.

- **Adopted Amendment 11**

§221.45 Jailer Firearm Certificate. (new)

Adds a requirement for a jailer firearms certificate for jailers carrying weapons as a result of legislation.

TCOLE Job Opening

Following the retirement of Susan Brundage, TCOLE is in search of an Education Specialist.

A few of the job duties for this position include:

- Manage and work with committees and subject matter experts for implementation of curriculum standards per legislative mandates and training needs.
- Update courses, curriculum, and updates section, submit announcements for new curriculums and course formats on the TCOLE website.
- Prepare and assist with the Annual Pass Rate report, Distance Education manual review/rewrite.
- Develop course curriculum and other educational materials; participates in exam development and exam performance analysis.
- Assist in analyzing legislation to develop recommendations related to new mandated training.

For more information or to apply, please visit the [TCOLE website](#).

Commissioners

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Presiding Officer

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Assistant Presiding Officer

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Secretary

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