

THE BRIEFING

A Publication of the Texas Commission on Law Enforcement

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Racial Profiling – DRS changes

By Jessica Teseny

March 31, 2017 is the deadline for all law enforcement agencies to submit their 2016 racial profiling report. This year reports are submitted through the Department Reporting System (DRS) application found inside the MyTCOLE 2.0 account. 2016 reports that have already been submitted can be edited in the DRS application up until the reporting period closes. All submitted reports can be seen on our website here:

<http://www.tcole.texas.gov/content/racial-profiling-reports>



Other Upcoming Events

Quarterly Commission Meetings:

June 8, 2017
September 7, 2017
December 7, 2017

2017 Training Coordinators'

Conference:
Oct 16 – 19

Commission Meeting Highlights

The latest Commission meeting was held at the J.J. Pickle Research Campus on Thursday, March 2, 2017. Here are a few highlights from the meeting:

Executive Director's Report: No Training Academy or Provider applications approved since the last meeting. One provider, Cyber Evidence, has canceled their training contract due to their future plans not including training.

Staff changes since the last meeting. Tracy Weems has accepted the position of Director of Training at Office of the Inspector General Health and Human Services. Renee Wolff is our new Background Specialist, working the FAST returns, replacing Nazareth Munoz who changed positions within the agency. Leena Mahaffey has joined the Special Services division, filling the vacancy left by Thurman Felder. Sergeant Cullen Grissom also joins the Special Services division, assisting with new agency creation and racial profiling reports. David Watkins has joined Field Services Division, filling the open position left by Marty Baker, when he joined the Attorney Generals prosecutors assistance team. Michael Watts has joined the Enforcement Division, filling Jason Huffstedler's vacancy when he joined the Travis County D.A's office.

Recently, TCOLE has assisted with International efforts to improve law enforcement around the world. In 2016, the U.S. State Department asked TCOLE for a consultant to assist the King of Morocco and the Federal Law Enforcement Bureau. Director of Agency Operations, John Helenberg, spent a month in Morocco, helping them understand professional law enforcement training and processes. Just a few weeks ago, TCOLE was again asked by the U.S. State Department and the U.S. Embassy for assistance. This time, the task was to assist with hosting a delegation of 10 high-ranking, senior law enforcement administrators from Mexico. The purpose was to impart how Texas law enforcement training is conducted and regulated with the idea of implementing some of these practices upon their return to Mexico. Director John Helenberg and Division Chief Michael Antu were assisted by TCOLE staff Richard Gutierrez, Capt. Candice Simon, Laurie Jackson, and Sgt. Cullen Grissom. We want to express a sincere thanks also to Chief Wayne F. Nero of Georgetown Police Department and Sheriff Robert Chody of Williamson County for welcoming the delegation to their facilities.

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.

Commission Meeting Highlights

Operations Director's Report:

Estimated non-compliance numbers at this time: 27,968 Peace Officers, 4,000 Jailers, 2,000 Telecommunicators. The training deadline for the 4 year cycle and 2 year unit is August 31, 2017. This is the first year Telecommunicators have a training requirement, and they will be sent the first round of notifications. Human Trafficking is required within a year of licensure for Peace Officers licensed on or after 2011. There are about 1,800 officers that will receive a Notice of Violation letter to complete the Human Trafficking course.

BPOC and Jailer committees are currently in session working on updating the curriculum. The Background and Legal Update committees are pending formation at this time. The School Marshal Academy will be run by TCOLE this Spring Break. Academy Evaluations are being completely revamped. More information in the next meeting.

Government Relations Director's Report:

Currently, there are 59 bills with a direct impact to TCOLE being watched, 572 changes to the Penal Code or Code of Criminal Procedure, and 511 changes to the Transportation Code being tracked. Of special interest is HB1313 being introduced by Rep. Jason Villalba. If passed, the bill will create a grant program out of the Governor's Office, Criminal Justice division for eligible School Marshal Appointing Entities. TCOLE budget concerns are being discussed with the house appropriations and senate finance committees. More to come in the next three months!

Rules: Five final rules were adopted. These rules were proposed at the last commission meeting. The proposed rules are listed in more detail on page 15.

Academic Alternative Program: Efforts to make the Academic Alternative Program more viable and accountable are underway in partnership with Austin Community College. More information on that at the next meeting.

Texas Peace Officers' Memorial Monument: The Commission took action to enroll and induct officers in the Texas Peace Officers' Memorial, waiving the requirement for induction at a separate commission meeting. The candlelight vigil will be on Sunday, April 30, 2017 at 7:30 P.M. The memorial induction will be on Monday, May 1, 2017 at 10:30 A.M.

Special Services Division

TCLEDDS – Managing Non-Licensed Employees

By Jessica Teseny

Those of you that have access to The Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) know that to add an officer, jailer, or telecommunicator to your department you submit an L-1 or L-1T. To remove or separate a licensed individual you'd submit an F-5. But, how would you manage a non-licensed person in TCLEDDS? Whether you need to add a non-licensed employee for the purpose of tracking training, or if you're adding them so they can access the new Department Reporting System (DRS) for annual racial profiling submission, the procedure is actually pretty quick and easy.

Adding a Civilian Employee to Your Department

Log into TCLEDDS

Click on Non Commissioned Employees, under the Department section in the left hand panel



Click the Add New Employee link

Special Services Division, Continued

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Add New Employee

Add the Employee's PID number and click Submit

Add the Employee's start date and position title

Certify that you are authorized to add this person, and type your name

Press Submit

Removing a Civilian Employee from Your Department

Log into TCLEDDS

Click on Non Commissioned Employees, under the Department section in the left hand panel

Click the Red "X" to the right of the employee's name

Enter the Employee's End Date

Certify that you are authorized to remove the employee and type your name

Press Submit

New Faces in Special Services!

Leena Mahaffey started working in the Finance division for DPS in 2015. She then migrated to TCOLE at the end of 2016 into the Special Services department. Her main job functions include gathering data from the TCLEDDS database for open record requests, generating Visual Studio reports for field agents, and general IT help for the office staff. She is in the final stages of her Associate of Applied Science degree for Computer Information Technology at Austin Community College and hopes to be done within the year. Leena moved from her home in New England to Austin, Texas about 5 years ago.



Special Services Division, Continued



Renee Wolff has joined the Special Services Division working with the F.A.S.T. returns, replacing Nazareth Munoz. Renee is a life-long resident of Killeen. She began her working career with the Killeen Police Department as a records clerk. From there she spent 12 years in the automotive industry handling all the new car paperwork, contracts, and title work.

Sergeant Cullen Grissom currently serves with the Special Services Division assisting with the new agency creation and racial profile reporting. Prior to his service with TCOLE, he served as the Law Enforcement Training Director for the Texas Engineering Extension Service (TEEX). Cullen has 30 years of experience within the law enforcement profession, including 22 years in law enforcement training. Cullen holds a Bachelor of Science in Public Administration from Upper Iowa University, a Master of Education in Curriculum & Instruction from the University of Houston, and a Master of Science in Human Resource Development from Texas A&M University. He is a 2003 graduate of the Law Enforcement Management Institute of Texas – Leadership & Command College at Sam Houston State University.



Credentialing Division

****TRAINING**** ****TRAINING**** ****TRAINING****

By Lisa Landry

Unit and Cycle END 8/31/2017

Are you compliant?

Peace Officers –

Basic Certificate or No Certificate

You will need 40 hours to include 3184 – State and Federal Law Update, 3232 – Special Investigative Topics, 3843 – CIT Update and 3939 – Cultural Diversity.

Intermediate Certificate or higher

You will need 40 hours to include 3184 – State and Federal Law Update.

Deputy Constables have an additional course – Civil Process that must also be completed by 8/31/17.

Jailers –

You will need Cultural Diversity

ONLY EXCEPTION

If you have an **active** PO license **and** are at an Intermediate PO Certificate or higher, Cultural Diversity does not need to be completed.

Telecommunicators –

20 hours of anything.

Here is the link on our website that details the training for each license: <http://www.tcole.texas.gov/content/training-requirements>

If you have any questions about your training, please call our Credentialing department for assistance. As we move closer to the end of the training unit/cycle, our phone calls increase tremendously. Please be patient and we will get to you as soon as we can.

NON-APPOINTED LICENSEES – Training can only be completed through an accepted TCOLE Training Provider. Here are those links: <https://www.tcole.texas.gov/law-enforcement-academies> and <https://www.tcole.texas.gov/contract-training-providers>.

Also remember, you can complete training through your MyTCOLE Account!!!

Non-Compliance

We will be sending out letters of non-compliance to those individuals who have not completed Human Trafficking within the first year of licensure. Please see §Rule 218.3(f) for further clarification. Telecommunicators still in need of training will be sent letters through the department beginning in mid-March.

The Peace Officers and Jailers still in need of training will be sent letters at the end of March.

Field Services Division

Submitting Rosters on Correct TCLEDDS Roster Tab

By Malcolm Jackson

Which roster tab on TCLEDDS is used to report training? A detailed article was published in the March 29, 2016 newsletter of “The Briefing” explaining the difference in use of the “Academy-Submit Roster” tab and the “Department-Training Roster” tab in TCLEDDS. Here are some highlights from that article:

Departments that are NOT training providers: (1) Only have access to a Department Training Roster Tab, (2) Can report internal training and training conducted by other providers ONLY for those licensees within their agency, (3) Cannot report licensure, certificate (basic instructor, advanced instructor, etc.), or mandatory courses (CIT, Legislative Updates, etc.). *NOTE: before making an entry into TCLEDDS, check to confirm any outside training provider is not listed on the TCOLE web-site as an academy or contract training provider, otherwise double reporting will occur.*

Colleges and Councils of Government: (1) Only have an “Academy – Submit Roster” tab, (2) Those with “academy” status can report licensure courses and continuing education training conducted by their organization for any licensed individual, (3) Those with “contract training provider” status can report continuing education training conducted by their organization, including certificate and mandatory courses, (4) Academies and contract training providers can report training conducted by other providers and commensurate with their own reporting status, if all required training file documentation is present (lesson plan, bio, sign-in roster, etc.) and retained on file, readily available for review by TCOLE.

Departments that ARE contract training providers: (1) Have access to both an “Academy-Submit Roster” tab and a “Department-Training Roster” tab, (2) Can report training conducted by or through the department on any licensed individual, (3) Can report training conducted by or for other providers or departments, if the training is consistent with their contract (academy or contract trainer) and all required documentation is present (lesson plan, bio, sign-in roster, etc.), *(NOTE: The full responsibility for compliance in reporting for other agencies rests with the TCOLE-recognized training provider and training coordinator.)*, (4) Can report training consistent with and subject to their contract status as an academy or contract training provider. *(NOTE: before making an entry into TCLEDDS, check to confirm the training provider is not listed on the TCOLE web-site as an academy or contract training provider, otherwise double reporting will occur.)*

Departments with an academy or contract training provider status report ALL rosters, including Orientation and Field Training (FTO, CTO, and JTO) on the “Academy-Submit Roster” tab if the training is conducted by or through their agency training program. Only training conducted by an outside provider that is not a TCOLE-recognized academy or contract training provider is reported on the “Department-Training Roster” tab.

Before reporting outside training, double check both the academy and contract provider lists on the

Field Services Division, Continued

TCOLE web site to confirm the outside training provider is not a TCOLE-recognized provider. If the provider is a TCOLE-recognized provider, they MUST report the training.

A complete list of training providers (academies, contract training providers and academic alternative programs) is located on the TCOLE web site under "Training," and then "Training Providers." Move the mouse off of the Texas map and scroll down for an alphabetical listing. Be sure to review both the academy list and the contract provider lists. If ever in doubt, check with your Field Service Agent or one of the Academy and Contract Evaluators for assistance.

Mixed In Can Be Messed Up

By Mike Dickey

TCOLE receives periodic questions about the permissibility of allowing experienced officers to sit in on select portions of the basic peace officer licensure course for topics such as SFST. Unless a bona fide and extraordinarily urgent reason exists for doing so, training coordinators should avoid mixing the experienced (licensed) officers with cadets for any of the topics within the basic licensure course classes.

Experienced officers possess a level of understanding of general police work, incident handling, dealing with the public, and awareness that cadets do not yet possess, as they are still learning these fundamentals. Quality instructors tailor their lesson plan to the experience level of the student in the class to maximize the benefit of the training. Mixing experienced officers with cadets means that an instructor must blend their presentation in order to make sense to both the experienced and the inexperienced participants. Experienced officers receive too much basic information, while cadets may find the information being presented faster than it can be properly absorbed within the learning curve. The experienced officer, the cadet, or both just inherently lose out at one level or another.

The better all-around option stands in scheduling a separate continuing education class for the experienced officers, and avoids mixing experienced officers with cadets. If an extraordinarily urgent reason exists for an experienced officer to join with a class of cadets for a selected segment of the licensure course, the training coordinator would be expected to provide documentation in the training files for both the continuing education training file and the licensure course file. That documentation would then be used in subsequent audits and evaluations to fully explain why such action was necessary.

Field Services Division, Continued

New Field Service Agent David Watkins!



David Watkins fills the vacancy left by field agent Marty Baker who is now with the Attorney General's Prosecutor Assistance Team. David retired from the Abilene Police Department after 37 years of service – 20 of which he spent in the field of criminal investigations. He has extensive work experience in internal affairs, law enforcement instruction and patrol supervision. David is a graduate of the Leadership Command College at LEMIT and has attended numerous training schools throughout his career.

Enforcement Division

New faces in the Enforcement Division!

Stan Roper started working at TCOLE September 2016. He worked at the Travis County Sheriff's Office for 31 years in Patrol, Traffic, Homicide and Internal Affairs retiring with the rank of Sergeant. Stan has been married to Sherry for 23 years and they have two children, Holly, 21, and DJ, 19. Stan holds a Master Peace Officer Certificate, Master Jailer Certificate, Instructor License, and Critical Stress Management License.



Enforcement Division, Continued

Michael Watts began working for TCOLE in December 2016. Prior to working for the commission, Michael worked as a Peace Officer for 15 years at Killeen Police Department. While at Killen PD he worked in Patrol, Tech unit, and Commercial Vehicle Enforcement. Michael also spent 16 years at Bell County Sheriff's Office. While at Bell County SO Michael worked as a Peace Officer and Jailer. Michael has been married for two years and has a step-son attending Texas Tech University. Michael holds a Master Peace Officer Certificate.



TCOLE Collaboration

Training Academy for Mexican Law Enforcement Professionals.

By TCOLE Staff

A delegation of 10 high ranking senior law enforcement administrators from Mexico met in Austin for training February 19th -25th. TCOLE's own Director of Agency Operations John Helenberg and Division Chief Michael Antu joined the group of presenters for that week. Topics covered by Director Helenberg and Division Chief Antu included TCOLE's role in Texas law enforcement training, licensure, and our agency's mission.

The group had the opportunity for training at Georgetown Police Department. Topics of discussion included municipal police and training the force. They also toured the training facility and driving track of Georgetown PD.

Williamson County Sheriff's Office accommodated the group as well. County level policing and

TCOLE, continued

training were topics presented. They also viewed the county jail and booking area. The delegation spent a day at Circuit of the Americas. Presentation on crowd control and management, along with a tour of the property was included. They participated in field and tabletop exercises while there.

Law enforcement training, licensing, and practice, including the regulation of agencies was communicated during the visit. The intent being, putting into practice the knowledge gained, once home. TCOLE staff assisting with the delegation included Richard Gutierrez, Candice Simon, Laurie Jackson, and Cullen Grissom. Thanks to everyone for their professionalism and hospitality!



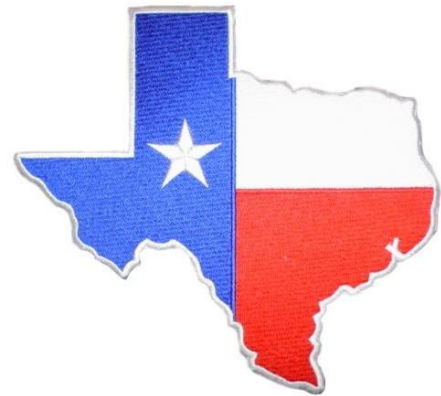
Government Relations Division

Keeping up with the Legislature

By Gretchen Grigsby

Did you know you can keep up with proposed law enforcement–related legislation through TCOLE’s website? We maintain a spreadsheet linked from our homepage that is updated weekly.

These include changes to the Penal Code, Code of Criminal Procedure, and Transportation Code. The list also includes amendments to Chapter 1701 of the Occupations Code, which may consist of new training obligations, licensing standards, and individual or agency reporting requirements.



Keep in mind that a bill does not become law until it is finally passed or “enrolled.” The last day of the legislative session is May 29, after which TCOLE will post a final list of the law enforcement–related bills that will go into effect.

Legal Division

From the General Counsel’s Office

From time to time, we receive questions regarding orders for non–disclosure. Of note, a recent Attorney General opinion sheds some light on the requirements for criminal justice agencies under an order for non–disclosure.

Opinion KP–0134 restates the standards under Texas Government Code sections 411.071–.0075 with respect to the disclosure of certain criminal history information. At the very least, it provides some general guidance as to permissible disclosures of such information.

As always, check with local counsel regarding the application of the opinion to your agency’s relevant duties under the law.

Legal Division, Continued

Legal Statistics

The following proceedings for revocation, suspension and other disciplinary actions took place at the March 2017 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	27
Default Revocation Orders	2
Agreed Suspension Orders	4
Proposal for Decision Orders	1
Statutory Revocation	4
Statutory Suspension	6
Permanent Surrenders	14
Reprimands for Administrative Violations	4
Reprimands for Failing to Complete Legislatively Required Continuing Education	2

Legal Division, Continued

Final Rules for Adoption

The updated rules handbook will be available May 1, 2017, on our website at www.tcole.texas.gov under [Help and Resources/Rules and Policy](#).

- Final Amendment 1
§215.10 Course Instructor Requirements
- Final Amendment 2 – Repeal
§217.7 Reporting Appointment and Separation of a Licensee
- Final Amendment 3 – New
§217.7 Reporting Appointment and Separation of a Licensee
- Final Amendment 4
§223.15 License Suspension
- Final Amendment 5
§223.18 Suspension Following Felony Arrest

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