

THE BRIEFING

A Publication of the Texas Commission on Law Enforcement

Inside this issue:

Commission Meeting Highlights 2

The 2013 Training Coordinators' Conference 4

Legal Division 5

Special Services Division 6

Field Services Division 9

Credentialing Services Division 11

Enforcement Division 15

As most of you have heard by now, TCLEOSE has evolved into TCOLE. The name change is actually the culmination of events that have taken place over the past few legislative sessions. During some tough economic times, the Legislature has surgically made cuts to Commission staff, reducing the number of curriculum personnel and enhancing the areas of enforcement and investigations. The obvious direction that the Legislature has steered the Commission toward is strengthening their role as a regulatory agency, rather than having a focus on training and training issues. The name change is reflective of this shift in focus and more clearly identifies the Commission as a true regulatory agency. Part of that process was making the name of the Commission consistent with other regulatory agencies in the state. The TCOLE name more accurately describes the mission and direction of the agency.

While the name may change, the mission of TCOLE to ensure that the people of Texas are served by ethical and well-trained law enforcement professionals has not. The men and women of TCOLE have the same determination of purpose that Director Beasley and his four employees had in 1967 when TCLEOSE first opened its doors. The Commission is committed to assisting Texas law enforcement to be the best it can be, and our focus throughout this process will be on customer service and integrity. So by whatever acronym we are known, TCOLE is proud to represent law enforcement in the great State of Texas.

By Ken Mobley, legislative liaison

Upcoming Events

Quarterly Meetings

- March 27, 2014
- June 19, 2014
- September 4, 2014

Strategic Planning Workshops

- December 4, 2014
- El Paso: Jan 6, 2014
- Amarillo: Jan 7, 2014
- Arlington: Jan 8, 2014
- Houston: Feb 3, 2014
- McAllen: Feb 4, 2014
- Austin: Mar 26, 2014

December 2013

Commission Meeting Highlights

The last Commission meetings were held at the J.J. Pickle Research Campus on Thursday, September 5, 2013 and Thursday, December 5, 2013. Here are a few highlights from the meetings:

- New Commissioners: Major Jason Hester was introduced. Commissioner Hester, from the Texas Department of Public Safety Training Division, replaces Commissioner Steve Griffith. In the March Commission meeting, new Commissioner Rob Kyker was introduced. Commissioner Kyker, of Richardson, Texas has served on numerous state commissions. He replaces former Commissioner Randy Watson.
- Commission Elections: Commissioner Patt Hollingsworth was unanimously named Assistant Presiding Officer, and Commissioner Johnny E. Lovejoy II was unanimously named Secretary.
- Non-Compliance: Prenon-compliance (before August 31, 2013) totals showed approximately 19,000 officers lacking required training. More current numbers are showing just over 2,000 officers out of compliance. Letters providing notice of non-compliance have been distributed. So far, approximately 300 licensees have been issued reprimands. We expect this to be an on-going process that will continue into the first part of next year.
- 2014 Regional Workshops Scheduled: El Paso-January 6; Amarillo-January 7; Arlington-January 8; Houston-February 3; McAllen-February 4; Austin March 26
- Academic Alternative Programs: This alternative to the academy training is attractive to those wishing to obtain a college degree while preparing for the peace officer licensing exam. Historically, these programs have been largely unsuccessful because of the time that lapses between the delivery of the material and testing. Only three providers remain today, and their success has been attributed to the capstone review. For this reason, the capstone review will be added to the academic alternative program requirements in proposed rule changes.

Ways to check your training status:

- **My TCOLE Account**: This online account is free and shows a complete history of your training record.
- **TCOLE website**: Our website provides a list of required courses for each license type.
- **Call TCOLE**: Enter your PID in the voice prompt to hear your total training hours for the unit, or speak with one of our representatives for further details.

- Class A Waiver Discussion: Currently, a Class A Misdemeanor is an automatic disqualifier for licensure. However, a significant number of compelling requests have been made to TCOLE from various departments regarding a waiver for Class A Misdemeanors. A lengthy discussion ensued on whether or not these should be taken into consideration on a case-by-case basis. A rule was proposed to consider Class A waivers for all license types. To address some of the major concerns, filters were put in place within the rule: 1) the Chief Administrator must see enough merit in the candidate to write a compelling letter and appear before the commission, 2) the case in its entirety must be provided so Commissioners can make an informed decision, and 3) a new waiver must be sought if the licensee moves to a different department, as the waiver would be limited to the agency that requested it. This rule proposal is now open to accepting public comment. As Presiding Officer, Sheriff Joel Richardson stated, “this is not an easy decision to make and we are certain this will raise additional discussions.”
- Approved Final Orders of Amendment to Existing Rules: The amendments include: title changes, chapter headings, and renumbering of the current rules. Among the rearranged structures are a few new proposed rules, which include, but are not limited to license requirements for persons with military special forces training, school marshal licensing and reporting requirements, school marshal training entities, and the appointment and eligibility of telecommunicators. The complete final orders accompany this issue. You may also view them on our website: www.tcole.texas.gov
- Special recognition was made in honor of officer J.D. Tippit of the Dallas Police Department. Marie Tippit, widow of officer Tippit joined us to commemorate the 50th anniversary of her husband’s line of duty death, who in pursuit of a suspect in the assassination of President John F. Kennedy, was shot and killed on November 22, 1963, by Lee Harvey Oswald.



Left Photo: Commissioner Rob Kyker, Mrs. Marie Tippit, Commissioner Patt Hollingsworth, Inspector General Bruce Toney and Deputy Director Chris Love of the Office of the Inspector General—TDCJ
Right Photo: Presiding Officer Joel Richardson thanking Mrs. Tippit for her husband’s service

- Other agenda items containing line of duty deaths, TCOLE staff changes, proposed rules, waiver requests, proceedings for revocation, suspension, and other disciplinary actions, as well as previous meeting minutes can be found on our website: www.tcole.texas.gov

The 2013 Training Coordinators' Conference

The 2013 Training Coordinators' Conference was held at the Omni Bayfront Hotel in Corpus Christi, Texas on October 7-10, 2013. As with last year, it seemed everyone was excited to be back in Corpus Christi. This year's event attracted the conference's largest crowd to date! An impressive total of over 590 attendees poured into sessions lead by compelling speakers, and visited with an array of vendor exhibits. Afterhours events added to a very entertaining karaoke night as well as a talent show with many enjoyable acts. Overall, the conference went very smoothly and was a huge success!

The Sheriff's Association of Texas delivered an unforgettable evening of karaoke, packed with side-splitting performances. Also, Kaplan University sponsored the Talent Show with prizes! Our thanks to you for making the after-hours events so entertaining!

Silent and live auctions benefiting the Texas Peace Officers' Memorial contained several generously donated items, and raised \$5,065.60! That's double last year's silent auction. TCOLE would like to thank everyone that donated or purchased items. Your support made the auctions a prominent achievement for a commendable cause.



Omni Bayfront Hotel
Corpus Christi, Texas

TCOLE is happy to announce that next year's conference will also be held at the Omni Bayfront Hotel in Corpus Christi!
Be sure to mark your calendar.

OCTOBER 20-23, 2014

Legal Division

Several proposed rule amendments were presented at the September Commission Meeting. If the rule proposals are accepted, they will go into effect on February 1, 2014. Accompanying this issue are the final orders that were approved by the Commissioners in the December Commission meeting. [You may also view the final orders on our website: www.tcole.texas.gov](http://www.tcole.texas.gov)

State of Texas Law Enforcement Achievement Awards

COULD YOU OR AN OFFICER IN YOUR AGENCY BE THE NEXT ONE TO RECEIVE THE STATE OF TEXAS ACHIEVEMENT AWARD?

- ★ We are now accepting nominations for 2013 achievements
- ★ This prestigious honor is one of Texas' highest obtainable award for law enforcement
- ★ Peace officers, reserve officers, and jailers who have exceeded the normal expectations of job performance through acts of Professional Achievement, Public Service, or Valor are eligible
- ★ Awards will be presented in June 2014 at the State Capitol
- ★ The nomination package and information can be found on the TCOLE website at www.tcole.texas.gov under "Honoring Law Enforcement Personnel"



The deadline for nominations is December 31, 2013

For more information, please contact Ms. Laura Le Blanc, Public Information, TCOLE (512) 936-7763 or laura.leblanc@tcole.texas.gov

Special Services Division

Janice Washington

Janice returned to TCOLE September 1, 2013, after a tour of duty in Iraq/Afghanistan. Now that she's back, Janice is in charge of the application process and establishment of new contract training providers and academies. She will also be performing site visits to these entities. Here are the most recent programs, providers and academies Janice has worked with.



- New Academic Alternative Program:
 - East Texas Baptist University
- New Contract Training Providers:
 - Aransas County Sheriff's Office
 - West Columbia Police Department
 - La Grange Police Department
- DENCO Area 911 District
- Humble ISD Police Department
- Kendall County Sheriff's Office
- New Academy:
 - Central Texas College Regional Law Enforcement Academy

Special Services Division Staff Changes



Nikki Johnson

Nikki began her employment with TCOLE on August 26, 2013, as the morning receptionist. Nikki comes to us from the retail industry and also has work experience with Pflugerville I.S.D. as a registrar, receptionist, and substitute teacher.



Michele White

Michele is TCOLE's newest employee. On September 16, 2013, she became our afternoon receptionist. Michele also works for the Hyde Park Baptist Church where she's been employed for over 7 years, and has experience selling jewelry.



Nazareth Munoz

Nazareth has transferred from her temporary position to a permanent position handling the F.A.S.T. fingerprints.



Jessica Teseny

Jessica was selected for the System Support Specialist position and has transitioned from Credentialing to the Special Services.

Special Services Division Continued



Sergeant Gary Connella

Gary retired from Harris County Constable, Pct. 8 after 33 years of service where he was a Sergeant over warrant operations, backgrounds, and extra security details. He is assigned with overseeing the establishment of new agencies, working with courses and course numbers, and several other special projects. Since starting with TCOLE in August 2013, Mr. Connella has worked with cities to establish the following 13 new agencies:

- Carrizo Springs Marshal's Office
- Childress I.S.D. Police Department
- Como-Pickton I.S.D. Police Department
- Holiday Lakes Police Department
- Paris I.S.D. Department of Safety and Security
- Chapel Hill I.S.D. Police Department
- Farmersville I.S.D. Police Department
- North East Police Department
- Aubrey I.S.D. Police Department
- Zavalla I.S.D. Police Department
- Dallas Baptist University Police Department
- City of DeSoto Marshal's Office
- Harris County Toll Road Authority Dispatch Center

Updated Testing Area

The TCOLE testing center has been updated using virtual clients in place of desktop computers. This new system currently supports 22 workstations from a single desktop machine. Our testing proctor, Ms. Donna Soldner, uses a kiosk feature from one workstation to simultaneously prepare all 22 stations for testing. This new method was relatively inexpensive to establish and will save repair costs by replacing desktop machines in the future. Plus, Donna says her favorite part about the new set up is the clean look. As she pointed out, removing all the desktop machines from each workstation helps the room feel less cluttered.



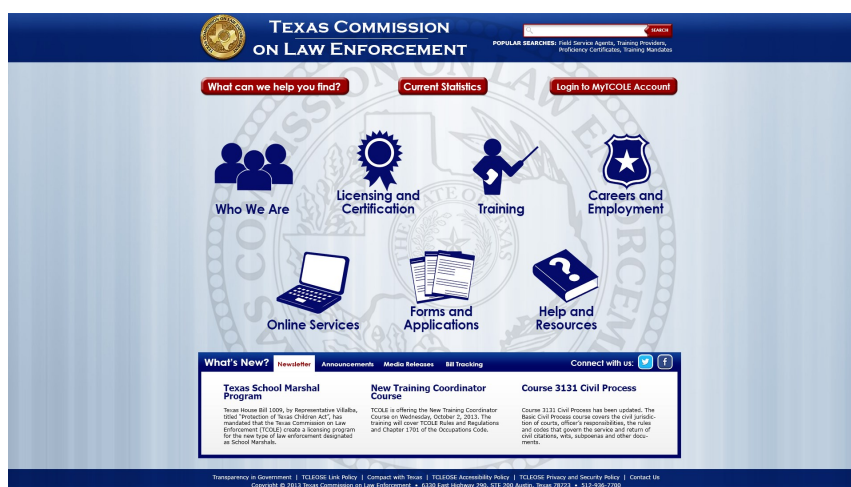
Racial Profiling Reporting Reminder

Racial profiling reporting begins January 1, 2014 and ends March 1, 2014.

Special Services Division Continued

New Website—Coming January 6, 2014!

Our new website is coming soon! The new site offers a clean layout design with simple search menus that will make everything much easier to find. Our most frequently used features are listed behind simple, easy-to-click icons, plus our news and announcements section is hard to overlook along the bottom of the page. We've also accommodated smartphone and mobile device users; you'll find the mobile layout is easy on the eyes and fingers.



Example of our new site layout



Example of the mobile version

New Online Training—Coming Soon!

By Dennis Graffious and Susan Brundage

Both training sites are currently active. Although there are no courses on the new site as of yet, you're welcome to check it out.

Here's how:

1. Go to www.tcole.texas.gov
2. Log into your MyTCOLE user account
3. Navigate to TCOLE Learning, under the My Training tab

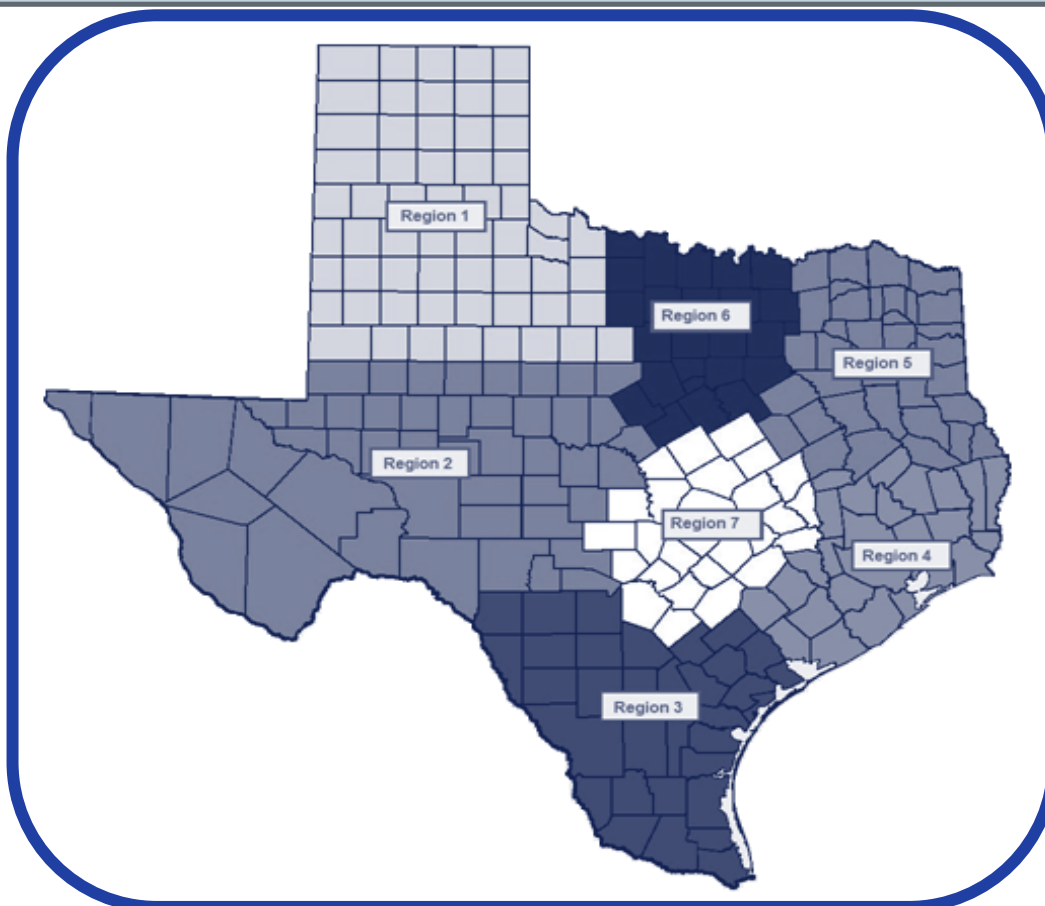
The Commission is replacing the current internet training site, commonly referred to as POSEIT, with a more robust system called TCOLE Learning. We will be gradually phasing out the current site and the TCOLE Learning site will be fully operational by January 1, 2014.

Over the next few months, we will be adding courses to TCOLE Learning and will continue adding online courses throughout the year.

If you start a course through POSEIT, please be sure to complete it before January 1, 2014, as it will no longer be available after that date.

We are very excited about the new training site. It offers a more streamlined method of registering for courses, a friendlier user interface and a more efficient system for bringing new courses online. The end result will be a more pleasant experience for the student.

Field Services Division



Agent Richard Gutierrez

Supervisory Agent for
Field Operations
512-923-0916



Agent Kenny Merchant

Region 1- Panhandle
Region 2- West
325-668-3292



Agent Derry Minor

Region 3- South
361-290-8517



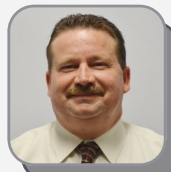
Agent Doug Staudt

Region 4- South East
512-578-6775



Agent Carey McKinney

Region 5- North East
903-948-0535



Agent Lynn Beard

Region 6- North
Central
325-998-4433



Agent Jim Clifton

Region 7- Central
512-750-6370

Field Services Division Continued

What is a Telecommunicator?

By Richard Gutierrez

Ask this question to any one of our field service agents, and they'll refer you to the definition in 1701.001. So, let's take a look at that definition and how it relates to some of the common questions out in the field.

Telecommunicator Definition:

(7) "Telecommunicator" means a person acknowledged by the commission and employed by or serving a law enforcement agency that performs law enforcement services on a 24-hour basis who receives, processes, and transmits public safety information and criminal justice data for the agency by using a base radio station on a public safety frequency regulated by the Federal Communications Commission or by another method of communication.

Questions to ask yourself:

- Is the person serving a law enforcement agency?
- Are they performing law enforcement services?
- Can a member of your agency be reached 24 hours a day?
- Does the person receive, process and transmit public safety information and criminal justice data?
- Does the person communicate by any method (including a base radio station) on a public safety frequency that is regulated by the Federal Communications Commission?

Example 1: A small agency uses a chief or city secretary to relay calls from citizens to an on-duty officer. **This person is a Telecommunicator.** They are performing services for a law enforcement agency by receiving and transmitting public safety information.

Example 2: A part-time receptionist at a department does not take 911 calls but will, on rare occasion, pass public safety or criminal justice information on to a chief or an officer by phone. Even though this person is not transmitting information over a radio, they are serving a law enforcement agency and they are using the phone as a method of communication to relay relevant information.

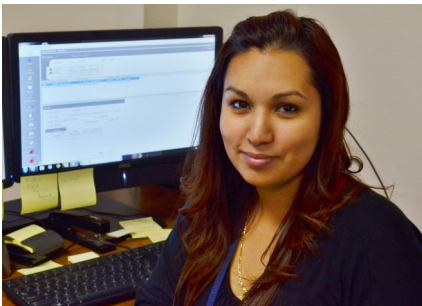
This person is a Telecommunicator.

Example 3: A non-emergency call-taker receives and processes public safety information, but does not transmit it back out to anyone else; or a call-taker who receives, processes, and transmits the information to a telecommunicator who in turn broadcasts that same information to the officers out in the field **does not fit the definition of a Telecommunicator** and thus, is not required to be licensed as such.

For more Telecommunicator information, see page 12

Credentialing Services Division

Most of the interactions you have with TCOLE (whether it's over the phone, mailing in a form or application, or through the TCLEDDS system) is with our Credentialing staff. A lot of you know, or have spoken with: Gloria Moreno, Mary Kay Wright, Maryann Ramos, and Lisa Fontenot, but there have been a number of recent changes to the Credentialing team. Meet our newest members and see what they'll be doing.



Iris Martinez

Iris transferred from the morning receptionist position to a full-time position in Credentialing September 1, 2013.

Responsibilities:

- Rosters
- T1s
- Roster amendments
- Civil process exemptions
- Military exemptions



Cheyenne Hobbs

Cheyenne started on September 4, 2013, and formerly worked as an office manager for Freedom Bail Bonds.

Responsibilities:

- Out of State/Federal applications
- Military Police applications
- Reactivations
- Payments that come with applications



Michelle Beltran

Michelle's background is in education and banking. She joined Credentialing on September 4, 2013.

Responsibilities:

- L1s
- L1 invalidations
- F5s



Chris Varady

Chris actually joined the TCOLE Credentialing team over a year ago. Most of you have known her as the person that handled the training rosters, but effective September 1, 2013, she became the representative for the brand new School Marshal program.

Credentialing Services Division Continued

Telecommunicators

The buzz word going around the Credentialing department right now is “telecommunicator”. HB 1951, passed by the 83rd Legislature, requires licensing and regulation of all telecommunicators, but what everyone wants to know is what will happen to those that are currently working, and how will the process of hiring new telecommunicators work. Here is an outline of some scenarios and how they will be handled. This outline is only meant to address the most common questions concerning the new rule changes. Please keep in mind that all telecommunicators are subject to the minimum standards for licensure, rule §217.1.

Scenario	What Happens on January 1, 2014	Required to complete:					
		1013	2120	1305	Exam	L2	L3
I am currently working for a department and already have my telecommunicator certificate.	A telecommunicator license will be issued to you on 01/01/2014.	NO	NO	NO	NO	NO	NO
I have a telecommunicator certificate, but am not working for a department.	Your telecommunicator certificate will expire as of 12/31/2013. Before you can go back to work, you need to complete an L2 and L3. You can begin working on a one year temporary license until you pass the licensing exam.	NO	NO	NO	YES	YES	YES
I am currently working for a department on a temporary telecommunicator certificate.	If full certification is not reached by 01/01/2014, you will have the remainder of the time left on the temporary to fulfil the licensing requirements and complete the exam.	YES	YES	YES	YES	NO	NO
I am being appointed as a telecommunicator for the first time on or after 01/01/2014.	You are eligible for temporary certificate that is good for 12 months. During this time, you must complete all of the licensing requirements.	YES	YES	YES	YES	YES	YES

In addition to completing the Basic Telecommunicator Certification Course (1013) and Crisis Communications (2120), individuals taking the licensing exam will be required to complete the TCOLE Rule Overview Course (1305) available on the TCOLE learning website, prior to examination. Other requirements for eligibility to take the licensing exam follow the same requirements as jailers and peace officer examinations as outlined in §219.1. Academies concerned about the impact of the new telecommunicator licensing exam on their pass rate should note that pass rate reports will only consider 1013 courses completed after January 1, 2014.

Telecommunicators will also be required to complete continuing education. Each licensed telecommunicator must complete 20 hours of training of their choice, by August 31, 2015. This also means that telecommunicators who fail to meet the training requirements by the end of each training unit will be subject to a reprimand or license suspension, or may go inactive depending on their appointment status at the end of the unit. Inactive telecommunicators can reactivate their license using the existing reactivation process outlined in rule §219.11.

Credentialing Services Division Continued

The Current FAQs

By Lisa Fontenot

Q. I need to add my out of state service time and training. How do I do that?

- A. We will need a notarized POST transcript of all training and service time.
- Training will not be broken out per course. All training will be listed under one course number—course 7700
 - It will have to be mailed to TCOLE, Attn: Lisa L. Fontenot

Q. I just completed the academy, how long do I have to find employment?

- A. You have 2 years from the date you passed the state exam to find employment. If employment has not been found, you will have to complete the academy and pass the exam in order to receive another 2 years to find employment.

Q. What are the training requirements for this unit?

- A. See the chart below.

Training Requirements for Peace Officers

Unit 1
Sept 1, 2013–Aug 31, 2015

Must have a total of: **40 Hours**
Course: **(3183) State & Federal Law Update**

Training requirements for Jailers, Chief Administrators, and Reserve License holders can be found on our website at: www.tcole.texas.gov

Know the Terms: Reinstate vs. Reactivation

Many of the calls TCOLE staff receives are from officers looking to “reinstate” or “reactive” their licenses. We find that the terms are often used interchangeably. However, they have very different meanings, and are handled by different departments within TCOLE. Knowing the correct term can help get you to the right person more quickly. Here are some definitions and examples to help clear things up.

Reinstate

To make a license issued by the commission active after disciplinary action or failure to obtain required continuing education.

Key Distinction: The fact that disciplinary action was taken is what sets reinstatements apart from reactivations. The process for reinstatements happens after a license is suspended or probated and the term has been completed.

Department: Reinstatements are handled by the TCOLE Legal Division.

Scenario: I’m not able to work right now because my license was suspended for 90 days for not keeping up my training. I’m ready to go back to work now that 90 days is up. What does it take to reinstate my license?

Resources: For more information, see rule §223.17 Reinstatement of a License. The application for reinstatement can be found on the TCOLE website under [Forms and Applications](#).

Reactivate

To make a license issued by the commission active after a license becomes inactive. A license becomes inactive at the end of the most recent unit or cycle in which the licensee is not appointed and has failed to complete legislatively required training.

Key Distinction: By definition, when a licensee goes inactive they are not working for a department AND is not in compliance with training at the end of the unit or cycle. There is no disciplinary action involved; the license just goes inactive.

Department: Reactivations are handled by the TCOLE Credentialing Services Division.

Scenario: I haven’t worked for a few years and I did not keep up my training, but I’m thinking about going back to work as a peace officer. How do I reactivate my license?

Resources: For more information see rule §219.11 Reactivation of a License, and §219.13 Retired Peace Officer Reactivation. The applications for reactivation can be found on the TCOLE website under [Forms and Applications](#).

Credentialing Services Division Continued

School Marshals

A School Marshal is a new type of licensee that will go into effect January 1, 2014. They are not peace officers. A School Marshal is an employee of a school district who holds a concealed handgun license through the Texas Department of Public Safety, and who is appointed by the school board or governing body of the school district, whose sole purpose is to prevent the act of murder or serious bodily injury on the school premises. After making application with the Texas Commission on Law Enforcement, a school district that chooses to appoint a school marshal must send the individual to an 80 hour training course conducted by a law enforcement academy who has been specifically prepared to provide the school marshal curriculum. Among the topics covered in the School Marshal course are: physical security, improving the security of the campus, use of force, and weapon proficiency. No other course can be substituted or exempt an individual from the specific school marshal training course. For more information about School Marshals see Chapter 227 of our rules handbook.

Enforcement Division

The ending of the training unit and cycle signals the beginning of Enforcement's busiest season. Notices of violation are being mailed to non-compliant license holders, and each case is being assigned to an enforcement investigator who will act as the point-of-contact for that individual.



TCOLE investigators are preparing cases for reprimand and monitoring those facing license suspension. With only three investigators in the department, you can imagine they have their hands full!

Sergeant Randy Odom

Randy has returned to TCOLE after one year of service with the Texas Department of Insurance. Randy bring his four years of prior TCOLE service back to the Enforcement team where he works as an investigator on both criminal and administrative cases.

Commissioners

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Presiding Officer

Patt Scheckel-
Hollingsworth
Assistant Presiding Officer

Dr. Johnny E. Lovejoy, II
Secretary

Major Jason D. Hester
Constable Ron E. Hood
Rob Kyker
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