

THE BRIEFING



A Publication of the Texas Commission on Law Enforcement

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TCOLE's Sunset Review

As you may have heard, TCOLE is undergoing review by the Sunset Advisory Commission. This entails a very thorough review of the agency, its operations, its effectiveness, if it is meeting its mission, and ultimately, what that mission should be. Most of you should have received a survey in July requesting your input. If you didn't, you may want to take this opportunity to be sure your email address is updated in your MyTCOLE account. Thank you to those who provided feedback through this survey. One of the things we are looking into is how we can be in communication with you, our stakeholders, on a more ongoing basis.

The preliminary report issued by the Sunset staff can be found [here](#). There are still many steps to go before this process is complete and any potential changes are implemented; there will be a vote on the recommendations contained in the report before those recommendations are turned into a bill, which must then go through the legislative process. With the discussions about reforms, the "TCOLE Sunset Bill" is likely to garner a significant amount of interest. When that bill has been filed, we will post its information on our social media pages (Facebook and Twitter- links available on our website) for those who would like to keep up to date on what has been proposed.

We wish everyone a very happy new year, and we are looking forward to what the future may hold in 2021.

Upcoming Events

Racial Profiling Reports
Due Date: March 1, 2021

Quarterly Commission Meetings
March 4, 2021
June 3, 2021
September 2, 2021

Commission Meeting Highlights

Executive Director, Kim Vickers:

We have recently undergone the Sunset process and have had so far a positive experience with the Sunset staff, as they asked great questions and gave us some good insight. Our next step will be the Sunset Committee public hearing on Monday. In principle, we agree with everything discussed and recommended to us by the Sunset staff and they have noted the direction they believe the agency should be headed in. We are preparing for these changes; however, they are not set in stone. Since the release of the Sunset report on TCOLE, we have received many inquiries from interested legislators wanting to make some changes.

Our office has experienced two incidents of positive COVID-19 cases, but there has not been any spread around the office and to other staff. Most of the TCOLE staff is still working remotely, but we have seen an increase in staff presence in the office. We have put safety processes in place to combat the spread of the virus and to keep staff safe, including an official policy that was sent to the whole staff.

Chief Financial Officer, Brian Roth:

For this fiscal year we have operated under three grants and offered multiple school marshal trainings. We also had a successful conference in this fiscal year and that was in October of last year.

TCOLE has experienced three retirements this year, and no new hires have been made due to the statewide hiring freeze. TCOLE, among all state agencies, also must make a 5% budget cut as required by legislative requirements. We expect fiscal year 2021 to be similar to fiscal year 2020. We have also begun to implement some of the recommendations made by Sunset, in particular contract training.

Director of Special Services and Enforcement, Michael Antu:

A special thank you goes out to our IT team for handling the transition to telework so incredibly well, we had no break in service and they were able to get everyone equipped with what they needed.

We have received inquiries from academies and training centers on alternate methods of approval of training, and we have approved alternative methods for the cognitive portion of trainings. In our most recent check, we have had about 44 entities using an alternative method and we are currently working on approving alternative methods for continuing education. We are now in the process of writing our distance education manual, and with the current pandemic, that process has changed drastically as we are striving to keep up with new technology and standards. Many of the academies have had a 100% pass rate. We are also working with agencies and academies to come up with better solutions, more specifically on accommodations to the remote process of those examinations.

Director of Credentialing and Field Services, Cullen Grissom:

The credentialing team is proceeding as normal and have done the best they can with the telework transition. We have not seen a decrease in productivity, but we have seen an increase in out-of-state applicants of about 50%.

Commission Meeting Highlights Cont'd.

The Governor's office has allowed us to reissue temporary license to help with the COVID-19 response. We are also continuing to issue remote examination waivers for the psychological exam. Most experts and professionals are not holding in-person meetings, so we are accommodating the remote process of those examinations.

Field service agents are back in the field conducting audits.

Director of Government Relations, Gretchen Grigsby:

As stated before, we have a Sunset public hearing on Monday, and that will be followed by a Sunset Committee meeting, where the members will vote on the recommendations made in the Sunset report. While we still have many steps ahead of us, but once the bill to continue the agency is signed, we will begin the implementation phase of the Sunset recommendations.

Bill filing began on November 7, and in the three weeks since, there have been 10 bills filed that make modifications or changes to 1701. There have also been bills filed that will modify training, including the highly emphasized George Floyd bill.

Submit your Achievement Award Nominations!

We need your help! Each year, TCOLE hosts an annual achievement award ceremony to recognize peace officers, jailers, and telecommunicators that have gone above and beyond in their service to their community. We know there are many worthy candidates out there, but without a nomination we may never hear about them.

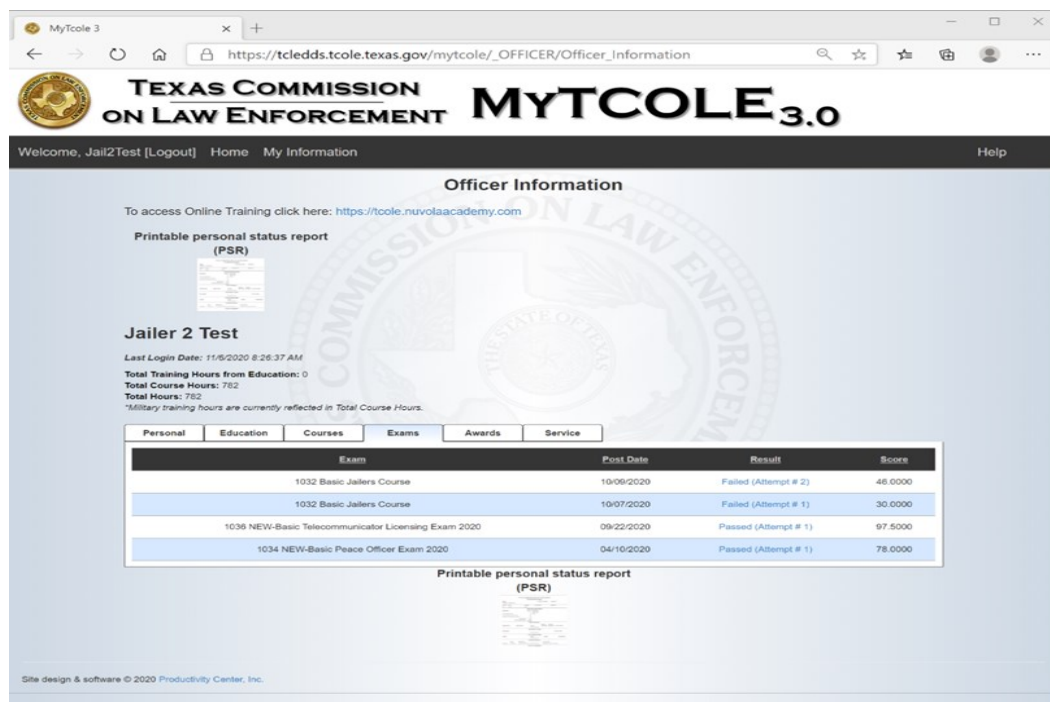
The awards are issued in the categories of valor, public service, and professional achievement. Nominations can be submitted until December 31, 2021 for the 2022 Achievement Award Ceremony. For the nomination form and additional information, please visit <http://www.tcole.texas.gov/content/state-texas-achievement-awards>.



New MyTCOLE Feature: Exam Scores & Printout

Students that complete their licensing exam walk out of the testing center with a printout showing their exam score that serves as proof of licensure eligibility within two years from the date of the passing score. The letter is accompanied by an exam analysis that shows the percent of questions answered correctly in each topic area. This analysis is especially helpful for students that do not pass the exam and need to focus on an area of study.

This printout as well as the score is now available within the MyTCOLE account under the exams tab.



Exam	Post Date	Result	Score
1032 Basic Jailers Course	10/09/2020	Failed (Attempt # 2)	46.0000
1032 Basic Jailers Course	10/07/2020	Failed (Attempt # 1)	30.0000
1036 NEW-Basic Telecommunicator Licensing Exam 2020	09/22/2020	Passed (Attempt # 1)	97.5000
1034 NEW-Basic Peace Officer Exam 2020	04/10/2020	Passed (Attempt # 1)	78.0000

1. Log into your MyTCOLE Account: <https://tcledds.tcole.texas.gov/mytcole/Login>
2. Click on **My Information**



**TEXAS COMMISSION
ON LAW ENFORCEMENT**

MYTCOLE

Welcome, Jail2Test [Logout] Home My Information

Help

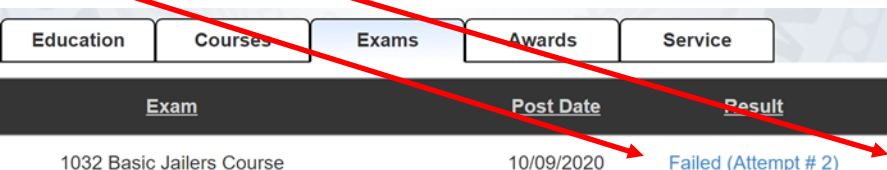
Officer Information

3. Click on the **Exams** tab

Personal	Education	Courses	Exams	Awards	Service
Exam		Post Date	Result	Score	
1032 Basic Jailers Course		10/09/2020	Failed (Attempt # 2)	46.0000	
1032 Basic Jailers Course		10/07/2020	Failed (Attempt # 1)	30.0000	
1036 NEW-Basic Telecommunicator Licensing Exam 2020		09/22/2020	Passed (Attempt # 1)	97.5000	
1034 NEW-Basic Peace Officer Exam 2020		04/10/2020	Passed (Attempt # 1)	78.0000	

4. Your Exam Letter and Score are both available from the Exams tab

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Alert to Compliance in Reporting of Distance Education Training

The COVID-19 restrictions generated a surge in both the interest in and the use of distance education training for peace officers, telecommunicators, and jailers. While the use of distance education approaches can provide many positive benefits, TCOLE has noted a rise in the use and reporting of training through distance education that does not meet current training and reporting standards.

TCOLE published an updated “Guidelines for Distance Learning” manual in 2017. A copy of that manual is available on the TCOLE website in the “Publications” tab under “Help and Resources.” As noted on the introductory page of the manual, the distance learning guidelines “apply to all distance learning modalities and providers, with or without a TCOLE contract training provider provision,” and all distance learning reported to TCOLE must meet the requirements. Many courses are not suitable for distance learning because of role-play scenarios, live firearms or defensive tactics, or similar activities, and a sample listing is noted in the distance learning manual. TCOLE may grant some training program adjustments or modifications when such requests are submitted in writing to TCOLE in advance of the training program and when deemed appropriate by TCOLE on a case-by-case basis.

TCOLE has recently identified several organizations conducting annual conferences or training through a live virtual environment such as Zoom, Teams, or WebEx. In some cases the live session was recorded and later being allowed to be viewed as an asynchronous webinar. Generally, webinars DO NOT meet the distance learning requirements for reporting of training credit.

The distinction between a live synchronous video class, as compared to a one-way asynchronous webinar, is distinct. In live video, or synchronous, training, the instructor is able to visually observe all attendees and interact as if in a face-to-face classroom. The live video interface training allow attendees to have the opportunity to not only listen to presentations and questions posed by other attendees, but to ask their own questions of the presenters and interact with the conference, and the instructor is able to validate continual attendance. Watching a pre-recorded seminar or logging into a ‘webinar’ does not allow any interaction between student and presenter, and there is no way to be assured that a person actually remained present and engaged through the entire presentation. TCOLE generally will not approve training credit for watching the recordings of video conferences or for webinars failing to meet the required standards.

An updated, and much more detailed distance education manual that will provide even greater detail and guidance is in the final phase of editorial proofreading and will be published soon. Please help us all to maintain the highest level of professional training and ethical conduct by adhering to the standards and expectations for conducting, undertaking, and reporting distance learning program training.

If an agency receives a request to report training inconsistent with the requirements, the agency should deny it. If an agency has already submitted a training report that is inconsistent with the training requirement, the agency is expected to submit an amended roster to remove that train-

ing credit. Training that was conducted inconsistent with the regulatory standards may be removed from individual's training records (PSR) when discovered at any time in the future by TCOLE through evaluations or audits. In addition, training providers and agency administrators reporting inappropriate training credits could have additional TCOLE action taken on them or the agency for non-compliance.

If you have questions, please contact your respective Academy Contract Evaluator (ACE) as shown below:

Malcolm Jackson

malcolm.jackson@tcole.texas.gov

512-940-0635

Mike Dickey

michael.dickey@tcole.texas.gov

512-484-3846

Happy New Year From JCOFF



Stay safe

License Actions

The following proceedings for revocation, suspension and other disciplinary actions took place at the December 2020 Commission Meeting. For a complete listing of these license actions, including names and departments, see the meeting agenda found on our website under Who We Are/The Commission/Meeting Minutes at www.tcole.texas.gov/commission-meeting-minutes.

Type of Action	Number of Licenses
Default Suspension Orders	9
Default Cancellation Orders	0
Default Revocation Orders	2
Proposal for Decision Order	0
Agreed Suspension Waivers	0
Agreed Suspension Orders	0
Statutory Revocations	5
Statutory Suspensions	3
Permanent Surrenders	17
Reprimands for Administrative Violations	0
Suspensions for Failing to Complete Legislatively Required Continuing Education	52
Reprimands for Failing to Complete Legislatively Required Continuing Education	0

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