



Public Safety Commission Meeting

February 11, 2016 9:00 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

10:04 am – Chairwoman Cynthia Leon called the meeting to order. In attendance: Chairwoman Cindy Leon, Faith Johnson, Steven Mach, Manny Flores and Randy Watson. A quorum was present. Also present were, Director Steve McCraw, Deputy Director David Baker, Deputy Director Robert “Duke” Bodisch, and General Counsel Phil Adkins.



II. APPROVAL OF MINUTES

A motion was made by Commissioner Mach, and seconded by Commissioner Johnson to approve the minutes from the December 17, 2015 PSC Meeting. Motion carried.

III. PUBLIC COMMENT

(Members of the public wishing to address the Commission are subject to a time limit of

5 minutes and must complete a Public Comment Registration Card located at the entry. 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.)

Chair Cindy Leon stated that there were no requests to address the Commission.

IV. DIRECTORS REPORT

A. Presentations

Director Steve McCraw – Made the following presentations for Service Awards:

(DPSOA thanks the DPS Media and Communications Office for the following report regarding the Awards.)

DPS Awards Purple Hearts, Honors Outstanding Employees

AUSTIN – The Texas Public Safety Commission (PSC) and Texas Department of Public Safety (DPS) Director Steven McCraw presented two *Purple Hearts*, eight *Director’s Citations* and four *Lifesaving Awards* to DPS employees for their exemplary service. In addition, two DPS employees were recognized with *William P. Clements Excellence Awards* for outstanding service throughout their careers; and four other individuals received *Director’s Awards*.

“These extraordinary individuals embody what it means to be true public servants – in some cases putting their lives on the line to protect others or come to the aid of their fellow Texans,” said Director McCraw. “Today we honor these award recipients and show our gratitude for their courageous actions and unwavering commitment to helping others.”

The *William P. Clements Excellence Award*, named in honor of the former governor and his commitment to excellence in government, recognizes employees who display exceptional performance throughout their DPS career. The commissioned recipient was **Ranger Joe Haralson**, Texas Ranger Division in Texas City, and the non-commissioned recipient was **Shantel Kaster**, Combined DNA Index System (CODIS) Analyst in Austin.

Haralson began his career with DPS in 1971 and was assigned to Highway Patrol in Brenham. In 1979, he was promoted to Texas Ranger in Texas City, where he has remained for more than 34 years. Haralson has been recognized multiple times for his work on major cases and has been involved in numerous high-profile investigations. He also received special recognition for the recovery of a kidnapped infant and abducted child, who was kept from her mother for more than four years. In addition, he was a founding



member of the Texas Ranger RECON Team and now serves as the team leader of the Region 2 Ranger Special Response Team.

Kaster began her DPS career in 1998 as an evidence technician in Austin. In 1999, she became a CODIS analyst and has played an integral role in the processing of more than 800,000 samples from Texas that have been uploaded into the National CODIS database. Since 2010, Kaster has acted as the local CODIS Administrator for the Texas DPS Crime Lab CODIS section and works with all 16 CODIS labs in Texas as well as labs through the United States. During this time, she has contributed to more than 13,000 notifications for CODIS hits from unsolved cases to DNA evidence that matches a Texas offender.



The following awards also were presented today:



- **Sgt. Chad Matlock** and **Sgt. Michael Thomas**, both Highway Patrol in Odessa, each received a *Purple Heart* and *Director's Citation*. **Cpl. Jon Shock** and **Cpl. Oscar Villarreal**, both Highway Patrol in Odessa, each received a *Director's Citation*. On August 11, 2015, Highway Patrol personnel were called to assist the Texas Rangers with locating and

apprehending an armed fugitive. The fugitive was located hidden in the bathroom of a convenience store. Matlock, Thomas, Shock and Villarreal subsequently approached the bathroom, identified themselves and attempted to make entry into the bathroom. The suspect then emerged and began firing at the Troopers. Matlock and Thomas were





wounded during the exchange of gunfire; however Matlock, Shock and Villarreal were able to return fire, fatally wounding the suspect. Both Matlock and Thomas were transported to a local hospital for treatment.

- **Trooper Kevin McKellar**, Highway Patrol in Coldspring, received a *Director's Citation*. While on duty May 12, 2015, McKellar responded to a crash in San Jacinto County where a vehicle was swept off the road by floodwaters. McKellar observed the driver holding onto a tree surrounded by fast-moving water. He subsequently donned a life jacket and harness to enter the water and to pull the woman to safety. The driver was then treated for hypothermia and transported to a hospital.



- **Cpl. Gary Stiles**, Highway Patrol in Gatesville, received the *Lifesaving Award*. While on patrol in Hamilton County on May 12, 2015, Stiles was notified that the Lometa Police Department was attempting to apprehend a known felon who was evading law enforcement in a vehicle and considered to be armed and dangerous. Stiles then assisted with a roadblock to stop the fleeing suspect. Once stopped, the suspect attempted to commit suicide, and Stiles, Lometa Police Chief Bob Montgomery and Mills County Sheriff's Deputy Johnny Brown administered



first aid until EMS arrived and the suspect was airlifted to a hospital for continued care. **Lometa Police Department Chief Bob Montgomery** and **Mills County Deputy Sheriff Johnny Brown** were each awarded the *Director's Award*.



- **Trooper Mario Ayala**, Highway Patrol – Commercial Vehicle Enforcement in George West, and **Trooper David Patch**, Highway Patrol in Jourdanton, each received a *Lifesaving Award*. While assigned to border operations on Aug. 20, 2015, Ayala responded to a shooting in Starr County near La Grulla. When Ayala arrived at the scene, he found a male with a gunshot wound to his shoulder and began to administer first aid. U.S. Border Patrol Agent Evenson Demas and Trooper Patch also arrived on the scene and assisted with first aid efforts. The victim was eventually airlifted to an area hospital for further treatment. **U.S. Border Patrol Agent Evenson Demas** also received a *Director's Award*.



- **Sgt. Virgil Verduzco**, Highway Patrol in San Marcos, received a *Lifesaving Award*. While assigned to border operations on Oct. 31, 2015, Verduzco entered a restaurant in Rio Grande City and was approached by a man seeking aid for a child who appeared to be choking. Verduzco ran to the child and began maneuvers to clear the child's airways. The child subsequently began to breathe on its own and was transported to the hospital for further observation.



- **BreAunna Glover, Frank Pritchett and Utanah Hoermann**, all Driver License Division in Garland, were each awarded a *Director's Citation*. On Nov. 15, 2015, Customer Service Representative Glover ran a warrant check on a customer and discovered that the individual was wanted for murder in Washington, D.C. Glover notified her supervisor, Hoermann, who notified a Trooper of the situation. Glover stalled completion of the customer's transaction until a Trooper arrived. When the Trooper arrived, Customer Service Representative Pritchett and a civilian Juan Espinoza helped the Trooper subdue suspect and ensure his apprehension. **Juan Espinoza** received a *Director's Award* for his actions during the incident.



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B. Report on Testimony to the Subcommittee on Immigration & Border Security



Director Steve McCraw – On January 21, we had the only invited testimony before the Border Security Subcommittee of the Senate with Senator Birdwell chairing.

Director McCraw showed a slide from the presentation that showed the agency's strategic intent. It read in part:

"The Texas Department of Public Safety

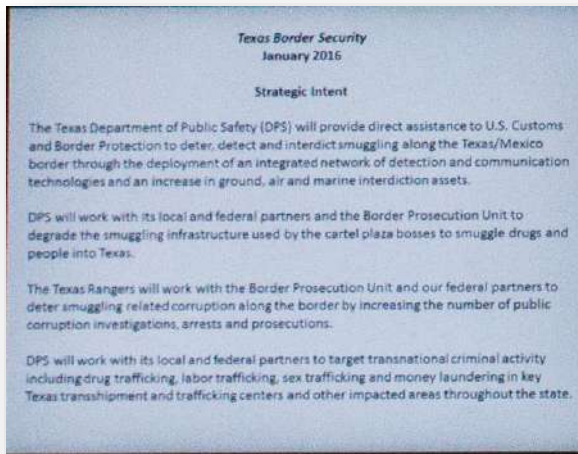
(DPS) will

provide direct support to U.S. Customs and Border Protection to deter, detect, and to interdict smuggling along the Texas/Mexico border through the deployment of an integrated network of detection and communication technologies and an increase in ground, air and marine interdiction assets."



We

were able to lay out our whole operation (some of which was in executive Session due to security issues). DPS is often used as a model for other states to see what all we are doing and accomplishing. HB 11's intent get DPS more involved with our border security. We are doing around the clock air missions which allows us to get almost instant information from our border sensors to determine if the alert is a real threat or just an animal or other triggering of the sensor. Our cameras are the next line of defense.



Next we have the helicopters. We are in essence in a surge operation and it requires a great deal of logistical shuffling of personnel and resources. After the helicopters is the mid-altitude aircraft. We also have the interdiction units (troopers and special agents). We also have tracking capabilities and can view camera images on their smart phones. They work in close coordination with the Border Patrol. Putting a Trooper in a Border Patrol unit has great value. We are leveraging technology with our officers on the ground. We conduct operations zone by zone to get comprehensive coverage of a given area at a given time. We try to go after the smuggling networks. In the last 60 days we have had 274 high value arrests.

DPS Operational Activities

Criminal/High Threat Criminal Arrests in the Border Region

| | Last 60 days (11/19-12/18) | Last 12 months (07/19-12/18) | Operation total (1/14-12/18) |
|----------------------|-------------------------------|------------------------------|------------------------------|
| Texas Highway Patrol | High Threat Criminal Arrests* | 274 | 1,713 |
| | Total Criminal Arrests | 2,801 | 12,397 |
| DPS Special Agents | High Threat Criminal Arrests* | 66 | 726 |
| | Total Criminal Arrests | 268 | 2,284 |
| Texas Rangers | High Threat Criminal Arrests* | 37 | 263 |
| | High Threat Criminal Arrests* | 373 | 3,402 |
| DPS Total | Total Criminal Arrests | 2,324 | 14,284 |

* Felony DWI, intoxication manslaughter and other serious traffic offenses, as well as illegal Alien detentions and referrals to U.S. Border Patrol are not included in the arrest statistics above.

E. Aviation Assets
The State of Texas has deployed DPS and Texas Military Forces aircraft to detect smuggling attempts along the Texas-Mexico border and to assist in interdicting those attempts. The fixed-wing aircraft receive direct alerts from U.S. Border Patrol ground sensors and DPS motion-detection camera activations, and the helicopters receive the DPS motion-detection camera alerts. All DPS aircraft can communicate directly with U.S. Border Patrol Agents and Troopers on the ground.

| DPS Aircraft with Advanced Detection and Communications Technologies | Deployed | Ready | Total |
|--|----------|-------|-------|
| Helicopters | 11* | — | 11 |
| Mid-Altitude Fixed Wing | 2 | 1 | 3 |
| High-Altitude Fixed Wing | 1 | 1** | 2 |
| Total | 14 | 2 | 16 |

*DPS helicopters in Longview and Waco have been reassigned to the border.
**An additional high-altitude aircraft for DPS was approved by the Texas Legislature and is in the procurement process.

| | |
|---|-----------|
| Pilots and Tactical Flight Officers - Permanently Assigned: | 25 |
| Pilots and TFOs Temporarily Deployed to OST: | 8 |
| Additional Overtime FTE Equivalents from working OT: | 4 |
| Total Personnel Strength: | 37 |

Chair Leon asked if we get information from Border Patrol and other agencies and have we evaluated if they collect any data that we should also be collecting. Director McCraw said that this type of data sharing has been going on since the early 2000's but we do not always get complete bridge information.

The legislature has made it clear that they want us to secure the border as much as possible. I am confident that we are in very good shape right now with the data we collect and share, but I do not doubt that we will get additional requests and we will have to be nimble and adjust what we collect and provide to the legislature.

Director McCraw turned his presentation to those that are in the field and actually do the work. Special Agent Wayne Cipriani and Sergeant Thomas Arriaga gave a presentation of a significant monetary interdiction when they were both still Troopers, resulting in the confiscation of \$1,068,930 U.S. currency. Below are some of the details about their very interesting story.



HISTORY

- 1997
 - Fired from DPS due to Aggravated Assault arrest
- 2008
 - Unsuccessful election attempt for Constable in Hidalgo County
- 2012
 - Second Campaign for Constable in Hidalgo County

Robert Ricardo Maldonado

- United States Marine Corps
- Texas Highway Patrol Trooper 1994-1997
- Narcotics Officer for Hidalgo County S.O.
- Actively campaigning for Constable in Hidalgo County



Observation and Traffic Stop

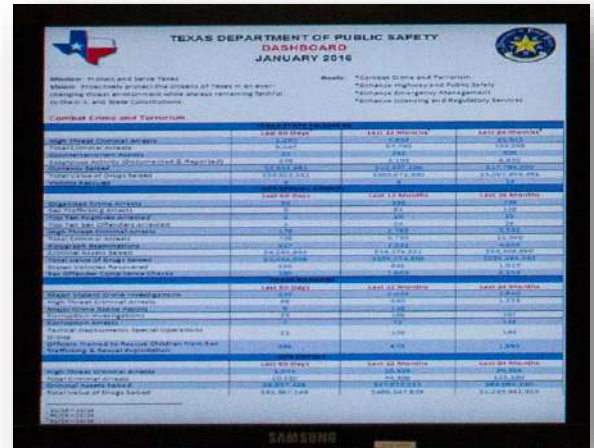
- 02-13-2012 notified by THP supervisors of a narcotics/currency courier traveling southbound on US 59 from Houston to Rio Grande Valley
- Began working as a 2 man unit
- Observed a vehicle southbound on US 59 near Inez, Texas that matched the given description of the courier
- Vehicle was stopped for Speeding and Drive on Improved Shoulder Where Prohibited



\$1,068,930 United States Currency

C. DPS Dashboard Revisions

Director Steve McCraw – Still focus on mission. In last 60 days, we have 1,269 felons arrested. This has a real impact on the community. Major crimes investigations, the Texas Rangers had 266 investigations in the last 60 days. This is all good information to evaluate information, assess strategies, and adjust as necessary. We do this in a collaborative way with other agencies. Our Tactical Marine Unit are engaged every day and are on our front line of our Border Security. They have gone on 244 missions in the last 60 days. Information sharing is key to our coordination with other agencies. We can never have too many forensic analysts to help us identify who we need to watch or apprehend. Commercial Vehicle Enforcement is also a critical operation to keep our roadways safe. We have removed 243 trucks from the roads following CVE inspections.



Filling our vacancies is a real priority, because if we don't have the officers in the field doing this good work, we can't have these positive results. At the end of the day, our Highway Patrol is our first line of defense. With 150 recruits starting this first class of 2016, we already have a 19% attrition rate. We haven't lowered our standards and the school is tough.

Chairman Cynthia Leon confirmed that the dashboard will be posted on the website for the public, and had one suggestion. She suggested that they add a glossary of acronyms used in the report. Commissioner Mach said this is the type of information that the public has been asking for and that they need to get to understand everything that DPS does.

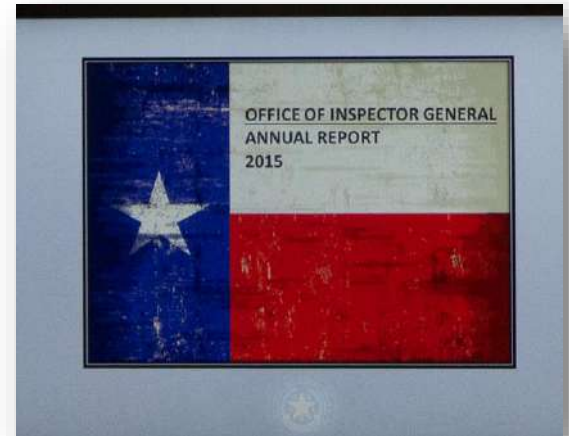


Auditing of our data is also critical. Our credibility is only as good and the accuracy of the data, and the procedures in place to collect the data.

V. NEW BUSINESS

A. Report, discussion, and possible action on the Office of Inspector General 2015 Annual Report

Inspector General Rhonda Fleming – made a presentation regarding the OIG, including the Volunteer Investigator Program. In 2015, the OIG conducted the following Administrative Investigations:



THE OFFICE OF INSPECTOR GENERAL

The Office of Inspector General (OIG) is statutorily tasked with responsibility for all department administrative investigations of employee misconduct.

Texas Government Code 411.251.

VOLUNTEER INVESTIGATOR PROGRAM (VIP)

- ❖ Originally designed to supplement administrative investigations for the OIG and EEO offices due to staffing concerns and in order to maintain investigation timeliness.
- ❖ VIP's can be either commissioned or non-commissioned supervisors throughout the agency.

Volunteer Investigator Program (VIP) 2nd Annual Training Session

Jan/Feb of 2015 – Approx. 300 investigators trained

On behalf of the OIG and EEO Offices, VIP's will now concentrate all investigative efforts on Division Referrals.

OIG ADMINISTRATIVE INVESTIGATIONS

Calendar Year 2015

| | |
|-----------------------------|-----------|
| • Total Complaints Received | 370 |
| • Division Referrals | 199 |
| • Total OIG Investigations | 163 |
| • VIP Investigations | 8 |
| • EEO Investigations | 32 |
| • Management Inquiries | 3 |
| • ECI's tracked | 79 |

EARLY INTERVENTION SYSTEMS

EI systems alerts on employees involved in frequent and significant occurrences to assist managers, supervisors and leaders in recognizing patterns and trends early on so that intervention is initiated before formal disciplinary action is required.

EI Systems have been in law enforcement since the early 80's.

MAJOR TRENDS

- Courtesy Policy
- 7-Step Violator Policy
- Reporting of Duty hours
- DWI – Non-commissioned
- Assault & Family Violence
- Theft – Non-commissioned

Early Intervention Systems - alerts on employees involved in frequent and significant occurrences. We want to expand this, to make it more global through supervisors and encourage early interdiction to keep incidents from rising to the level of an OIG Investigation. We are looking at benchmarks to watch for, setting thresholds of various incidents within a time period.

BLUE TEAM - Final Steps

◆ Develop Incident Thresholds

| INDICATORS | THRESHOLD |
|-----------------------------|----------------|
| Sustained Complaints | 3 in 24 months |
| Use of Force | 3 in 24 months |
| Informal Citizen Complaints | 3 in 12 months |
| Vehicle Pursuits | 3 in 12 months |
| Vehicle Accidents | 3 in 12 months |
| Firearms Discharge | 1 in 60 months |
| EEO Complaints | 3 in 12 months |

Contract Review Board History:

- ▶ Pre 2009: Contracts were presented directly to the PSC at Commission meetings.
- ▶ Nov 2009: Contract Review Board established. List of items established that were excluded from review.
- ▶ March 2011: Updated the list of items excluded from review.
- ▶ July 2012: Updated the list of items excluded from review.
- ▶ August 2013: CRB membership updated, threshold updated and ECRB established.

B. Report and discussion on the Contract Review Board

Current Process: Contract Review Board

- ▶ Full Contract Review Board Threshold:
 - Contracts over \$1M
 - Changes of \$500K or above
 - Changes of \$100K or above that change the contract by 50%
- ▶ Potential Actions:
 - Approve for Award;
 - Identify shortcomings/give feedback; or
 - Deny as Unacceptable to the Agency

Current Process: Executive Contract Review Board

Executive Committee of Contract Review Board:

- ▶ Reviews proposed contracts of \$500K or more at the request stage.
- ▶ Potential ECRB Actions:
 - Require additional information from requestor;
 - Identify additional divisions to be included;
 - Recommend that request be considered as an enterprise project;
 - Recommend that request be resolicited rather than renewed; or
 - Require full CRB review of the proposal prior to award.

Strengthening the Contract Review Board

- ▶ Contract Changes
- ▶ Board Members and Presenters
- ▶ Roll Call Voting

Assistant Director Amanda Arriaga – Administration – We have heard a lot about the Contract Review Board created by the PSC in 2009. The CRB fixed some of the communications issues. In 2011 and again of 2012. The CRB's list of contracts for review as modified. In 2013, the CRB's threshold was changed. We review contracts that are \$500,000 or over. Any new contract of \$1,000,000 or more is reviewed and any modifications of \$500,000 or more are reviewed.

Changes, Board Members and Presenters, and Roll Call Voting. In the future we are also looking at including Deputy Directors in the formal process of the Executive Contract Review Board and excluding items that are Legislatively Mandated Pass-Through Funding.

I ask the PSC to consider these recommendations and assist in strengthen the Contract Review Board. No action is necessary today.

Membership of Contract Review Board

Executive Committee:

- ▶ Assistant Director, Administration Division (Chair)
- ▶ Representative from OGC
- ▶ Representative from Finance

Full CRB:

- ▶ Members of Executive Committee of CRB and
- ▶ Representative from Information Technology
- ▶ Representative from one law enforcement division (rotating)
- ▶ Representative from one services division (rotating)
- ▶ Advisory member of PSC.

C. Report and discussion on DPS Facilities

*Assistant Director Amanda Arriaga – Administration
– Amanda asked Wayne Mueller to join her for the facilities update*

Parsons Report

Deferred Maintenance/Capital Renewal

- Per Facilities Condition Assessment (FCA) from 2010, DPS has \$370M of project needs:
 - \$194M in DM/backlog renewal
 - \$176M in estimated future capital renewal through year 2020
- Since FY10, DPS has requested \$225.7M for DM projects; DPS has received \$60.4M (\$8.5M of that lapsed)
- Average age of DPS buildings: 29 years

83rd Legislative Session

Deferred Maintenance/Capital Renewal

- Legislature appropriated \$32.7M:
 - \$17.7M in GR (\$9.2M FY14, \$8.5M FY15)
 - \$15M in GO Bonds
- In FY 15, DPS never received approval for use of the \$8.5M DM funds.
- DPS has and will continue to have deferred maintenance needs, and has had to cannibalize its own funding to meet those needs.

We do not even have funding authorization to do a comprehensive study to determine what would be more fiscally responsible, repair and update the current Headquarters facility, or to relocate with new construction to an area where the costs might be less expensive.

Essentially, the state isn't funding even the minimum maintenance for facilities, much less wholesale overhauls such as the Headquarters is in need of. Estimates to repair Building A at headquarters come in around \$29 million, while replacing it with new construction would run \$47 million. Headquarters has 22 buildings, all in some state of disrepair. Building C, which was built in 1954, would require \$18 million to repair, and \$28 million to replace with new construction.

Garland Regional Headquarters: Parking Lot



84th Legislative Session

Rider 54 – HQ Relocation Study:

- Requires DPS to conduct a relocation study to move HQ campus to another location. This rider was placed in our Facilities Strategy, F.1.8.
- Plan to study complete relocation as well as design master plan to stay at current location and revitalize
- Funding has not yet been identified

Regional Construction Needs

| Project Analysis | PA Amounts |
|-----------------------------------|---------------|
| El Paso Regional Headquarters | \$63,383,589 |
| San Antonio Regional Headquarters | \$75,374,456 |
| El Paso Crime Laboratory | \$12,298,526 |
| Houston Crime Laboratory | \$17,628,024 |
| Amarillo Crime Laboratory | \$1,417,373 |
| Austin Crime Laboratory | \$31,525,000 |
| Garland Crime Laboratory | \$2,403,676 |
| Waco Crime Laboratory | \$7,801,105 |
| Hays County CVE | \$13,490,816 |
| Florence TTC Academy | \$735,400,000 |

Commissioner Flores said that some of these issues, such as leaking roofs leading to black mold issues, are employee safety and health issues, and it make him hot that the legislature doesn't seem to understand this.

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

Discussed in Executive Session

VI. ONGOING BUSINESS

Reports, discussion and possible action regarding the following:

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

1. Amendments to 37 TAC Section 14.12 and Section 14.14, concerning School Bus Driver Qualifications
2. Amendments to 37 TAC Section 14.52, concerning Texas School Bus Specifications
3. Amendments to 37 TAC Section 15.7, concerning Occupational License (Essential Need)
4. Simultaneous repeal of current 37 TAC Section 15.23 and proposed new 37 TAC Section 15.23, concerning Names
5. Amendments to 37 TAC Section 15.42, concerning Social Security Number
6. Amendments to 37 TAC Section 15.55, concerning Waiver of Knowledge and/or Skills Tests
7. New 37 TAC Section 15.63, concerning Out-of-State Examinations and Applications
8. Repeal of 37 TAC Sections 15.91 – 15.93, concerning Reciprocity in Driver Licensing

Assistant Director Luis Gonzales – Highway Patrol Division – items 1 & 2, previously published with no comments. Move to adopt by Commissioner Mach, Seconded by Comm. Watson. Motion carries.

Assistant Director Joe Peters – Drivers License Division – Items 3, 4, 5, 6, 7 & 8, previously posted and no comments were received.

Move to adopt items 3-7 and repeal 8 by Commissioner Johnson, Seconded by Comm. Flores. Motion carries.

B. Update report, discussion and possible action regarding recruitment

Assistant Director Frank Woodall – Education, Training and Research – Reported that on January 10, 2016, the A-16 class accepted 161 applicants out of 4,400 that applied. One failed the initial PRT and two others deferred until the next class, leaving 158 to begin the training. We currently have 130 of those still in the class, and will likely lose a few more in the next week or two after duty stations are

assigned. This class will graduate on June 17, 2016.

On March 13, 2016, the B-16 recruit class will begin. We have 101 approved applicants, including 10 female and 21 veterans. We have an additional 123 applicants in the pipeline and hope to start the class with 140-150 recruits. This class will graduate on August 26, 2016.

The C-16 Class will begin on July 10, 2017, with the D-16 Class beginning on September 11, 2016.

From September 1, 2016 through August 31, 2017, DPS has 8 recruit schools scheduled to start and graduate.

- C.** Report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071

Director Steve McCraw – Director McCraw introduced Amy Clay, new Senior Legislative Liaison. Ms. Clay is a graduate of the University of Texas, and has worked for Texas House members, key committees, and in the Governor’s office.

- D.** Report, discussion, and possible action regarding the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
- E.** Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

VII. REPORTS

- A.** Commission member reports and discussion

Nothing to report.

- B.** Finance Report

Nothing to add to the submitted report.

- C.** Chief Auditors Office

Nothing to add to the submitted report.

- D.** Division status reports on activities and action

Nothing to add to the submitted report.

VIII. 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 the Director's determination that a certain probationary employee was found unsuitable for work during December 2015
- 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: Special Rangers: David C. Cullison, Jackie T. Griffin, Jody P. Hammond, Edward A. Longoria, Jose A. Mora, Ronald L. Morgan and Kenneth B. West, Jr. ; Special Texas Rangers: Tony C. Arnold and William R. Flores; Special Ranger Applicant from the National Insurance Crime Bureau: Tony D. Folkers; and a Special Ranger Applicant from the Texas and Southwestern Cattle Raisers Association: Kenneth D. Murchison

- C.** Donations:
 - 1. Additional donation items, as needed

Moved by Comm. Mach and seconded by Comm. Johnson to approve the consent items A-C. Motion Carries

IX. ITEMS FOR FUTURE AGENDA

Facilities.

X. DATE FOR FUTURE MEETING

Any discharge hearings will be scheduled on April 13, 2016, and the regular Public Safety Commission meeting is scheduled for April 14, 2016.

We expect at least 1 discharge hearing on April 13, 2016, and will hold the PSC Meeting on April 17, 2016.

XI. 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

Adjourned to executive Session at 12.15 pm.

XII. 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