



# Public Safety Commission Meeting

June 15, 2017, 10:00 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

*10:02 am – Chairman Steven Mach called the meeting to order. In attendance: Chairman Steve Mach, Commissioners Randy Watson, Cindy Leon, Manny Flores and Jason Pulliam. A quorum was present. Also present were, Director Steve McCraw, Deputy Director Robert “Duke” Bodisch, and General Counsel Phil Adkins.*



### II. APPROVAL OF MINUTES

*A motion was made by Commissioner Leon and seconded by Commissioner Watson to approve the minutes from the April 27, 2017 PSC Meeting. Motion carried.*

*A motion was made by Commissioner Mach and seconded by Commissioner Watson to approve the minutes from the April 27, 2017 PSC Meeting. Motion carried.*

*Welcome new Commissioner Jason Pulliam. I'm honored that the Governor appointed me to this position and I am looking forward to getting to work.*



**Jason K. Pulliam**

P.O. Box 460564  
San Antonio, Texas 78246

Jason Pulliam of San Antonio is counsel for Prichard Young and previously served as a justice on the Fourth Court of Appeals, and as judge of Bexar County, County Court of Law No. 5. He proudly served in the U.S. Military and was honorably discharged from the U.S. Marine Corps in 2004. Commissioner Pulliam is a member of the State Bar of Texas and the San Antonio Downtown Rotary. He is a former member of the San Antonio Young Lawyers Association, San Antonio Bar Association, and the Defense Counsel of San Antonio. Commissioner Pulliam received a Bachelor of Arts and Master of Arts from Brooklyn College, and a Juris Doctor from the Thurgood Marshall School of Law at Texas Southern University. His term on the Public Safety Commission expires January 1, 2022.

### **III. PRESENTATIONS**

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

#### **30 Year Service Award**



*Tamera Celeste Tovar  
Driver License Division, Austin HQ*



*Maria Cecile Mayfield  
Driver License Division, Region 2*



*Darla R. Freeman  
Law Enforcement Support, Region 2*



*Lisa Dawn Hamilton  
Criminal Investigations Division, Reg. 1*

### 35 Year Service Award



*Sheri Lynne Gipson  
Driver License Division, Austin HQ*



*Randy Charles Loewe  
Criminal Investigations Division, Reg. 2*

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

## **DPS Recognizes Life Saving and Other Outstanding Efforts**

AUSTIN – The Texas Public Safety Commission (PSC) and Texas Department of Public Safety (DPS) Director Steven McCraw presented one *Director's Citation*, four *Lifesaving Awards*, two *Director's Awards* and a *Unit Citation* to DPS employees and law enforcement partners today in Austin.

“The people we honored today epitomize the department’s mission of protecting and serving Texas,” said Director McCraw. “Whether they were rescuing children from harm, saving someone’s life, or providing vital investigatory support, these exemplary men and women have served Texas with distinction, and we are proud to honor their efforts.”

The following awards were presented today:



- Trooper Patrick Alonzo**, Highway Patrol in Georgetown, received a *Director's Citation*. From January 2016 through February 2017, Trooper Alonzo submitted 10 criminal charges on six separate adults for exploiting or harming children – and at least seven children were protected or rescued. Using his Interdiction for Protection of Children (IPC) training and experience during traffic stops, crash investigations or roadside welfare checks, he has successfully detected suspects who prey on children – and helped rescue missing and at-risk children, removing them from potential harm. Trooper Alonzo also works closely with the department's Victim Services counselors to ensure the children receive the appropriate services and support.



- Trooper James Glaze and Trooper Brandon Laird**, both Highway Patrol in Dallas, each received a *Life Saving Award*. On Dec. 13, 2016, Troopers Glaze and Laird were on routine patrol when they assisted the Dallas Police Department on a possible armed robbery in progress. The Troopers arrived at the scene and located the victim of the robbery bleeding from a shotgun wound to his left arm. As a certified paramedic, Trooper Glaze immediately recognized the victim was in critical condition due to blood loss from arterial bleeding. Trooper Glaze retrieved a department-issued tourniquet from his duty belt and, with assistance from Trooper Laird, applied the tourniquet, which immediately stopped the bleeding and stabilized the victim.



- Trooper Franklin Randolph**, Highway Patrol in Burnet, received a *Life Saving Award*. On Nov. 7, 2016, Trooper Randolph responded to a call of a vehicle stuck in a low water crossing with a driver still inside. At the time of the call, it had been raining heavily, and water crossings in the area had quickly become impassable. Upon his arrival, Trooper Randolph entered the water to assist a single occupant in the partially-submerged vehicle. He was able to pull the



driver through the window, as Burnet County Sheriff's Office Deputy Eric Molina threw his rescue rope to the Trooper. As Trooper Randolph held onto the driver and rescue rope, the deputy pulled them both to safety.

- **Trooper Samuel Hellinger**, Highway Patrol in Gainesville, received a *Life Saving Award* and **Cooke County Sheriff's Office Lt. Bill Dixon** received a *Director's Award*. On Jan. 7, 2017, Trooper Hellinger was on routine patrol in Cooke County, when he observed a woman near the edge of the U.S. Highway 82 overpass bridge above Interstate 35. When Hellinger turned around to conduct a check on the woman, she instantly climbed onto the barrier and threatened to jump. Trooper Hellinger spoke with the woman for more than two minutes, pleading with her not to jump, while he waited for assistance. Lt. Dixon arrived on the scene without being noticed by the woman. While Trooper Hellinger continued to speak and distract the woman, Lt. Dixon was able to sneak up and successfully pull the woman off the barrier to safety, despite the icy conditions, which made footing difficult.



- **Chief Customs and Border Protection Officer Olga De Luna**, received a *Director's Award*. Chief De Luna is the liaison assigned to the Texas Joint Crime Information Center in Austin, supporting not only the ongoing Texas-Mexico border missions, but also the entire state of Texas. From Jan. 1, 2017, through March 9, 2017, Chief De Luna assisted with more than 75 incoming Human Intelligence reports. Chief De Luna has aided DPS on matters involving Mexican cartels, homicide, terrorism, violent gang activity, human smuggling and trafficking, narcotics, weapons, theft, fraud, money laundering, kidnapping, threats to law enforcement, stash house locations and corruption. She has provided valuable investigative and operational support to various state and local law enforcement entities in Texas that have resulted in numerous arrests and seizures.
- **Human Intelligence Team**, Intelligence and Counterterrorism Division in Austin, received a *Unit Citation*. Since Jan. 1, 2015, through Dec. 31, 2016, the Human Intelligence Team has produced 136 Intelligence Information Reports regarding tactics, techniques, and procedures of Transnational Criminal Organizations in cooperation with the U.S. Department of Homeland Security partners. The team also





worked with the U.S. Customs and Border Protection to identify more than 100 foreign nationals of interest involved in illicit criminal activity. In addition, the team assisted: the U.S. Border Patrol in locating and identifying stash houses; the FBI in the identification and apprehension of two individuals charged with providing material support to terrorists; and the Texas Rangers in three separate murder investigations. In another case, the team provided crucial information to the Texas Rangers and federal partners, which enabled Mexican authorities to recover individuals kidnapped by cartel members and return them to the U.S. **Captain Jason Brewer, Lieutenant Leonard Hinojosa, and Special Agents Michael McAnarney, David Cordova, and Leo Pena** were all recognized as part of the Unit Citation.



#### IV. PUBLIC COMMENT

*There was no one who signed up for public comment.*

#### V. DIRECTORS REPORT

##### A. Case Update



*Director McCraw asked CID Major Manuel Espinosa to provide an update on a CID operation in the Midland/Odessa area.*

*(Much of the data presented in the report was marked "Restricted" so photos and specific are not being reported here.)*

*In the Midland/ Odessa we have been conducting a major operation involving a newly formed affiliation between the motorcycle groups the Bandidos and La Familia. This operation has been a collaborative effort, with several divisions of DPS and other law enforcement agencies including the FBI, US Marshals, the U.S. Drug Enforcement Administration, the Midland PD, the Odessa PD, the*



*U.S. ATF, Midland Co. Sheriff's Office, and the Ector Co. Sheriff's Office.*

*La Familia has developed into a support gang of the Bandidos. They have grown to be the top ranked support gang of the Bandidos. At the time, the Cossacks Motorcycle Club was recruiting heavily in the state, and the Bandidos saw an opportunity to grow their ranks by allowing La Familia to affiliate. They approached La Familia to recruit them into a support role of the Bandidos to counter the Cossacks recruiting. This helped them grow their numbers. The Bandidos are very selective in who joins, but La Familia was a good fit and grew their criminal endeavors. Other*

*lower level gangs are also affiliating at a lesser level. Our investigators identified that something big was happening, and La Familia began moving larger volumes of cocaine and other contra ban.*

*We rely heavily on developing cooperating informants and utilizing their information to clue us into directed traffic stops. Some of the other techniques utilized included buy operations, surveillance, telephone record analysis, social media, etc.*

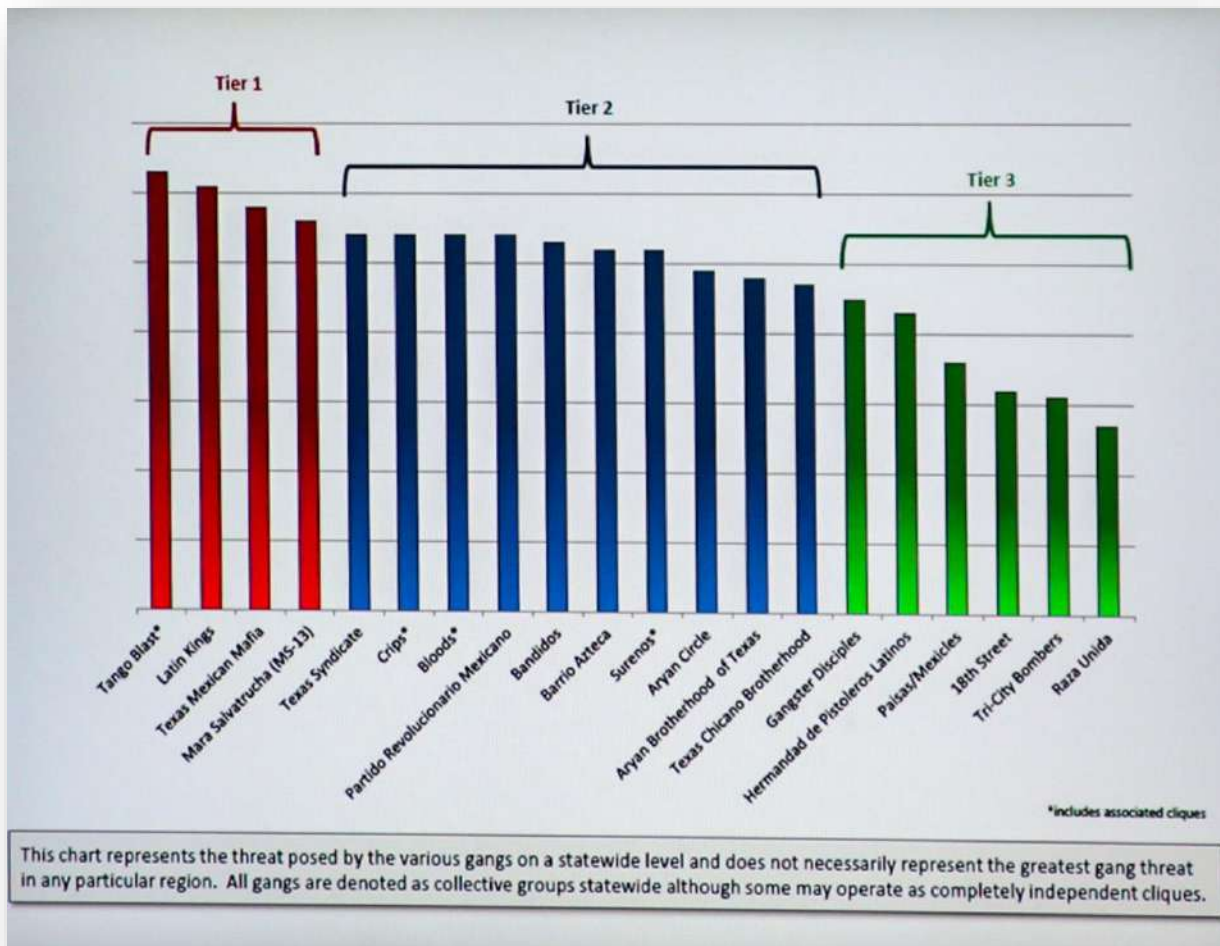
As a result of this operation, we had 13 arrests, including 7 members of La Familia, and our search warrants resulted in the seizure of 10 weapons, 7 vehicles/motorcycles, approximately 1 lb. of marijuana, approximately 3 kilos of cocaine, and approximately \$195,000 in U.S. currency (of which to date DPS has received \$19,000 - \$20,000 of those seized funds).



*Director McCraw then gave a report on the 2017 Texas Gang Assessment – stating that DPS was about to release a confidential version of the report and shortly afterwards they will release the public version.*

*Gangs have had a disproportionate impact on crime in Texas. These are blood-in, blood-out. We assess and rank the Arion Brotherhood, Mexican Mafia and all of the major gangs operating in Texas based on a number of criteria, including their ranking with Cartels, transnational criminal activity, level of criminal activity, level of violence, prevalence throughout Texas, total strength, statewide organizational effectiveness, threat to law enforcement, and involvement in drug and human smuggling and trafficking. They continue to use cyber and social media to recruit and promote. They are often involved in human trafficking, which has become one of their core businesses, including the trade in young women and more and more children.*

*All eight Mexican cartels are operational in Texas cities. What happened in Kaufman County, the murder of two prosecutors and one prosecutor's wife in 2013 has affected the entire state, country, and world. People are worried about this sort of escalation. 53% of law enforcement agencies in Texas have less than 10 officers; 69% have 20 or less; and 85% have 50 or less. We have an obligation to work in support of some of these*



*underfunded and understaffed agencies.*

*Preparation and planning, united command and accountability, Integration of key disciplines (patrol, investigations, science, electronic and physical surveillance, etc.), integrated surge capacity, and smart technology are all operational elements that are utilized.*

*Director McCraw discussed threats to public safety in Texas, listing these items in an asymmetrical threat environment:*

### DPS Major Operations Framework

- Asymmetric Threat Environment
  - Increasing Population
  - Increasing commercial and passenger vehicle traffic
  - Substantial Critical Infrastructure and Key Resources
  - Special Events
  - Local Law Enforcement Staffing (1,757; 53/69/85; 10/20/50)
  - Violent Crime
  - Transnational Crime (drug and human smuggling and trafficking )
  - Domestic and International Terrorism
  - Cyber
  - Crimes of Mass Effect
  - Natural Disasters
  - Public Health
  - Public Unrest



*Director McCraw also listed 11 Major Operations which have utilized a great deal of DPS resources.*

*Houston has become a hub for MS-13. The influx from Mexico and South America is very problematic. We have taken out 10 crews doing facility takeover robberies, one of which was responsible for 14 of these types of robberies in which gangs (with participants as young as 13) enter a store or food establishment and harass and rob the establishment and its clientele. This type of criminal activity is very dangerous, and becoming more commonplace.*

*Chairman Mach commended the Director for the great work DPS is doing with their preparedness and presence at major events such as the May 10 protests that could have spun out of control without our deterrent factor.*

*Chairman Mach then asked Director McCraw if this would be an appropriate time to discuss the DPS Drivers License Division and its recent issues being reported by the media.*

*Director McCraw stated that the issue(s) are complex and looked to Assistant Director Skyler Hearn, who was seated just to his left. Director McCraw*



*public safety. We look forward to working on these challenges without diminishing the gains that we have made in the last few years.*

## Major Operations

- Operation Secure Texas
- East Texas Church Arsons
- Twilight Rapist
- Kaufman County Murders
- Super Bowls (last minute developments)
- Pope Visit to the El Paso area
- Hurricane Ike
- Violent Crime Reduction Operations (North Star)
- Ambush of Dallas Police Officers
- Twin Peaks Shooting
- June 10, 2017 Protests

## II. NEW BUSINESS

### A. Report, discussion, and update on upcoming Sunset Review

#### What is the Sunset Process?

- ▶ Every 12 years, every state agency undergoes a "Sunset" review to determine if the agency should be abolished or is still needed.
- ▶ The Sunset staff evaluates the agency and issues recommendations for change.
- ▶ The Sunset Advisory Commission considers the recommendations, hears public testimony and then decides on a package of changes to submit to the full Legislature.

*Assistant Director Amanda Arriaga – Administration Division, provided a report on the upcoming DPS Sunset Review. She stated that the self-evaluation is due by September 1. AD Arriaga went on to explain the process, timeframe, and elements required for this self-evaluation report.*

*AD Arriaga asked the commission if it would like to appoint a liaison position in preparing this Sunset Review Report. Chairman Mach asked*

#### Timeline

- ▶ Agency Self Evaluation – Due Sept. 1, 2017
- ▶ Half of Agencies under review – Begin Sept. 2017
- ▶ Half of Agencies under review – Begin April 2018
- ▶ Sunset Reviews – Finished by Dec. 2018
- ▶ Sunset Advisory Commission decisions – Made by Jan 2019

*Commissioner Cindy Leon to work in that capacity.*

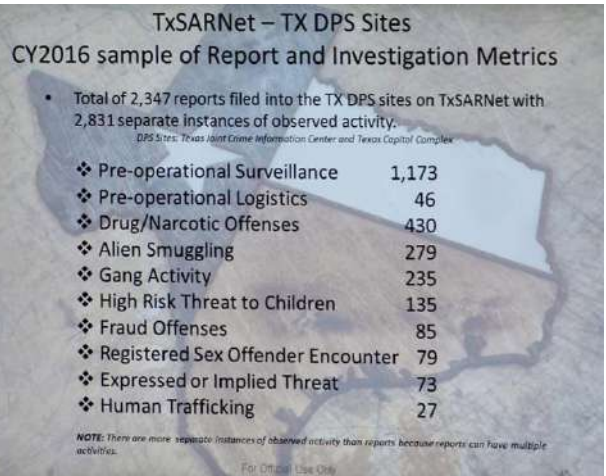
*Our goal is to have the first draft ready by June 30, and we hope to have a second draft by August 4. We hope that will allow enough time for scrutiny and feed back to allow for a final discussion before bringing it back before the August PSC Meeting.*

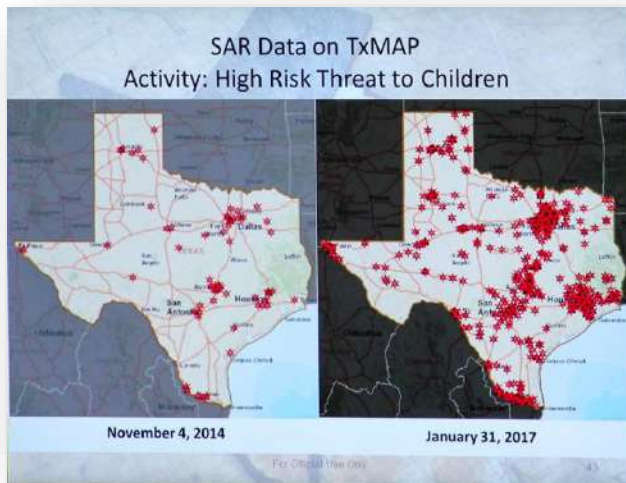
### B. Report, discussion, and update on the Texas Suspicious Activity Reporting Network (TxSARN)



*Assistant Director John Jones – Intelligence & Counterterrorism Division, provided a report and update on the Texas Suspicious Activity Reporting Network (TxSARN) – We have created a whole new*

*process, including the network and partnerships with other agencies. We have been acknowledged as a national*





leader and role model for this type of reporting throughout the nation.

What makes this system effective is that the software system evaluates the input data (not all of which is criminal but also legal but suspicious activity) for common patterns/trends. When these are identified, we get a report flagging these trends and activities.

Commissioner Leon asked if he could tell whether with this increased information reporting, can he also see a decrease in activity or does the continued increase in population balance that out. AD Jones replied that it is a little difficult to determine that

### C. Report, discussion, and possible action on Legislative Appropriations for the 2018 – 2019 Biennium



Assistant Director Susy Whittington – Not only were we affected by the 4% reduction but with other factors raised our reduction to about 6%. That coupled with an additional 93 FTEs, we are finding creative ways to cut where we can.

We received funding for \$694 million for Border Security. We were also able to secure funding for the 50 hour work week, countering some legislators' belief that this was temporary funding. We received funding for 1,400 vehicles plus 285 new Troopers. We also receive funding for a new district office facility in Penitas in Hidalgo County.

IT & Cyber security was funded by \$7.2 million.

We received authorization to use \$12 million to fund deferred maintenance and for the training facility in Cameron County. This really isn't really adequate to fund all of the needed projects, but we will do what we can to stay in budget..

### Border Security \$694.3M

- 250 New Troopers for Regions 3 & 4
- Equipment for Drawbridge Camera Program
- Continue 50 Hour Work Week





## Other Appropriations

- Vehicles – 1,400 plus 285 for new Troopers
- Interdiction for Protection of Children – increase of \$300,000 + 1 FTE
- PeopleSoft Financial System - \$2.6M + 12 FTEs
- Pay increase for CO3's with over 20 years
- Sexual Assault Kit Testing - \$4.2M + 20 FTEs
- New Office in Penitas



## IT & Cyber Security

- \$7.2M and 5 FTEs for IT/Cyber Security
  - Data Loss Prevention
  - Intrusion Prevention/Detection System
  - Security Vulnerability Management System
  - Sexual Assault Tracking System



## Economic Stabilization Fund

- Deferred Maintenance of \$12M and
- Training Center in Cameron County of \$3M



*We are called upon to have a minimum of 6 training academies over the biennium.*

*We will have to tightly manage our budget, but in general we fared better than most other agencies. Director McCraw said that we are very grateful for everything that we did get from the Governor and the Legislature.*

### D. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:

1. Amendments to and new rules in 37 TAC Chapter 15, concerning Driver License Rules
  - (a) Amendments to 37 TAC Section 15.49, concerning Proof of Domicile
  - (b) New 37 TAC Section 15.167 and Section 15.168, concerning Driver Responsibility Program

*Assistant Director Skyler Hearn – Asking for approval to post these rules to the Texas Register. A motion was made to post the rules to the Texas Register and seconded. The motion carried.*

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

*Handled in Executive Session.*

## III. ONGOING BUSINESS

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

1. Amendments to 37 TAC Section 1.261, concerning Historically Underutilized

## Businesses (HUB)

*Assistant Director Amanda Arriaga – asked the Commission to adopt the previously published rules. A motion was made by Commissioner Flores to adopt the amendments and seconded by Commissioner Watson. The motion carried.*

### B. Update report, discussion and possible action regarding recruitment

*Assistant Director Sonia Garcia, Education – Training and Research Division, reported that the A-17 class, which began with 147, will graduate 122 new Troopers tomorrow, June 16, 2017. The B-17 class, which began with 111 cadets, is now down to 88, and will graduate on August 23, 2017. The C-17 class, which is an abbreviated 11 week class made up entirely of currently commissioned law enforcement officers, began with 70 and now has 54 is scheduled to graduate on August 4, 2017. And finally, the D-17 class will begin on July 9, 2017 and has 116 applicants in the process.*

### C. 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



*Director McCraw, who earlier announced Highway Patrol Chief Luis Gonzalez's retirement in July, asked the Commission to approve his appointment of Deputy Assistant Director Ron Joy to fill the position being vacated by Chief Gonzalez, Assistant Director of the Highway Patrol Division.*

*A motion was made by Commissioner Watson, and seconded by Commissioner Flores to approve the promotion of DAD JOY to be the new Assistant Director of the Highway Patrol Division. The motion carried.*



*Director McCraw said to fill the newly vacated position of Deputy Assistant Director of the Highway Patrol Division, he asked for approval to promote Major Dwight Mathis of the Houston Region to be the new Deputy Assistant Director of the Highway Patrol.*

*A motion was made by Commissioner Flores and seconded by Commissioner Watson to approve the promotion of Major Mathis to be the new Deputy Assistant Director of the Highway Patrol Division. The motion carried.*

- D. Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

#### **IV. REPORTS**

- A. Commission member reports and discussion
- B. Finance Report
- C. Chief Auditors Office
- D. Division status reports on activities and action

*Nothing to add to reports filed.*

#### **V. 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 director's determination that certain probationary employees were found unsuitable for work during May 2017
- 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: Richard M. Blake and Billy R. Manning, Jr.; Special Texas Rangers: David A. Byrnes and Danny W. Crawford
- C. Report, discussion, and possible action on the Office of Psychological Services Other Victim Assistance Grant (OVAG) FY2018 & FY2019 Funding
- D. Donations:
  - 1. Donate Life Polo Shirts – Driver License Division
  - 2. Horse Mountain Ranch – Texas Rangers Company "E"
  - 3. 15 Chevrolet Tahoe Police Pursuit Vehicles from Holiday Chevrolet – Texas Highway Patrol
  - 4. Additional donation items, as needed

*A motion was made by Commissioner Leon and seconded by Commissioner Flores to approve the all of the Consent Items. The motion carried.*

#### **VI. ITEMS FOR FUTURE AGENDA**

*None mentioned.*

#### **VII. DATE FOR FUTURE MEETING**

Any discharge hearings will be scheduled on August 23, 2017, and the regular Public Safety Commission meeting is scheduled for August 24, 2017.

#### **VIII. ADJOURN INTO EXECUTIVE SESSION**

*The Public Safety Commission adjourned to Executive Session at 12:27 pm.*

#### **IX. 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