



# Public Safety Commission Meeting

February 21, 2018, 9:00 a.m.

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

*9:01 am – Chairman Steven Mach called the meeting to order. In attendance: Chairman Steve Mach, Commissioners Jason Pulliam, Cindy Leon, Manny Flores and Randy Watson. A quorum was present. Also present were, Director Steve McCraw, Deputy Director Randall Prince, Deputy Director Skyler Hearn and General Counsel Phil Adkins.*



### II. APPROVAL OF MINUTES

*A motion was made by Commissioner Leon and seconded by Commissioner Flores to approve the minutes from the December 13, 2018 PSC Meeting. The motion carried.*

### III. PRESENTATIONS

*Director McCraw made the following Award Presentations:*

**30 YEAR SERVICE AWARDS**



*Kameron Pierce – THP, Capitol Region*



*Elizabeth Stineman – Information Tech., HQ*

**35 YEAR SERVICE AWARDS**



*Sandra Garcia Barrette – CID, Capitol Region*



*Chet D. Jones – Information Technology, HQ*



*Patricia V. Mokry – Finance Division, HQ*



*Virginia M. Saldana – Finance Division, HQ*





*Joanne G. Scarbrough – Office of Gen. Counsel*



*Herman Ward, Jr. – THP, North Texas Region*

*Mary Ann Gold – LES, HQ (Photo not available)*

**40 YEAR SERVICE AWARDS**



*Gary Albus – Director’s Staff, NW Texas Region*



*Johnnie Berkley – DLD, North Texas Region*



*Reynaldo Gonzalez – THP, South Texas Region*

*(Photo not available)*  
*Howard Brothers, THP, Central Texas Region*

**45 YEAR SERVICE AWARD**

*Richard “Dickie” Jones – IT, NW Texas Region*



*(I have not yet seen the DPS Press Release detailing the Awards presented below, so I will try to send a supplemental report if one is released.)*

**WILLIAM P. CLEMENTS EXCELLENCE AWARDS**



*Mary Ann Araiza – DLD, South Texas Region*



*James B. Holland – Texas Rangers, Company “B”*

**LIFE SAVING AWARDS**



*James Arnwine – THP, NW Texas Region*



*Robert McGrath – THP, NW Texas Region*



*Laura Pearman – THP, South Texas Region*



*Jesse Perez – THP, Central Texas Region*



*Christopher Martin (Photo not available)*



*Matt Ruiz – THP, Central Texas Region*



*Jason Dush – Texas Div. of Emergency Mgt., HQ*



*Jack Doebbler – Texas Div. of Emerg. Mgt., HQ*



*Lynn Burttschell – Texas Div. of Emerg. Mgt., HQ*



*Shawn Stepenson – Aircraft Ops., Central TX R*



*Jeff Evans – Aircraft Operations, Central TX Reg.*



*Steven Tippett – THP, Central Texas Region*

**DIRECTOR'S AWARDS**



*Cody Buckaloo – Texas Parks & Wildlife*



*Thomas Haire*



*Donovan Haire*



*Justin Tobey*

**IV. 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.)*



*There was no public comment.*

## **V. DIRECTORS REPORT**

### **A. Case Update: Threatening Subject Arrested in Smith County**



*Director McCraw asked Trooper Don Appleton to make a presentation regarding a threatening stop and detainment in Smith County. Trooper Appleton said that on Tuesday, August 14, 2018, at 9:20 am he observed a white male leaving a Valero gas station at the corner of SH 155 and I-20 wearing heavy body armor under his clothing. He followed him south of the interstate to a motel, where the man parked and remained seated in his vehicle. Trooper Appleton circled around the motel and called for backup while observing the man moving nervously around inside his vehicle. The man's movements became manic when he noticed Trooper Appleton. Trooper Appleton initiated contact to decrease the chance of an escalated response. Remaining as calm and*

*non-threatening as possible, Appleton asked the man if he had any weapons in the vehicle to which the man responded that he had two handguns. The man went on to say that he was in a "defense posture" due to assassination attempts, some of which came from law enforcement agencies. He also believed that the CIA has the technology to capture our thoughts and manipulate our actions. Trooper Appleton had noticed several military stickers on the man's vehicle.*



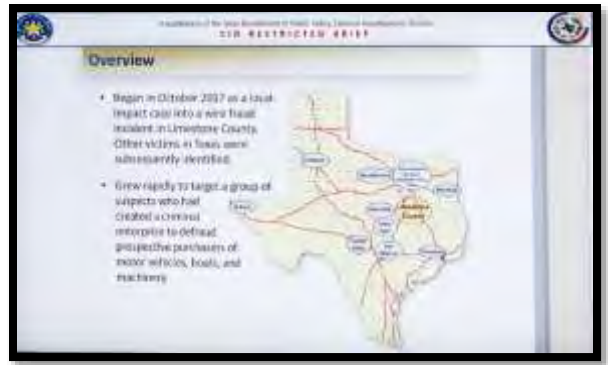
*Trooper Appleton assessed that the man was in the midst of a personal crisis. The Smith County Sheriff's Office was contacted and Appleton was updated regarding multiple encounters that they had had with the man. Trooper Appleton determined that the white male was an immediate threat to the safety of himself and others, namely law enforcement, due to his paranoia. The man was taken into custody without incident on Apprehension By Peace Officer (Health and Safety Code Sec. 573.0001(a)(1)(2) due to the substantial risk of harm he was presenting. He was transported to a local hospital in Tyler where he was evaluated and later transferred to a VA Hospital in South Dallas where he underwent further evaluation and treatment. A subsequent search of his motel room found multiple weapons and ammunition. Trooper Appleton also made the point that a previous stop of this man by a Trooper in Longview had also been handled professionally and treated the man with respect, which helped tremendously to make this interaction go as smoothly as it did.*

### **B. Case Update: Fraud Investigation**



*Director McCraw asked Captain Justin Owen and Captain Steven Schwartz to discuss a far ranging and very successful fraud investigation conducted by Special Agent Michael Boyett, a fraud specialist who has shown with excellent analytic skills. The investigation involved coordination with multiple law enforcement agencies including: Texas DPS Criminal Investigations Division, U.S. Secret Service, Limestone County Sheriff's Office, Kerr County Sheriff's Office, Federal Bureau of Investigation, New York Police Department, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Attorney's Office -Southern District of NY.*

The case was opened as a local wire fraud incident in Limestone County in October of 2017. Other victims in Texas were soon identified and it rapidly grew and involved a group of suspects who had created a criminal enterprise for the purpose of defrauding purchasers of automobiles, boats, and machinery. During the investigation, Special Agent Boyett conducted 80 interviews and spent many hours doing research. This was mostly a paper case, some victims being identified when they filed a claim, and others discovered through paper trails and other means. The investigation discovered a large, organized network that expanded across the country and ultimately around the world. The crime syndicate would utilize addresses of businesses that had been closed but had credible addresses. Boyett



interviewed people around the world, which often was hindered by cultural differences and apprehension interacting with law enforcement. Suspects created fictitious online presences, made bogus advertisements and online postings claiming to be from legitimate businesses which were no longer in business. A large percentage of the money gained through fraudulent transactions was ultimately transferred to foreign bank accounts and specifically in Russia. Once money was wire transferred into their domestic accounts, it would be removed almost immediately through multiple branches of the bank and in many denominations of bills, thereby making it more difficult to track.

Ultimately, \$4.5 million was wired, 17 cases were prosecuted in Texas, and 18 of the 25 indictments stemmed directly from Boyett's investigations. Most arrests were made in July of 2018. 22 of the 25 suspects were arrested, while others are out of the U.S.



Special Agent Michael Boyett

### C. Legislative Update

Director Steven McCraw didn't go into a lot of detail regarding the Department's legislative activities but he did say that they have provided testimony before the House Appropriations Committee, the Senate Finance Committee, Border Affairs, and Homeland Security.

He also spoke of how the border operations have had a notable effect on criminal activity. The drop in crime numbers shows that our various targeted operations including Operation Draw Bridge (cameras and sensors along the border), Operation Northstar (Houston), and Operation Alamo (San Antonio), Director McCraw mentioned that they discussed with the Border Patrol about the possibility of them taking charge of the cameras in Operation Draw Bridge, and they indicated that they would not be able to do so.

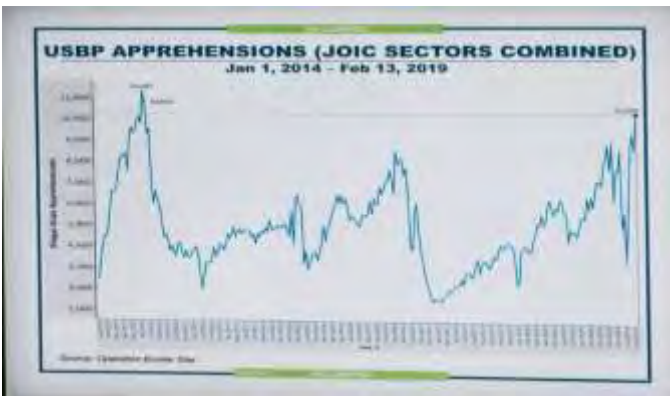
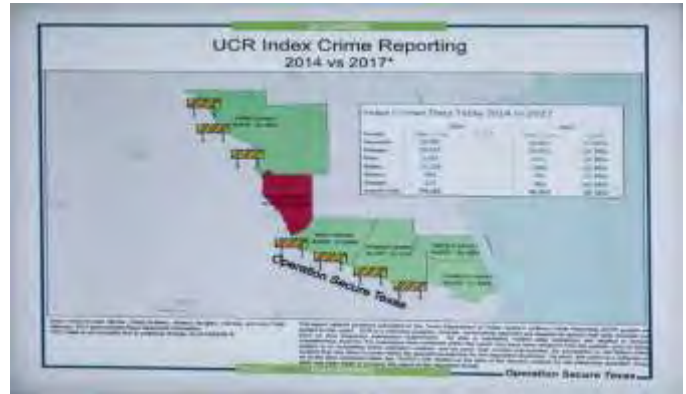
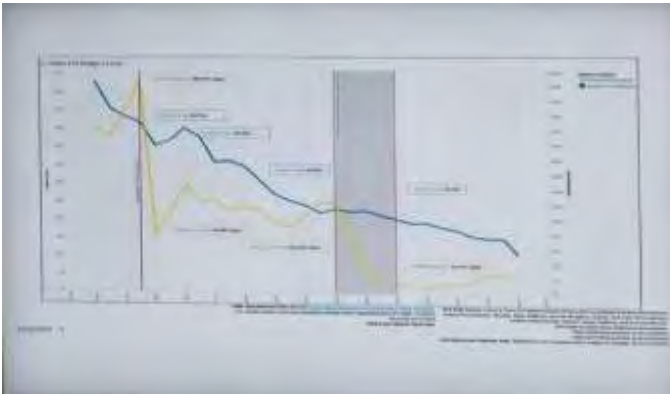




Chairman Mach asked Director McCraw if that puts the operation in jeopardy, and McCraw assured him that they have proved essential in securing the border and that they would continue to be funded.

Operation Northstar in Houston was initiated partially due to the very violent "takeover" robberies of restaurants. Over the 3 years of operations, 278 individuals have been apprehended, 140 robbery arrests in the 451 robberies reported. There has been a 30% decrease in robberies in the area. We have also seen a 15% - 17% reduction in crime in San Antonio, and a 25% reduction in crime in Killeen. He went on to state the obvious, that "our men and women are doing a great job!"

Below are graphs that support the Director's assertions regarding the success of the Secure Texas operations.

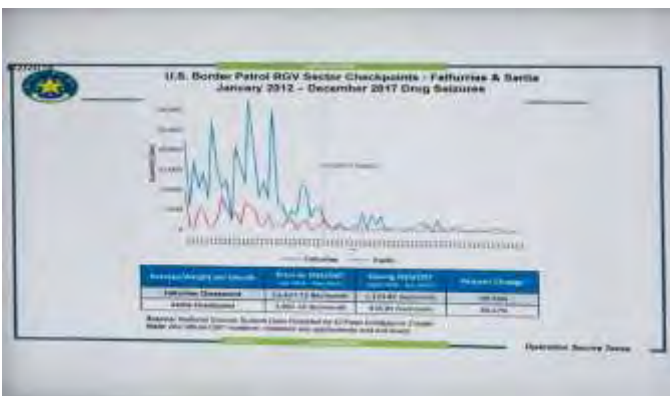


**DPS Apprehension Support to U.S. Border Patrol in the CBP Border Region**

| Category            | 2016   | 2017   | CVT2017 | Percentage Total (2016-2017) |
|---------------------|--------|--------|---------|------------------------------|
| Total Apprehensions | 10,100 | 13,200 | 80,740  | 30.3%                        |
| Arrests             | 1,500  | 1,100  | 10,000  | 2.1%                         |
| Detentions          | 8,600  | 12,100 | 70,740  | 28.2%                        |
| Administrative      | 0      | 0      | 0       | 0%                           |
| Other               | 0      | 0      | 0       | 0%                           |
| Total               | 10,100 | 13,200 | 80,740  | 30.3%                        |

**Drugs Seized by DPS in the CBP Border Region\***

| Category  | 2016  | 2017  | CVT2017 | Percentage Total (2016-2017) |
|-----------|-------|-------|---------|------------------------------|
| Total     | 1,500 | 1,100 | 10,000  | 2.1%                         |
| Heroin    | 1,000 | 700   | 7,000   | 1.5%                         |
| Cocaine   | 300   | 200   | 2,000   | 0.4%                         |
| Marijuana | 200   | 200   | 1,000   | 0.2%                         |
| Other     | 0     | 0     | 0       | 0%                           |
| Total     | 1,500 | 1,100 | 10,000  | 2.1%                         |



**Analysis of Bailouts in each JOIC Sector (number of bailout incidents)**

| JOIC Sector    | Avg per week prior to Op | Avg per week during Op | % Difference |
|----------------|--------------------------|------------------------|--------------|
| Central Valley | 0.95                     | 0.55                   | -42.1%       |
| North Valley   | 12.00                    | 8.02                   | -33.2%       |
| Border         | 0.20                     | 0.42                   | +110%        |
| Far West       | 0.60                     | 0.41                   | -31.7%       |
| North          | 0.00                     | 0.07                   | +100%        |
| South          | 0.00                     | 0.01                   | +100%        |
| Total          | 11.75                    | 11.46                  | -2.5%        |

## VI. NEW BUSINESS

### A. Update on Driver License Exceptional Item

Chief Amanda Arriaga, Driver License Division, mentioned how the general discussion at the capitol is less focused on money (since we got money last session for the additional DL offices and mega-centers) and more on the other improvements that we are making to improve procedures, efficiency etc., and specifically ten items that we have set as priorities. For instance, DPS has secured all 229 pages that pop up on Google searches when searching DPS. We can now update the information on those pages to reflect up-to-date information as to facility closings, delays, etc. Another example mentioned related to customer communications when interacting with communication challenged customers. We have prepared a thorough hand out sheet that lays out all of the services that can be obtained at the facility, and what the steps are to get the services needed. This helps to alleviate anxiety in many people, and simplifies the interaction and experience. Also discussed was the 20 CDL locations that have a call back service that allows customers to request a call back to save them from having to sit on hold when operators cannot take their call immediately.

Several other priorities were discussed including commercial vehicle inspection sign off forms and the issue that some DCL holders do not have to perform the inspections daily, as well as the use of 3<sup>rd</sup> party testing facilities conducting CDL testing for large commercial vehicle companies such as large school districts.

All of our major priorities have been filed in bills already submitted. A major priority that could ultimately reduce the crowding at DL offices is to reduce the renewal times for DL from 6 to 8 years, and CDL from 5 years to 8 years. An exception would be made for hazardous materials carriers CDL renewals, which would remain at 5 year intervals.

#### IMPROVEMENTS SINCE THE 81<sup>ST</sup> SESSION

The Legislature has made significant investment in Driver License since the 82<sup>nd</sup> Legislative Session, resulting in an addition of 13 Mega Centers, 6 large offices and 66 remodel/refreshes.

During that time, the Driver License Division also made a series of internal improvements to DL operations.

#### IMPROVEMENTS TO CUSTOMER SERVICE – DL/D

- Allow customers to renew their DL/D up to two years ahead of time
- Provide targeted information on the DL/D renewal notice
- Secured all Google pages and update them daily
- Implemented Get in Line Online
- Implemented online scheduling for drive tests
- Accept proof of insurance electronically
- Accept credit cards in Driver License offices
- Implemented Customer Communications Borders
- Allow customers to pay compliance fees online
- Established the Courtesy Call Back feature for the Customer Service Center
- Implemented Disaster Response Units

#### IMPROVEMENTS FOR EMPLOYEES

- Increased use of virtual training
- Created an electronic Resource Guide for employees
- Implemented Facilitator program
- Established "Lead" positions
- Implemented a Hearing Officer sharepoint workflow

#### PROPOSED IMPROVEMENTS FOR THE FUTURE

**Exceptional Item Requests (\$420M – 1,914 FTEs):**

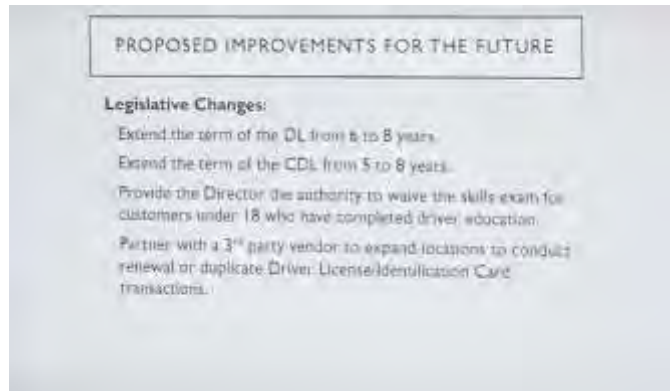
- Reclassify Customer Service Representatives to License and Permit Specialists. (\$53M)
- Fully staff all Driver License Offices (\$178.6M – 962 FTEs).  
At the current level of offices, this is 854 additional FTEs for Driver License and 108 indirect FTEs.
- Add 15 additional offices in the most populated Metropolitan Statistical Areas and fully staff them. (\$190.1M – 952 FTEs)  
This equates to an additional 846 Driver License employees and 106 additional indirect FTEs.

#### PROPOSED IMPROVEMENTS FOR THE FUTURE

**Legislative Changes:**

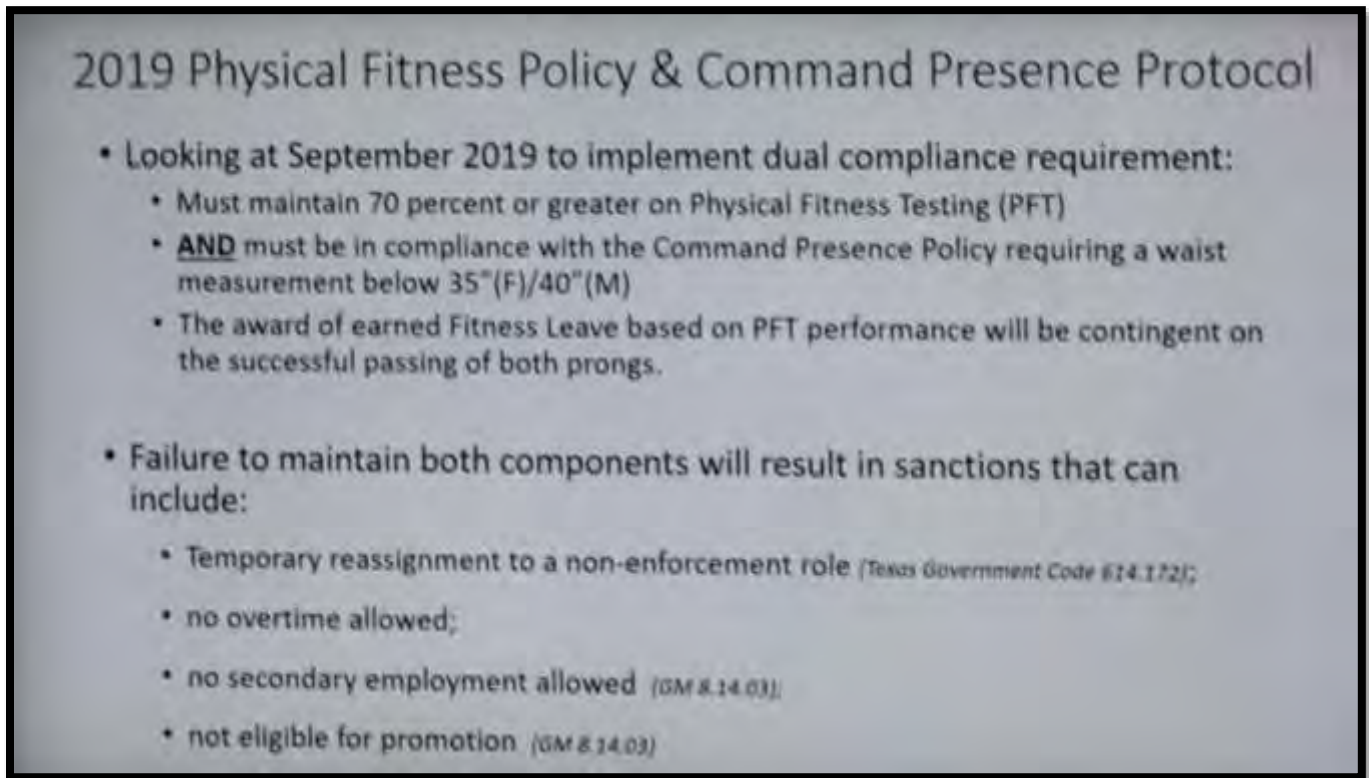
- Extend the term of the DL from 6 to 8 years.
- Extend the term of the CDL from 5 to 8 years.
- Provide the Director the authority to waive the skills exam for customers under 18 who have completed driver education.
- Partner with a 3<sup>rd</sup> party vendor to expand locations to conduct renewal or duplicate Driver License/Identification Card transactions.





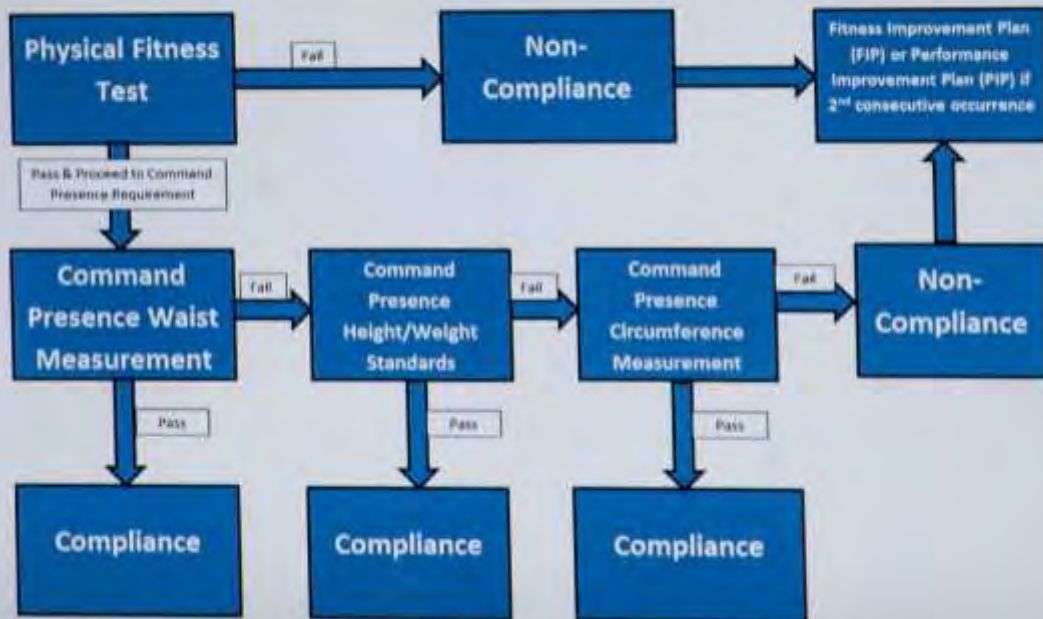
**B. Report, discussion, and possible action on Health, Physical Fitness, and Command Presence Policy**

*Deputy Director Skyler Hearn, Law Enforcement Services, presented the new Health, Physical Fitness, and Command Presence Policy. Framing the discussion around how physical stature not only affects ones physical ability to address confrontational situations, but also has an effect on how the other parties involved react to the officer. While the performance factor is an issue for consideration, the health, well-being and safety of the officer is also extremely important consideration to the Department.*



*Deputy Director Hearn laid out the new, 3 Tiered Policy, as described in the slides below:*

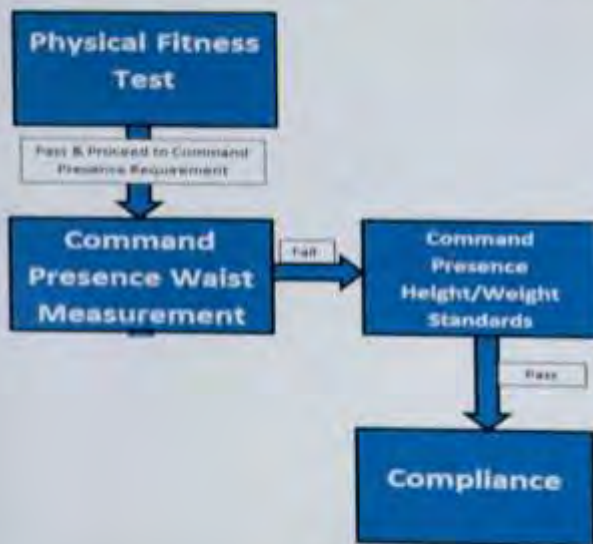
## PFT & Command Presence Protocol



DD Hearn said that Tier 1 consists of the current PFT (the 70% will still remain the required threshold to meet) and the Command Presence Waste Measurement (with 40" being the threshold for men and 35" the threshold for women).

Tier 2 involves Height & Weight Standards, where you compare your height and weight to a standards table.

## If fail Waist, then move to 2<sup>nd</sup> tier



- 2<sup>nd</sup> tier is Height & Weight Standards
- Take Height & Weight
- Compare to Height & Weight Standards Table



## Tier 2: Height/Weight Standards Table

- If an individual is in compliance with PFT, yet non-compliant with waist:

- **Height/Weight Standards will be the next assessment based on:**

- Subject's height and weight
    - Acceptable ranges from table will be utilized
    - Height and weight measurements will be collected utilizing the protocol on the following slide

| Males           |                           |                           |
|-----------------|---------------------------|---------------------------|
| Height (Inches) | Maximum Standard (Pounds) | Minimum Standard (Pounds) |
| 56"             | 127                       | 83                        |
| 57"             | 127                       | 88                        |
| 58"             | 131                       | 91                        |
| 59"             | 136                       | 94                        |
| 60"             | 141                       | 97                        |
| 61"             | 145                       | 100                       |
| 62"             | 150                       | 104                       |
| 63"             | 155                       | 107                       |
| 64"             | 160                       | 110                       |
| 65"             | 165                       | 114                       |
| 66"             | 170                       | 117                       |
| 67"             | 175                       | 121                       |
| 68"             | 180                       | 125                       |
| 69"             | 186                       | 128                       |
| 70"             | 191                       | 132                       |
| 71"             | 197                       | 136                       |
| 72"             | 202                       | 140                       |
| 73"             | 208                       | 144                       |
| 74"             | 214                       | 148                       |
| 75"             | 220                       | 152                       |
| 76"             | 225                       | 156                       |
| 77"             | 231                       | 160                       |
| 78"             | 237                       | 164                       |
| 79"             | 244                       | 168                       |
| 80"             | 250                       | 173                       |
| 81"             | 256                       | 177                       |
| 82"             | 261                       | 182                       |

| Females         |                           |                           |
|-----------------|---------------------------|---------------------------|
| Height (Inches) | Maximum Standard (Pounds) | Minimum Standard (Pounds) |
| 56"             | 113                       | 83                        |
| 57"             | 120                       | 88                        |
| 58"             | 124                       | 91                        |
| 59"             | 129                       | 94                        |
| 60"             | 133                       | 97                        |
| 61"             | 137                       | 100                       |
| 62"             | 142                       | 104                       |
| 63"             | 146                       | 107                       |
| 64"             | 151                       | 110                       |
| 65"             | 156                       | 114                       |
| 66"             | 161                       | 117                       |
| 67"             | 166                       | 121                       |
| 68"             | 171                       | 125                       |
| 69"             | 176                       | 128                       |
| 70"             | 181                       | 132                       |
| 71"             | 186                       | 136                       |
| 72"             | 191                       | 140                       |
| 73"             | 197                       | 144                       |
| 74"             | 202                       | 148                       |
| 75"             | 208                       | 152                       |
| 76"             | 213                       | 156                       |
| 77"             | 219                       | 160                       |
| 78"             | 225                       | 164                       |
| 79"             | 230                       | 168                       |
| 80"             | 236                       | 173                       |
| 81"             | 242                       | 177                       |
| 82"             | 248                       | 182                       |

## Tier 2: Height/Weight Standards Measurements

- Process for obtaining measurements will be as follows:

- **Height Measurement:**

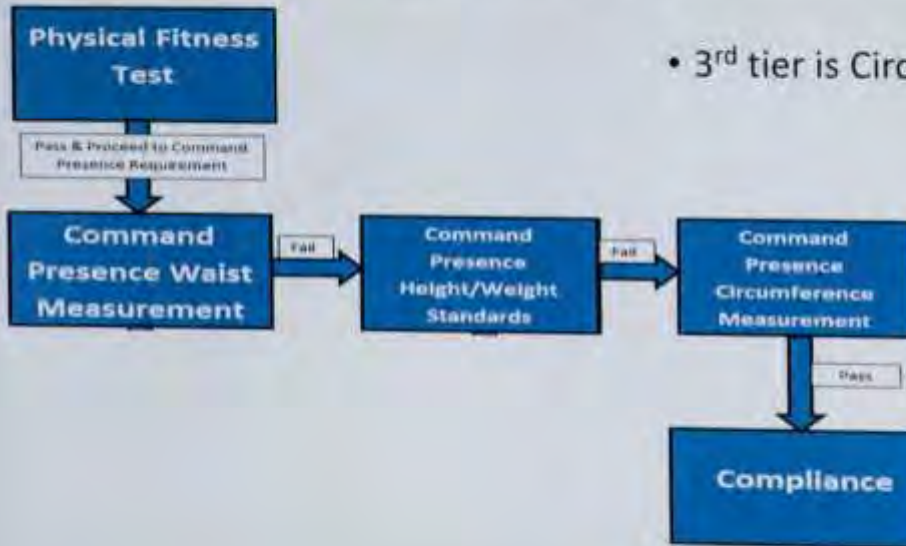
- The ETR Fitness Wellness Unit (FWU) or DPS Certified Testers will perform measurement through the following manner. The individual will stand with their back against the wall, heels flat on the deck without shoes, shoulders back, with arms to the side in a relaxed manner, and head straight forward.
    - Height measurement will be recorded to the nearest 1/2-inch and rounded up to benefit the employee.

- **Weight Measurement:**

- The ETR Fitness Wellness Unit (FWU) or DPS Certified Testers will perform measurement through the following manner. Weight will be measured on a calibrated digital scale in the required PT uniform and shoes. A two-pound reduction will be granted for the PT uniform and shoes; however, no other weight reductions are authorized.
    - Measurement will be recorded to the nearest pound and rounded down to benefit the employee.

*Tier 3 is Circumference Method Body Composition Standards whereby circumference measurements taken at the umbilical of waist and the neck for males, and circumference measurements at the hips, narrowest waist and neck for females and again compared to tables to estimate body fat and tables of allowed percent of body fat.*

If fail Waist & Height/Weight, then move to 3<sup>rd</sup> tier



• 3<sup>rd</sup> tier is Circumference Method

- For Males, take circumference measurements at umbilical of waist and neck
- For Females, take circumference measurements at hips, narrowest waist and neck
- Compare to tables to estimate percent body fat and table of allowed percent body fat

## Tier 3: Circumference Method Body Composition Standards

- If an individual is in compliance with PFT, yet non-compliant with waist and non-compliant with height/weight standards:

• **Body Composition Standards will be the next assessment based on:**

- Subject's age cohort
- Acceptable percentages from table will be utilized
- Measurements, as described on the following slides, will be utilized to calculate body composition

| Body Composition Standards |        |        |
|----------------------------|--------|--------|
| Age Group                  | Male   | Female |
| 17-20                      | 18% BF | 26% BF |
| 21-25                      | 18% BF | 26% BF |
| 26-30                      | 19% BF | 27% BF |
| 31-35                      | 19% BF | 27% BF |
| 36-40                      | 20% BF | 28% BF |
| 41-45                      | 20% BF | 28% BF |
| 46-50                      | 21% BF | 29% BF |
| 51+                        | 21% BF | 29% BF |



# Body Composition Standards Table Females, part 1

## Example

- Male, 29 years old, 6'6", 268
- Passed PFT
- Failed Command Presence Tier 1 Waist Requirement at 41"
  - Review 2<sup>nd</sup> Tier of CP Requirements: Height Weight Standards Chart
    - Failed Command Presence Height/Weight Standards due to weight of 268 pounds
      - Review 3<sup>rd</sup> Tier of CP Requirements: Circumference Measurement

| Height (Inches) | Maximum Allowed Weight (Pounds) | Minimum Weight (Pounds) |
|-----------------|---------------------------------|-------------------------|
| 5'0"            | 111                             | 83                      |
| 5'1"            | 121                             | 88                      |
| 5'2"            | 131                             | 93                      |
| 5'3"            | 141                             | 99                      |
| 5'4"            | 151                             | 105                     |
| 5'5"            | 161                             | 111                     |
| 5'6"            | 171                             | 117                     |
| 5'7"            | 181                             | 123                     |
| 5'8"            | 191                             | 129                     |
| 5'9"            | 201                             | 135                     |
| 5'10"           | 211                             | 141                     |
| 5'11"           | 221                             | 147                     |
| 6'0"            | 231                             | 153                     |
| 6'1"            | 241                             | 159                     |
| 6'2"            | 251                             | 165                     |
| 6'3"            | 261                             | 171                     |
| 6'4"            | 271                             | 177                     |
| 6'5"            | 281                             | 183                     |
| 6'6"            | 291                             | 189                     |
| 6'7"            | 301                             | 195                     |
| 6'8"            | 311                             | 201                     |
| 6'9"            | 321                             | 207                     |
| 6'10"           | 331                             | 213                     |
| 6'11"           | 341                             | 219                     |
| 7'0"            | 351                             | 225                     |

## Example

- Male, 29 years old, 6'6", 268
- Review 3<sup>rd</sup> Tier of Command Presence Requirements: Circumference Measurement
  - Male measurements are taken at the neck of 18.5" and abdominal of 40"
    - The male circumference value is calculated by subtracting the neck from the abdominal measurement
      - Abdominal measurement of 40" minus Neck measurement of 18.5" equals 21.5
    - The aforementioned circumference value will be compared to the Body Composition Standards.
      - At 29 years old, Body Composition Standard is ≤ 19%
      - Meets requirements per circumference table

| Body Composition Standards |        |
|----------------------------|--------|
| Age Group                  | Male   |
| 17-20                      | 18% BF |
| 21-25                      | 18% BF |
| 26-30                      | 19% BF |
| 31-35                      | 19% BF |
| 36-40                      | 20% BF |
| 41-45                      | 20% BF |
| 46-50                      | 21% BF |
| 51+                        | 21% BF |

## *Additional Recommended Changes in Reporting of PFT Results for September 2019*

- Per GM 8.14.02, all commissioned employees must take their first attempt within the first month of the testing cycle (September: Fall; March: Spring)
- To reflect aforementioned timelines, adjustment of submission deadlines to 15 days after the first month of the testing cycle for submission of first test attempt
  - October 15<sup>th</sup>
  - April 15<sup>th</sup>

## *Next Steps*

- Employees who find themselves outside these guidelines today will be provided all the resources necessary through our FWU and certified personnel in the regions.
- For the January 2019 Performance Evaluation Plan, supervisors are encouraged to include goals to meet the PFT and waist/BMI requirements.
- Performance issues related to obesity are to be addressed immediately by supervisors.

## *500 Meter Row Test*

- At the conclusion of the fall testing cycle, the FWU reviewed the data from the more than 3,000 officers who took the 500 meter row test during the fall cycle, as well similar data from previous cycles.
- As a result of that data analysis, the FWU recommended adjusting the times of the test to ensure the scaled times for both genders appropriately meet the intention of DPS testing standards.
- The 500 meter row test will remain available for personnel in the spring 2019 cycle utilizing the updated time standards.



*Deputy Director Hearn also mentioned that the department will be purchasing new “self-tensioning” measuring devices for more consistent measurements. Director McCraw will allow a 2% grace for the 1<sup>st</sup> year on the Tier 3 chart. And, on a case by case basis, the Director can allow a 6 month extension to come into compliance if the individual is showing significant progress towards reaching their targeted goals.*

*Commissioner Watson asked about the on duty time allowed for conditioning. DD Hearn said that they allow 30 minutes 3 times per week.*

*A motion was made by Commissioner Leon to approve the new DPS Physical Fitness & Command Presence Policy changes, and was seconded by Commissioner Flores. The motion carried.*

**C. Report, discussion, and possible action regarding the Internal Audit Charter proposed by the Chief Auditor’s office**

*Catherine Melvin, Chief Auditor – The Internal Audit Charter would bring us in line with professional standards,*

*A motion was made and seconded. The motion carried.*

**D. Report, discussion, and possible action on CRB Charter and Policy Updates**

*Believe that 50% standard should be reduced to 25% on document reviews. This will ensure more detailed scrutiny when reviewing Contracts.*

*Seeking approval on the name change and the reduction to the 25% threshold.*

*A motion was made by Commissioner Watson, to approve both recommendations and seconded by Commissioner Pulliam. The motion carried.*

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

*This was discussed in Executive Session.*

**VII. ONGOING BUSINESS**

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

1. New 37 TAC Section 15.50, concerning State-to-State Verification Service
2. New 37 TAC Section 37.3, concerning Minimum Required Registration Period

*Assistant Director Amanda Arianna, said that no comments were received on item 1, and asked for approval. A motion was made by Commissioner Pulliam, to approve both recommendations and seconded by Commissioner Flores. The motion carried.*

*Chief Mike Lesco, Law Enforcement Support Division - Item 2, no comments were received, and asked for approval.*

*A motion was made by Commissioner Leon, to approve both recommendations and seconded by Commissioner Watson. The motion carried.*

**B. Report, discussion, and possible action regarding the modification of the DPS organizational structure and the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team**

*Director McCraw – Motion by Commissioner Flores, and seconded by Commissioner Pulliam – Motion carries.*

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

*This was discussed in Executive Session.*

## **VIII. REPORTS**

- A. Commission member reports and discussion

*No Commission Member Reports*

- B. Finance Report

*No Financial Report presented.*

- C. Chief Auditors Office

*No Chief Auditors Office Report presented.*

- D. Division status reports on activities and action

*No Division Reports were added.*

## **IX. 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. 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 G. Arnwine, John E. Bateman, Doyle R. Blair, Kenneth L. Bulger, Israel Z. Camacho, Paula M. Dominguez, Lonnie J. Dulin, David M. Franklin, John Gonzalez, Christopher J. Hughes, James E. Jordan, Thomas Mandarino, Mark G. Milanovich, Michael G. Murphy, Kenneth R. Parma, Richardo Perez, Andrew Priddy, Lee E. Richards, Christopher A. Stephens, Alan R. Troup and Thomas L. Williams, Jr. ; Special Texas Rangers: Matthew Lindemann
- B. Donations:
  1. Texas Highway Patrol – donation of 156 Naloxone Kits by the Abilene Regional Council on Alcohol and Drug Abuse, Inc.
  2. Additional donation items, as needed

*Comm. Pulliam made a motion to approve all of the consent items listed. The motion was seconded and carried.*

## **XI. ITEMS FOR FUTURE AGENDA**

*Chairman Mach asked the Commissioners to forward any items for the future agenda to Sophie Yanez.*

## **XII. DATE FOR FUTURE MEETING**

Any discharge hearings will be scheduled on April 17, 2019, and the regular Public Safety Commission meeting is scheduled for April 18, 2019.

*The next PSC Meeting is scheduled for Thursday, April 18, 2019.*

## **XIII. 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

*Chairman Mach adjourned the meeting to Executive Session at 11:51 am.*

#### **XIV. 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.