



# Public Safety Commission Meeting

April 18, 2019

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

*10:01 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 February 21, 2019 PSC Meeting. The motion carried.*

### III. PRESENTATIONS

Director McCraw made the following Award Presentations:

#### 35 YEAR SERVICE AWARD



Robert Ynclan – THP, Central Texas Region

#### 40 YEAR SERVICE AWARD



Carl Lewcocke – LES, South Texas Region

(The DPS Media & Communications Department did not issue a press release including details of the following Awards and Citations, so I apologize for not providing more information regarding these heroic acts.)

#### JAVIER ARANA, JR. TOP TROOPER AWARDS:



Mary “Dani” Basye – THP, Central Texas Region  
Aaron “Ty” Jones – THP, North Texas Region

#### PURPLE HEART:



Kenneth Burman – THP, South Texas Region

**MEDAL OF VALOR:**



*Trent Harben – THP, Central Texas Region*

**LIFE SAVING AND DIRECTOR'S AWARD:**



*Daniel Cordes – THP Central Texas Region*



*James Maher – Bexar County Deputy*

**LIFE SAVING AWARDS:**



*Michael D. Blackwell – THP, North Texas Region*



*Aaron Shelton – THP, South Texas Region*



*Roy Clint, III – THP, South Texas Region*



*Charles Loftin, II – THP, North Texas Region*

***DIRECTOR'S CITATION:***



*Brian Baxter – Education, Training & Research, HQ*



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



*Brian Fratus – THP, Southeast Texas Region*



*Francisco Hernandez – THP, South Texas Region*



*John Henry Bradshaw – THP, South Texas Reg.*



*Abiel Obregon – THP, South Texas Region*

**UNIT CITATION:  
North Texas Trafficking Task Force**

*Mark Negri – CID*

*Colby Langford – CID*

*Robert Mendez – CID*

*Nisha Thompson – CID*

*Wayne Watson – CID*

*Gina Jones - ICT*



**ROBERT F. BORKENSTEIN AWARD:**



*Randall Beaty – LES, HQ*

## NATIONAL TROOPER OF THE YEAR AWARD:



*Jashua More – THP, Northwest Texas Region*

### 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: Organized Crime – Target Store Burglaries



*Director McCraw introduced Texas Ranger Joey Evans to provide details of a widespread burglary ring that primarily targeted Target Stores. Texas Ranger Evans said the DPS involvement began one year ago today, on April 18, 2018. Showing a video of the incident of that morning, 4 perpetrators broke into a movie theater in New Braunfels, all wearing black clothing and masks, and carrying tools including yellow crow bars. Further investigation found video from the Target in the same center where the theater was that showed two cars driving around the parking lot as if they may be casing the area. With activity already in the Target parking lot, it appears that the perpetrators moved on to the movie theater which had no signs*

*of people in the area.*



Later that day, making an unrelated traffic stop in the Temple area, Trooper Steven Royal detected suspicious behavior and inconsistent statements from the occupants from the vehicle. Smelling the odor of marijuana, he searched the vehicle where he found the tools typically used in burglaries, cash including rolled coins, clothing etc. Realizing there is more to this stop than a traffic violation, he called in CID investigator Mike Meeks. They seized the materials and cash, but did not have enough to

arrest the occupants. Later, Detective Meeks and Trooper Royal became aware of a bolo sent out regarding the burglary at the movie theater in New Braunfels including descriptions of the perpetrators and their vehicle and they immediately knew that those involved in the stop earlier were the perpetrators of the theater burglary. Arrest warrants were issued for 6 individuals.



Others at DPS became involved in the investigation and discovered that the Target near the theater had been robbed recently, and further investigation found that Targets in Grand Prairie, Hurst, Houston, and San Antonio had also been hit with very similar circumstances. A warrant for their cell phone records placed the perpetrators in close proximity to each of the victim Target Stores at the times of their burglaries. Continuing to gather and evaluate evidence, related burglaries as far away as California were tied in to this growing band of burglars. Most had gang relations.

Several names were mentioned who helped tremendously in this investigation, but I couldn't keep up with all of them and what they contributed. Here are a few that were touted: Detective Mahoney of New Braunfels PD, Danielle Herrera, and Courtney Fowler, a DPS analysts who helped to pull all of the data and loose ends together. Texas Ranger Evans also said that none of this would have happened if it weren't for the alert action of Trooper Royal who turned a routine traffic stop into the beginning of the end of a sophisticated burglary ring.

I'm afraid I was not able to keep up with all the names and involvements of DPS personnel who materially contributed to the success of this investigation, and I apologize that I cannot do the story justice. Suffice it to say that an incredible amount of time, skill and cooperation with multiple agencies and jurisdictions helped to make the case. Below are some of the slides that provide more detail.

### Aggregate Theft Investigation

- 03-04-2018 - Target Store - Grand Prairie, Texas - Reported cash loss of \$43,420.00
- 03-06-2018 - Target Store - Hurst, Texas - Reported cash loss of \$90,120.00
- 03-15-2018 - Target Store - Houston, Texas - Reported cash loss of \$90,500.00
- 03-19-2018 - Target Store - Houston, Texas - Reported cash loss of \$55,000.00
- 04-07-2018 - Target Store - San Antonio, Texas - Report cash loss of \$40,300.00
- 04-18-2018 - Crestside Theater - New Braunfels, Texas - Reported cash loss of \$12,000.00

### Approximately 25 search warrants and 16 subpoenas have been executed

- Troy Hollins - in the area of 17 Target Store Burglaries
- Christopher Lee - in the area of 13 Target Store Burglaries
- Billy Franklin - in the area of 10 Target Store Burglaries
- Joshua Thomas - in the area of 8 Target Store Burglaries
- Keith Martin - in the area of 6 Target Store Burglaries
- Jay Elia - in the area of 7 Target Store Burglaries
- Xavier Hollins - in the area of 7 Target Store Burglaries

Engaging in Organized Crime –Aggregate Theft  
First Degree Felony  
Comal County

- Troy Hollins – Comal County Jail - \$1mil Bond
- Xavier Hollins – Fugitive – No Bond
- Christopher Lee – Fugitive – No Bond
- Joshua Thomas – Fugitive – No Bond
- Keith Martin – TDCJ – NB Burglary
- Jay Elia - Deceased

Jay Elia Death –  
Co. A Investigation



- On 10-19-18 Houston police observed several suspects exit the front of "The Food Max Store" and into an awaiting vehicle.
- Police pursued the suspect vehicle as it failed to stop.
- After colliding into a wall, two of the suspects fled on foot from the vehicle. One suspect, Jay Elia, jumped from the beltway eventually leading to his death the other was never located. Troy Hollins, Christopher Lee, and Billy Franklin were apprehended inside the suspect vehicle.

Billy Charles Franklin Jr.

- Burglary – STATE JAIL FELONY  
- 10-19-18 – Houston
- Theft - 30K -150K – Houston Target  
- 03-19-2018  
• THIRD DEGREE FELONY
- In the area of 10 Target Store Burglaris
- Additional charges under review



Texas Ranger Joey Evans  
Co. "F" – New Braunfels

[Joseph.Evans@dps.texas.gov](mailto:Joseph.Evans@dps.texas.gov)

830-625-8331



B. Legislative Update

*Director McCraw asked DPS Legislative Liaison Kevin Cooper to provide an update on what DPS is working on at the Capitol. Mr. Cooper said that there are only 40 days left in the legislative session and things are starting to move fast. He listed several bills that DPS has been involved with and where they are in the process. Not much details as to what each bill involved. Mr. Cooper asked Chief*



Amanda Arriaga, Driver License Division, to answer questions posed by Commissioner Leon regarding the bill proposing to move Drivers License from DPS and to the Department of Motor Vehicles, and whether studies were required. Below are some of the bills that he listed:

SB616, passed in the House, now on to the Senate  
HB2794. Passed 2<sup>nd</sup> reading and possibly the 3<sup>rd</sup> during this meeting.  
HB11 (DL moving to DMV) Passed 2<sup>nd</sup> reading and possibly the 3<sup>rd</sup>.  
HB181  
HB3261  
SB 918  
3 Bill relating to Memorial Highway dedications:  
HB338  
HB775  
HB693

Mr. Cooper also said that the Sunset hearing is set for 8:00 am on Wednesday, April 24.

## VI. NEW BUSINESS

### A. Report, discussion, and possible action on DPS Goals and Priority Actions

Director Steven McCraw outlined proposed changes to 4 DPS Goal statements...



**Goals:**

**Current: Combat Crime and Terrorism**  
**Proposed: Prevent Crime and Terrorism**

**Current: Enhance Highway and Public Safety**  
**Proposed: Enhance Safety on Texas Roadways**

**Current: Enhance Statewide Emergency Management**  
**Proposed: Enhance Response, Rescue and Life Saving Capabilities**

**Current: Enhance Public Safety Licensing and Regulatory Services**  
**Proposed: Provide Effective and Efficient Licensing and Regulatory Services**

...and 11 Priority Actions...



**Proposed Priority Actions:**

1. Collect, Analyze, Produce and Share Public Safety Threat Information and Intelligence Assessments
2. Plan and Prepare for All Contingencies
3. Provide Direct Support to Local Law Enforcement Agencies
4. Conduct Intelligence Driven Crime and Crash Prevention Patrols
5. Conduct Thorough and Unbiased Investigations
6. Provide the Public and our Local and State Partners Public Safety Education and Information
7. Prevent Mass Casualty Attacks at Schools, the Capitol Complex and at Special Events
8. Rescue People Using All Available Ground, Marine and Air Assets When Ever and Where Ever Needed
9. Conduct Combined, Multijurisdictional Crime Prevention Operations in High Crime Areas
10. Provide Statewide Hostage Negotiation and Tactical Response Capabilities
11. Provide Expert Forensic Analysis for Local and State Criminal Justice Agencies

*Commissioner Leon asked the Director to repeat some of the statistics that highlight the need for DPS to provide support to smaller law enforcement agencies:*

*53-56% of Police Departments in Texas have 10 or fewer officers*

*73-76% of PDs have fewer than 20 officers*

*These agencies do not have the resources that are often needed in combatting crime, such as aircraft, SWAT Teams, Hostage Negotiators, Forensic services, etc.*

*Chairman Mach ask Director McCraw why he was removing "Public Safety" from the second Goal statement. Director McCraw defended the proposed change by stating that "Public Safety" is well covered when you take all 4 goals in aggregate.*

*A motion was made by Commissioner Flores to approve the proposed changes, and seconded by Commissioner Pulliam. The motion carried.*

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

*This was discussed in Executive Session.*

**VII. ONGOING BUSINESS**

- A.** 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 said that there was nothing to report nor action to take on this item.*

- B.** 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  
**B.** Finance Report  
**C.** Chief Auditors Office  
**D.** Division status reports on activities and action

*No additional reports to give other than what is in the Commissioner's packets.*

**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.*

- E.** Advice and consent regarding director's determination that a certain probationary employee was found unsuitable for work during March 2019.
- F.** 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: Craig M. Ashley, Carl G. Clayton, Barbara J. Dean, David W. Dudley, Clifford C. Duncan, Juanita D. Garcia, Michelle D. Johnson, Carol J. Knight, Juan G. Medrano, Rolando Rivas, Philip D. Steen III, Donald E. Stewart and

Pete E. Ybarra; Special Texas Rangers: Valentin Cenicerros Jr.

**G.** Report, discussion, and possible action on the Office of Psychological Services Other Victim Assistance Grant (OVAG) FY2020 & FY2021 Funding.

**H.** Donations:

1. Aviation Operations Division – donation of 27 HEEDS bottles from John Pike, executive director of the Texas DPS Officers Association
2. Additional donation items, as needed

*Commissioner Leon asked Deputy Director Skyler Hearn if there was anything to be concerned about in the "Consent Items", and he replied "No."*

*A motion was made by Commissioner Watson, and seconded by Commissioner Watson to approve all of the consent items.*

*The motion carried.*

## **X. ITEMS FOR FUTURE AGENDA**

### **XI. DATE FOR FUTURE MEETING**

Any discharge hearings will be scheduled on June 20, 2019, and the regular Public Safety Commission meeting is scheduled for June 21, 2019.

*The next PSC Meeting is scheduled for Friday, June 21, 2019.*

### **XII. 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

### **XIII. 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