



Public Safety Commission Meeting

October 26, 2023, 10:00 a.m.

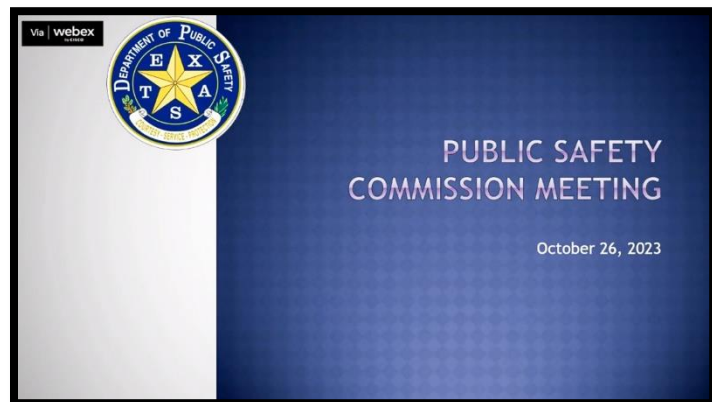
6100 Guadalupe, Building E

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

10:00 am – Chairman Steven Mach called the meeting to order. In attendance: Chairman Steven Mach, Commissioner Nelda Blair, Commissioner Larry Long, Commissioner Dale Wainwright, and Commissioner Steve Stodghill. A quorum was present. Also present were Deputy Director Freeman Martin, Lieutenant Colonel Dwight Mathis, Lieutenant Colonel Walt Goodson, and General Counsel Phil Adkins.

II. INVOCATION

Demonte Knight, C-2023 Class Chaplain gave the invocation.

III. PLEDGES

Trooper David Gonzales led the meeting in the Pledge of Alliance and the Texas Pledge of Allegiance.

IV. APPROVAL OF MINUTES

A motion was made by Commissioner Wainwright to approve the minutes from the August 24, 2023,

Public Safety Commission Meeting and seconded by Commissioner Blair. The motion passed.

V. PRESENTATIONS

(The DPS Public Information Office provided the following information from today's meeting.)

DEPARTMENTAL SERVICE AWARDS

The following employees will be presented a certificate in recognition of their **30 years** of service and accomplishment with the Texas Department of Public Safety:



Reymundo Alcantar (Training Operations Div.)



Dale Avant (Intelligence & Counterterrorism Div.)



Peter Constancio III (Texas Highway Patrol Div.)



Jacinto Gutierrez, Jr. (Criminal Investigations Div.)



Frank Lopez (Texas Highway Patrol Division)



Peggy McKelvy (Driver License Division)



Mario Reyes III (Criminal Investigations Division)



Raymond Whatley (Homeland Security Operations)

The following employee will be presented a certificate in recognition of her **35 years** of service and accomplishment with the Texas Department of Public Safety:



Sharon Cervenka (Driver License Division)

The following employee will be presented a certificate in recognition of his **45 years** of service and accomplishment with the Texas Department of Public Safety:



Aristeo Elizondo, Jr. (Infrastructure Operations Division)

MEDAL OF VALOR:

On October 13, 1971, a fugitive, wanted for assault with intent to commit murder, attempted to murder a Euless Police Department Sergeant during a traffic stop. The suspect fled the scene on foot and ultimately entered a residence in Bedford and took a family hostage. A 15-year-old child was able to escape the residence and notify authorities, which led to a standoff at the residence the following day. Texas Ranger Thomas Arnold had been involved with the all-night manhunt for the suspect, and upon receiving information regarding the suspect's location, traveled to the area. Prior to Ranger Arnold arriving at the scene, the suspect forced the family into their vehicle at gunpoint and ordered the mother to drive away from the residence. Ranger Arnold became involved in the pursuit of the vehicle, which ultimately

came to an end when a Euless PD officer blocked the road. Ranger Arnold disregarded his own safety and parked his DPS vehicle directly behind the hostage vehicle to communicate with the suspect. The mother was in the driver's seat, a 5-year-old child was in the middle of the front seat, and the father was in the front passenger seat. The suspect was seated directly behind the father, and kept his sawed-off shotgun pointed at the back of the father's head. Many unsuccessful attempts were made to negotiate the safe release of the hostages and the surrender of the suspect. Realizing the suspect had no intention of surrendering and intended to kill the hostages, and considering the positions of the hostages and suspect, the ballistic characteristics of the vehicle's rear windshield, and the tactical knowledge regarding the performance of the ammunition in his scoped rifle, Ranger Arnold situated himself in the best position available in order to minimize the risk to the hostages, if he was indeed forced to make a shot on the suspect. As the situation deteriorated, the suspect was distracted and momentarily moved the shotgun from the father's head. Ranger Arnold seized this opportunity and fired one round through the rear windshield, striking the suspect in the head. The rear windshield shattered, preventing Ranger Arnold from seeing the effect of his shot. Immediately, Ranger Arnold left cover and moved toward the vehicle while drawing his sidearm and placing himself between the suspect and fleeing hostages. Ranger Arnold instinctively, and with steadfast resolve, fired three shots into the suspect, effectively ending the terrifying incident, and allowing the family to escape unharmed.

In recognition of his courageous and exemplary way he honored his law enforcement duties during a violent and life-threatening situation, **Texas Ranger Thomas Arnold is hereby awarded the Medal of Valor.**



PURPLE HEART:

Kenneth Pittman (TOD)

On January 11, 1987, Trooper Kenneth Pittman was on routine patrol in Midland County when he became involved in a pursuit with a van, during which assailants opened the back doors of the van and fired a shotgun, striking the windshield of Trooper Pittman's patrol unit. Trooper Pittman received glass injuries to his eyes, impairing his vision and causing him to drive off the roadway through a fence. After his unit came to a stop, the van also stopped and backed up to the crash site. One of the assailants exited the rear of the van and fired two (2) additional shots at Trooper Pittman, with one shot striking the driver's side window and windshield, and the other striking the left rear of the patrol unit. Trooper Pittman exited the passenger side and returned fire striking one of the assailants, who was helped back into the van before the assailants fled the scene.



Trooper Pittman was transported to Midland Memorial where he underwent treatment to remove the glass fragments from his eyes, as well as treatment for several bruised ribs and a twisted knee. Approximately one (1) month later, Trooper Pittman returned to full duty.

In recognition of his great personal sacrifice and professional performance of law enforcement duties during which he sustained serious bodily injuries, **Trooper Kenneth Pittman is hereby awarded the Purple Heart.**

PURPLE HEART:

Curtis Putz (THP)

On January 31, 2023, Trooper Curtis Putz was seriously injured in the line of duty due to icy road conditions while investigating a crash involving a commercial motor vehicle. As Trooper Putz was applying personal protective equipment outside of his unit, a vehicle lost control on the ice and collided with Trooper Putz's patrol unit, putting him between his vehicle and the concrete barrier. The crash caused the patrol unit to run over Trooper Putz and pin him underneath. With other troopers, fire departments, and tow trucks on the scene, various tools were utilized to raise the patrol unit and relieve the pressure that was inhibiting Trooper Putz's breathing. Additional resources were deployed to extricate Trooper Putz from



under the unit and began conducting triage until he was able to be transported for further medical treatment.

In recognition of his great personal sacrifice and professional performance of law enforcement duties during which he sustained serious bodily injuries, **Trooper Curtis Putz is hereby awarded the Purple Heart.**

DIRECTOR'S CITATION:

John Burris (DLD)

Tierra Caradine (DLD)

Steven Hill (DLD)

John Lockhart (DLD)

Frank Pritchett (DLD)



On May 9, 2023, License and Permit Specialist Shireda Lewis was processing a customer for an identification renewal when external checks indicated the customer had a warrant for assault with a deadly weapon. Trooper Stephen Lister was informed of the active warrant, and as Trooper Lister attempted to make the arrest, the subject tried to escape. As Trooper Lister pursued the subject, both fell to the floor and Lister suffered a broken kneecap and became incapacitated. Driver License employees Frank Pritchett, Tierra Caradine, John Lockhart, John Burris, and Steven Hill immediately came to the aide of Trooper Lister and assisted in apprehending the subject. These personnel detained the subject, who made two (2) more attempts to flee before other law enforcement officers arrived.

The quick actions by the Driver License team members prevented further serious injury to Trooper Lister, the employees and public, had the subject gained possession of Trooper Lister's firearm.

In recognition of their decisive and professional response to a life-threatening situation, **Driver License employees John Burris, Tierra Caradine, Steven Hill, John Lockhart, and Frank Pritchett are hereby awarded the Director's Citation.**

LIFESAVING AWARD & DIRECTOR'S AWARD:

Brandon Aquino (THP)
Cole Duvall (THP)
Elizabeth Aguirre (Kinney County Sheriff's Department)



On May 9, 2022, Trooper Brandon Aquino assisted the Kinney County Sheriff's Department with a vehicle pursuit that ended with shots being fired. Trooper Aquino, along with Trooper Cole Duvall and Deputy Elizabeth Aguirre, provided lifesaving efforts without hesitation. The subject sustained multiple gunshot wounds, some causing arterial bleeding. Trooper Aquino assisted in successfully applying multiple tourniquets and chest seal bandages, stabilizing the subject until EMS personnel arrived on the scene.

In recognition of their decisive and professional response to a life-threatening situation resulting in the saving of a life, **Troopers Brandon Aquino and Cole Duvall are hereby awarded the Lifesaving Award and Deputy Elizabeth Aguirre is hereby awarded the Director's Award.**

LIFESAVING AWARD & DIRECTOR'S AWARD:

Crystal Hall (THP)
Ashley Doran (Llano PD)
Richard Debehnke, M.D.
Tristan Monks (Lake Travis FD)



On January 13, 2023, Trooper Crystal Hall responded to a radio broadcast of an 83-year-old female that

was choking at a local restaurant. Upon Trooper Hall's arrival, Lake Travis Firefighter and Paramedic Tristan Monks, Doctor Richard Debehnke, and Llano PD Officer Ashley Doran were already performing chest compressions on the victim. Trooper Hall immediately collaborated with these personnel to continue lifesaving medical attention. Upon EMS' arrival, a CPR machine and a four-lead ECG cardiac monitor were employed. After continued medical treatment, the victim's pulse returned, and she was alert and communicating. The victim was flown to a medical center where she made a full recovery.

In recognition of their decisive and professional response to a life-threatening situation resulting in the saving of a life, **Trooper Crystal Hall is hereby awarded the Lifesaving Award and Officer Ashley Doran, Firefighter Tristan Monks, and Doctor Richard Debehnke are hereby awarded the Director's Award.**

LIFESAVING AWARD:

Troy Bridier (THP)



On March 3, 2022, Trooper Troy Bridier responded to the scene of a male subject experiencing serious bleeding following an injury sustained at a job site. As Trooper Bridier approached, he observed a male subject lying on his back with his feet elevated. A co-worker was applying pressure to the wound located on the subject's right inner thigh, and there was a large amount of blood surrounding the area. Bridier immediately applied a tourniquet and continued to monitor the subject while communicating to responding personnel. Shortly after, Bluff Dale Volunteer Fire Department EMT's arrived and assisted in applying a second tourniquet. Erath EMS arrived on the scene to continue medical care of the subject and transported him to a local hospital. Trooper Bridier's quick response kept the subject from experiencing severe health consequences.

In recognition of his decisive and professional response to a life-threatening situation resulting in the saving of a life, **Trooper Troy Bridier is hereby awarded the Lifesaving Award.**

LIFESAVING AWARD:

Justin Craig (THP)

On December 26, 2022, Trooper Justin Craig overheard a report from the Longview Police Department regarding a drug overdose in progress. Realizing he was close to the call, Trooper Craig responded and was first to arrive on the scene. He was directed to an SUV where the unconscious subject was seated in the driver's seat. As a Drug Recognition Expert, Trooper Craig realized the subject's cold clammy skin, shallow breathing and pulse, and extremely constricted pupils were indications of a narcotic related overdose. Craig quickly retrieved 4mg of Narcan Nasal Spray from his patrol vehicle which he administered to the subject. As Longview PD Officers arrived on the scene, Trooper Craig solicited their assistance in removing the subject from the vehicle and placing him on the ground in a recovery position. With the subject's symptoms not subsiding, Trooper Craig administered an additional 4mg of Narcan Nasal Spray. EMS personnel arrived shortly thereafter and transported the subject to a medical center. While in transport, the subject began to regain consciousness, and by the time Trooper Craig arrived at the medical center, the subject was fully alert and able to communicate his appreciation to Trooper Craig for saving his life.



In recognition of his decisive and professional response to a life-threatening situation resulting in the saving of a life, **Trooper Justin Craig is hereby awarded the Lifesaving Award.**

LIFESAVING AWARD: Toby Clifton (THP)

On January 19, 2023, as Trooper Toby Clifton arrived on the scene to assist Rusk County Sheriff's Deputies with a welfare check of a suicidal subject, he observed Deputies struggling with the subject who was covered in blood. After assisting the Deputies with restraining the subject, Clifton noticed the subject had arterial bleeding from his right forearm. Without hesitation, Clifton applied a tourniquet to the subject's upper bicep, which significantly slowed the loss of blood. Trooper Clifton also applied pressure dressing to further address the injury. Ultimately, the subject became compliant and was able to be transported to a local hospital where physicians were able to repair the artery.



In recognition of his decisive and professional response to a life-threatening situation resulting in the saving of a life, **Trooper Toby Clifton is hereby awarded the Lifesaving Award.**

LIFESAVING AWARD:

Stephen Cantu (THP)

Sandra Mendoza (THP)

Ramon Martinez (THP)

On January 29, 2023, Trooper Ramon Martinez was conducting a commercial vehicle inspection when a bus driver approached Martinez and requested assistance with a passenger displaying erratic behavior. The subject was escorted from the bus and Trooper Martinez requested EMS response due to the probability the subject was experiencing a drug overdose. After approximately five (5) minutes of erratic behavior, the subject lost consciousness. Troopers Stephen Cantu and Sandra Mendoza arrived on the scene and assisted Trooper Martinez with administering 2 mg vial doses of Narcan. The subject regained consciousness and presented a calm and coherent demeanor. Trooper Mendoza remained



(Ramon Martinez was not available)

with the subject until EMS personnel arrived and provided further medical attention. The subject communicated to EMS paramedics that he had consumed a substance containing Fentanyl.

In recognition of their decisive and professional response to a life-threatening situation resulting in the saving of a life, **Troopers Stephen Cantu, Sandra Mendoza and Ramon Martinez (who could not be here today) are hereby awarded the Lifesaving Award.**

LIFESAVING AWARD:

Jesse Perez (TRD)

On May 2, 2023, Texas Ranger Jesse L. Perez was deployed to Operation Lone Star and assigned to the UAS team to support the Texas Rangers Special Operations Group in the Eagle Pass rail yard. Ranger Perez heard radio traffic from a US Border Patrol Agent regarding an undocumented female that had been struck by a northbound train and her leg had been amputated. Ranger Perez immediately responded, and upon arrival, began providing first aid and applied his DPS issued tourniquet to the subject's upper left leg. Perez placed the subject into the recovery position until other resources could arrive; however, due to the rural area and the lack of a level one trauma center, Ranger Perez requested a medical air evacuation. While waiting for EMS, Perez obstructed the subject's view of the injury and began speaking with her, helping her to control her breathing. SRT-5 members arrived on the scene and developed a plan to safely transport the injured



subject from the elevated bridge, down a steep embankment, and across a field to a waiting EMS unit. Once the subject was secured inside the EMS unit and further medical treatment was being provided, SRT-5 team members secured a landing zone for the incoming aircraft, and Ranger Perez escorted the EMS unit to the landing zone. The subject was flown to a hospital in San Antonio in critical condition. Ranger Perez later learned from medical staff that the subject was alive and in stable condition.

In recognition of his decisive and professional response to a life-threatening situation resulting in the saving of a life, **Ranger Jesse Perez is hereby awarded the Lifesaving Award.**

UNIT CITATION:



The Northwest Texas Region's Sergeant Area 5A11 are Troopers strategically stationed throughout the region's seventy-one counties, focusing criminal interdiction efforts on those smuggling narcotics and other contraband across Texas.

Sergeant Area 5A11 is comprised of one Sergeant, one Corporal, and seven Troopers that have supported criminal interdiction operations throughout the region as narcotic detector canine handlers. From January 1, 2021, through December 31, 2022, Sergeant Area 5A11 had 735 canine deployments for illicit drugs and currency, which resulted in seizures of 7,382 pounds of marijuana, 4,014 pounds of THC products, 492 pounds of methamphetamine, 389 pounds of cocaine, 11 pounds of heroin, 30 pounds of fentanyl, 224 pounds of PCP and \$1,090,953.00 in US currency.

Sergeant Area 5A11 Troopers have become successful due to their criminal interdiction techniques in roadside interview, vehicle searches, and their knowledge of fourth amendment search and seizure case law. They have been recognized statewide for their expertise in canine handling, successful drug and illicit currency seizures, and multiple Troopers have placed in the state's top ten canine teams.

The employees commended for their hard work and dedication include **Sergeant Tony Miller, Corporal Shane Bearden, Troopers Jerome Ingle, Shannon Tanck, Chase Neville, Christopher Lambert, Darik Heider, Clayton Blacksher, and Donald Strange.**

They are hereby awarded the Unit Citation.

UNIT CITATION:



On the morning of October 9, 2020, a female was found murdered in her home in New Boston, Texas. The victim was 35 weeks pregnant, and it was determined that after she was viciously beaten, but while still alive and conscious, her baby was cut from her womb. The New Boston Police Department requested assistance from the DPS Criminal Investigations Division and the Texas Rangers. CID Lieutenant Andrew Venable assembled his personnel and coordinated with Texas Rangers Josh Mason and Chris Baggett to provide assistance. A suspect was quickly identified, and it was discovered that a Texas Highway Patrol Trooper had conducted a traffic stop of the suspect that same morning, shortly after the murder was committed. The suspect was in possession of the baby and claimed that she had just given birth and was enroute to a hospital. EMS personnel transported the suspect and baby to a hospital in Oklahoma, which was the closest option. Officers from the Idabel, Oklahoma Police Department and Special Agents from the Oklahoma State Bureau of Investigation were contacted to detain the suspect at the hospital. Texas DPS CID Special Agent Dustin Estes obtained preservation orders for the suspect's and victim's social media accounts, other CID and THP personnel began a canvas of the area in a search for witnesses and evidence, and local officers and Ranger Mason traveled to Idabel to interview the suspect, during which the suspect confessed to being involved in the mother's murder.

DPS CID personnel drafted and executed search warrants for social media accounts, cellular telephone records, and internet service provider activity, all of which were extremely instrumental in the investigation. This information revealed the suspect's research regarding how to fake a pregnancy, C-section deliveries, how to care for a newborn infant, GPS information that proved the suspect had conducted surveillance at teen pregnancy centers and women's clinics, and evidence that the suspect performed vehicle registration inquiries of potential victims. Due to the exemplary performance of DPS CID personnel, the Bowie County District Attorney requested that DPS CID remain involved in the remainder of the investigation, grand jury proceedings, court preparation, and additional endeavors. The evidence gathered by these personnel regarding the suspect's activities prior to the murder of the victim and abduction of the baby, during the commission of the criminal acts, her actions immediately following the murder, and her efforts while incarcerated to frame others for the crime, all proved to be extremely invaluable contributions to the successful outcome of the investigation and ultimate conviction of the suspect. The outstanding collaboration, teamwork, and dedication exhibited by these officers and prosecutors is to be commended.

Those commended for their hard work and dedication include **CID Lieutenant Andrew Venable, Special Agents Briscoe Davis, Eric Estes, Dustin Estes, Chris Barker, Ben Allison (retired), Texas Ranger Joshua Mason, Bowie County ADA Kelley Crisp, Bowie County ADA Lauren Richards, and DA Investigator Lance Cline.**

They are hereby awarded the Unit Citation.

VI. 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.)

Chairman Mach stated that no one signed up to speak before the Commission.

VII. DIRECTORS REPORT

A. Operation Lone Star Update

Director Steve McCraw said that this would be a somewhat abbreviated version in that many of the items to discuss would have to be handled in the Executive Session. First, there is no question that I am very concerned about public safety with the influx of people at the border. There are eight active cartels that are making billions of dollars in the human trafficking business, and they are exploiting our un-secured borders. Governor Abbot and the Texas Legislature are very concerned about this situation. Previously, we were mostly concerned with illegal drugs including

methamphetamine, cocaine, heroin, fentanyl, and other synthetic opioids. We are seeing an increase in fentanyl tainted fraudulent pills mimicking common pills such as Percocet, Oxycontin, Adderall, etc. A very small amount (2 mg) of fentanyl can be lethal. The DEA reports that 7 of 10 pills seized are "hot" meaning they contain over 2 mg of fentanyl and are potentially deadly. He noted that what happens at the border doesn't stay at the border; it affects all parts of Texas.

Texas had 1.4 million people enter Texas illegally in 2022. With the repeal of Chapter 42, we have seen as many as 38 thousand enter per week. Using Title 8, we have been able to stem that inflow to 10-15 thousand per week, but that is still too many. We have had to curtail many of our violent crime task force operations (including the one here in Austin) to send personnel to the border.

The operational hot spots move from one of our 8 border sectors to another. Most recently, the Rio Grande Valley, Del Rio and El Paso sectors are the epicenters of activity. We are not overly concerned with the legitimate asylum seekers in that most of those are well vetted and well behaved. However, it is difficult to vet individuals that speak neither English nor Spanish. The FBI maintains a Terrorist Watch List and historically 3-10 names get added each year. In the most recent fiscal year, 173 names were added. We pay particular attention to those that we know are from one of the 60 or so countries now harbor terrorists.

This is a coordinated law enforcement effort using other law enforcement agencies, the Texas Military Forces, Game Wardens, and others. We cannot let down our guard. In the absence of order, we are still expected to provide an element of public safety. We will see what comes out of this special session. The governor and legislature have been very helpful in authorizing funding for the overtime



that is needed to maintain adequate police presence at the border.

Our concerns are not the ones who voluntarily turn themselves in after they cross, but those who avoid apprehension. Many of these are avoiding getting caught for a reason and will do anything they can to get past our checkpoints. Director McCraw did note that there are also female victims from South America and Mexico that try to avoid detention, in that they had been promised by the Cartels that they would have good jobs waiting for them as domestic workers in homes or in service industries when most of the young women will be forced into prostitution.

As we have seen in Israel recently, Hamas and Hezbollah are alive and are actively trying to ruin our way of life. It doesn't take many to do a lot of damage. They are very good at devising complex and coordinated attacks with the goal of creating chaos. We are currently involved in statewide exercises to test our coordinated efforts to handle such attacks. They look for soft targets such as schools to cause chaos and divert a huge amount of law enforcement resources. Our biggest threat comes from the lone actor. These are disturbed, narcissistic misfits that are difficult to detect and can do a great deal of damage. These attacks have a reverberating effect throughout the community, and often across the state, nation and even the world.

How do we address these threats? We received financial assistance from the legislature last session. We are also looking for help from other sources. Behavior Threat Assessment Teams and other professionals provide a great deal of support and insight. Every threat matters and must be followed up on. We have been successful in preventing multiple potential mass casualty attacks through our vigilance. There are not enough Troopers, Special Agents, and Texas Rangers to cover everything. We use an evidence-based approach and are working hard to recruit. We continue to get more reports of increased violent incidents in neighborhoods and towns. Evidence shows that increased police presence leads to decreased crime. It is the same way with traffic control, an increased highly visible police presence leads to fewer accidents and fatalities.

Director McCraw asked Deputy Director Freeman Martin to comment. Deputy Director Martin said that DPS has never seen as many threats as we are seeing now. San Antonio recently had 8 of their officers shot and killed in a very short period. Most of this activity is clustered in South San Antonio. He noted 8 current deployment operations that DPS is running including Operation Lone Star, the Capital Legislative watch, Colony Ridge in Liberty County, School Safety initiative in Uvalde, a Gang Task Force in Uvalde County, South San Antonio Task Force, Austin Violent Crime Task Force and Operation North Star. These are in addition to events that we cover such as festivals, Pro-Israel, and Pro-Palestine Rallies, etc. We couldn't do this without the support we are getting from the Governor and the Legislature to help us cover overtime.

Chairman Mach asked Director McCraw to elaborate about the "special interest aliens". Director McCraw stated that there are 4 main groups who try to avoid detection and get past our checkpoints: 1. The special interest aliens, 2. National Security risks (from Russia, China, and others), 3. Those previously convicted of crimes in the U.S., and 4. Gang members. Our primary concerns are those entering from threat-based countries (terrorists). There are currently 60 or more countries in which terrorist groups operate and thrive. These pose national security threats. We had 8,000 Chinese nationals enter illegally. We are concerned about anyone from any of the "stan" countries (Pakistan, Afghanistan, Kyrgyzstan, etc.) There are large groups of South American gangs including MS-8 and MS-18. Houston is now a hub for MS-13.

Chairman Mach stated that "Operation Lone Star is certainly not attracting people to this country, and I shudder to think what it would look like without it."

Chairman Mach thanked Col. McCraw.

Commissioner Blair asked about Colony Ridge in Liberty County. Director McCraw said that it is primarily a situation where the population rapidly outgrew the law enforcement resources in place. It is primarily a low-income lower middle class “suburb” with few building restrictions. It doesn’t stand out from other areas with similar demographics. There is some gang activity. A lot of the interest is spawned by peoples’ angst regarding migrants. We also work a lot of crashes involving undocumented drivers.

By comparison, the numbers are huge in Austin. In the brief period we were assisting APD we seized 650 lbs. of methamphetamines, 20 lbs. of cocaine, 19 lbs. of fentanyl, and 6,000 were arrested.

Commissioner Wainwright thanked Director McCraw for his excellent report. He stated that he wished this report could be broadcast to all the people in Texas so that they would have a better idea of what is going on.

VIII. NEW BUSINESS

A. Discussion and possible action on the re-appointment of members to the Vehicle Inspection Advisory Committee

Chief Wayne Mueller – There are two member positions expiring on the Vehicle Inspection Advisory Committee and both current members wish to continue with the Committee.

Mr. David Lewis represents the equipment manufacturing member and has 22 years’ experience in the industry. An updated background check was conducted and found no issues of concern.

Mr. David Campbell represents the inspection station owners on the Committee and has 6 years’ experience. An updated background check was also conducted and found no issues of concern.

Chief Mueller requested approval of the re-appointment of both David Lewis and David Campbell to the Vehicle Inspection Advisory Committee.

A motion was made by Commissioner Blair and seconded by Commissioner Long to approve both members for re-appointment. The motion passed.

B. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision:

General Counsel Phil Adkins stated that all 5 are vehicle inspection cases involving clean scanning and failure to inspect.

1. SOAH Docket No. 405-23-08472.MVI – Jose Jaime Ferniza

This was his second offense at clean scanning, so the Administrative Law Judge recommended an enhanced penalty of revocation of his license.

2. SOAH Docket No. 405-23-18962.MVI – Guadalupe Rios

This was Mr. Rios’s first offense at clean scanning, so the penalty recommendation is a 12-month suspension and a \$500 fine.

3. SOAH Docket No. 405-23-18366.MVI – Aqeel Al Sbihawi

Failure to inspect multiple items drew a penalty recommendation of a 12-month suspension.

4. SOAH Docket No. 405-23-18350.MVI – Hala Kar Inspection Station

Also involved clean scanning and the recommended penalty is a 12-month suspension and a \$500 fine.

5. SOAH Docket No. 405-23-18365.MVI – Homestead Auto Inspection Station

This case also involved cleaning scanning and the recommended penalty is a 12-month suspension and a \$500 fine.

I am requesting that we adopt the recommendations of the Administrative Law Judge.

Commissioner Wainwright made a motion to approve the recommendations of the Administrative Law Judge on all 5 cases. The motion was seconded by Commissioner Stodghill. Without further discussion, the motion passed.

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

1. Proposed amendments to 37 TAC Section 15.29, concerning Alternative Methods for Driver License Transactions

Chief Sheri Gipson – Adding individuals convicted of trafficking of persons to those are not able to renew their license online but will be required to appear in person to apply for renewal.

I am asking for permission to post this amendment to the Texas Register for public review and comment.

A motion to post this amendment to the Texas Register was made by Commissioner Wainwright and was seconded by Commissioner Stodghill. Without further discussion the motion passed.

2. Proposed amendment to 37 TAC Section 35.7, concerning Firearm Standards
Proposed amendment to 37 TAC Section 35.143, concerning Training Instructor Approval

Chief Wayne Mueller – this proposed amendment would allow commissioned security personnel who are honorably retired peace officers to carry rifles in addition to handguns and shot guns with certain company policy requirements.

3. Proposed amendment to 37 TAC Section 35.143, concerning Training Instructor Approval

Chief Mueller – This is related to legislation that passed and in-person self-defense training and the qualifications of the instructors for these private security training courses.

I would expect some comments on both items, and especially item 1, and ask that we post these proposed amendments to the Texas Register for public comment and review.

A motion was made by Commissioner Blair and seconded by Commissioner Long to post items 2 and 3 in the Texas Register for public comment. Without further discussion, the motion passed.

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

This item was handled in executive session.

IX. ONGOING BUSINESS

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

Chief Wayne Mueller said that items 1-6 address the Private Security industry. Following feedback from the public on items 2 and 3, I am withdrawing these items for further review and consideration.

1. Proposed amendments to 37 TAC Section 23.25, concerning Vehicle Inspection Fees
2. Proposed amendments to 37 TAC Sections 35.5, 35.9, and 35.13, concerning General Provisions
3. Proposed amendments to 37 TAC Section 35.52, concerning Administrative Penalties
4. Proposed amendments to 37 TAC Section 35.81, concerning Application for a Security Officer Commission
5. Proposed amendments to 37 TAC Section 35.91, concerning Requirements for Personal Protection License
6. Proposed new 37 TAC Section 35.124, concerning Alarm Company and Alarm Training School Licenses

Items 7-10 are related to the Metal Recycling industry. A comment on item 10 pointed out a conflict with a new statutory change regarding the maximum fine of \$10,000 so I am asking to withdraw item 10 from consideration at this time so that we can correct this error and return this item for posting consideration at the December PSC Meeting.

7. Proposed amendments to 37 TAC Section 36.1, concerning Definitions
8. Proposed repeal of 37 TAC Section 36.5, concerning Sellers of Catalytic Converters in the Ordinary Course of Business
9. Proposed amendments to 37 TAC Section 36.11, concerning Application for Certificate of Registration
10. Proposed amendments to 37 TAC Section 36.60, concerning Administrative Penalties

A motion was made by Commissioner Blair to approve items 1,4,5,6,7,8, and 9 as outlined by Chief Mueller, and was seconded by Commissioner Wainwright. Without further discussion, the motion passed.

Chairman Mach asked that the record show that items 2,3, and 10 were withdrawn and will be brought back to the Commission later.

- 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 Steven McCraw stated that after 30 years of faithful service to DPS, Chief Orlando Alanis is retiring at the end of November. This leaves a vacancy in the very important division of the Highway Patrol. While either of the two Assistant Chiefs and many Majors would be capable and very worthy candidates for this position, I would like to recommend Major Bryan Rippee for this position.

A motion was made by Commissioner Blair and seconded by Commissioner Long to promote Regional Director Bryan Rippee to the position of Chief of the Highway Patrol Division. Without

discussion, the motion passed.

With the expanding demands on our Crime Laboratory Division and despite the great work that Chief Mills is doing, I feel that it is important to add the position of Assistant Chief to that division. I would like to promote Alice Amalhat to the position of Assistant Chief of the Crime Laboratory Division.

A motion was made by Commissioner Blair and seconded by Commissioner Wainwright to approve the promotion of Alice Amalhat to Assistant Chief of the Crime Laboratory Division. The motion passed.

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

This item was handled in Executive Session.

X. REPORTS

A. Commission member reports and discussion

Chairman Mach said that he would like to appoint Commissioner Long to be the PSC liaison to the Williamson County Construction Project that DPS is undertaking. Your oversight of the project would be most helpful to the Commission.

Commissioner Long thanked Chairman Mach and gladly accepted the appointment noting how important the Training Facility will be for recruitment.

Chairman Mack asked if the Commissioners had any concerns over the appointment and none were noted.

B. Finance Report

Commissioner Wainwright stated that while Chief Catherine Melvin doesn't have a report for this meeting, I would like to point out that Chief Melvin and others in her leadership staff attended the FBI's National Academy of Texas Leadership Conference for Women. He asked Chief Melvin to say a few words.

Chief Melvin stated that Lieutenant Colonel Dwight Mathis should be speaking in that he was named as President of the Texas Chapter. She stated that she was honored to attend and found it inspiring and informative. This was well attended by both commissioned and non-commissioned law enforcement from both Texas and surrounding states. DPS was well represented there as well.

C. Chief Auditors Office

None

D. Division status reports on activities and action

None

XI. 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 requests.

Chairman Mach asked Lt. Colonel Mathis if there were any changes or concerns with any of the following consent items.

Lt. Colonel Mathis said that there were no changes or concerns.

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: Eliseo Lee Coronado, Damon Claude Dublin, Victoria Mae Edinger, Richard Fernandez, James Milton Fortenberry, Rebecca Lynne Gentry, Valerie Michele Glasco, Casey Galen Goetz, Kevin Wayne Gray, Charles Michael Havard, Jr., Roy Clay Henry, Shannon Dewayne Jones, Angela Dee Kerr, Michael Jeffrey Knight, Jorge Lopez, Ryan Gabriel Maza, Patrick Kelly McElroy, Christopher Scott McGuairt, Michael Anthony Moore, Timothy T. Ochsner, Mark Hunter Parks, Rene Ramirez, John Weldon Ramsey, Billy Jack Reese, James Earl Rohrman, Vester O'Neil Roney, Cody Christopher Sanders, Henry Arthur Sibley III, Rebecca Lynne Uresti, Jose Valdez, Jr., Randel Martin Wilson, Robert James Wilson, Gerardo Javier De Los Santos, Raul Garza, Pete Guadalupe Luna, Robert Lynn Smith, and Joel DeWayne Timms

B. Donations:

1. South Texas Region – Needmore Ranch, lodging, and training facilities for Regional Directors
2. Additional donation items, as needed.

A motion was made by Commissioner Wainwright and seconded by Commissioner Blair to approve both Consent Items.

The motion passed.

XII. ITEMS FOR FUTURE AGENDA

Chairman Mach asked that the Commissioners send any items for future agendas to Sophie Yanez or Phil Adkins

XIII. DATE FOR FUTURE MEETING

The regular Public Safety Commission meeting is scheduled for December 7, 2023.

Discharge hearings will be scheduled for December 6, 2023.

The next Public Safety Commission meeting will be held on Thursday, December 7, 2023.

XIV. 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 12:19PM.

XV. 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.

