

**Texas Commission on Law Enforcement
Self-Evaluation Report**



Submitted to the
Sunset Advisory Commission

September 2019

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Texas Commission on Law Enforcement Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

**Texas Commission on Law Enforcement
Exhibit 1: Agency Contacts**

	Name	Address	Telephone & Fax Numbers	Email Address
Agency Head	Kim Vickers	6330 E. Highway 290, Suite 200 Austin, TX 78723	512-936-7712 512-936-7714	Kim.vickers@tcole.texas.gov
Agency's Sunset Liaison	Gretchen Grigsby	6330 E. Highway 290, Suite 200 Austin, TX 78723	512-936-7715 512-936-7714	Gretchen.grigsby@tcole.texas.gov

Table 1 Exhibit 1 Agency Contacts

II. Key Functions and Performance

A. Provide an overview of your agency's mission, objectives, and key functions.

The mission of the Texas Commission on Law Enforcement, as a regulatory State agency, is to establish and enforce standards to ensure that the people of Texas are served by highly trained and ethical law enforcement, corrections, and telecommunications personnel.

Established in 1965 by the 59th Texas Legislature, the Texas Commission on Law Enforcement Officer Standards and Education was created to conduct studies and make recommendations to the Governor and the Legislature for the establishment of training, education, and certification standards to improve law enforcement performance. Today, the Commission, which was renamed the Texas Commission on Law Enforcement (TCOLE) in 2013, has evolved into a contemporary regulatory agency with six key functions:

1. Establishing minimum standards to obtain and maintain a peace officer, county jailer, telecommunicator, or school marshal license, and issuing licenses to qualified applicants;
2. Overseeing basic training and continuing education requirements to maintain an active license and ensuring compliance;
3. Auditing agencies and training providers for compliance with hiring standards and providing technical assistance;
4. Taking enforcement action against licenses in the event of criminal or administrative violations;

5. Approving the creation of new law enforcement agencies that meet minimum standards established by the Legislature; and
6. Maintaining TCOLE's database containing licensee and agency records.

While a majority of TCOLE's interactions are with the regulated population, ultimately it is the citizens of Texas who are served by the agency's work in ensuring that only qualified and ethical law enforcement personnel continue to serve in that capacity. As of August 27, 2019, there were 115,918 active licenses, including peace officers, county jailers, telecommunicators, and school marshals.

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed.

Texas is held in high regard nationally and internationally for the standards and professionalism reflected by its law enforcement community. TCOLE, in coordination with the Texas Legislature, has continuously sought to maintain and improve that level of professionalism, and each of the functions named above are an integral part of those ongoing efforts.

The minimum standards for licensure, the first hurdles to be met prior to basic training, protect against unethical or otherwise unqualified individuals from obtaining a TCOLE license and the rights and privileges that come with such a license. This includes preventing someone with a criminal record, not to mention those involved in organized crime, from infiltrating the law enforcement profession in Texas. All types of prospective licensees are held to the same minimum standards for educational background, psychological evaluation, drug dependency evaluation, and criminal history disqualifiers. While each license type may not have the same responsibilities or authority, all have access to highly sensitive information that has a catastrophic potential if misused, making these minimum standards critical for public safety.

Without quality training, Texas peace officers, county jailers, and telecommunicators cannot be expected to carry out their duties in the manner expected by the citizens of our state and its leadership. TCOLE works with committees of subject matter experts and stakeholders in the development of new courses and review of existing training. To deliver this training, unlike many states, TCOLE does not hold its own statewide law enforcement academy. Instead, TCOLE delegates that authority to 112 law enforcement agencies, colleges, and Councils of Government around the state to serve the basic training needs in their regions. With a state as large as Texas, and as diverse both geographically and demographically, having one academy to serve the whole state is neither feasible nor advisable. The regional dissemination of academies allows for new licensees to receive training that is both closer to home and tailored to the needs of their communities. Continuing education is likewise offered by 189 additional entities spread across the state that hold a training contract. This contract sets forth the expectations and reporting requirements necessary to uphold legislative and TCOLE standards. All legislatively required training must be taught by an academy or contract training provider. Any additional elective training can be taught by individual departments.

During the Commission's last Sunset evaluation, the responsibility was outlined to audit law enforcement agencies at least once every five years for compliance with hiring requirements and to ensure that policies and resources are in place that any law enforcement agency needs to serve its community. These audits are widely seen as a risk management tool by law enforcement agencies, particularly incoming chief administrators. The Field Service Agents who conduct these audits are directed to keep a customer service attitude, and make every attempt to work with law enforcement agencies toward voluntary compliance. If repeated deficiencies are noted, or if false information is provided, then the matter is referred to the Enforcement Division. The Field Service Agents, in addition to routine audits, provide invaluable technical assistance to law enforcement agencies, answering questions about statute and administrative rule, particularly as they pertain to training requirements and hiring standards.

Unfortunately, in order to preserve the integrity of the law enforcement profession and public trust, there are times when TCOLE must take disciplinary action against the license of a peace officer, county jailer, or telecommunicator due to violation of statute or rule. These instances include anything from reprimands for noncompliance with continuing education requirements to a statutory revocation for a felony conviction. This process begins with the Enforcement Division, which is TCOLE's investigatory arm. They look into complaints regarding violations of TCOLE rule or statute. This includes reports of criminal charges brought against licensees and monitoring those through to disposition of the case. Once an investigation or criminal case has concluded, the matter is referred to the Legal Division for processing, with the final decision of disciplinary action being made by the Commissioners at a quarterly meeting.

Also added in the agency's previous Sunset legislation was the responsibility to create new law enforcement agencies. Any law enforcement agency created on or after September 1, 2009, is required to undergo an application and review process by TCOLE staff to verify compliance with statutory requirements to best set the local entity up for success.

Underpinning all of these efforts is the maintenance of the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) database. This database houses records of every licensee, including work and training histories; every law enforcement agency; every audit and every investigation. Licensee records are permanently kept under the agency's records retention schedule. Creation and maintenance of records is a core function of any regulatory agency, but is even more critical given the importance of these records to public accountability and trust, not to mention day-to-day operations of the law enforcement profession. Security is paramount due to the sensitive nature of the data contained therein, as peace officer information is protected under the Public Information Act, and the Commission constantly strives to identify and address any breaches and improve its security posture.

C. What, if any, functions does your agency perform that are no longer serving a clear and ongoing purpose? Which agency functions could be eliminated?

Over the years, the laws pertaining to employee termination reports, the categories of discharge included in those reports, and the appeals process for categories of discharge have evolved. During the agency's previous Sunset review, the recommendation was made that the appeals process be changed to clarify that TCOLE is not a party to the contested case hearing at

SOAH. Despite this change, TCOLE still expends significant staff time and resources related to this process. One employee is dedicated entirely to an administrative appeals process to which we are not a party. Moreover, the categories of discharge are used by hiring agencies as a shortcut to determine whether an applicant should be considered. Whether the separation document says honorable, dishonorable, or general, it cannot, and should not, be assumed to be a substitute for a complete and thorough background investigation. Additionally, since the separation report is confidential by statute for public information purposes, Commission open records staff spends time whenever an employee termination report is requested sending a request to the Office of the Attorney General for an opinion, and/or explaining to requestors that the document is confidential.

Clearly, TCOLE needs to keep record of when a licensee has separated from a law enforcement employer. However, the value of maintaining the categories of discharge should be reviewed. If the categories of discharge remain a part of the separation document, the confidentiality of the document in the age of transparency and accountability is something that should be considered.

One of the other ongoing issues relates to reserve officers. TCOLE (then TCLEOSE) had previously offered reserve licenses to individuals who had gone through an abbreviated training process, and TCOLE's enabling legislation contains several references to this license type. These reserve licensees carried full peace officer authority, but had not gone through the same level of training or vetting. It was also of growing concern that reserve appointments were being awarded as political favors, so the license was phased out, and the basic reserve course was no longer taught effective January 1, 2002. Those holding a reserve license were able to take the intermediate and advanced reserve courses to convert their license to a peace officer license, and those who remained at the basic reserve level were grandfathered as long as they kept their license active. As of August 27, 2019, 93 of these licensees remain appointed to a law enforcement agency. Since the reserve license was discontinued, law enforcement agencies have been allowed to appoint fully-trained peace officers to a reserve pay status. Consideration should be given as to whether statute should be updated to require all individuals acting as peace officers must be full peace officers, and if so, whether the current statutory restrictions on which agencies may appoint reserves are necessary.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions?

Overall, Chapter 1701 of the Texas Occupations Code gives the Commission the authority it needs to carry out its responsibilities. In particular, the rulemaking authority granted under Occupations Code 1701.151 and the authority to commission peace officers under 1701.160 are critical to the agency's efficacy. To be clear, while TCOLE investigators are peace officers and therefore duty-bound to intervene if necessary for the protection of life and property, they are not investigating traditional crimes such as drug offenses or murders, nor are they performing traffic enforcement. The vast majority of cases opened by TCOLE are administrative and not criminal, but the peace officer status of our Enforcement investigators and Field Service Agents gives them the ability to investigate criminal matters related to the Commission's enabling

statute when necessary, and gives them access to sensitive information without going through the subpoena process.

One section in Chapter 1701 that has continued to cause some confusion as to the assignment of responsibility is Section 1701.156, Law Enforcement Officer Standards and Education Fund. The agency previously served as a pass-through for funds collected under Local Government Code Section 133.102(e)(5) and appropriated to law enforcement agencies across the state to provide for continuing education for licensees; however, the distribution of those funds, commonly referred to as LEOSE funds, has been managed by the Comptroller of Public Accounts since approximately 2002. This reference leads many law enforcement agencies to contact TCOLE with questions instead of the appropriate oversight agency.

E. Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

No major changes have been requested, but several bills to streamline the agency's operations have been proposed. A list and explanation of legislation requested is available in Exhibit 15.

F. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The only remote overlap with another state agency is with the Texas Commission on Jail Standards (TCJS); however, the responsibilities are delineated in that TCOLE licenses the individuals working in and around county jails, while the TCJS is charged with the oversight of the jail facilities.

G. In general, how do other states carry out similar functions?

Other states have a comparable Peace Officer Standards and Training (POST) entity. Some oversee only licensing and training standards, some have greater enforcement authority for disciplinary action for licensee misconduct, and some are responsible for a statewide training academy.

H. What key obstacles impair your agency's ability to achieve its objectives?

The most urgent challenge TCOLE is currently facing is the need for a new online services system with an IT budget structure that makes it difficult to plan for major expenses. Part of the IT budget is appropriated each year for the agency's technology needs, and part of it is comprised of appropriated receipts.

These online services that were previously available include:

1. An online training system;
2. Agency reporting system for racial profiling reports and body-worn camera reports;
3. Licensee self-service functions for training reports and updating contact information; and

4. Shopping cart to order ID cards and certificates.

These services have been available to licensees in some form for many years, and were in fact referenced in the agency's previous Sunset report. Unfortunately, when the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) database was upgraded to a new version in March 2019, the connection between TCLEDDS and the MyTCOLE online services account, which allowed access to the services listed above, was severed due to unforeseen software and contractual challenges. As of the time of this report, we have managed to restore online training on a month-to-month basis, and have gone through two rounds of bids through the RFP process for this project to develop a new system. All but two of the bids received were far outside of the agency's budget. In fact, some of the bids were equivalent to half of the agency's entire annual budget.

We are hopeful that by the time the 87th Legislature convenes, a new contract will be in place and the immediate issue will have been resolved. However, the funding structure mentioned above will likely present ongoing challenges. The Commission must wait until the end of each fiscal year for those appropriated receipts to accumulate before a meaningful amount is available. The cost of most significant IT projects well outpace the Commission's budget, even leveraging DIR resources.

Additionally, though no less important but somewhat less urgent in nature, the Commission has reached a critical point in the maintenance of legislatively mandated courses. TCOLE is charged each legislative session with new courses to develop. During the 82nd Legislative Session, directed cuts took the staff allocated for the Standards Development strategy from six FTEs in FY 2011 down to 1.6 FTEs in FY 2012. As a result, agency staff needed to get creative to continue to meet the Legislature's expectations on course development, and the current process was born. New courses are now developed by a committee of stakeholders formed from an intentionally diverse representation of the law enforcement profession across the state, including individuals from agencies of different types and sizes, different geographic parts of the state, as well as subject matter experts for specific topics when necessary. While this provides a broader range of perspectives when developing new courses, the committee process takes a great deal of work and coordination for our sole curriculum coordinator. The time dedicated to developing new courses has left several of the existing courses added in previous legislative sessions in serious need of review and update, and in some cases, older advanced-level courses have been eclipsed by newer basic-level courses. The Commission would like to be able to establish a regular review schedule for existing courses and potentially convert some of them to online versions that can be offered for free through TCOLE's online services.

The Commission has sought additional FTEs as exceptional items in the previous two sessions, but has not been successful. To try to address these challenges in the interim, TCOLE has applied for and was awarded a grant through the Governor's Criminal Justice Division for three positions. At the time the funds that were available were through a Violence Against Women Act (VAWA) grant; these personnel have been used to update relevant course material, and to develop a new training related to sexual assault investigations. As of the time of this report, the

Commission is exploring other grant funding options to assist in the review of other courses that fall outside the VAWA grant parameters.

I. Discuss any changes that could impact your agency's key functions in the near future (e.g., changes in federal law or outstanding court cases).

No major changes are foreseen at this time. Texas' continued population growth will continue to increase demands on agency resources. Without corresponding staff and budget changes, at some point, customer service and timeliness of responses may begin to suffer.

J. Aside from additional staff or funding, what are your agency's biggest opportunities for improvement in the future? For example, are there other programs or duties the agency could take on to better carry out its mission?

The largest opportunities for improvement both come within existing programs. We constantly strive to improve the services provided online to our regulated community, and we are also continuously seeking ways to ensure that law enforcement agencies are meeting hiring standards and conducting complete and thorough background investigations on any licensee they intend to appoint.

Our online services can be improved in ways outlined throughout this report, including the identification of vendors who can meet our needs, updating and adding online courses, and expanding the services that we provide. Most importantly this would include an electronic method for individual licensees to submit any required form, request for certificate, or report. Many of these are only available in a PDF form from the TCOLE website that must be filled out and submitted, and then the data must be entered by TCOLE staff. An electronic format is available for documents required of law enforcement agencies as a recommendation of the Commission's previous Sunset review and subsequent legislation, but the limitations of our current online services platform and lack of statutory mandate have prevented the same requirement for individual licensees.

The importance of vetting individuals to be hired as peace officers, county jailers, and telecommunicators cannot be understated. This is not just an integrity issue, but a matter of public safety. It is imperative that a licensee who is potentially responding to an emergency at any time of day or night is not going to put the involved parties in further harm. TCOLE is looking into ways through statutory, administrative rule, and/or form changes to hold agencies to a high standard and to improve access to any and all necessary documents related to a licensee and his or her work history, including personnel files from previous law enforcement agencies.

K. Overall, how does the agency measure its effectiveness in carrying out its objectives?

The agency's performance measures are a good indication of its activity, though the largest service the Commission provides is to prevent issues from arising before they start. This is not something tangibly measured, but we achieve this through constant communication with our regulated population.

In the following chart, provide information regarding your agency’s key performance measures, including outcome, input, efficiency, and explanatory measures. *See Exhibit 2 Example.* Please provide both performance measures listed in the agency’s appropriated bill pattern and other performance indicators tracked by the agency. Please provide information regarding the methodology used to collect and report the data.

**Texas Commission on Law Enforcement
Exhibit 2: Key Performance Measures — Fiscal Year 2018**

Key Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of New Licenses Issued to Individuals	1-1-1-OP-1	12,000	15,119	125.99
Number of Appointment Documents Received and Processed	1-1-1-OP-6	15,000	18,916	126.11
Number of Courses Reviewed/Approved/Updated by TCOLE	1-1-2-OP-1	5	15	300.00
Number of Disciplinary Actions Taken	2-1-1	725	842	116.14
Number of Notices Sent of Impending Training Deficiency	2-1-1-OP-6	17,000	1,300	7.65
Number of Misconduct Cases Resolved by Agreed Order	2-1-1-OP-7	6	10	166.67
Number of Border Security-Related Investigations Opened	2-1-1-OP-8	20	20	100.00
Number of SOAH Hearings for Criminal Administrative Cases	2-1-1-OP-9	30	4	13.33
Number of Cases Opened	2-1-2-OP-1	1,500	1,871	124.73
Number of Agencies Audited for Law and Rule Compliance	2-1-2-EX-1	800	811	101.38
Number of Open Records/Public Information Requests sent to OAG for letter ruling	3-1-1-OP-4	30	68	226.67

Table 2 Exhibit 2 Key Performance Measures *See Exhibit 3

- L. Please list all key datasets your agency maintains. Why does the agency collect these datasets and what is the data used for? Is the agency required by any other state or federal law to collect or maintain these datasets? Please note any “high-value data” the agency collects as defined by Texas Government Code, Section 2054.1265. In addition, please note whether your agency has posted those high-value datasets on publically available websites as required by statute.

Exhibit 3: Key Datasets

Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)
Peace Officer Licensees	Currently appointed Peace Officers	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Reserve Officer Licensees	Currently appointed Reserve Licensees	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Jailer Licensees	Currently appointed county jailers	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Temporary Jailer Licensees	Currently appointed temporary jailers	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Telecommunications Operator Licensees	Currently appointed telecommunications	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Temporary Telecommunicator Licensees	Currently appointed temporary telecommunications	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Agencies	Law enforcement agencies statewide	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Training Academies	Academies authorized to teach basic licensing courses	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Contract Training Providers	Training providers authorized to teach continuing education only	TCOLE	http://www.tcole.texas.gov/content/current-statistics
Academic Alternative Providers	College-based alternative to traditional academy	TCOLE	http://www.tcole.texas.gov/content/current-statistics

Table 3 Exhibit 3 Key Datasets

III. History and Major Events

In 1965, the 59th Legislature created the Texas Commission on Law Enforcement Officer Standards and Education (Commission or TCLEOSE) to determine and set training and certification standards for the improvement of law enforcement performance. The Commission was given the authority to conduct studies and make recommendations to the governor and the legislature for the establishment of training and certification standards. The standards, although voluntary, had an immediate positive effect, and became mandatory by action of the 61st Legislature in 1969.

In 2011, the agency's funding was changed in part from appropriations through criminal justice fees to appropriated receipts.

In 2013, SB 686 (83R) was passed to change the agency's name to the Texas Commission on Law Enforcement.

In 2014, HB 1009 (83R) took effect, creating the School Marshal program to be overseen by TCOLE.

In 2014, HB 1951 (83R) took effect, requiring Telecommunicators to obtain a TCOLE license.

For a complete timeline of statutory and rule changes, see the [Timeline of Legislative and Procedural Changes](#) on the Commission's website.

See History and Major Events Example.

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

**Texas Commission on Law Enforcement
Exhibit 4: Policymaking Body**

Member Name	Term / Appointment Dates / Appointed by (e.g., Governor, Lt. Governor, Speaker)	Qualification (e.g., public member, industry representative)	City
Joel W. Richardson, Presiding Officer	Appointed 10/30/2007 Presiding Officer 10/10/2011	Sheriff	Canyon
Jason D. Hester, Assistant Presiding Officer	9/4/2013 – 8/30/2019	Licensee	Lago Vista
Patricia G. Burruss, Secretary	10/31/2014 – 8/30/2019	Public Member	Olmito
Janna Atkins	1/7/2019 – 8/30/2023	Licensee	Abilene
Ron E. Hood	2/16/2018 – 8/30/2023	Constable	Dripping Springs
Kim Lemaux	5/27/2017 – 8/30/2021	Chief of Police	Arlington
Jack W. Taylor	2/16/2018 – 8/30/2023	Public Member	Austin
Sharon Breckenridge Thomas	5/27/2017 – 8/30/2021	Public Member	San Antonio
Tim Whitaker	5/27/2017 – 8/30/2021	Licensee	Richmond

Table 4 Exhibit 4 Policymaking Body

B. Describe the primary role and responsibilities of your policymaking body.

The Commission sets policy, approves rules and procedures formulated by the Executive Director and staff, and takes formal disciplinary actions against licensees on the recommendation of the Executive Director and state Administrative Law Judges. The Commission also approves or denies waivers of administrative rules, primarily the bar from licensure for previous Class A and Class B misdemeanors, to authorize individuals to begin the licensing process.

C. How is the chair selected?

The Presiding Officer is selected by, and serves at the pleasure of, the Governor.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

The Commission, to ensure a reflection of the regulated population, is comprised by statute as three members who are chief administrators of law enforcement agency; three peace officers, two of which must hold nonsupervisory positions; and three members who represent the public.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2017? In FY 2018?

The Commission meets quarterly, holding meetings in March, June, September, and December of each year. Additionally, the Commission holds a special called meeting for strategic planning purposes each even-numbered year, usually the day before the scheduled March meeting.

F. Please list or discuss all training members of the agency's policymaking body receive. How often do these members receive training?

After being appointed by the Governor, but before taking any votes at a quarterly meeting, new Commissioners receive training outlined by Occupations Code 1701.059, which includes information on legislation that created the Commission; the programs, functions, rules, and budget of the Commission; the results of the most recent formal audit of the Commission; the requirements of laws relating to open meetings, public information, administrative procedure, and conflicts of interest; and any applicable ethics policies adopted by the Commission or the Texas Ethics Commission.

G. What information is regularly presented to your policymaking body to keep them informed about the agency's operations and performance?

The agency's directors give reports at each quarterly meeting on items of interest and/or ongoing operations. The Executive Director sends an update via email as necessary to the Commissioners if and when major issues arise of which they need to be aware, and communicates regularly with the Presiding Officer.

H. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

The agency seeks input in a number of ways. Aside from the complaint process, the Commission maintains an email address available for public comment on proposed rules or otherwise. There is an availability for public address at each quarterly meeting. Additionally, a contingent of staff and Commissioners travels to various regions of the state every two years for the specified purpose of getting feedback from the regulated community.

I. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. See Exhibit 5 Example. For advisory committees, please note the date of creation for the committee, as well as the abolishment date as required by Texas Government Code, Section 2110.008.

In addition, please attach a copy of any reports filed by your agency under Texas Government Code, Section 2110.007 regarding an assessment of your advisory committees as Attachment 25.

**Texas Commission on Law Enforcement
Exhibit 5: Subcommittees and Advisory Committees**

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)	Creation and Abolishment Dates
Audit Committee	Selected by the presiding officer	Review and discuss internal and external audits that are conducted on the Commission, and adopt the recommendations made in audits.	Occupations Code 1701.058	N/A
Legislative Committee	Selected by the presiding officer	To discuss and provide direction on legislation affecting TCOLE.	Occupations Code 1701.058	N/A

Table 5 Exhibit 5 Subcommittees and Advisory Committees

V. Funding

A. Provide a brief description of your agency's funding.

Funding for the agency is varied and has changed over time. The Commission was originally funded primarily by federal grants. In 1977, the Legislature created our primary fund, General Revenue-Dedicated Fund 0116. Current funding includes a mixture of General Revenue, General Revenue-Dedicated appropriations, appropriated receipts, donations, state grants and federal grants.

B. List all riders that significantly impact your agency's budget.

*GAA, 86th Legislature, R.S., Pages V-38 and V-39

Rider 2 Capital Budget

Rider 3 Proficiency Certificate Fees

Rider 4 Licensing Fees

Rider 7 Conference, Training, Testing and Other Receipts

Rider 8 Appropriation for Salaries and Wages

C. Show your agency's expenditures by strategy. See Exhibit 6 Example.

**Texas Commission on Law Enforcement
Exhibit 6: Expenditures by Strategy — 2018 (Actual)**

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
A.1.1 Licensing	947,269	24%	0
A.1.2 Standards Development	168,574	4%	0
B.1.1 Enforcement	1,226,010	32%	0

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
B.1.2 Technical Assistance	1,222,815	32%	81,172
C.1.1 Indirect Administration	312,569	8%	0
GRAND TOTAL:	3,877,237	100%	81,172

Table 6 Exhibit 6 Expenditures by Strategy

- D. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines. See Exhibit 7 Example.**

**Texas Commission on Law Enforcement
Exhibit 7: Sources of Revenue — Fiscal Year 2018 (Actual)**

Source	Amount
Law Enforcement Officer Standards and Education Account No. 0116 (GR-Dedicated)	3,216,585
Texas Peace Officer Flag Account No. 5059 (GR-Dedicated)	6,910
Appropriated Receipts	623,327
Criminal Justice Grant	30,414
TOTAL	3,877,237

Table 7 Exhibit 7 Sources of Revenue

- E. If you receive funds from multiple federal programs, show the types of federal funding sources. See Exhibit 8 Example.**

**Texas Commission on Law Enforcement
Exhibit 8: Federal Funds — Fiscal Year 2018 (Actual)**

N/A

Table 8 Exhibit 8 Federal Funds

- F. If applicable, provide detailed information on fees collected by your agency. See Exhibit 9 Example.**

**Texas Commission on Law Enforcement
Exhibit 9: Fee Revenue — Fiscal Year 2018**

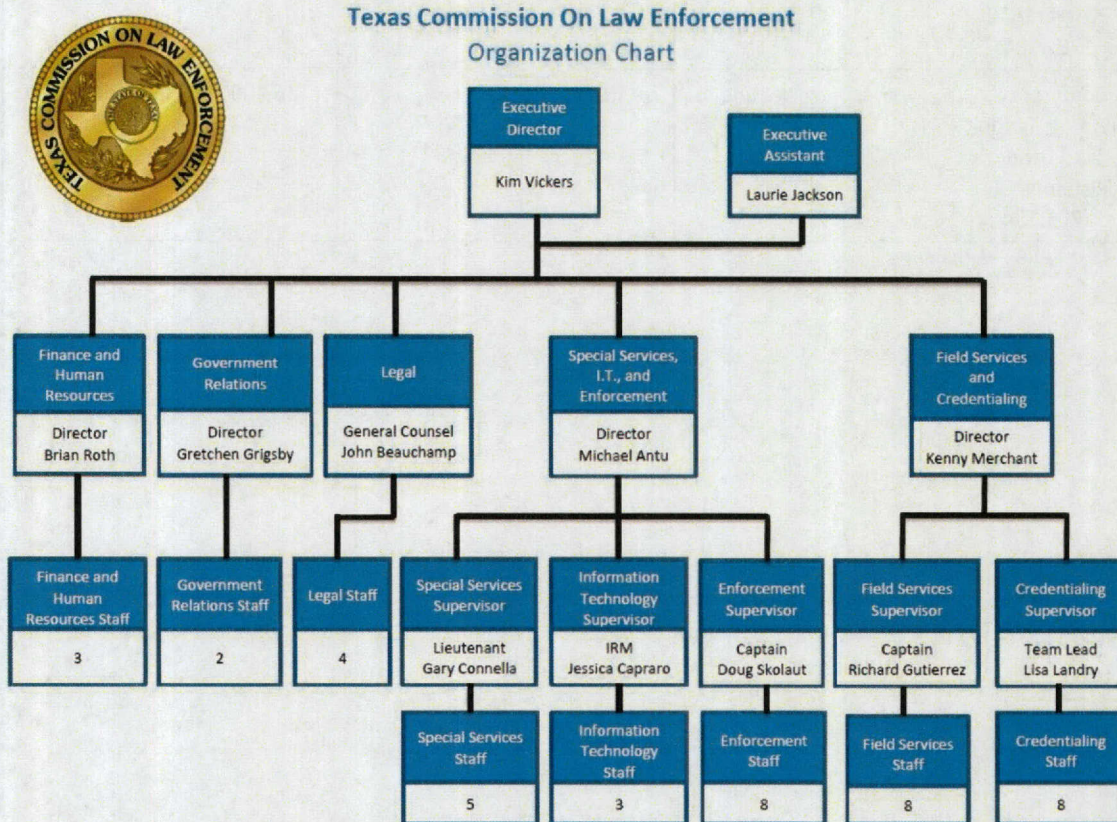
Fee Description/ Program/ Statutory Citation	Current Fee	Fees Set by Statute or Rule?	Statutory Maximum or Minimum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited <i>(e.g., General Revenue Fund)</i>
Proficiency Certificate Fees/OC 1701.154	\$35	Rule	N/A	7,928*	277,495	GR-D Fund 0116

Fee Description/ Program/ Statutory Citation	Current Fee	Fees Set by Statute or Rule?	Statutory Maximum or Minimum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited <i>(e.g., General Revenue Fund)</i>
Licensing Fees/OC 1701.154	\$150 to \$250	Rule	N/A		133,723	GR-D Fund 0116
Distance Learning Program/OC 1701.154	\$35	Rule	N/A	2,224*	77,832	GR-D Fund 0116
Conference, Training, Testing and Other Receipts/OC 1701.154	Varies	Rule	N/A		268,000	GR-D Fund 0116

Table 9 Exhibit 9 Fee Revenue

VI. Organization

- A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division. Detail should include, if possible, department heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.



- B. If applicable, fill in the chart below listing field or regional offices. See Exhibit 10 Example.

Texas Commission on Law Enforcement
Exhibit 10: FTEs by Location — Fiscal Year 2019

Headquarters, Region, or Field Office	Location	Co-Location? Yes / No	Number of Budgeted FTEs FY 2019	Number of Actual FTEs (as of SER submission)
Headquarters	Austin, TX	No	38.6	40*
Field-Based Academy Evaluators	Helotes / Round Rock	No	2	2

Headquarters, Region, or Field Office	Location	Co-Location? Yes / No	Number of Budgeted FTEs FY 2019	Number of Actual FTEs (as of SER submission)
Field-Based Special Services & Projects	College Station / Bolivar	No	2	2
Field-Based Investigators	McAllen / Abilene	No	2	2
Field-Based Supervisor	Conroe, TX	No	1	1
Region 1 - Panhandle	Abilene, TX	No	1	1
Region 2 - West Texas	Abilene, TX	No	1	1
Region 3 - South Texas	Rockport, TX	No	1	1
Region 4 - South East Texas	Willis, TX	No	1	1
Region 5 - North East Texas	Elkhart, TX	No	1	1
Region 6 - Northeast Central Texas	Grand Prairie, TX	No	1	1
Region 7 - Central Texas	Blanco, TX	No	1	1
Region 8 - Northwest Central Texas	Brownwood, TX	No	1	1
			TOTAL: 53.6	TOTAL: 55

*Total includes 3 grant funded FTEs

Table 10 Exhibit 10 FTEs by Location

C. What are your agency's FTE caps for fiscal years 2017-2020?

The agency's FTE cap has remained at 53.6 throughout 2017-2020.

D. How many temporary or contract employees did your agency have in fiscal year 2018? Please provide a short summary of the purpose of each position, the amount of expenditures per contract employee, and the procurement method of each position.

N/A

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program. See Exhibit 11 Example.

**Texas Commission on Law Enforcement
Exhibit 11: List of Program FTEs and Expenditures — Fiscal Year 2018**

Program	Actual FTEs FY 2018	Budgeted FTEs FY 2019	Actual Expenditures FY 2018	Budgeted Expenditures FY 2019
Licensing	13.4	13.4	947,269	871,949
Standards Development	2.15	1.9	168,574	177,608
Enforcement	18.9	19.5	1,226,010	1,226,926
Technical Assistance	13.45	14.7	1,222,815	1,113,276
Indirect Administration	4.1	4.1	312,569	315,558

Program	Actual FTEs FY 2018	Budgeted FTEs FY 2019	Actual Expenditures FY 2018	Budgeted Expenditures FY 2019
TOTAL	52	53.6	3,877,237	3,705,317

Table 11 Exhibit 11 List of Program FTEs and Expenditures

VII. Guide to Agency Programs

- A. Provide the following information at the beginning of each program description.

Name of Program or Function: Issuance of Licenses, Certificates, IDs

Location/Division: Credentialing

Contact Name: Kenny Merchant

Statutory Citation for Program: Occupations Code §§1701.301, 307, .3071, .402

- B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the function is to ensure that licenses, certificates, and IDs are issued only to persons who meet minimum eligibility requirements. Credentialing staff receives applications, ensures that the required training has been completed, that the applicant meets any other minimum standards required, processes any fees associated with the application, enters the data into TCLEDDS, and issues the appropriate document or makes notification of denial.

Note: staff does not have access to all local documents that determine all aspects of eligibility for licensure. The license application is a sworn affidavit indicating the agency has proof of eligibility on file for the applicant. These are to be made available for audit by Field Services staff, a process which will be discussed more in depth under the Field Services section.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of New Licenses Issued to Individuals	1-1-1-OP-1	12,000	15,119	125.99
Number of Licenses Reactivated	1-1-1-OP-2	500	495	
Total number of Proficiency Certificates issued	1-1-1-OP-4	19,000	18,584	97.81%
Total number of IDs issued	N/A	N/A	1,746	N/A

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Prior to April 15, 1996, agencies were required to send all documents proving all aspects of licensing eligibility to the Commission for evaluation. Since that date, staff determines eligibility based on age, formal education, training, and criminal history, only. All other aspects are determined at the local level and verified by notarized signature on license applications.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Eligibility requirements for new licensees:

1. Minimum age- 21 for peace officers, 18 for county jailers and telecommunicators;
2. Minimum education- high school diploma/GED;
3. U.S. Citizenship;
4. Exam showing no trace of drug dependency or illegal drug use;
5. Psychological exam;
6. Clear criminal history, with waivers allowed for misdemeanor convictions;
7. Completed background investigation by appointing agency;
8. No military discharge based on misconduct that bars re-enlistment;
9. Basic licensing course completed (except for Temporary Licenses); and
10. State Exam passed (except for Temporary Licenses).

Certification requirements:

1. Minimum training hours;
2. Completion of required courses; and
3. Minimum longevity requirements (for some certificates).

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The function is administered through the Credentialing Division as indicated by the agency organizational chart. Processes are described in B, above. Field/Regional services are not used in this function.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Licensing strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Applications for initial licensure come from approximately 2,700 units of local and state government, including any unit of government with statutory authority to appoint licensees.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

There are no non-budgetary barriers or challenges that impede the program's performance.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The issuance of licenses, certificates, and IDs is a reactive function dependent upon local factors such as budgets, community standards, and politics.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**

Regulation of licensees who have the ability to affect the safety of life and property of every citizen is a societal necessity. Failing to ensure properly trained licensees with high ethical standards would erode confidence in all aspects of government.

- **the scope of, and procedures for, inspections or audits of regulated entities;**

Audit or inspection under this function is performed on an individual basis by the staff assigned to the function on each application submitted. The inspection consists of applying known requirements/standards to each application. Those that do not meet standard are rejected. Any apparent intentional falsification generates a complaint, forwarded to the Enforcement Division for follow-up.

- **follow-up activities conducted when non-compliance is identified;**

Minor issues of non-compliance with licensees or agencies due to lack of knowledge or mistake of fact are brought to the attention of the licensee or agency and voluntary compliance required. Repeated instances of un-intentional non-compliance or intentional non-compliance result in cases being generated for both administrative and statutory violations and the cases being forwarded to the Enforcement Division for follow-up.

- **sanctions available to the agency to ensure compliance; and**

Sanctions available include administrative fines against agencies, license actions against individuals (reprimand, suspension, revocation), and criminal charges against individuals.

- **procedures for handling consumer/public complaints against regulated entities.**

Incoming complaints against licensees are documented on the Intake Complaint Form and forwarded to the Enforcement Division for follow-up.

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency’s particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

The Commission’s regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Recording Current Licensee Data

Location/Division: Credentialing

Contact Name: Kenny Merchant

Statutory Citation for Program: Occupations Code §§1701.303, .352, .452

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The objective of this program is to document current information on licensees, including the agency(s) to which they are currently appointed, their past separations from any agency, their completed training and educational level, and their current personal information for contact purposes.

The major activities include receipt of any applications or updated information, confirmation of information included in the application or completion of any requirements for the application, entry of the information into TCLEDDS, and notification of approval or denial.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Total Number of Licensed Individuals (Licensed but not Appointed)	1-1-1-EX-1	22,000	13,035	
Total Number of Licensed Individuals (Appointed)	1-1-1-EX-2	101,000	103,742	
Total number of licensee appointments (L1, L1T)	1-1-1-OP-6	15,000	18,916	126.1%
Total number of license separations (F5)	1-1-1-OP-5	16,000	17,014	106.3%
Total number of education requests (F7)	N/A	N/A	4,836	N/A
Total number of training rosters	N/A	N/A	176,997	N/A

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

The submission of appointment (L1) and report of separation (F5) forms in an electronic format following the agency's previous Sunset review has not only streamlined and made staff operations more efficient, but also less subject to human error.

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Eligibility requirements for appointment at agencies mirror those listed under the Credentialing- Issuance of Licenses, Certificates, and IDs function, although some requirements are not repeated after initial licensure, or are dependent on the length of separation from last appointment.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The function is administered through the Credentialing Division as indicated by the agency organizational chart. Processes are described in B, above. Field/Regional services are not used in this function.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Licensing strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs that provide identical or similar services to the target population, except that numerous other governmental entities retain personal information on the same population.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

This function is not performed by any other internal or external entities (except for retention of personal information).

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Applications for appointment, separation, and educational/training updates come from approximately 2,700 units of local and state government, including any unit of government with statutory authority to appoint licensees.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2018;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

There are no non-budgetary barriers or challenges that impede the program's performance.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**

Regulation of licensees who have the ability to affect the safety of life and property of every citizen is a societal necessity. Failing to ensure properly trained licensees with high ethical standards would erode confidence in all aspects of government.

- **the scope of, and procedures for, inspections or audits of regulated entities;**

Audit or inspection under this function is performed on an individual basis by the staff assigned to the function on each application submitted. The inspection consists of applying known requirements/standards to each application. Those that do not meet the standard are rejected. Any apparent intentional falsification generates a complaint, forwarded to enforcement for follow-up.

- **follow-up activities conducted when non-compliance is identified;**

Minor issues of non-compliance with licensees or agencies due to lack of knowledge or mistake of fact are brought to the attention of the licensee or agency and voluntary compliance required. Repeated instances of un-intentional non-compliance or intentional non-compliance result in cases being generated for both administrative and statutory violations and the cases being forwarded to the Enforcement Division for follow-up.

- **sanctions available to the agency to ensure compliance; and**

Sanctions available are: administrative fines against agencies, license actions against individuals (reprimand, suspension, revocation), and criminal charges against individuals.

- **procedures for handling consumer/public complaints against regulated entities.**

Incoming complaints against licensees are documented on the Intake Complaint Form and forwarded to the Enforcement Division for follow-up.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Determining Training Non-Compliance

Location/Division: Credentialing

Contact Name: Kenny Merchant

Statutory Citation for Program: Occupations Code Chapter 1701, Subchapter H

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this program is to identify those licensees who have not completed legislatively mandated training, and to give adequate notification to agencies with appointed licensees who have not completed training prior to the training deadline dates. The aim of this program is to give licensees every opportunity for voluntary compliance.

The major activities include initiation of computer-based programs that search the TCLEDDS database to identify potential non-compliance for each of the various training requirements applicable to license types, proficiency levels, and dates of licensure; review of information for possible errors or exceptions; and the printing and mailing of letters to affected agencies. Notifications normally occur three times prior to the training deadline dates.

After the deadline date has passed, a final report showing those that are non-compliant is generated and forwarded to the Enforcement Division for follow-up.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of Training Deficiency Warning Notices sent		17,000	1,300	1.7%
# Individuals w/Training Deficiencies/Training Violations Identified	2-1-1-OP-1		300	1,062

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

N/A

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Persons affected by this program are licensees that have failed to complete their legislatively mandated training.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The function is administered through the Credentialing Division as indicated by the agency organizational chart. Processes are described in B, above. Field/Regional services are not used in this function.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Licensing and Standards Development strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provides identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Non-compliance warning notices are sent to approximately 2,700 units of local and state government, including any unit of government with statutory authority to appoint licensees.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2018;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Prior to the 82nd Legislative Session, training was required in set two-year units and four-year cycles, making the deadline for completion a uniform date across the state, and determination of non-compliance simple. Some training requirements in more recent sessions have been based on the individual's date of licensure and therefore unique to each licensee and spread throughout the year, or even two years. This has made it more challenging for TCOLE to enforce training requirements within the timeframe specified by legislation, and more difficult for the individual licensee to understand which training applies to them. Exemptions for certain categories of licensees have also made determination of compliance more difficult.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
Regulation of licensees who have the ability to affect the safety of life and property of every citizen is a societal necessity. Failing to ensure properly trained licensees with high ethical standards would erode confidence in all aspects of government.
- **the scope of, and procedures for, inspections or audits of regulated entities;**
Audit or inspection under this function is performed on an individual basis by the staff assigned to the function on each application submitted. The inspection consists of

applying known requirements/standards to each application. Those that do not meet standard are rejected. Any apparent intentional falsification generates a complaint, forwarded to the Enforcement Division for follow-up.

- **follow-up activities conducted when non-compliance is identified;**

Minor issues of non-compliance with licensees or agencies due to lack of knowledge or mistake of fact are brought to the attention of the licensee or agency and voluntary compliance required. Repeated instances of un-intentional non-compliance or intentional non-compliance result in cases being generated for both administrative and statutory violations and the cases being forwarded to the Enforcement Division for follow-up.

- **sanctions available to the agency to ensure compliance; and**

Sanctions available are: administrative fines against agencies; license actions against individuals (reprimand, suspension, revocation), and criminal charges against individuals.

- **procedures for handling consumer/public complaints against regulated entities.**

Incoming complaints against licensees are documented on the Intake Complaint Form and forwarded to the Enforcement Division for follow-up.

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Provide Customer Service, Information, and Training

Location/Division: Credentialing/Field Services

Contact Name: Kenny Merchant

Statutory Citation for Program: N/A

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The objective of this program is to provide information to both individuals and agencies on statutory and rule requirements, Commission policies and procedures, and current status on

individual licensees. This function is performed through customer service requests by phone and by email, and through in-person and group training in the field.

The major activities include answering incoming phone calls, answering incoming emails to both individuals and through the agency’s website, meeting with agency heads, training coordinators, or other agency designees in the field, and providing group training sessions in the field and at headquarters.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
# of TCOLE Continuing Education Courses Completed	1-1-2-OP-3	45,000	52,787	117.30
Total Attendance at TCOLE Training	1-1-2-OP-4	1,000	2,925	292.50
Total number of incoming phone calls		N/A	42,655	N/A

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

N/A

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Persons affected by this program are those who have questions about requirements to obtain or maintain a license, agency questions about hiring standards or reporting requirements, as well as various procedural questions for Commission business.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The function is administered primarily through the Credentialing and Field Services Divisions as indicated by the agency organizational chart. Processes are described in B, above. Field Service Agents are assigned to eight geographic regions of the state and live either within, or adjacent to the borders of their region. Their primary function is to conduct audits, but they also serve as primary points-of-contact for the agencies for any TCOLE related questions. During their audits and agency visits, the Field Agents provide impromptu training on TCOLE topics. They also regularly schedule traditional classroom training, for larger groups of customers, to train on TCOLE requirements.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Licensing and Technical Assistance strategies in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provides identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other external programs that provide identical or similar services to the target population. Internally, Credentialing and Field Services provide specific information on their own functions and general information on other agency functions. Specific requests for information for other divisions are referred to the appropriate division.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

N/A

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Informational services are provided to approximately 2,700 units of local and state government, including any unit of government with statutory authority to appoint licensees.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;

- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The changes to legislatively mandated training outside of the traditional continuing education cycle referenced under item M in the section above have resulted in numerous requests for clarification.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**

Regulation of licensees who have the ability to affect the safety of life and property of every citizen is a societal necessity. Failing to ensure properly trained licensees with high ethical standards would erode confidence in all aspects of government.

- **the scope of, and procedures for, inspections or audits of regulated entities;**

Audit or inspection under this function is performed on an individual basis by the staff assigned to the function on each application submitted. The inspection consists of applying known requirements/standards to each application. Those that do not meet standard are rejected. Any apparent intentional falsification generates a complaint, forwarded to enforcement for follow-up.

- **follow-up activities conducted when non-compliance is identified;**

Minor issues of non-compliance with licensees or agencies due to lack of knowledge or mistake of fact are brought to the attention of the licensee or agency and voluntary compliance required. Repeated instances of un-intentional non-compliance or intentional non-compliance result in cases being generated for both administrative and statutory violations and the cases being forwarded to the Enforcement Division for follow-up.

- **sanctions available to the agency to ensure compliance; and**

Sanctions available are: administrative fines against agencies, license actions against individuals (reprimand, suspension, revocation), and criminal charges against individuals.

- **procedures for handling consumer/public complaints against regulated entities.**

Incoming complaints against licensees are documented on the Intake Complaint Form and forwarded to the Enforcement Division for follow-up.

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Performing Field Audits and Training Provider Evaluations

Location/Division: Field Services

Contact Name: Kenny Merchant

Statutory Citation for Program: Occupations Code §1701.162

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The objective of this program is to meet statutory requirement to audit law enforcement agency licensing and training records and to encourage compliance with statutory and rule requirements.

The major activities include on-site audit and evaluation of documents necessary to show licensee initial and continuing eligibility. Audits are reviews of licensing documentation; evaluations are reviews of training documentation. Under normal circumstances, audits and evaluations are scheduled in advance with the agency to avoid wasted effort. Under more specific circumstances indicating intentional non-compliance, audits or evaluations may be unscheduled, to prevent creation of false documents or destructions of evidentiary documents. Field Service Agents meet with the agency head or his or her designee and examine a portion of the files at hand to determine compliance. If any local policies or procedures are interfering with proper compliance, the Field Service Agent may discuss changes with the agency representative. The audits normally result in some on-site training on processes or statutory requirements. If deficiencies are found in the documentation or policies, the agency is given a specific time frame in which to correct the deficiencies. Follow-up is then conducted to ensure

correction, or if deficiencies are not corrected, referral to the Enforcement Division to begin a case investigation.

- C. **What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of Agencies Audited for Law and Rule Compliance	2-1-2-EX-1	800	811	101.3
Field Agent site visits	2-1-2-OP-2	1,500	1,168	77.8
Number of On-site Training Provider Evaluations	2-1-2-OP-4	150	154	102.6
Number of Audits with Deficiencies	2-1-2-OP-5	250	443	177.20

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. **Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

Commission employees were initially civilian, with no sworn licensees. In 1999, the Legislature gave the Commission the authority to hire peace officers as investigators "... for the limited purpose of assisting the commission in administering this chapter." In 2006, four Field Service Agents were approved through the legislative budget process. Since that time, the Commission has expanded to 22 certified peace officers, primarily in the Field Services and Enforcement Divisions. This has proven to be very successful, as law enforcement agencies statewide appear to relate better and have more respect for the peace officers who have performed the same function as they have.

- E. **List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Persons affected by this program are the individual licensees and the civilian staff who operate in support of the law enforcement agency programs or training providers. Eligibility

requirements for the licensees and the Training Providers are listed in Commission Rules 217.1 and 217.7 (individual licensees) and 215.1 through 215.10 (training providers).

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The function is administered through the Field Services Division as indicated by the agency organizational chart. Processes are described in B, above.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Technical Assistance strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provides identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

The programs works with the more than 2,700 law enforcement agencies mentioned previously, as well as the more than 290 training providers.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and

- **a short description of any current contracting problems.**

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

There has been some question as to whether any of the files that TCOLE Field Service Agents inspect are subject to confidentiality under civil service laws in Chapter 143 of the Local Government Code. Clarifying that any requirement for making personnel files available supersedes confidentiality under civil services laws would make the background investigation process more effective.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**

Regulation of licensees who have the ability to affect the safety of life and property of every citizen is a societal necessity. Failing to ensure properly trained licensees with high ethical standards would erode confidence in all aspects of government.

- **the scope of, and procedures for, inspections or audits of regulated entities;**

Audit or inspection under this function is performed on an individual basis by the staff assigned to the function on each application submitted. The inspection consists of applying known requirements/standards to each application. Those that do not meet standard are rejected. Any apparent intentional falsification generates a complaint, forwarded to the Enforcement Division for follow-up.

- **follow-up activities conducted when non-compliance is identified;**

Minor issues of non-compliance with licensees or agencies due to lack of knowledge or mistake of fact are brought to the attention of the licensee or agency and voluntary compliance required. Repeated instances of un-intentional non-compliance or intentional non-compliance result in cases being generated for both administrative and statutory violations and the cases being forwarded to the Enforcement Division for follow-up.

- **sanctions available to the agency to ensure compliance; and**

Sanctions available are: administrative fines against agencies, license actions against individuals (reprimand, suspension, revocation), and criminal charges against individuals.

- **procedures for handling consumer/public complaints against regulated entities.**

Incoming complaints against licensees are documented on the Intake Complaint Form and forwarded to the Enforcement Division for follow-up.

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Law Enforcement Agency Creation

Location/Division: Special Services

Contact Name: Michael Antu

Statutory Citation for Program: Occupations Code §1701.163

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The objective of this function is to ensure that local governing bodies that have approved their city, county, or ISD to have a law enforcement agency or police department understand and meet all statutory requirements. This requires an application, submission of required documents, and once all documents have been provided, an on-site inspection of the facilities and key locations before the agency is approved.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of agencies activated	2-1-2-OP-3		25	21	84.00

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

This responsibility was a new function added effective September 1, 2009, through the Commission’s previous Sunset bill.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Any local government seeking the ability to create a law enforcement agency or police department would need the appropriate legislative authority to have such an entity; namely, the ability to appoint peace officers under Code of Criminal Procedure Art. 2.12.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

This function begins with an initial phone interview and request for application. Once the application and required documentation have been provided to the Commission, an on-site visit of the potential agency is scheduled. During the on-site visit, the facilities, to include evidence storage and communications, are checked for viability. The goal is to ensure the agency has the resources needed to be successful. We strive to complete the agency approval within 30 days of receipt of all required documents.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

This function falls within the Technical Assistance strategy in the agency’s legislative appropriations, which is funded through GR-Dedicated Fund 0116. To offset staff time and travel costs, there is a \$1,000 fee for the agency application process.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

TCOLE partners with state, county, municipal, and tribal governments to create new law enforcement agencies.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

- L. Provide information on any grants awarded by the program.**

There are no grants awarded by this program.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

There are no non-budgetary barriers or challenges that impede the program's performance.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

This program ensures that law enforcement agencies are adhering to state and federal laws and will have the needed policies and facilities to provide for their jurisdiction.

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe**
- why the regulation is needed;

This function is to set and enforce standards for state, county, municipal, and tribal law enforcement agencies to ensure that they will be successful in serving their communities.

- **the scope of, and procedures for, inspections or audits of regulated entities;**

The on-site inspection of a new agency is conducted by the Special Services Division. The reviews the statutorily required policies answer questions of the requesting entity and ensure the facilities are as they were submitted and meet the needs of the agency.

- **follow-up activities conducted when non-compliance is identified;**

If an agency falls below the minimum standards required by statute a follow up on-site will be conducted. Attempts to have the agency meet the standards they have fallen below are made. If the agency is unable to meet the requirements the agency will be deactivated.

- **sanctions available to the agency to ensure compliance; and**

Sanctions available include deactivation is available if compliance is not achieved.

- **procedures for handling consumer/public complaints against regulated entities.**

Incoming complaints against licensees or agencies are documented on the Intake Complaint Form and forwarded to the Enforcement Division for follow-up.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Curriculum

Location/Division: Special Services

Contact Name: Michael Antu

Statutory Citation for Program: Occupations Code 1701, Subchapter F

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this program is to maintain the legislatively required training standards and curriculum for peace officers, county jailers, telecommunicators, and school marshals. New courses are developed at the direction of the Legislature, and existing courses are reviewed and updated.

- C. **What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of Courses Reviewed/Approved/Updated by TCOLE	1-1-2-OP-1	5	15	300.00

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. **Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

Prior to the 82nd Legislative Session, this program had a larger staff, which allowed the agency to have a greater focus on building courses outside of those mandated by the Legislature, and in delivering training to licensees.

- E. **List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

This program sets the standards to obtain or maintain a peace officer, county jailer, telecommunicator, or school marshal license. Entities affected are all law enforcement agencies in Texas.

- F. **Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

TCOLE creates legislatively established course material through a committee process to have input from stakeholders across the state. This ensures a statewide view of the newly mandated training. The same committee process is used when TCOLE is updating any mandated training.

The committees are created by a group of volunteers from small, midsize, and large agencies, from geographically diverse parts of the state. When needed, subject matter experts and special interest groups for specific topics are used.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Standards Development strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

TCOLE partners with state, county, municipal, and tribal governments to form the committees mentioned above.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Barriers are resource-based, as staff is limited. Challenges include maintaining a pool of volunteers when their agency has to incur the expense for their time and travel; however, with the limited staff, this is the only way we can ensure a quality product.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

This program ensures that law enforcement agencies are adhering to state and federal laws and will have the needed education and training to adhere to state policies.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
This function is to set and enforce standards to ensure quality training for licensees.
- **the scope of, and procedures for, inspections or audits of regulated entities;**
Required learning objectives and mandated material are provided to training entities to meet legislative requirements.
- **follow-up activities conducted when non-compliance is identified;**
This key function sets the standards for training material.
- **sanctions available to the agency to ensure compliance; and**
If required training is not provided in keeping with established standards, a training entity can be deactivated.
- **procedures for handling consumer/public complaints against regulated entities.**
Incoming complaints about course material are reviewed and forwarded to the Enforcement Division.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Training Contracts/Evaluations

Location/Division: Special Services

Contact Name: Michael Antu

Statutory Citation for Program: Occupations Code Chapter 1701, Subchapter F

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this program is to create, maintain, and evaluate contracted training providers in the state, which carry out required training under delegated authority from the Commission. These training providers are comprised of law enforcement agencies, institutions of higher education, councils of government, and private entities. This program oversees:

- law enforcement academies, which can teach basic licensing courses and continuing education;
- contract training providers, which can teach continuing education but not basic licensing courses;
- academic alternative providers, which teach basic licensing courses in a more college-oriented setting, and
- exam sites, where licensing tests are conducted.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Total Number of Training Providers Licensed	1-1-2-EX-1	300	294	98.00
Number of Examinations Administered	1-1-1-OP-3	8,000	9,898	123.73

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the

original intent. If the response to Section III of this report is sufficient, please leave this section blank.

This program has been put in place to ensure the quality of training and the coverage of the state concerning training. TCOLE is mandated to provide training in the state and uses this program to execute the training and oversee entities under the Commission's delegated authority. To evaluate these training providers, TCOLE has two Academy and Contract Evaluators (ACEs), that conduct the on-site evaluations of all the training providers' facilities, records of training, and advisory board requirements. The Special Services Division executes the contracts through which all requirements and expectations are set forth. When necessary, Special Services reviews and refers complaints on exam sites to the Enforcement Division.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

To participate in this program, a qualified entity can apply for a contract to be a contract training provider, academy, academic alternative program, or exam site. Once the application has been completed, it is reviewed and presented to the Executive Director and approved for an on-site inspection or denied.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

At the direction of the Legislature, TCOLE is charged with providing training to all law enforcement professionals. This includes peace officers, county jailers, telecommunicators, and school marshals.

TCOLE achieves this through the training contract model. TCOLE creates and, through evaluations, oversees the training entities to ensure the standards and quality of training are maintained. The providers are governed by the TCOLE rules and statutes that regulate this function.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

This function falls within the Standards Development strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116. To offset staff time and travel costs, there is a \$1,000 fee for the training contract process.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

TCOLE partners with state, county, municipal, and tribal governments to provide and record training for all law enforcement licenses through the training contract system.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

- L. Provide information on any grants awarded by the program.**

There are no grants awarded by this program.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

There are not barriers or challenges specific to this function. TCOLE strives to ensure all areas have the availability to attend quality training.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

This program allows TCOLE to provide training across the state and assist in lowering the local impact to agencies across the state.

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe**
- **why the regulation is needed;**
This function is vital to maintaining the standards of law enforcement professionals in Texas to ensure trained and qualified personnel hold these positions.
 - **the scope of, and procedures for, inspections or audits of regulated entities;**
Inspections and audits include regular on-site evaluations of the providers' records and in-class observations to ensure adherence to the statutes and TCOLE rules that govern these programs. The evaluations are conducted using a checklist of mandated functions each provider is required to use.
 - **follow-up activities conducted when non-compliance is identified;**
If a training provider is non-compliant in any area of its contract, TCOLE rules, or any statute, a corrective action plan is set to bring the program into compliance. During this process, the Academy and Contract Evaluator will work hand-in-hand with the provider to ensure compliance and assist as needed. If compliance is not achieved, a complaint is referred to the Enforcement Division for investigation and administrative action. Criminal action may be taken as necessary.
 - **sanctions available to the agency to ensure compliance; and**
If a training provider does not adhere to TCOLE rules and appropriate statutes, their training program can be put in an "at-risk status." This requires notification of all potential students and closer review by the evaluators during the at-risk period. A provider can also have their training program suspended for a time to allow the program to come back into compliance. If other efforts fail, or if violations are particularly egregious, the training program may be terminated.
 - **procedures for handling consumer/public complaints against regulated entities.**
Incoming complaints are received and reviewed by the division director and forwarded to an Academy and Contract Evaluator or to the Enforcement Division as applicable.
- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Information Technology

Location/Division: Special Services

Contact Name: Michael Antu

Statutory Citation for Program: Occupations Code §1701.1523 does not give express authority, but is applicable

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this program is to maintain the agency's information technology needs and the database of the TCOLE licensed community. This database contains the information and records of each licensee to include training, agency appointments, license certificate levels, awards, and academy history, as well as contact information. The database also holds information on current active law enforcement agencies and newly created agencies, as well as current active training providers and new training providers.

This database has all Enforcement cases and historical data on all regulated entities that TCOLE oversees, along with the agency audits and evaluations conducted by TCOLE's Field Service Agents and the Academy Contract Evaluators.

This program also manages TCOLE's website, Cisco VOIP phone system, email system, and all security servers to back up and protect the agency's data. The IT Division also supports our online users and IT needs of TCOLE staff.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

There are no performance measures specific to the Information Technology function at this time. We strive to provide a high level of customer service to our external users and meet the ongoing needs of internal staff.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

This program has grown from a flat single email server to a three host virtual server rack hosted by the state secure site with redundant backups to ensure connectivity to the state's users through our TCLEDDS database.

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Any law enforcement agency or training provider can subscribe to a TCLEDDS account to process TCOLE forms and submit training for their agency electronically. Any TCOLE licensed individual has access to a catalog of free online training, which is supported by the IT Division.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The IT Division has an IT manager who oversees the staff to ensure all the key functions of our database and online services are up and running. This service is vital as stakeholders and staff depend on the network and the services provided through our TCLEDDS system to conduct the day-to-day functions of the Commission.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Licensing strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116. The distance learning program is funded through appropriated receipts, which is a TCOLE budget rider in the General Appropriations Act.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Law enforcement agencies across the state obtain access to the TCLEDDS (Texas Commission on Law Enforcement Data Distribution System) database, which houses all the above listed data. The database is managed by TCOLE, and the software is updated by a third party vendor Productivity Center Incorporated (PCI).

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2018;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

As referenced under Section II, TCOLE is currently in the RFP process for a new online services system, but no contracted expenditures have been made to date. The ongoing maintenance of the TCLEDDS database, developed and updated by PCI, is funded through subscription fees charged to end users.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

As the network grows, our IT needs likewise grow. Our allocated budget currently does not meet the agency's needs, and our online services have been impacted.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency’s particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

The Commission’s regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: School Marshal Program

Location/Division: Special Services

Contact Name: Michael Antu

Statutory Citation for Program: Occupations Code §1701.260, Education Code §§37.0811, .0813, §51.220

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The objective of this program is to schedule training for, license, and maintain the records of School Marshals. TCOLE accepts applications from qualified school districts, private schools, public junior colleges, or open-enrollment charter schools that wish to participate in the school marshal program.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of School Marshals trained	N/A	N/A	135	N/A
Number of School Marshals appointed	N/A	N/A	118	N/A

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

This program was established by the 83rd Legislature, and TCOLE was charged with ensuring the quality of training of school marshals. This is the only training course that a training provider cannot schedule without the authorization of TCOLE, as each student must be pre-screened prior to beginning the licensing course. The program began with only school districts and open-enrollment charter schools being eligible to appoint school marshals. This was expanded to include public junior colleges in the 84th Session, private schools in the 85th session, and the limitation on the number of school marshals that a school or school district could appoint was eliminated by the 86th Legislature.

TCOLE is required by statute to keep the identities of school marshals confidential.

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

School districts, private schools, public junior colleges, or open-enrollment charter schools may appoint a school employee to serve as a school marshal. The individual, upon approval by the school or school district, must hold a License to Carry, must undergo a psychological evaluation, and must complete the required 80 hour licensing course.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

School districts, private schools, public junior colleges, and open-enrollment charter schools first apply to TCOLE to be approved as an appointing entity. Next, their potential school marshal candidates are vetted, including verification of License to Carry holder status and psychological evaluation, and are placed into an available training class. Upon completion of the training, the appointing entity may choose to appoint or not appoint the candidate as a school marshal. If the school chooses to appoint them, appointing documents are submitted to the TCOLE school marshal coordinator, and a school marshal license is issued for that individual to that specific school. When their expiration date is near, they are notified and placed in a renewal course. If the school marshal leaves or is terminated from the appointing entity, the license is void and must be returned to TCOLE.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding**

conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

This function falls within the Licensing strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116. TCOLE is also managing a grant through the Governor's Criminal Justice Division to offset the costs for schools utilizing the school marshal program, which is discussed further in section L, below.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs that provide identical or similar services to the target population. There has been some discussion about the difference between the school marshal program and the so-called guardian plan, but guardians are not governed through any centralized entity. They are authorized by their school or school district to carry a weapon under Penal Code 46.03, and are only required to undergo training to the extent required by their school or school district.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

This function is not performed by any other internal or external entities.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

TCOLE partners with contracted training providers to conduct the licensing course and with any and all schools or school districts to educate them on the program and to answer any questions they may have.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2018;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

As part of the school safety initiatives put into place following the school shooting in Santa Fe, Texas, Governor Abbott directed the Criminal Justice Division within the Office of the Governor to award grant funds to make the school marshal program more accessible to school and school districts. These funds cover the cost of tuition, instructors, training equipment, and psychological evaluations. TCOLE works with contracted training providers to conduct the training, and psychological evaluation costs are reimbursed to the appointing entity.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Prior to the grant funds and the attention to the program brought by the Governor, the challenges were awareness and affordability. The only current challenge is the ability to get renewal classes greater than a handful of individuals, as expiration dates are based on the licensee's birthday. This was a statutory change requested by TCOLE during the 86th Legislature to instead have the licenses expire concurrent with the end of the typical continuing education unit, but the bill did not pass in time.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The 80 hour training received by school marshals under this program includes instruction designed to:

- (1) emphasize strategies for preventing school shootings and for securing the safety of potential victims of school shootings;
- (2) educate a trainee about legal issues relating to the duties of peace officers and the use of force or deadly force in the protection of others;
- (3) introduce the trainee to effective law enforcement strategies and techniques;
- (4) improve the trainee's proficiency with a handgun; and
- (5) enable the trainee to respond to an emergency situation requiring deadly force, such as a situation involving an active shooter.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
As school marshals are licensed law enforcement professionals, this program is vital to ensure the marshals are eligible to meet the needs of their school or school district and have received the training for this position, as it is designed for the prevention of injury or loss of life.
- **the scope of, and procedures for, inspections or audits of regulated entities;**
The school marshal coordinator continually reviews the records and maintains a compliance list for the actively appointed school marshals.
- **follow-up activities conducted when non-compliance is identified;**

If an appointing entity is not in compliance their ability to appoint a school marshal, the school marshal is removed. If a school marshal is non-compliant, their license is invalidated and their appointment as a school marshal is revoked.

- **sanctions available to the agency to ensure compliance; and**
If needed, TCOLE may suspend an appointing entity’s authority to appoint a school marshal, or suspend a school marshal’s license.
- **procedures for handling consumer/public complaints against regulated entities.**
Incoming complaints are received and reviewed by the division director and forwarded to the school marshal coordinator or to the Enforcement Division as needed.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency’s particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

The Commission’s regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Enforcement

Location/Division: Special Services

Contact Name: Michael Antu

Statutory Citation for Program: Occupations Code Chapter 1701, Subchapter K

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this program is to investigate any administrative or criminal violations of Chapter 1701 of the Occupations Code or TCOLE rules. The Enforcement Division receives jurisdictional and non-jurisdictional complaints along with reports of licensee arrest or indictment, which are submitted on TCOLE form E-1. The parties required by TCOLE rule to submit the E-1 form are the arresting agency, the appointing agency, and the arrested/indicted licensee. Enforcement also takes in complaints for the licensed community, the general public and interagency referral when needed.

This division follows all E-1 cases through its court proceedings to final disposition, and depending on the outcome, the appropriate action will be taken against the licensee.

Enforcement also conducts a comprehensive review of the criminal history of applicants for a licensing course at an academy not affiliated with a law enforcement agency.

TCOLE's Enforcement Division also maintains the agency's two terminals to receive law enforcement sensitive information in compliance with all requirements of the Criminal Justice Information Systems (CJIS), an FBI standard managed on the state level by the Texas Department of Public Safety.

- C. **What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of Jurisdictional Complaints that are Pending (Not Active)	2-1-1-OP-2		600	758	126.33
Number of Jurisdictional Complaints that are Active (Not Pending)	2-1-1-OP-3		800	915	114.38
Number of Border Security-Related Investigations Opened	2-1-1-OP-8		20	20	100.00
Number of Cases Opened	2-1-2-OP-1		1,500	1,871	124.73
Number of Cases Closed	2-1-2-OP-6		750	1,329	177.20

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. **Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

N/A

- E. **List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

The TCOLE Enforcement investigators are required to be licensed law enforcement officers and the CJIS terminal users are required to have all needed training to meet the standards set.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

This program receives, reviews, and investigates incoming complaints on all regulated agencies, training providers, exam sites, and licensed individuals.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Enforcement strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

TCOLE is the only agency charged with the enforcement of Occupations Code Chapter 1701 or TCOLE rules. There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

This function is not performed by any other internal or external entities.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Enforcement works with agencies, training providers, exam sites, and licensed individuals to assist in investigating violations as needed. These partnerships exist with other law enforcement agencies for the preservation of the profession.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and

- **a short description of any current contracting problems.**

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

N/A

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

This program works well and often with other law enforcement agencies and regulated entities. A somewhat esoteric understanding of the profession is vital to the enforcement of the laws and rules regulating the profession.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**

Regulation of Occupations Code Chapter 1701 and TCOLE rules is critical to maintaining the level of professionalism expected of law enforcement in Texas.

- **the scope of, and procedures for, inspections or audits of regulated entities;**

This function may be called upon to conduct an investigation of a law enforcement agency or training provider following an evaluation or audit.

- **follow-up activities conducted when non-compliance is identified;**

TCOLE offers the regulated population an opportunity for voluntary compliance first, including chance to correct inadvertent mistakes, but will take action in a situation where a licensee or entity has intentionally or knowingly violated Occupations Code Chapter 1701 or TCOLE rules.

- **sanctions available to the agency to ensure compliance; and**

After an investigation, possible sanctions include a written warning, written reprimand, license suspension, license revocation, or criminal charges.

- **procedures for handling consumer/public complaints against regulated entities.**

Incoming complaints are received and assigned to an Enforcement investigator.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

Texas Commission on Law Enforcement
Exhibit 13: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2017 and 2018

	Fiscal Year 2017	Fiscal Year 2018
Total number of regulated persons	135,175	116,777
Total number of regulated entities	292	294
Total number of entities inspected	965	1,082
Total number of complaints received from the public	241	260
Total number of complaints initiated by agency	2,670	1,611
Number of complaints pending from prior years	1,465	1,818
Number of complaints found to be non-jurisdictional	26	135
Number of jurisdictional complaints found to be without merit	105	53
Number of complaints resolved	2,164	391
Average number of days for complaint resolution	210.66	284.69
Complaints resulting in disciplinary action:		
administrative penalty	0	0
cancellation	0	1
reprimand	53	701
suspension	108	120
revocation	33	30
Waivers (authorized for licensure with previous misdemeanor conviction)	6	3
License Surrenders (voluntary, may be in lieu of criminal charges)	123	95
Cases resolved by agreed order (informal conference process)	25	10

Table 13 Exhibit 13 Information on Complaints Against Persons or Entities

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Office of General Counsel and Legal Division

Location/Division: Office of General Counsel

Contact Name: John P. Beauchamp, General Counsel

Statutory Citation for Program: Specified in subsequent functions

B. What is the objective of this program or function? Describe the major activities performed under this program.

The General Counsel works closely with executive staff to direct and provide legal services in the agency's daily functions. Areas of the Legal Division include administrative law, litigation, employment, personnel, agency policy, and compliance matters. The division maintains the caseload and records of administrative appeals, drafts and reviews laws, rules, and regulations affecting agency operations and administration. Additionally, all requests for public information are processed and fulfilled in the Legal Division. The General Counsel oversees the Legal Division, which includes the public information coordinator, two legal assistants and one legal secretary.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

The Legal Division's performance measures are further detailed in subsequent or other functions.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

N/A

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Persons or entities affected by this program are detailed in subsequent or other functions.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other

illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Legal Division researches and analyzes legal sources such as statutes, case law, administrative records, opinions, and rules and regulations; checks citations, quotations, footnotes, and references for accuracy; assists the Office of the Attorney General with prosecution or defense of lawsuits filed against the Commission; arranges contested cases for hearings with the State Office of Administrative Hearings (SOAH); e-files court documents; assists the General Counsel with discovery requests; prepares for hearings; prepares summaries and all final orders of disciplinary actions for Commission meetings for Commissioner action; and assists with compliance in rule drafts to Texas Register.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

This function falls within the Enforcement strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs that provide identical or similar services to the target population.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

General Counsel and Legal Division activities are coordinated with the Office of Attorney General, State Office of Administrative Hearings, and other entities as necessary. Additionally, the Legal Division communicates with court personnel, law enforcement agencies, licensees or their legal counsel, and the general public.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2018;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;

- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

N/A

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Persons and/or entities affected by this program are detailed in subsequent or other functions.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

A. Provide the following information at the beginning of each program description.**Name of Program or Function: Misconduct****Location/Division: Office of General Counsel****Contact Name: John P. Beauchamp, General Counsel****Statutory Citation for Program: Occupations Code §1701.4525, Government Code Chapter 2001****B. What is the objective of this program or function? Describe the major activities performed under this program.**

The Legal Division provides legal and administrative support for the agency and determines what action to take against licensees whom have violated Commission rules. This includes drafting and sending petitions to licensees to notify them of potential disciplinary action, coordinating hearings with the State Office of Administrative Hearings, working with the Executive Director on exceptions for Proposals for Decision that are to go before the Commissioners at a quarterly meeting, and scheduling informal conferences for licensees who may benefit from that process. The informal conference process, outlined in section F below, was established as a result of recommendations in the agency's previous Sunset review.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of Licenses Revoked	2-1-1-EX-1	20	30	150.00
Number of Licenses Suspended	2-1-1-EX-2	200	108	54.00
Number of Licenses Surrendered	2-1-1-EX-3	60	95	158.33
Number of Reprimands Issued	2-1-1-EX-4	500	701	140.20
Number of Licenses Cancellations	2-1-1-EX-5	5	3	60.00
Number of SOAH Hearings for Criminal Misconduct Cases	2-1-1-OP-4	30	1	3.33
Number of SOAH Hearings for Criminal Administrative Cases	2-1-1-OP-9	30	4	13.33

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of Misconduct Cases Resolved by Agreed Order	2-1-1-OP-7	6	10	166.67

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The informal conference process has been implemented since the agency’s previous Sunset review as an adopted recommendation. The process has been very well received by licensees and their legal representation, and has reduced the number of cases that go before the State Office of Administrative Hearings.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Licensees affected by this program are those who are facing disciplinary action for violation of law or TCOLE rule.

The Legal Division provides assistance as it relates to legal matters including contested cases, involving administrative license suspension, permanent or term surrenders, cancellation, revocation and personnel matters. The division ensures all licensees are in compliance according to 37 Texas Administrative Code Chapters 211-229 and Texas Occupations Code Chapter 1701.

The Enforcement Division provides the Legal Division an investigation file for assistance in determining appropriate disciplinary action according to statutes, rules, and executive guidance.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Legal Division maintains all administrative appeals cases. In the handling of the misconduct cases, the division evaluates cases forwarded from the Enforcement Division for further handling; drafts petitions, statutory actions, cancellations, reprimands, and acceptance letters for permanent or term voluntary surrenders and forwards for review and approval of General Counsel. The division also updates agency data system by documenting specific actions, events, dates, and dates in accordance with internal deadlines, the Texas Government Code and the Administrative Procedure Act. This process is as follows:

Listed below is the process of a disciplinary action case:

1. Notice of the Executive Director's petition or notice of violation is sent to the licensee to take action on the license.
2. An answer is required not later than 20 days after the licensee receives notice of petition or notice of violation.
 - a. For answers filed in revocation and cancellation matters, the Commission will request representation from the Office of the Attorney General and refer the case to the State Office of Administrative Hearings (SOAH) pursuant to Administrative Procedure Act and Texas Government Code Chapter 2001 (Refer to Misconduct Flow Chart, attachment 15.1).
 - b. If the licensee fails to file an answer, the Commission will enter a default order.
3. Answers filed in suspension matters are scheduled for an informal process, which is outlined below.

In 2012, the agency began an informal conference program which provides for resolution of disciplinary actions prior to a contested case hearing at the State Office of Administrative Hearings (SOAH). The steps in the informal conference process are as follows:

1. Licensee commits an offense and is indicted/arrested/charged (arrest).
 2. Licensee/agencies notify Commission of arrest.
 3. Commission creates an investigative case, on hold until disposition.
 4. Commission receives final disposition on arrest and re-opens case.
 5. Commission notifies licensee of intent to take action (suspend, etc.).
 6. Licensee rejects terms of original petition.
 7. Commission offers opportunity for an informal conference before SOAH initiated.
 8. Licensee accepts opportunity and informal conference held. Recommendation forwarded to Executive Director.
 9. Executive Director makes offer based on recommendation from informal conference.
 10. Licensee accepts offer and case is forwarded to Commissioners for final ruling OR rejects offer and case is referred to SOAH for docketing.
- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Enforcement strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

N/A

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

General Counsel and Legal activities are coordinated with the Office of Attorney General, State Office of Administrative Hearings, and other entities as necessary. Additionally, the Legal Division communicates with court personnel, law enforcement agencies, licensees or their legal counsel, and the general public.

When the Commission revokes the license of a peace officer; the relevant information is entered into a national decertification database. This information is available to other states in the event the officer applies to become a peace officer in their state.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

- L. Provide information on any grants awarded by the program.**

There are no grants awarded by this program.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

N/A

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

N/A

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe**
- **why the regulation is needed;**
 - **the scope of, and procedures for, inspections or audits of regulated entities;**
 - **follow-up activities conducted when non-compliance is identified;**
 - **sanctions available to the agency to ensure compliance; and**
 - **procedures for handling consumer/public complaints against regulated entities.**

The division's roles are essential in ensuring all licensees are compliant with the Commission's rules. Upon the Enforcement Division identifying non-compliance with Commission rules the case is forwarded to the Legal Division for General Counsel's review and disciplinary action. Subsequently, the licensee is provided notice of the disciplinary action and has a right to respond per the rules. The Legal Division updates agency system by documenting specific actions, events, dates, and next-action dates in accordance with internal deadlines.

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: F-5 Appeals

Location/Division: Office of General Counsel

Contact Name: John P. Beauchamp, General Counsel

Statutory Citation for Program: Texas Occupations Code §1701.4525

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

When a Texas peace officer, jailer, or telecommunicator separates from their employing law enforcement agency, the agency must submit an F-5 Report of Separation to TCOLE. Starting in 2005, the aim of F-5 Reports has been to protect the public from "gypsy cops" with disreputable employment histories and, as such, are used by potential employing agencies to determine a law enforcement applicant's fitness for employment. The report characterizes the nature of separation (i.e. "discharge") as honorable, general, or dishonorable. A licensee can

challenge their F-5 discharge category. To illustrate the seriousness of an F-5 Report, a TCOLE license is automatically suspended and subject to revocation after the holder receives a second dishonorable discharge.

- C. **What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of F-5 Separation Disputes Referred to SOAH for Hearing	2-1-1-OP-5	130	380	292.31

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. **Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

As a result of the agency’s previous Sunset review, statute was amended to clarify that TCOLE is not a party to F-5 disputes. The agency acts solely as the referring entity after receiving a licensee’s timely appeal.

- E. **List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Those affected by the F-5 appeal process are licensees and former employing agencies who are parties to the appeal hearing

- F. **Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The F-5 appeal process begins when a licensee submits to TCOLE a “Petition to Correct” form within 30 days of receiving the report from the former employing agency.

After receipt of the licensee's petition, the appeal is sent to docketing with SOAH. Upon issuance of the SOAH docket number, the licensee and former employing agency are notified. TCOLE is updated on SOAH orders and actions throughout the hearing process. Orders are sent to TCOLE for filing. During the hearing process, a former employing agency may amend the F-5 before the hearing date.

After a hearing, an Administrative Law Judge (ALJ) issues a "Decision and Order" to amend the F-5 report or not. If a change is ordered, the new separation report must be signed by the Executive Director before official change in the TCLEDDS System. Then, the new F-5 report is sent to the agency and the previous report is removed.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Enforcement strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

N/A

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

General Counsel and Legal Division activities are coordinated with the Office of Attorney General, the State Office of Administrative Hearings, and other entities as necessary. Additionally, the Legal Division communicates with court personnel, law enforcement agencies, licensees or their legal counsel, and the general public.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;

- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Current issues and potential changes to statute are referenced in Section II, part C.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

The Commission's regulatory functions are primarily applied through the Enforcement Division. Information on complaints and actions taken can be found on page 59.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Public Information

Location/Division: Office of General Counsel

Contact Name: John P. Beauchamp, General Counsel

Statutory Citation for Program: Government Code Chapter 552

B. What is the objective of this program or function? Describe the major activities performed under this program.

In accordance with TCOLE procedures, the Public Information Coordinator (PIC)/Records Management Officer (RMO) processes requests for public information and works with agency staff to ensure compliance with the Texas Public Information Act and maintaining agency records in accordance with applicable standards. With the Director of Government Relations, the PIC coordinates the preparation and distribution of organizational publications, news releases, and legislative information requests or requests from the media. The PIC communicates with Texas State Library and Archives Commission (TSLAC) as it pertains to Commission retention schedule and requests for Commission case files; and delivery of the requested case files to the appropriate divisions.

As applicable, the PIC asserts privileges and exceptions to disclosure in preparing requests for letter rulings from the Office of Attorney General. The PIC safeguards confidential material. Similarly, the PIC analyzes rulings and provides recommendations to the General Counsel. All expunction and nondisclosure orders are handled by the PIC.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Number of Open Records/Public Information Responses	3-1-1-OP-3	12,400	7,255	58.51
Number of Open Records/Public Information Requests sent to OAG for letter ruling	3-1-1-OP-4	30	68	226.67

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

N/A

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Any licensee, reporter, attorney, or other member of the public may request information through the Public Information Act.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The PIC administers duties in accordance with TCOLE's open records procedure manual, records retention schedule, and the Public Information Act.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Enforcement strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

N/A

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

General Counsel and Legal Division activities are coordinated with the Office of Attorney General, the State Office of Administrative Hearings, and other entities as necessary. Additionally, the Legal Division communicates with court personnel, law enforcement agencies, licensees or their legal counsel, and the general public.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

- L. Provide information on any grants awarded by the program.**

There are no grants awarded by this program.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

N/A

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

N/A

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe**
- why the regulation is needed;
 - the scope of, and procedures for, inspections or audits of regulated entities;
 - follow-up activities conducted when non-compliance is identified;
 - sanctions available to the agency to ensure compliance; and
 - procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Office of Government Relations

Location/Division: Government Relations

Contact Name: Gretchen Grigsby

Statutory Citation for Program: Specified in subsequent functions

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Office of Government Relations performs several functions, including:

- Serving as the agency's point of contact for legislative members and staff on proposed legislation, budget items, and constituent issues.
- Tracking and analyzing legislation with a direct impact to TCOLE, and monitoring bills with an impact on the law enforcement community.
- Serving as the agency's point of contact for media, including distributing press releases and responding to inquiries regarding the Commission's activities.
- Editing *The Briefing*, the agency's quarterly newsletter providing regulatory information to law enforcement training providers across the state
- Leading the Peace Officers' Memorial Ceremony Committee, established by the 85th Legislature to plan an annual ceremony to honor fallen officers.
- Overseeing the annual State of Texas Law Enforcement Achievement Awards nomination process and ceremony.
- Working with the Office of General Counsel on policies and the rulemaking process.
- Managing the Commission's social media accounts.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

The Government Relations performance measures are further detailed in subsequent or other functions.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

This function was formally established in 2014. Previously, legislative and media relations were handled ad hoc by the Executive Director and other division directors.

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Those affected by this function include licensees, law enforcement agency training coordinators, state government oversight members and staff, and media outlets.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The division director oversees two additional staff, including a legislative coordinator and a recognitions specialist.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function falls within the Indirect Administration strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other programs that provide identical or similar services to the target population.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

N/A

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Government Relations staff work routinely with other governmental entities at all levels to communicate new legislative requirements, coordinate nominations and ceremonies for the Texas Peace Officers' Memorial and State of Texas Law Enforcement Achievement Awards, and to provide flags for fallen TCOLE licensees.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2018;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

There are no contracted expenditures for this function.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

N/A

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

N/A

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Texas Peace Officers' Memorial

Location/Division: Government Relations

Contact Name: Gretchen Grigsby

Statutory Citation for Program: Texas Government Code Chapter 3105

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

This function includes reviewing and approving nominations for inclusion on the Texas Peace Officers' Memorial Monument, as well as working with the Texas Peace Officers' Memorial Ceremony Committee to plan the annual ceremony at the Texas Capitol.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

**Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Cases Researched for the TX. Peace Officers' Memorial	3-1-1-OP-1	30	49	163.33

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the**

original intent. If the response to Section III of this report is sufficient, please leave this section blank.

TCOLE has been responsible for approving names for inclusion on the Peace Officers' Memorial since it was dedicated in 1999; the Ceremony Committee was established in law in 2017 through House Bill 3647 to bring together the many interested parties to plan the ceremony.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Peace officers, federal law enforcement officers, and correctional officers who are killed in the line of duty are eligible for inclusion. TCOLE rule 37 TAC Chapter 229 further specifies the eligibility criteria for consideration.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Nominations are received by TCOLE staff from law enforcement agency heads and personnel, as well as independent researchers looking into historical deaths. These nominations are discussed with the major stakeholders who are part of the Ceremony Committee, then proposed to the Executive Director with recommendations. The Commissioners vote to approve or not approve names at a quarterly meeting.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

This function is absorbed within the Indirect Administration strategy in the agency's legislative appropriations, which is funded through GR-Dedicated Fund 0116.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There is a National Law Enforcement Officers' Memorial. For the most part, names approved for the Texas Memorial are also approved for the National Memorial.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Government Relations staff work with the Ceremony Committee, nominating parties, and other stakeholders for this function.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

- L. Provide information on any grants awarded by the program.**

There are no grants awarded by this program.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

Some clarity on statutory eligibility may be of assistance. The current law says "killed in the line of duty," but not all situations are quite so clear. In particular, deaths as a result of medical issues from work as a law enforcement officer are difficult to determine.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

N/A

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe**
- why the regulation is needed;
 - the scope of, and procedures for, inspections or audits of regulated entities;
 - follow-up activities conducted when non-compliance is identified;
 - sanctions available to the agency to ensure compliance; and
 - procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

N/A

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: State of Texas Law Enforcement Achievement Awards

Location/Division: Government Relations

Contact Name: Gretchen Grigsby

Statutory Citation for Program: Texas Occupations Code §1701.401

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The State of Texas Law Enforcement Achievement Award program is meant to honor TCOLE licensees who have gone above and beyond in their duties in the categories of Public Service, Professional Achievement, and Valor. Award winners are recognized at an annual ceremony, during which they receive a medal, a pin suitable for wearing on a uniform, and a congratulatory certificate from the Governor.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

A list of award recipients, as well as a summary of the events for which the most recent group of awardees were elected can be found at <http://www.tcole.texas.gov/content/state-texas-achievement-awards>.

**Texas Commission on Law Enforcement
Law Enforcement Achievement Awards
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018**

Self-Evaluation Report

17. Performance reports presented to the agency's board of directors in FY 2016–2018, if different from the reports in Attachment 16.

See attachment 18.

18. Performance reports submitted to the Legislative Budget Board from FY 2016–2018

Attachment 18.1, 2016 Performance Measures

Attachment 18.2, 2017 Performance Measures

Attachment 18.3, 2018 Performance Measures

19. Any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.

N/A

20. Agency's current internal audit plan.

N/A

21. Agency's current strategic plan.

<http://www.tcole.texas.gov/content/tcole-strategic-plan-2019-2023>

22. List of internal audit reports from FY 2014–2018 completed by or in progress at the agency.

N/A

23. List of State Auditor reports from FY 2014–2018 that relate to the agency or any of its functions.

<http://www.sao.texas.gov/reports/main/14-003.pdf>

24. Any customer service surveys conducted by or for your agency in FY 2017–2018.

N/A

25. Any reports created under Texas Government Code, Section 2110.007 regarding the usefulness and costs of the agency's advisory committees.

N/A

Other Agency Attachments

26. TCOLE Dashboard

9. Employee manuals and copies of any policies related to staff's duties and responsibilities.

Attachment 9, TCOLE General Manual.

10. Copies of any other significant policies adopted by the board.

N/A

Attachments Relating to Funding

11. Agency's Legislative Appropriations Request for FY 2020–2021.

<http://www.tcole.texas.gov/content/legislative-appropriations-request>

12. Annual financial reports from FY 2016–2018.

Attachment 12.1, TCOLE 2016 AFR

Attachment 12.2, TCOLE 2017 AFR

Attachment 12.3, TCOLE 2018 AFR

13. Operating budgets from FY 2016–2018.

Attachment 13.1, 2016 Operating Budget

Attachment 13.2, 2018 Operating Budget

Attachments Relating to Organization

14. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.

<http://www.tcole.texas.gov/content/regional-support-field-service-agents>

15. Any flowcharts showing the operations of the agency, such as complaint resolution processes, disciplinary or enforcement procedures, etc.

Attachment 15.1, Misconduct Process Flowchart

Attachment 15.2, PIA Process Flowchart

Attachments Relating to Agency Performance Evaluation

16. Quarterly performance reports completed by the agency in FY 2017–2018.

See attachment 18.

ATTACHMENTS ---

Create a separate file and label each attachment (e.g., Attachment 2_Annual Reports) and include a list of items submitted. Attachments may be provided in electronic form or through links to agency webpages.

Attachments Relating to Key Functions, Powers, and Duties

1. If the agency publishes a version of its enabling statute and/or rules, please include an electronic copy.

http://www.tcole.texas.gov/sites/default/files/Rules%20Handbook%2011_1_2018_0.pdf

2. Annual reports published by the agency from FY 2016–2018.

N/A

3. Internal or external newsletters published by the agency in FY 2018.

<http://www.tcole.texas.gov/newsletter>

4. List of studies that the agency is required to do by legislation or riders.

N/A

5. List of legislative or interagency studies relating to the agency that are being performed during the current interim.

N/A

6. List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions. Provide links if available.

N/A

Attachments Relating to Policymaking Structure

7. Biographical information (e.g., education, employment, affiliations, and honors) or resumes of all policymaking body members.

<http://www.tcole.texas.gov/content/tcole-commission-and-its-members>

8. Board training manuals and copies of any policies related to the board's duties and responsibilities.

Attachment 8, New Commissioner Orientation Notebook.

which reflects the statewide workforce. All employees shall receive initial EEO training within their first 30 days and a refresher training every two years as required by Labor Code §21.010.

XII. Agency Comments

Provide any additional information needed to gain a preliminary understanding of your agency.

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	23	0.0%	14.4%	8.7%	27.2%	21.1%	55.3%

Table 28 Exhibit 20 EEO Statistics for Technical

4. Administrative Support

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2016	16	0.0%	14.8%	37.5%	34.8%	100.0%	72.1%
2017	10	0.0%	14.8%	40.0%	34.8%	100.0%	72.1%
2018	11	0.0%	14.8%	36.4%	34.8%	100.0%	72.1%

Table 29 Exhibit 20 EEO Statistics for Administrative Support

5. Service / Maintenance

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2016	0	0.0%	13.0%	0.0%	54.1%	0.0%	51.0%
2017	0	0.0%	13.0%	0.0%	54.1%	0.0%	51.0%
2018	0	0.0%	13.0%	0.0%	54.1%	0.0%	51.0%

Table 30 Exhibit 20 EEO Statistics for Service and Maintenance

6. Skilled Craft

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2016	0	0.0%	10.6%	0.0%	50.7%	0.0%	11.6%
2017	0	0.0%	10.6%	0.0%	50.7%	0.0%	11.6%
2018	0	0.0%	10.6%	0.0%	50.7%	0.0%	11.6%

Table 31 Exhibit 20 EEO Statistics for Skilled Craft

I. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

Equal employment opportunity (EEO) applies to all aspects of the employment process including, but not limited to, recruiting, interviewing, testing, ranking, selection, compensation, promotion, transfer, performance appraisals, training, discipline, layoff, or discharge. The Commission will continue to exercise good faith efforts to provide opportunities for members of target groups, including minorities, women and veterans. We strive to have a workforce

N/A

3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Section 2161.065; TAC Title 34, Part 1, Rule 20.298)

N/A

- H. Fill in the charts below detailing your agency’s Equal Employment Opportunity (EEO) statistics. *See Exhibit 20 Example.* Sunset is required by law to review and report this information to the Legislature. Please use only the categories provided below. For example, some agencies use the classification “paraprofessionals,” which is not tracked by the state civilian workforce. Please reclassify all employees within the appropriate categories below.

**Texas Commission on Law Enforcement
Exhibit 20: Equal Employment Opportunity Statistics**

1. Officials / Administration

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2016	4	0.0%	7.4%	0	22.1%	25.0%	37.4%
2017	5	0.0%	7.4%	20.0%	22.1%	20.0%	37.4%
2018	7	0.0%	7.4%	14.3%	22.1%	28.6%	37.4%

Table 26 Exhibit 20 EEO Statistics for Officials/Administration

2. Professional

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2016	30	10.0%	10.4%	10.0%	19.3%	33.3%	55.3%
2017	14	14.3%	10.4%	14.3%	19.3%	64.3%	55.3%
2018	15	13.3%	10.4%	20.0%	19.3%	66.7%	55.3%

Table 27 Exhibit 20 EEO Statistics for Professionals

3. Technical

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2016	2	50.0%	14.4%	0.0%	27.2%	0.0%	55.3%
2017	26	7.7%	14.4%	7.7%	27.2%	19.2	55.3%

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
TOTAL	492,398	200,694	41.0%		

Table 24 Exhibit 19 HUB Purchases for FY 2017

Fiscal Year 2018

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	N/A	N/A	N/A	N/A	11.2%
Building Construction	N/A	N/A	N/A	N/A	21.1%
Special Trade	1,223	0	0.0%	32.9%	32.9%
Professional Services	4,000	4,000	100.0%	23.7%	23.7%
Other Services	267,353	49,639	19.0%	26.0%	26.0%
Commodities	243,584	76,538	31.0%	21.1%	21.1%
TOTAL	516,160	130,177	25.0%		

Table 25 Exhibit 19 HUB Purchases for FY 2018

E. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Section 2161.003; TAC Title 34, Part 1, Rule 20.286c)

Yes. For most purchases, TCOLE is able to utilize contracts already negotiated by the Comptroller’s Office, DIR, WorkQuest or TCI. Our purchaser makes good faith efforts to utilize HUBs in the procurement process of all goods and services whenever applicable for any dollar amount.

F. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Texas Government Code, Section 2161.252; TAC Title 34, Part 1, Rule 20.285)

Yes. Contracts of this size are rare.

G. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

1. Do you have a HUB coordinator? If yes, provide name and contact information. (Texas Government Code, Section 2161.062; TAC Title 34, Part 1, Rule 20.296)

N/A

2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Section 2161.066; TAC Title 34, Part 1, Rule 20.297)

**Texas Commission on Law Enforcement
Exhibit 18: Complaints Against the Agency — Fiscal Years 2017 and 2018**

	Fiscal Year 2017	Fiscal Year 2018
Number of complaints received	1	0
Number of complaints resolved	0	0
Number of complaints dropped / found to be without merit	1	0
Number of complaints pending from prior years	0	0
Average time period for resolution of a complaint	5 business days	0

Table 22 Exhibit 18 Complaints Against the Agency

- D. Fill in the following charts detailing your agency's Historically Underutilized Business (HUB) purchases. See Exhibit 19 Example. Sunset is required by law to review and report this information to the Legislature.

**Texas Commission on Law Enforcement
Exhibit 19: Purchases from HUBs**

Fiscal Year 2016

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	N/A	N/A	N/A	N/A	11.2%
Building Construction	N/A	N/A	N/A	N/A	21.1%
Special Trade	25,003	0.0%	0.0%	0.0%	32.9%
Professional Services	0	0	0	23.7%	23.7%
Other Services	158,458	82,763	52.2%	26.0%	26.0%
Commodities	249,845	149,565	59.9%	21.1%	21.1%
TOTAL	433,306	232,328	53.62%		

Table 23 Exhibit 19 HUB Purchases for FY 2016

- * If your goals are agency specific-goals and not statewide goals, please provide the goal percentages and describe the method used to determine those goals. (TAC Title 34, Part 1, Chapter 20, Rule 20.284)

Fiscal Year 2017

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	N/A	N/A	N/A	N/A	11.2%
Building Construction	N/A	N/A	N/A	N/A	21.1%
Special Trade	26,551	0.0%	0.0%	32.9%	32.9%
Professional Services	4,000	4,000	100.0%	23.7%	23.7%
Other Services	169,264	58,873	35.0%	26.0%	26.0%
Commodities	292,583	137,821	47.0%	21.1%	21.1%

XI. Additional Information

- A. Texas Government Code, Section 325.0075 requires agencies under review to submit a report about their reporting requirements to Sunset with the same due date as the SER. Include a list of each agency-specific report that the agency is required by statute to prepare and an evaluation of the need for each report based on whether factors or conditions have changed since the statutory requirement was put in place. Please do not include general reporting requirements applicable to all agencies, reports that have an expiration date, routine notifications or notices, posting requirements, federally mandated reports, or reports required by G.A.A. rider. If the list is longer than one page, please include it as an attachment. See Exhibit 17 Example.**

**Texas Commission on Law Enforcement
Exhibit 17: Evaluation of Agency Reporting Requirements**

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Body-Worn Camera Report	OCC 1701.653	December 1 annually	Office of the Governor and Legislature	This report details the grant-funded expenditures for body-worn camera equipment, as well as complaint and use of force information to determine the impact of body-worn camera programs in the communities where implemented.	This report will continue to be needed for three years following the final awarding of grant funds for body-worn cameras. Law enforcement agencies receiving grant funds are required to submit information to TCOLE for three years after receiving grant funds.

Table 21 Exhibit 17 Agency Reporting Requirements

Note: If more than one page of space is needed, please provide this chart as an attachment, and feel free to convert it to landscape orientation or transfer it to an Excel file.

- B. Does the agency’s statute use "person-first respectful language" as required by Texas Government Code, Section 325.0123? Please explain and include any statutory provisions that prohibit these changes.**

Yes.

- C. Please describe how your agency receives and investigates complaints made against the agency.**

Any complaints received against our agency are reviewed by the Executive Director and the appropriate Division Director. Relevant staff members are interviewed and all available information is collected from our IT resources. The TCOLE General Manual, included in Attachment 9, describes the internal affairs process in section 3.38.

Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate.

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Office of the Governor/ Michael Hull, Policy Advisor	P.O. Box 12428 Austin, TX 78711	512-463-8904	Michael.hull@gov.texas.gov
Office of the Lieutenant Governor/ Aaron Moncibaiz, Policy Advisor	P.O. Box 12068 Austin, TX 78711	512-463-4235	Aaron.moncibaiz@ltgov.texas.gov
Legislative Budget Board/ Angela Isaack	P.O. Box 12666 Austin, TX 78711	512-463-1037	Angela.isaack@lbb.texas.gov
Legislative Budget Board/ Nicole Ascano	P.O. Box 12666 Austin, TX 78711	512-463-1181	Nicole.ascano@lbb.texas.gov
Office of the Attorney General/ Ray Winter	P.O. Box 12548 Austin, TX 78711	512-936-1709	Raymond.winter@texasattorneygeneral.gov
Texas Department of Public Safety/ Colonel Steve McCraw	P.O. Box 4087 Austin, TX 78773	512-424-7771	Steven.mccraw@dps.texas.gov
Texas Commission on Jail Standards/ Executive Director Brandon Wood	300 West 15 th St., Ste. 503 Austin, TX 78701	512-463-8236	Brandon.wood@tcjs.state.tx.us
Texas A&M Engineering Extension Service/ Dr. John M. Ray	3100 Highway 47, Building 7751 Bryan, TX 77807	800-423-8433	John.ray@teex.tamu.edu
Bill Blackwood Law Enforcement Management Institute of Texas/ Dr. Rita Watkins	1600 Bobby K. Marks Blvd. Huntsville, TX 77341	936-294-1679	icc_rjw@shsu.edu
Texas Justice Courts Training Center/ Thea Walen	1701 Directors Blvd. Suite 530 Austin, TX 78744	813-857-7293	Td24@txstate.edu

Table 20 Exhibit 16 Liaisons at Other State Agencies

X. Other Contacts

- A. Fill in the following charts with updated information on people with an interest in your agency, and be sure to include the most recent email address.

Texas Commission on Law Enforcement Exhibit 16: Contacts

Interest Groups

(groups affected by agency actions or that represent others served by or affected by agency actions)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Denco911/ Mindy Adams	1075 Princeton St. Lewisville, TX 75067	972-221-0911	Mindy.adams@denco.org

Table 18 Exhibit 16 Interest Groups

Interagency, State, or National Associations

(that serve as an information clearinghouse or regularly interact with your agency)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
International Association of Directors of Law Enforcement Standards and Training/ Mike Becar	1330 N Manship Pl. Meridian, ID 83642	208-288-5491	Mike.becar@iadlest.org
Texas Police Chiefs' Association/ James McLaughlin	108 Cedar Hills Drive Elgin, Texas 78621	512-281-5400	jmclaughlin@texaspolicechiefs.org
Sheriffs' Association of Texas/ Steve Westbrook	1601 S. Interstate 35 Austin, TX 78741	512-445-5888	steve@txsheriffs.org
Justices of the Peace and Constables' Association/ Delton Thrasher	PO Box 115 Granbury, TX 76048	817-408-2602	dthrasher@co.hood.tx.us
Texas Municipal Police Association/ Kevin Lawrence	6200 La Calma Drive, Suite 200 Austin, Texas 78752	512-279-7122	Kevin.lawrence@tmpa.org
Combined Law Enforcement Associations of Texas/ Charley Wilkison	400 West 14th Street, Suite 100 Austin, Texas 78701	800-252-8153	Charley.wilkison@cleat.org
Houston Police Officers' Union/ Ray Hunt	1600 State Street Houston, Texas 77007	832-200-3417	Ray.hunt@hpou.org

Table 19 Exhibit 16 Interagency, State, and National Association

Liaisons at Other State Agencies

(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
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Manual Submissions for Individual Licensee Forms

A. Brief Description of Issue

As discussed in Section II, Part J, the agency's previous Sunset bill added a provision to require TCOLE to collect forms and reports submitted by law enforcement agencies in an electronic format. This has been a significant step forward in modernizing the agency's data processing and streamlining staff operations, and a \$35 fee has been charged for all forms submitted by agencies in a non-electronic format following the effective date of the Sunset bill. However, the same requirement was not put into place for forms submitted to the Commission by individual licensees, nor does the Commission's current online services platform support the ability to collect the data needed for all of the 35 individual licensee forms that are, at this time, downloaded from Commission's website and mailed.

B. Discussion

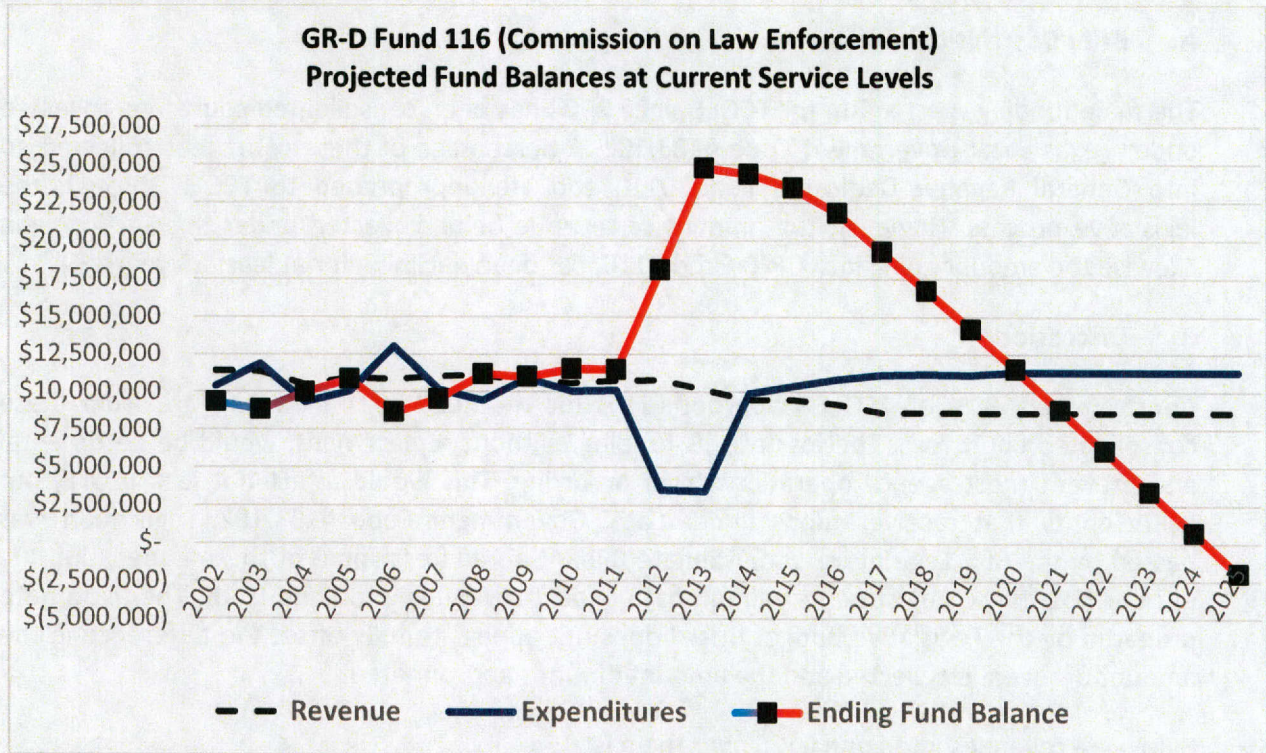
Nearly every licensee, at some point in his or her career, requests one of the items on the individual use forms list. The performance measure for the number of certificates issued, which is targeted at 19,000 per year, is only a glimpse of the process that is currently executed by TCOLE Credentialing staff.

C. Possible Solutions and Impact

By mandating electronic submissions of forms for individuals, and particularly if additional funds became available to improve the Commission's online services platform, processing times would decrease as a benefit to our customers.

This would free up time for Credentialing staff to focus attention on other tasks, and to more quickly process other documents that need Commission review prior to approval. Most importantly, this would eliminate human error during data entry by Commission staff. Licensees would be fully responsible for ensuring that data submitted was correct.

Operations have been able to continue as there has been an available balance in this fund. Unfortunately, the fund, not accounting for adjustments made by Senate Bill 346, is estimated to reach zero in fiscal year 2024.



Source: Legislative Budget Board, Comptroller of Public Accounts

C. Possible Solutions and Impact

Multiple solutions could remedy this shortfall. As the total agency budget is relatively small, more or all appropriations could possibly be shifted to General Revenue. The amount going into Fund 0116 could also be increased through legislation. TCOLE’s most recent Sunset bill created the Civil Justice Data Repository Fund, Fund 1000, but those funds have never been appropriated and approximately \$273,000 from this fund is swept each fiscal year into General Revenue. Appropriating from this fund could lessen the burden on Fund 0116.

IX. Major Issues

Declination of General Revenue-Dedicated Fund 0116

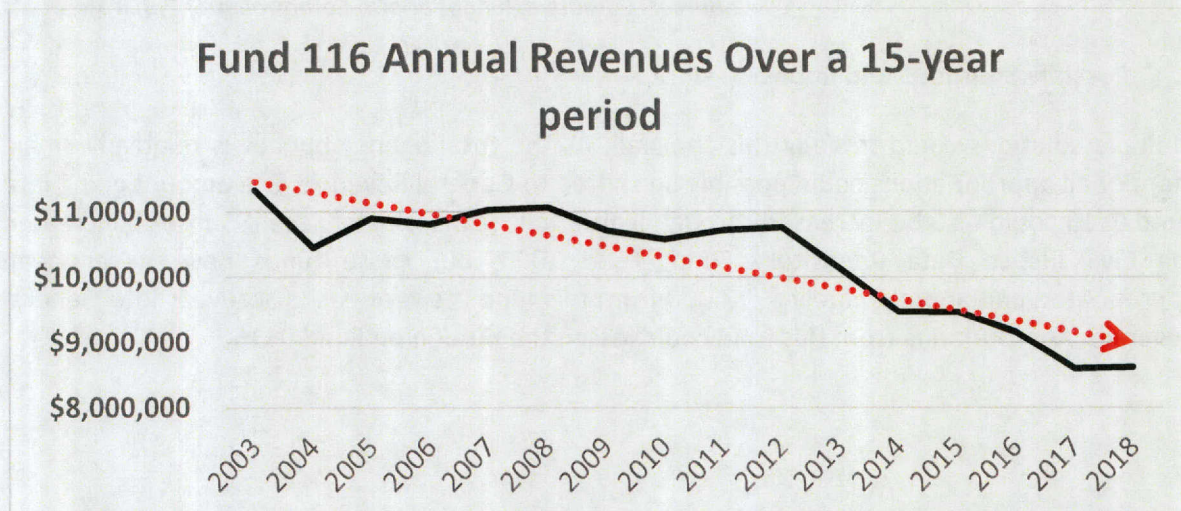
A. Brief Description of Issue

The main funding mechanism for TCOLE since 2004 has been consolidated court fees collected under Texas Local Government Code §133.102. A percentage of these court fees collected go into General Revenue-Dedicated Fund 0116 and are appropriated to TCOLE through the legislative process. However, the amount of revenue being collected under this section, and likewise the amount going into GR-D Fund 0116, has been declining for at least 15 years.

B. Discussion

Approximately 80% of TCOLE’s appropriations for the 2020-2021 biennium are from these consolidated court fees. The loss of this funding, without replacement, would be detrimental and prevent most agency operations from occurring. This would affect not just TCOLE, but every entity that receives funds under Local Government Code §133.102. Legislation was passed by the 86th Legislature under Senate Bill 346 to address some of these issues, but it is unclear how these adjustments will ultimate impact revenues into Fund 0116. The fiscal note prepared by the Legislative Budget Board does not appear to fully offset the difference in the amount of revenue collected and the amount of funds appropriated.

Below are revenues into Fund 0116 over the past 15 years.



Source: Legislative Budget Board, Comptroller of Public Accounts

There has been a significant downward trend during this timeframe. Multiple agencies are able to spend out of this fund, including TCOLE, the Comptroller of Public Accounts, and the Department of Public Safety. In addition, employee benefits are paid from this fund.

Self-Evaluation Report

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 546	Canales	Would have required TCOLE to conduct a comprehensive review of all legislatively mandated training requirements and make recommendations on what should continue to be included. Did not receive a hearing.
HB 655	Dutton	Would have created an advisory committee comprised of legislators to conduct a study of TCOLE training programs. Did not receive a hearing.
HB 2015	Dutton	Would set specific parameters for what Special Weapons and Tactics teams could do and with what approval. Was not voted out of committee.
SB 477	Creighton	Would have synced the expiration dates of School Marshal licenses, requested by TCOLE. Caught up in politics.
SB 1748	Seliger	Would have had TCOLE conduct a study regarding the sharing of information regarding employment termination reports. Did not receive a hearing.

Table 17 Exhibit 15 Legislation Not Passed 86th Leg

Bill Number	Author	Summary of Key Provisions
HB 1590	Howard	TCOLE is named as a member of the Sexual Assault Survivors' Task force, which is to advise and provide resources to TCOLE to improve law enforcement officer training related to the investigation and documentation of cases involving sexual assault and other sex offenses, with a focus on the interactions between law enforcement officers and survivors.
HB 1735	Howard	University officers are required to take training on trauma-informed investigation into allegations of sexual harassment, sexual assault, dating violence, and stalking.
HB 2195	Meyer	Adds active shooter training to the school-based law enforcement certification required for ISD PD officers and school resource officers.
HB 3503	Anderson	Requires county jailers who will be carrying a weapon to go through jailer firearms certification.
HB 3800	Thompson, S.	Requires DPS and law enforcement agencies and prosecuting attorneys' offices in a county with a population of 50,000 or more that investigate or prosecute human trafficking to submit a report to the OAG.
HB 3863	Wilson	Adds Special Agents of the Office of Inspector General of the U.S. Department of Agriculture, and an officer or agent designated by the U.S. Secretary of Homeland Security for duty in connection with the protection of property owned or occupied by the federal government and persons on the property, to the list of federal agents who are deemed not to be peace officers but are granted the powers of arrest, search, and seizure under state laws as to felony offenses only.
HB 4236	Anderson	Allows a law enforcement agency to permit a person who is captured in a body-worn camera recording of an incident to view the video. If the person is deceased, his or her authorized representative may be allowed to view the video. The video must be unedited and may not be copied.
HB 4468	Coleman	Temporary license change for jailers. Jailers must be enrolled in training program 90 days after temporary license is issued. A temporary license cannot be renewed.
SB 11	Taylor	The school-based law enforcement certification is now required for all of these officers, not just those serving school districts of 30,000 students or more.
SB 319	Perry	Authorizes the Lubbock County Hospital District to appoint peace officers.
SB 346	Zaffirini	Amends the amounts for fees charged upon conviction and reallocates percentages distributed.
SB 586	Watson	Amends the Special Investigative Topics course under 1701.253(b) and 1701.352 to include trauma-informed techniques to recognize, investigate and document child abuse or neglect, family violence, and sexual assault cases.
SB 971	Huffman	Modifies the Special Investigative Topics course under 1701.253(b) and 1701.352 to include instruction on recognizing and recording situations that indicate strangulation.
SB 1397	Flores	Matches the continuing education exemption for DPS Special Rangers, Special Texas Rangers, TPWD Special Game Wardens, and TABC Special Agents/Inspectors.
SB 1827	Menendez	Allows peace officers who have completed training developed by TCOLE in partnership with the Department of State Health Services to possess and administer an epinephrine auto-injector in the case of an emergency.
SB 2143	Flores	Authorizes the Kickapoo Indian Tribe to appoint peace officers.

Table 16 Exhibit 15 Legislation Enacted 86th Leg

Legislation Not Passed

Citation / Title	Authority / Impact on Agency <i>(e.g., "provides authority to license and regulate nursing home administrators")</i>
Chapter 434, Subchapter D, Government Code. Texas Coordinating Council for Veterans Services.	TCOLE is a member of the Texas Coordinating Council for Veterans Services.
§511.00905, Government Code. Jail Administrator Position; Examination Required.	TCOLE and the Commission on Jail Standards are to work to develop an exam for jail administrators.
Chapter 3105, Texas Peace Officers' Memorial Monument and Ceremony	TCOLE reviews and approves names to be added to the Monument, and is a member of the Peace Officers' Memorial Ceremony Committee.

Table 14 Exhibit 14 Statutes

Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
None	N/A

Table 15 Exhibit 14 Attorney General Opinions

- B. Provide a summary of significant legislation regarding your agency by filling in the charts below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass but were significant, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). Place an asterisk next to bills that could have a major impact on the agency. See Exhibit 15 Example.**

**Texas Commission on Law Enforcement
Exhibit 15: 86th Legislative Session**

Legislation Enacted

Bill Number	Author	Summary of Key Provisions
HB 292	Thompson, S.	Adds Human Trafficking to the BPOC and now requires the course to be completed by new peace officers within two years of licensure, if not completed in the BPOC.
HB 971	Clardy	Allows a peace officer who has served in the military to receive credit towards overall training hours needed to obtain an intermediate, advanced or master proficiency certificate.
HB 1387	Hefner	Removes the limitation on the number of school marshals that can be appointed per school/school district.
HB 1415	Lucio III	Requires constables to complete the TCOLE course 3131 Civil Process Training at a college or university training provider each training cycle.
HB 1552	Paul	Matches the requirements for retiree firearms qualification to that of the federal LEOSA law- lowers the years of service to 10 years and eliminates the proof of retirement benefits. Requires county jailers who will be carrying a weapon to go through jailer firearms certification.

VIII. Statutory Authority and Recent Legislation

- A. Fill in the following charts, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2013–2018, or earlier significant Attorney General opinions, that affect your agency's operations.

Texas Commission on Law Enforcement Exhibit 14: Statutes / Attorney General Opinions

Statutes

Citation / Title	Authority / Impact on Agency <i>(e.g., "provides authority to license and regulate nursing home administrators")</i>
Chapter 1701, Occupations Code	Enabling statutes for TCOLE. Identifies specific duties and responsibilities of TCOLE.
Code of Criminal Procedure	
Art. 2.131, Racial Profiling Prohibited. Art. 2.132, Law Enforcement Policy on Racial Profiling. Art. 2.133, Reports Required for Motor Vehicle Stops. Art. 2.134, Code of Criminal Procedure	Establishes racial profiling reports with TCOLE collection responsibilities
Art. 15.27, Notification to School Required.	TCOLE to be notified by a school district superintendent if a student enrolled at the district is arrested and the superintendent is not notified within 24 hours.
Art. 42.011, Judgment Affecting an Officer or Jailer	Clerk of the court that convicts or places on community supervision a TCOLE licensee for a felony shall send documentation to TCOLE.
Education Code	
§37.0811, School Marshals: Public Schools §37.0812, Training Policy: School District Peace Officers and School Resources Officers §37.0813: School Marshals: Private Schools	Establishes school marshal programs in public and private schools; requires peace officers assigned to schools to undergo training on interacting with children.
§51.220, Public Junior College School Marshals	Establishes a school marshal program at public junior colleges.
§96.641, Initial Training and Continuing Education for Police Chiefs and Command Staff	Creates initial and continuing education programs for police chiefs at the Bill Blackwood Law Enforcement Management Institute of Texas, with curriculum to be approved by TCOLE.
Government Code	
§158.002, Court Security Certification	Requires a TCOLE court security specialist certification for those providing security at a courthouse.
§402.035, Human Trafficking Prevention Task Force	TCOLE is a member of the Human Trafficking Prevention Task Force.
Chapter 421, Subchapter B. Homeland Security Council.	TCOLE is a member of the Homeland Security Council.

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

N/A

totaling \$81,172. All were related to services required for the agency's annual training conference. These expenses are reflected in the Technical Assistance program.

Contract Number	Vendor Name	Description	Amount
18-002	AVT Event Technologies	Professional audio/video conference services	46,386
18-001	Savor American Bank Center	Conference food and beverage service	34,571
17-001	American Bank Center	Rental of Conference Facilities	215*

*amount includes a rebate of \$8,500

TCOLE follows all procurement laws including Texas Government Code Chapters 2155-2158, 2161 and Texas Administrative Code Title 34, Part 1, Chapter 20, as well as the Texas Procurement and Contract Management Guide.

L. Provide information on any grants awarded by the program.

There are no grants awarded by this program.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The previous Sunset bill, HB 3389 (81R), created a new General Revenue Dedicated - Civil Justice Data Repository fund to be used only by TCOLE. This was not included in the final funds consolidation bill that session. The remittances into this fund are not appropriated and are swept into GR Fund 0001.

The revenue collected under Texas Local Government Code §133.102(f) can, at times, be less than what is appropriated in the General Appropriations Act. This is discussed further under Section IX.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The program is administered by employees who perform the duties described in section B. These positions include the Chief Financial Officer (CFO) and Accountants. The CFO reports to the Executive Director.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

This division is funded with General Revenue-Dedicated Fund 0116 through the Indirect Administration strategy.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The division works with many governmental entities, but from an accounting standpoint only.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2018;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

The vast majority of agency purchases for goods and services made by TCOLE utilize contracts that have been pre-negotiated and awarded by the Comptroller of Public Accounts or the Department of Information Resources. Three contracts were awarded in fiscal year 2018

Legislative Appropriations Request, encumbrances, Base Reconciliation and performance measure reporting.

Purchasing/Contract Management

This function provides the tools necessary to carry out TCOLE's mission. This involves asset acquisition, purchasing, inventory, supplies and contract management. Compliance is maintained for all applicable federal, state, agency and other rules and regulations including HUB utilization.

Grant Administration

The agency recently completed a grant to train new school marshals on how to protect our children in school. We currently have two active grants and have an additional grant request pending with the Governor's Criminal Justice Division. Finance works to ensure the best outcomes from these grants. Care and attention is given in all phases, from grant writing/request on through to grant close-out and final wrap-up.

In addition to these five areas, the division works hard to provide CAPPs integration and utilization, customer service, strategic planning and risk management.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.**

There are no specific performance measures associated with the Finance Division at this time. We strive to provide a high level of customer service, efficiency and accuracy in our duties.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

N/A

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

N/A

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other**

- **procedures for handling consumer/public complaints against regulated entities.**

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.**

N/A

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Finance/HR

Location/Division: Finance

Contact Name: Brian Roth

Statutory Citation for Program: N/A

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The Finance Division provides multiple operational functions. These can be categorized in five main areas.

Human Resources

Our most important resource of the agency is our people. We focus on helping employees with payroll, insurance, benefits, training, safety, employee charitable giving and employee wellness. The Finance Division also oversees compliance with all federal and state human resources-related regulations and reporting.

Budgeting/Accounting

Finance delivers high-value support in the areas of accounts payable, accounts receivable, employee travel, asset management, audits, facilities management, financial management and ensures funds are spent in an appropriate and accountable way.

Financial Reporting

The division ensures accurate and timely reporting to federal, state and other stakeholders. Some ongoing reports include IRS tax filing, Annual Financial Report, Operating Budget,

- I. **Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

N/A

- J. **If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

TCOLE works with the requesting entity, typically the officer's most recent agency, to coordinate the delivery of the flag.

- K. **If contracted expenditures are made through this program please provide**
- **a short summary of the general purpose of those contracts overall;**
 - **the amount of those expenditures in fiscal year 2018;**
 - **the number of contracts accounting for those expenditures;**
 - **the method used to procure contracts;**
 - **top five contracts by dollar amount, including contractor and purpose;**
 - **the methods used to ensure accountability for funding and performance; and**
 - **a short description of any current contracting problems.**

There are no contracted expenditures for this function.

- L. **Provide information on any grants awarded by the program.**

There are no grants awarded by this program.

- M. **Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

N/A

- N. **Provide any additional information needed to gain a preliminary understanding of the program or function.**

N/A

- O. **Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe**
- **why the regulation is needed;**
 - **the scope of, and procedures for, inspections or audits of regulated entities;**
 - **follow-up activities conducted when non-compliance is identified;**
 - **sanctions available to the agency to ensure compliance; and**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Flags Distributed	3-1-1-OP-2	250	208	83.20

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

This program was established in 2001, and in 2005 it was clarified that only current or honorably retired peace officers are eligible.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Peace officers who are current or honorably retired at the time of their death are honored with this program.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

A flag request form is available on the TCOLE website, which is submitted to TCOLE staff. The form includes information on the deceased officer, the officer’s next of kin, and the requestor. In most cases, the flag is mailed to the next of kin or the requestor (as indicated on the form) concurrent with the certificate from the Governor and the letter of condolence from the Executive Director. At times, the flag is requested to be available for the officer’s funeral, in which case TCOLE Field Service Agents may personally deliver the flag.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

This program is funded through appropriations to GR-Dedicated Fund 5059, as well as donations

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs that provide identical or similar services to the target population.

- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

N/A

- A. Provide the following information at the beginning of each program description.

Name of Program or Function: Texas Peace Officer Flag Program

Location/Division: Government Relations

Contact Name: Gretchen Grigsby

Statutory Citation for Program: Texas Occupations Code §1701.161

- B. What is the objective of this program or function? Describe the major activities performed under this program.

This program provides a Texas flag that has been flown over the capitol building to the next of kin of any peace officer who was active or honorably retired at the time of his or her death. The survivor also receives a certificate from the Governor, and a letter of condolence from TCOLE's Executive Director.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please do not repeat measures listed in Exhibit 2 unless necessary to understand the program or function.

Texas Commission on Law Enforcement
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2018

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

Each award has its own selection process, and it's not unusual for a TCOLE licensee to receive several awards from different entities for the same event.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

These entities are involved only in the nomination process and if selected as part of the judging panel.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;
 - the amount of those expenditures in fiscal year 2018;
 - the number of contracts accounting for those expenditures;
 - the method used to procure contracts;
 - top five contracts by dollar amount, including contractor and purpose;
 - the methods used to ensure accountability for funding and performance; and
 - a short description of any current contracting problems.

There are no contracted expenditures for this function.

- L. Provide information on any grants awarded by the program.**

There are no grants awarded by this program.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

Some instances have involved individuals who are either federal law enforcement or citizens/good Samaritans who are deserving of an award but are not eligible under the current law.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

N/A

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe**
- why the regulation is needed;
 - the scope of, and procedures for, inspections or audits of regulated entities;

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	FY 2018 Target	FY 2018 Actual Performance	FY 2018 % of Annual Target
Nominations Received	N/A	N/A	49	N/A
Award Recipients Selected	N/A	N/A	31	N/A

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**

The statute previously only allowed for 20 individuals to receive an award. This was amended in 2009 to allow for the many instances in which a team was involved.

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Any TCOLE licensee is eligible to receive an Achievement Award.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Licensees may be nominated by an elected official, chief administrator of a law enforcement agency, or a TCOLE licensee. Nominations must be received by December 31 of each year for consideration. Nominations are then reviewed by a panel of judges, and approved by a vote of the Commissioners.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

This function is absorbed in the agency's appropriations under GR-Dedicated Fund 0116.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

The Star of Texas Award under Texas Government Code Chapter 3106 provides a similar award to some overlapping population, sometimes for the same event.