

THE BRIEFING



A Publication of the Texas Commission on Law Enforcement

Inside this issue:

[COVID-19](#) 1

[Meeting Highlights](#) 2

[Honoring our Fallen Law Enforcement Personnel](#) 3

[Guidelines for L-2s and L-3s](#) 4

[Achievement Awards](#) 5

[THECB to launch Peace Officer Loan Repayment Assistance Program](#) 6

["Keep Em' Safe Texas"](#) 7

[A message from TxDOT](#) 3

[Legal Actions](#) 8

In the time of COVID-19...

In this unpredictable year that is 2020, TCOLE has continued to be adaptable and creative in accomplishing its mission in a new environment. This includes our first ever virtual quarterly Commission meeting that was held on September 3. The writeup of that meeting can be found on page 2.

This summer we also began the review process by the Sunset Advisory Commission. This is the evaluation that all state agencies go through to determine if it is meeting the core functions set forth by the Legislature, ways the agency can be improved, and ultimately, whether the agency needs to continue to exist. We know many of you had the opportunity to provide input in the stakeholder survey that went out in July, and whether positive or negative, we are thankful for you and this process, and look forward to the future.

Fortunately, our systems have allowed us to continue services uninterrupted, even with most of our staff working remotely since March. In keeping with guidance from the Governor, we are now increasing capacity back in our headquarters offices, and the excitement of working together in person again is clear.

We know many of you are watching the end of the continuing education cycle tick down, and we will continue to keep you posted on any updates. For now, the best reference is the [Technical Assistance Bulletin](#) related to COVID-19 response. Please refer to it for the latest information.

We hope you stay safe and healthy, and as always, thank you for everything you do.

Upcoming Events

2020 TCOLE Conference
November 9-12, 2020— **CANCELED**

Quarterly Commission Meetings
December 3, 2020
March 4, 2021
June 3, 2021

Commission Meeting Highlights

Executive Director, Kim Vickers:

TCOLE is currently going through the Sunset process and meetings and staff have been very pleasant throughout. There may be possible changes later down the road, however, there is nothing in place yet. Director Vickers praised TCOLE staff for the excellent adjustment they have all made to teleworking. Director Vickers also comments that TCOLE is very upset about cancelling the annual TCOLE conference that was supposed to be held in November but was canceled due to the ongoing pandemic. Also, on another sad note, long-time TCOLE employee Mary Kay Wright retired on August 31, 2020. Wright had over 35 years with TCOLE and was a valuable asset to the credentialing team and will be missed. Due to this, credentialing is down one-third of the staff they had previously.

Chief Financial Officer, Brian Roth:

As of April, finances have started to decline, and all state agencies will have to account for a 5% reduction in budget for the current biennium. We were able to save quite a bit of money due to reduced agency travel.

Director of Credentialing and Field Services, Cullen Grissom:

The Credentialing team continues to be successful and the staff is doing in-office rotations in order to be more effective in COVID-19 prevention. Unfortunately, the team is down two employees and is having to cross-train on multiple processes. The Field Service Agents continue to do the best they can, given the current pandemic, to communicate with departments and agencies. Travel restrictions have had an impact on department and agency audits. TCOLE has begun issuing temporary waivers for recruitment entities going through psychological processes.

Director of Governmental Relations, Gretchen Grigsby:

TCOLE executive staff is having many conversations with the Sunset staff, the Texas Department of Insurance (TDI), and the Legislative Budget Board (LBB) about IT needs for the agency. It is listed as one of our exceptional requests for the upcoming legislative session. TCOLE is cautiously optimistic for the upcoming session, as our presence is being highlighted in the current societal climate. The next step in the Sunset process will be a staff report followed by a committee meeting.

Honoring our Fallen Law Enforcement Personnel

As many of you are aware and have had the opportunity to attend, Texas holds an annual Peace Officers' Memorial Ceremony at the state capitol to honor law enforcement and corrections personnel killed in the line of duty. This usually takes place the first Monday of May, with a candlelight vigil held the Sunday evening before at the Texas Peace Officers' Memorial Monument on the capitol grounds.

What you may not know is that by law, the TCOLE commissioners are responsible for approving names for inclusion on the monument, and that we have a formal process for nominating fallen law enforcement. TCOLE staff works with several groups who advocate on behalf of the families of the fallen officers, as well as with the law enforcement agencies who have lost one of their own, to receive nominations for this purpose.

Names are generally reviewed in late October or early November, for placement on the December quarterly commission meeting agenda. Any deaths that occur between then and the end of the year are placed on the agenda at the March quarterly meeting.

The nomination form and contact information for where to send it can be found at <https://www.tcole.texas.gov/content/texas-peace-officers-memorial>. Sadly, the front of the monument is nearly filled with names, and TCOLE, along with our Peace Officers' Memorial Ceremony Committee partners, is working to identify options to continue honoring the fallen in the manner they deserve. The link listed here has information on how to donate to the continued maintenance of the monument.



Guidelines for L-2s and L-3s

TCOLE rules outline the steps one should follow to procure a physical/drug (L-2) and psychological (L-3) examination. Agency guidelines must be checked to ensure they meet or exceed 217.1 (b) standards:

L-2 Requirements:

1. The L-2 must be fully signed and executed within 180 days before the first day of the academy.
2. The physician must be selected by the employing agency (or the academy for independent cadets). Giving the cadet the L-2 form and letting them find a physician does not meet the rule.
3. The physician must be licensed by the Texas Medical Board. You can go to the following web site to verify licensing status: <http://www.tmb.state.tx.us/page/look-up-a-license>.
4. TCOLE has administratively determined that a physician assistant (PA) and a nurse practitioner (NP) may conduct the exam and endorse the L-2. You can go to the following web site to confirm that the certified nurse practitioner (NP) is properly licensed. The words "nurse practitioner" will show in the license title. A Licensed Vocational Nurse (LVN), Registered Nurse (RN), etc. do not meet the rule. You can go here to confirm a license status: <https://www.bon.texas.gov/forms/applstatus.asp>.
5. The physician must be familiar with the job/academy duties. One way to ensure this is to provide a copy of the job description and have the physician sign documentation stating they received and understood the job description.
6. The physician must read, sign and date the L-2 form in the appropriate section. It must be physically signed by the physician, PA or NP. A signature stamp, e-signature, or signature by an assistant does not meet the rule requirement.
7. The drug test section must meet the same standards as those shown above for the physical exam. For new licensees, both the physical exam and the drug test sections of the L-2 must be signed. Telecommunicators may undergo both the physical exam and the drug screen, but telecommunicators are only required to undergo the drug screening process. Jailers and Peace Officers must undergo both examinations. For previous licensees, only the drug screen is required.
8. TCOLE will also accept certified US DOT locations for drug screen test purposes only. For more information on US DOT approved sites in Texas go to: <https://www.transportation.gov/odapc/labs>.
9. TCOLE requires you to maintain the L-2 drug form. TCOLE does not require you to maintain the actual drug lab test detailed results. If you do retain the medical lab report, ensure that it was generated or "reported" before the date of the physician signature on the L-2. Keep in mind that the detailed medical lab report (not the L-2) may be considered a medical form regulated by HIPPA.

L-3 Requirements:

1. The L-3 must be fully executed and signed within 180 days before the first day of the academy.
2. The psychological examination must be conducted by a properly licensed psychologist or

psychiatrist. Drug therapist, marital counselor, and others do not meet rule requirements.

3. The psychologist must be selected by the employing agency or the academy. Giving the cadet the L3 form and letting them find a psychologist does not meet the rule.

4. The psychologist must be familiar with the job/academy duties for the license being sought. One way to ensure this is to provide a copy of the job description and have the physician sign documentation stating they received and understood the job description.

5. The psychologist/psychiatrist must be licensed by the Texas Board of Examiners of Psychologists. You may go here to confirm: <https://www.tsbep.texas.gov/public-information-on-licensees>.

6. The psychologist must read, sign and date the L-3 form in the appropriate section. It must be physically signed by the psychologist. The use of a signature stamp, e-signature or signed by an assistant does not meet the rule requirement.

7. The psychologist must be provided a copy of the personal history statement (PHS) and any background reports or documents for review purposes prior to conducting the interview.

8. The psychological exam must be conducted in accordance with professional standards, including: a. Use of two instruments, one measuring personality traits and one measuring psychopathology, b. Conducting a face-to-face interview after the two instruments above are scored and a review of the personal history statement and background documents.

9. The interviews must be conducted face-to-face unless advanced written authorization is approved by TCOLE to conduct live video interviews based upon urgent necessity and meeting industry security requirements (HIPPA).

Training academies may contact the designated Academy Contract Evaluator (ACE) for your area, and other agencies may contact your Field Services Agent (FSA) for additional questions or information. Contact information is located on the TCOLE web site: <http://www.tcole.texas.gov/content/contact-us>.

Submit your Achievement Award Nominations!

We need your help! Each year, TCOLE hosts an annual achievement award ceremony to recognize peace officers, jailers, and telecommunicators that have gone above and beyond in their service to their community. We know there are many worthy candidates out there, but without a nomination we may never hear about them.



The awards are issued in the categories of valor, public service, and professional achievement. Nominations can be submitted until December 31, 2020 for the 2021 Achievement Award Ceremony. For the nomination form and additional information, please visit <http://www.tcole.texas.gov/content/state-texas-achievement-awards>.

THECB to launch Peace Officer Loan Repayment Assistance Program



The Texas Higher Education Coordinating Board has announced the upcoming September launch of a new loan repayment program benefitting recently appointed peace officers who have student loan debt.

Many law enforcement agencies have difficulty filling vacant positions. In June 2019, Gov. Greg Abbott signed into law SB 16 (86th Texas Legislature) authorizing the Peace Officer Loan Repayment Assistance Program (POLRAP) to provide an incentive for Texans to pursue law enforcement careers and remain on the job to help pay off their student loan debt.

The legislation defines “peace officer” in the Texas Code of Criminal Procedure, which describes 35 distinct positions and roles. To be eligible to apply for loan repayment assistance through POLRAP, an initial applicant must have been initially appointed as a full-time peace officer on or after Sept. 1, 2019, have completed at least one year of employment as a full-time peace officer in Texas, and have earned at least 60 credit hours at an eligible Texas higher education institution prior to initial appointment as a peace officer.

Upon admittance to the POLRAP, recipients will receive an initial award based on their one year of prior service. A successful applicant may receive up to \$20,000 in loan repayment assistance over a period of five years (\$4,000 annually or one-fifth of the outstanding loan balance, whichever is less).

Awards are contingent on available funding. In the initial year of the program, applications will be selected on a first-come-first-served basis until funds are no longer available. After the initial program year, priority will be given to prior year recipients and initial applications will be selected on a first-come-first-served basis until funds are no longer available. Additional program requirements are posted on the POLRAP webpage. The Coordinating Board anticipates posting the online application in September.

“Keep ‘Em Safe, Texas!”

The Texas Department of Public Safety recently launched a statewide two-year campaign encouraging safe gun storage. Texans continue the purchase of firearms for personal safety and this campaign highlights the importance of storing guns safely at all times to keep them out of the hands of unauthorized users.



Using the tagline of “Keep ‘Em Safe, Texas!” and the website URL of SafeGunStorageTexas.com, the Texas Department of Public Safety will be informing gun owners in Texas through social media, online ads, and with radio and TV public service announcements about how and why they should lock their guns up after use. **We invite you to partner with us to help communicate this life-saving message.**

Click on this [Partner Toolkit](#) to retrieve print collateral, radio spots and social media posts to help keep guns out of the wrong hands. Thank you for taking a quick look to see how you can use these materials. Will you please let us know when and where, in the next 12 months (September 2020-September 2021) you can help us to reach your followers and community?

We will call to follow up, and please email info@safegunstoragetexas.com or call 512.750.5199 with any questions. Thank you for doing your part to keep Texans safe!



TEXAS DEPARTMENT OF TRANSPORTATION

A message from TxDOT

In 2017, the 85th Texas Legislature passed into law Senate Bill 312 which requires that all investigating agencies submit crash records electronically by September 1, 2019. The Texas Department of Transportation, TxDOT, currently offers three options to comply with the legislative requirements.

The three options are as follows:

- **CRASH Application** – Crash Reporting and Analysis for Safer Highways (CRASH) is a free electronic submission platform that allows investigating agencies the option to submit, edit, supplement, and analyze the Texas Peace Officer’s Crash Report (form CR-3).
- **Submission Services** –Submission Services was developed for agencies with an existing application and requires a web services client and adherence to the over 800 business rules and edits.
- **CRIS Crash Mobile App** – For agencies that are unable to use either the CRASH or submission services platforms, TxDOT produced a smart phone mobile app that allows officers the ability to complete a report via paper, take a photo of the report, and submit directly to TxDOT. This tool is designed for agencies who submit less than 200 crash records a year.

Please contact TRF_CRASH@TxDOT.gov for any questions on how your agency may utilize one of the three options listed above.

License Actions

The following proceedings for revocation, suspension and other disciplinary actions took place at the September 2020 Commission Meeting. For a complete listing of these license actions, including names and departments, see the meeting agenda found on our website under Who We Are/The Commission/Meeting Minutes at www.tcole.texas.gov/commission-meeting-minutes.

Type of Action	Number of Licenses
Default Suspension Orders	9
Default Cancellation Orders	2
Default Revocation Orders	0
Proposal for Decision Order	2
Agreed Suspension Waivers	0
Agreed Suspension Orders	0
Statutory Revocations	3
Statutory Suspensions	2
Permanent Surrenders	12
Reprimands for Administrative Violations	7
Suspensions for Failing to Complete Legislatively Required Continuing Education	59
Reprimands for Failing to Complete Legislatively Required Continuing Education	528

Commissioners

Chief Kim Lemaux
Presiding Officer

Major Jason D. Hester
Assistant Presiding Officer

Patricia Burruss
Secretary

Constable Ron E. Hood
Jack W. Taylor
Sharon Breckenridge Thomas
Sr. Police Officer Tim Whitaker
Janna Atkins
Sheriff Mike Griffis



Contact Information

Mailing Address:

Texas Commission on Law
Enforcement

6330 E. Highway 290, Ste.
200
Austin, TX 78723-1035

Phone: (512)-936-7700

Fax: (512) 936-7714

Website:

www.tcole.texas.gov

The Briefing Editor:

[Gretchen Grigsby](#)

Notice

In compliance with the Americans with Disabilities Act, the publications of the Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer, Brian Roth, at the address or phone number listed above, or through RELAY Texas at (800) 735-2989.

The Commission is an Equal Opportunity Employer and does not discriminate in providing services or employment.

Follow us on:

