



# TEXAS LAW ENFORCEMENT DATA LANDSCAPE

BY

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## Executive Summary

Texas 2036 retained Benchmark Analytics (Benchmark) to assist in policy research and conduct data analysis to answer two fundamental questions. First, does the Texas Commission on Law Enforcement (TCOLE) sufficiently collect and manage data to effectively oversee and regulate law enforcement? Second, what are the current factors in the hiring and firing of peace officers in Texas that allow officers with a history of misconduct to move between law enforcement agencies (LEAs)?

To answer these questions, Texas 2036 and Benchmark conducted legal research, consulted scholarly literature, and analyzed data. This included Benchmark's reviewing TCOLE's motor vehicle stop data and the corresponding annual reports of various LEAs that compiled and reported that data to TCOLE, reviewing Texas Commission on Law Enforcement Data System (TCLEDDS) data as provided upon request from TCOLE, evaluating TCOLE compared to peer states' Police Officer Standards and Training (POST) agencies, interviewing three peer POST directors, reviewing research on law enforcement professionalism and accountability, and consulting other reports from state agencies and the media. In addition to assisting Benchmark in these tasks, Texas 2036 met extensively with TCOLE staff and stakeholders, acquired unique datasets regarding administrative hearings and peace officer rehiring, and conducted additional analysis. The report is divided into parts analyzing peer states' POST agencies, the "wandering officer"<sup>1</sup> issue, TCLEDDS data analysis, and motor vehicle stop data analysis.

The report reveals that TCOLE compares similarly to identified peer POSTs with respect to key duties and responsibility. However, other categories, such as statutory authority and breadth of jurisdiction, reveal differences Texas can learn from to enhance transparency and accountability to the public. Evaluation of LEAs' hiring and firing practices were considered through the lenses of the "wandering officer" – when some peace officers that are fired for cause or resign under investigation seek and employment at another LEA. Although hampered by confidentiality rules, this report's research and analysis of the wandering officer phenomenon in Texas demonstrates the need for fundamental transparency and reform. The report also attempted to analyze motor vehicle stop data, but found that the data quality issues were so severe that drawing meaningful insights on policing practices is nearly impossible. The report ends with findings and recommendations calling for the development of a more robust data infrastructure to collect, analyze and report, and publish data for law enforcement and stakeholder utilization. An enhanced data landscape will be foundational steps to raise the professional standards of peace officers and LEAs and improve the regulatory and support structure for law enforcement in Texas. The Texas Legislature should take this opportunity to clarify and expand TCOLE's authority to ensure enhanced transparency and accountability to the public.

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<sup>1</sup> Ben Grunwald and John Rappaport. "The Wandering Officer." The Yale Law Journal, no. 129 (2020): 1676-1782.



## Findings and Recommendations

Findings and recommendations from the report's five parts are reprinted here. These are designed to ensure TCOLE is collecting, managing, and using its data to best serve Texans and to more effectively oversee, regulate, and support Texas law enforcement.

### PART ONE: Comparing TCOLE to Peer States

1. **Finding:** The number of agencies that TCOLE oversees is disproportionately higher than POSTs of peer states while receiving disproportionately fewer funds.
  - a. **Recommendation:** The Texas Legislature should increase funding to TCOLE to ensure it has resources that are properly proportionate to the agency's oversight responsibilities. The Legislature should also consider ways to address the uniquely large number of law enforcement agencies in Texas.
2. **Finding:** A significant number of officers come to Texas LEAs from out of state and federal agencies. Texas law does not currently require the use of the NDI for LEAs conducting background checks for officer licensure, nor does TCOLE conduct an NDI review.
  - a. **Recommendation:** The Texas Legislature should explicitly mandate the use of NDI and provide necessary rulemaking authority to TCOLE for NDI usage. Amending rules to include a mandatory review of the NDI by hiring LEAs prior to hiring and before any license is granted enhances professional standards and may deter wandering officers, particularly those who move to Texas from other states.
3. **Finding:** TCOLE's Appointment Form contains comprehensive data points and distinguishes a new hire from an already licensed officer. However, LEAs are required to submit multiple forms documenting the background requirements. TCOLE has the authority to create rules for the administration of licensure and any form change would not require legislative action.
  - a. **Recommendation:** TCOLE should review the forms LEAs are required to submit with the goal of reducing redundancies and potential for error.
4. **Finding:** TCOLE's Notice of Separation Form (F-5) discharge information is insufficient to determine an officer's reason for separation from a prior agency.

- a. **Recommendation:** The Texas Legislature should consider revising statutory rules governing the F-5 in line with peer-state POST separation forms that require only specific fact-based information.
- 5. **Finding:** Texas law and TCOLE have requirements for both LEAs and peace officers to report any peace officer arrested. Other POSTs require a broader set of reporting on other serious misconduct, along with any reports of untruthfulness and/or use of force.
  - a. **Recommendation:** The Texas Legislature should mandate that peace officers and LEAs disclose allegations of serious misconduct to TCOLE.
- 6. **Finding:** TCOLE is not mandated to have a public-facing database reporting a peace officer's license status. TCOLE has an enormous responsibility to the public for ensuring that the people of Texas are served by highly trained and ethical law enforcement.
  - a. **Recommendation:** The Texas Legislature should support TCOLE's creation of a public facing searchable database identifying a peace officer's license status.
- 7. **Finding:** TCOLE is authorized to enter contracts for the performance of their functions and to develop and establish a system for the electronic submission of forms, data, and documents. TCOLE allows mail, email, and the use of Texas Secure Share (TSS) to accept forms submitted to them from agencies.
  - a. **Recommendation:** TCOLE should consider developing a robust data capture, analysis, and reporting system for TSS.

## PART TWO: The Challenge of Wandering Officers

- 1. **Finding:** The discharge designations and the confidentiality of the F-5 limit the ability of stakeholders review LEA practices, see individual officers' full employment record, or understand the scope of the wandering officer problem in Texas.
  - a. **Recommendation:** The Texas Legislature should make F-5 information about licensees' discharge publicly available.
  - b. **Recommendation:** The Texas Legislature should consider re-defining the discharge categories to be neutral, fact-based, and descriptive to better reflect the reason for an officer's separation.
  - c. **Recommendation:** TCOLE should analyze their personnel and licensing data for patterns indicative of wandering officers as only TCOLE has access to complete F-5 information.

2. **Finding:** The separation designations on the F-5 carry potential consequences for license revocation. Peace officers may challenge any less-than-honorable discharge by filing an appeal in which LEAs must attend a hearing to defend its discharge designation or else the designation is upgraded by default.
  - a. **Recommendation:** The Texas Legislature should consider whether the license-specific consequences associated with the F-5 designation and its appeal contribute to the wandering officer issue rather than prevent it and adjust them accordingly.
  - b. **Recommendation:** The Texas Legislature should narrow the scope of which F-5 errors are appealable.
3. **Finding:** Since the passage of SB 24, there has not been a noticeable decline in peace officer appointments, nor has there been a noticeable decline in dishonorably discharged peace officers getting rehired. LEAs have widely varying record retention requirements and practices that can affect the quality of background investigations conducted by a hiring LEA.
  - a. **Recommendation:** The Texas Legislature should establish uniform record retention requirements across all LEAs to ensure that subsequent rehiring LEAs have access to complete information on previously-employed officer applicants.
4. **Finding:** TCOLE's hiring checklist and "Desk Reference" for LEA administrators acknowledge that previously employed peace officers must be subject to additional scrutiny by subsequent rehiring LEAs.
  - a. **Recommendation:** TCOLE should consider whether LEAs have sufficient support in their efforts to assess previously employed candidates. TCOLE should scale their support and resources to provide greater assistance to smaller, under-resourced LEAs' hiring efforts.

## PART THREE:

### TCOLE's Data System to Support Oversight and Regulation

1. **Finding:** TCOLE sufficiently collects and manages the licensing and employment of law enforcement, county jail, and telecommunications personnel. It enables the identification of a licensee's status and employment at any given time. However, reasons for revoked, canceled, and suspended licenses are not easily identifiable. Licenses can be placed on administrative hold for a long time and still be an active license.

- a. **Recommendation:** TCOLE should develop a more structured way of incorporating details on complaints and the commission's license actions to improve the utility of the data.
- 2. **Finding:** Due to confidentiality constraints, insufficient data has been provided to Benchmark to determine the scope of wandering officers in Texas. Therefore, TCOLE's ability to identify wandering officers is ill defined. The frequency in which officers move departments and gaps in employment is more easily assessed. While these patterns may indicate wandering officers, the data lacks basic information, such as the reasons for separation or internal affairs resolutions, which prevents identifying wandering officers.
  - a. **Recommendation:** The Texas Legislature should consider additional reporting requirements on LEAs to TCOLE regarding certain internal affairs investigations.
  - b. **Recommendation:** TCOLE should create data management protocols that enable the identification of wandering officers.
- 4. **Finding:** TCOLE has acknowledged that SB 24 has improved pre-employment background investigations for applicants and the on-line services for licensees.
  - a. **Recommendation:** TCOLE should maximize their new role in supporting agency compliance for background checks, sharing of personnel records related to pre-employment screening of applicants. TCOLE should ensure all LEA audits include actionable findings and to consider public release as appropriate. It is further recommended that TCOLE survey LEA Chiefs to determine their training needs related to implementation of SB 24.

## PART FOUR:

### Addressing Motor Vehicle Stop Data Deficiencies

#### Data Quality

- 1. **Findings:** The data reporting meets basic statutory requirements; however, the available information is unreliable and largely unusable to help ascertain the nature and extent of racial profiling during motor vehicle stops. The data collected and reported must contain all data variables necessary to conduct a comprehensive analysis. This includes the data needed to conduct the Gold standard analysis recommended by the CPE/NYU Guidebook and discussed in this report. Finally, an analysis that imparts actionable insights and targeted solutions requires incident-based, micro-level data, and more complex statistical techniques.

- a. **Recommendation:** The Texas Legislature should consider adopting additional data collection fields that are not expressly required under statute but offer more comprehensive information needed to conduct a robust analysis. This includes the collection and reporting of demographic information on the officer making the stop.
  - b. **Recommendation:** TCOLE should collect the incident-based, micro-level data to provide the opportunity for more robust and meaningful statistical analysis to the extent allowable under current law. TCOLE should consider partnering with academic institutions to perform comparative analyses for LEAs and to conduct an annual statewide statistical analysis of the incident-based micro-data. The analyses should utilize bivariate and multivariate techniques that employ summary and descriptive statistics and inferential analyses, including methods such as regression analysis.
  - c. **Recommendation:** TCOLE should consider releasing the raw data for analysis by stakeholders in law enforcement and the broader public.
2. **Findings:** There are inaccuracies in the Excel spreadsheet maintained on TCOLE’s website. In addition to collecting a complete data set, data quality also requires accurate data to ensure data integrity. Benchmark’s preliminary assessment included an initial review of various annual report narratives and TCOLE’s Excel spreadsheet populated with the aggregate data for 2021, reported by LEAs. That assessment reveals that the data reported and maintained in Excel format on the TCOLE website is inaccurate in some instances. For example, there appear to be errors in the stop data reported for use of force, injury to the suspect, injury to the officer, or injury to both. The use of force resulting in physical injury is the only use of force reported to TCOLE. Simple errors erode data quality and undermine the integrity of the data set.
  - a. **Recommendation:** Considering the significance of auditing practices and procedures to the quality of the data and validity of any ensuing analysis, the Texas Legislature should expand the statutory auditing requirement to include the audit of all racial profiling data collected and reported by LEAs to TCOLE, instead of an audit that only verifies data is reported on the race or ethnicity of the driver. This is needed to ensure the data is accurate, complete and includes all data points.
  - b. **Recommendation:** TCOLE should continue to hold chief administrators accountable for ensuring their LEAs: (1) submit a report for all applicable motor vehicle stops, and (2) the report is accurate and contains no missing data. LEAs should also conduct regular and systematic audits to correct reporting errors, missing data, etc., which may include an audit committee.
  - c. **Recommendation:** TCOLE should embed data validation formulas in the reporting spreadsheet to help eliminate logical inconsistencies and missing data. TCOLE should also include data audit standards in its guidelines for data compilation and reporting,

including how to handle incident-based reports with missing or inaccurate data and the extent to which LEAs should include that incident in the aggregated data set.

- d. **Recommendation:** TCOLE should develop and conduct training on the data audit standards set forth in the recommended guidelines. It should also develop and conduct training on when and how to collect and report motor vehicle stop data, including complex scenarios such as reporting requirements when a passenger is arrested because of the stop, etc.
- e. **Recommendation:** TCOLE should utilize established standards to evaluate LEA performance based upon metrics such that agencies which meet and exceed standards are acknowledged and those which fall below standards are trained and remediated.

### Data Management Practices

- 3. **Finding:** TCOLE currently does not have general rulemaking authority to set new rules and standards related to the required fields for racial profiling reports.
  - a. **Recommendation:** The Texas Legislature should grant TCOLE explicit rulemaking authority over the required fields for racial profiling reports such that LEAs submit data to withstand academic scrutiny.
- 4. **Finding:** In 2017, the Sandra Bland Act explicitly required TCOLE to revise its guidelines that provide the standards for compiling and reporting information required under Article 2.134 better withstand academic scrutiny, by September 1, 2018. The report includes the aggregated data set and comparative analysis of that data. TCOLE's instructions, sample forms, and spreadsheet do not provide the direction necessary to address the data quality and enforcement issues identified in this report.
  - a. **Recommendation:** TCOLE should develop comprehensive guidelines with sufficient detail to address the data quality issues raised in this report, including standards to ensure the data collected and reported by LEAs is consistent with the statutory requirement. The guidelines should include information on: (1) how TCOLE tracks LEA reporting compliance, (2) the LEA behavior that manifests the intent needed to trigger disciplinary action, and (3) the disciplinary process and potential outcomes.
- 5. **Finding:** TCOLE currently requires LEAs to submit the detailed written racial profiling policies adopted by LEAs under Article 2.132(b).
  - a. **Recommendation:** TCOLE should create a sample Racial Profiling/Motor Vehicle Stop Data policy to ensure LEA policies are consistent with the statute and contain all of the requisite elements, including the manner and process by which an individual may file a complaint alleging racial profiling, the specific information officers must collect upon making a motor vehicle stop, standards for reviewing video and audio documentation,

and the improvements the LEA can make in its practices and policies based on its review of the stop data collected.

6. **Finding:** Transparency for the public is required by section 5.08(2) of the Sandra Bland Act. The Act mandates TCOLE to provide, in a downloadable format, all information reported under statute, which specifically requires aggregated, incident-based data compiled during the prior year. In addition to the aggregated data, the statute clarifies that the report must also include a comparative analysis and information regarding complaints alleging a peace officer engaged in racial profiling. TCOLE does provide a downloadable Excel spreadsheet with the aggregated data. It does not provide the comparative analyses submitted by the LEAs, in downloadable or any other format. In addition to the aggregated data, comparative analysis, and information on complaints, TCOLE must also provide a glossary of terms so the public can readily understand the report. The glossary is not available.
  - a. **Recommendation:** TCOLE should make LEAs' Motor Vehicle Stop Data and the required glossary should be available to the public. The data should be free and publicly available in tabular form and in several open formats whenever possible. Since most members of the public may not have the skills to analyze the data, TCOLE should provide high level visualizations that summarize the data in a meaningful way.

## PART FIVE:

### Recommendations for a Comprehensive Data and Reporting System

1. **Finding:** It has been determined that TCOLE is following minimum statutory collection requirements regarding stop data variables. However, Part Four identifies enhanced collection requirements to withstand academic scrutiny.
  - a. **Recommendations:** TCOLE should continue to collect minimum statutory collection requirements and assess data collection methodologies that will withstand academic scrutiny.
2. **Findings:** Motor Vehicle Stop data qualifies as a high-value data set under Texas law.
  - a. **Recommendation:** These datasets should be complete, timely and made freely accessible online as discussed in depth in Part Four of this report.
3. **Finding:** TCLEDDS contains high-value data on licensees' training, education, and service history.
  - a. **Recommendation:** These datasets be identified and made freely accessible online as discussed in depth in Part Three of this report.



4. **Finding:** There are unidentified high-value datasets at TCOLE.
  - a. **Recommendation:** TCOLE should identify all qualifying data considered a high-value data set.
  
5. **Finding:** It is best practice to accept public input as to the way high-value datasets are shared.
  - a. **Recommendation:** TCOLE should encourage and capture public input through surveys, public meetings and open public comment periods and accept public input as appropriate.

## Introduction

In the 1960s, Texas was at the forefront of the movement to professionalize and standardize policing by creating a licensing regime for peace officers. More than 50 years later, a 2020 report reviewing of the Texas Commission on Law Enforcement (TCOLE) by the Texas Sunset Advisory Commission described aspects of the regulation of law enforcement in Texas as “toothless,” “largely ineffective,” and “fundamentally broken.” With TCOLE under sunset review again in 2022, this crossroads moment for law enforcement regulation represents an opportunity to make Texas a leader in the regulation of law enforcement once again.

This report aims to identify ways the Texas Legislature and TCOLE can improve the caliber of law enforcement in Texas. Texas 2036 partnered with Benchmark Analytics to probe two fundamental questions about TCOLE’s effectiveness. First, does TCOLE sufficiently collect and manage data to effectively oversee and regulate law enforcement in Texas? Second, what are the current factors in hiring and firing that allow for peace officers in Texas with a history of misconduct to move between law enforcement agencies (LEAs)?

Answers to these questions rely on a central premise. **Public trust in local law enforcement is a public safety strategy.** The community’s trust is the primary source of legitimacy for LEAs and their peace officers. LEAs and peace officers rely on established legitimacy and community trust to exercise police authority. When the community has confidence in their local law enforcement to handle issues of crime and public safety, they are more likely to report crime, cooperate with investigations, and follow the law.<sup>2</sup> On the other hand, peace officers acting unprofessionally, illegally, or inappropriately erode public support.

Police legitimacy can be defined as perception that officers have the authority to carry out their duties and responsibilities.<sup>3</sup> That legitimacy is premised on fairness and transparency regarding how LEAs and peace officers make decisions. Consistency, transparency, and open access create fairness for both peace officers and the public.<sup>4</sup>

**The public does not choose who responds to a call for help.** To step in their shoes, lawmakers, the State’s POST, and LEAs make decisions about licensing, training, oversight, regulation, and ultimately who is hired to serve the community and who is fired. To maintain and build trust, legislators, regulators, agencies, and individual peace officers must all do their part in upholding high standards of professionalism and accountability with those they serve.

Whatever the outcome of TCOLE’s second sunset review, **an effective regulatory structure that oversees law enforcement and serves Texans requires a strong foundation based in data.**

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<sup>2</sup> RAND Corporation, “Legitimacy Policing in Depth,” available at <https://www.rand.org/pubs/tools/TL261/better-policing-toolkit/all-strategies/legitimacy-policing/in-depth.html>.

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Department of Justice. 2019. *Law Enforcement Best Practices: Lessons Learned from the Field*. Washington, DC: Office of Community Oriented Policing Services, 80.

# PART ONE:

## Comparing TCOLE to Peer States

### Background

Benchmark conducted a comparison of TCOLE's regulatory functions against other POST commissions in peer states selected in collaboration with Texas 2036. The Peer State POST comparison contained 117 data points culled from Texas statute and code and other POST statutory requirements.<sup>5</sup> Unsurprisingly, TCOLE compared similarly to the identified peer POSTs with respect to their duties and responsibility. However, some peer POSTs comparisons deviated when it came to statutory authority. The peer review sheds light on POSTs oversight reach of LEAs and licensed peace officers, POSTs budgeting and FTE staffing, POST authority and requirements for licensing and revocation, and reporting requirements for officers and LEAs.

The regulation of law enforcement in the United States is highly local. Peace officer training and standards have historically been the responsibility of individual LEAs and the states under which they are authorized to act. In the U.S., the hiring, training, licensure and/or certification standards vary from state to state and agency to agency within those states. State-level oversight challenges the ability to have nationwide consistency. State created commissions apply state laws, regulations, and policies to provide the same level, quality or type of training and standards within their respective state. It is important to understand the relationship between federal, state, and local government agencies as it relates to LEA oversight.

### Federal Oversight

Due to US Constitutional limitations, the scope of federal oversight of law enforcement agencies is narrow. Apart from civil rights investigations and other actions by federal agencies, oversight is largely limited to funding: providing additional funds in exchange for compliance with federal guidelines and requests.<sup>6</sup> Though most U.S. law enforcement agencies are not acutely reliant on federal funding<sup>7</sup>, additional funds often allow LEAs to meet local goals and expand policing. One form of federal-funding influence is the presidential executive order (E.O.). Two recent EOs are of note relative to officer licensure and oversight: E.O. 13929 and E.O. 14074.

On June 16, 2020, President Trump issued E.O. 13929<sup>8</sup> identifying law enforcement policies relating to certification, credentialing, and information sharing. On May 25, 2022, President Biden issued E.O. 14074<sup>9</sup> directing the Department of Justice to create a new national law enforcement accountability database, which would track substantiated misconduct claims and disciplinary

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<sup>5</sup> See Appendix 1, Peer POST Regulatory Comparison Data Points

<sup>6</sup> An exception to this rule is in the conviction of certain crimes. Federal Statutes (U.S. Code, Title 18, Crimes and Criminal Procedure, Part 1, Crimes, Chapter 44, Firearms, Sections 921(a)(33)(A)&(B), and 922(d)(g)&(h)) a person convicted of any crime involving domestic violence or subject to any type of restraining order issued by a court of competent jurisdiction is prohibited from owning or possessing firearms or ammunition and automatically disqualifies the individual from being licensed as a peace officer.

<sup>7</sup> Michalski, Roger, and Stephen Rushin. "Federal (DE)Funding of Local Peace." *LAW E Commons*, Loyola School of Law, <https://lawecommons.luc.edu/facpubs/704/>

<sup>8</sup> Executive Order 13929, Safe Policing for Safe Communities, 2020

<sup>9</sup> Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety, 2022

records of officers.<sup>10</sup> While both E.O. 's are directed at federal law enforcement agencies, they are tied to grant funding for local law enforcement agencies. These E.O. 's make funding available for local law enforcement projects that track termination of officers and revocation of their licenses while also tracking use-of-force issues. The recent E.O.s also identified additional funding to ensure policies and training are provided for de-escalation, use of force (prohibition of chokeholds), and creating performance measures and early warning systems. Some of these policies are evident in our examination found in this peer POST review.

## State Oversight

At the state-level, there is a wide diversity of law enforcement regulatory structures, but all 50 states have a POST with common features – enabling statutes, authority to adopt administrative rules, operational functions to carry out statutory and regulatory requirements, and a way to enforce compliance with those requirements.

In Texas, before there was TCOLE, there was the Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE) was created by an act of the 59th Legislature in 1965.<sup>11</sup> Senate Bill (SB) 236, which became effective on August 30, 1965, did not appropriate any funds for operations and funding was provided from private foundations and federal grants<sup>12</sup>. The following legislative session passed appropriations to fund an executive director and three staff members. Since then, the Commission's name was changed, and TCOLE has grown in staff and responsibilities.

Today, TCOLE has jurisdiction over peace officer licensing standards and training requirements and oversight of local LEAs.<sup>13</sup> TCOLE also licenses jailers and telecommunicators. Like any state agency, TCOLE is charged by the public to ensure that the Texas government operates in the best interest of Texans through openness and efficiency.<sup>14</sup> TCOLE's mission 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.<sup>15</sup>

## Non-Governmental Oversight

The International Association of Directors of Law Enforcement Standards and Training (IADLEST) is a non-governmental organization that has been in existence for 51 years. IADLEST provides accreditation for agencies, and academies but also hosts the only national registry of licensure and licensure revocation actions relating to officer misconduct: the National Decertification Index

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<sup>10</sup> Kaste, M. (2022, May 25). Biden has a new executive order on policing, 2 years after George Floyd was killed. NPR. Retrieved July 3, 2022, from <https://www.npr.org/2022/05/24/1101080553/biden-has-a-new-executive-order-on-policing-2-years-after-george-floyd-was-killed>

<sup>11</sup> [https://en.wikipedia.org/wiki/Texas\\_Commission\\_on\\_Law\\_Enforcement](https://en.wikipedia.org/wiki/Texas_Commission_on_Law_Enforcement), citing, [https://web.archive.org/web/20120219235317/http://www.tcleose.state.tx.us/content/tcleose\\_history\\_detail.cfm](https://web.archive.org/web/20120219235317/http://www.tcleose.state.tx.us/content/tcleose_history_detail.cfm)

<sup>12</sup> Texas Commission on Law Enforcement, "TCOLE History" available at <https://www.tcole.texas.gov/content/tcole-history>

<sup>13</sup> Tex. Occ. Code § 1701.151.

<sup>14</sup> The Office of the Attorney General of Texas, *Texas Administrative Law Handbook 2020*: Letter of Introduction by Attorney General Ken Paxton. Austin, Texas: The Administrative Law Division of the Office of the Attorney General of Texas, 2020.

<sup>15</sup> Texas Commission on Law Enforcement, *Self-Evaluation Report*: Key Functions and Performance. Sunset Advisory Council. Texas, 2021.

(NDI).<sup>16</sup> Created in 2000 and funded by the DOJ, the NDI contains voluntarily provided information on officers who have been decertified by participating LEAs. This national database of decertified officers is a more limited version of the organization recommended by E.O. 14074 for tracking problematic officers across state lines.<sup>17</sup> Future expansion of the NDI or creation of related databases is currently under consideration by the federal government and IADLEST.<sup>18</sup> While IADLEST maintains that any officer's inclusion in the database does not necessarily preclude that officer from appointment as an officer, TCOLE does not provide data to the NDI.

## Peace Officers Subject to Both Employer and POST Oversight

POSTs govern licensing standards for peace officers. LEAs govern their own decisions regarding hiring, firing, and disciplining of peace officers. Law enforcement agencies may hire individuals if they are not disqualified from obtaining a license or employ peace officers that have already been issued a license due to prior employment at another agency.

In specific situations, a peace officer's license may be revoked by a POST. Generally, revocation is reserved for the most serious types of police misconduct such as conviction of a felony or certain misdemeanors. Valid peace officer licenses may be retained over the course of an officer's career until they no longer work for a law enforcement agency. An officer's termination of employment at a law enforcement agency may be for cause or related to a serious allegation of misconduct; neither will necessarily impact the status of their POST-issued license.

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<sup>16</sup> IADLEST.org

<sup>17</sup> NDI is a mechanism that allows for state POST flexibility and national accountability. State governments set their state's standards for licensing and revoking peace officer licenses. This practice is sometimes referred to as certification and decertification of peace officers. A POST-issued license or certification is required to legally work as a peace officer. In 2000, the International Association of Directors of Law Enforcement Standards and Training ("IADLEST") created the National Decertification Index ("NDI"). NDI contains the officer's name, the decertifying agency, and the reason for decertification. It operates as a pointer system identifying the decertifying agency as a source for more information. Records that would explain the basis for decertification may be retained in POSTs, at the LEA, or both. Each state's law determines if the records can be released. Forty-four states currently report to the NDI, but the data contained in the NDI are not publicly available.

<sup>18</sup> Recently, the Biden administration has issued Executive order that establishes a National Law Enforcement Officer Accountability Database for federal officers. It will include sustained complaints, disciplinary action for serious misconduct, and resignations or retirements occurring amid serious misconduct investigations. There is also an on-going NDI Expansion Program by IADLEST to expand the registry. The National Association of Police Officers reports that they have attended an advisory committee session to discuss expansion of the NDI. (<https://www.iadlest.org/our-services/ndi/about-ndi>)



There is growing awareness that some peace officers with concerning employment histories that do not rise to the level of license revocation, may obtain new law enforcement appointments. They are eligible for hire as peace officers at other law enforcement agencies because they continue to possess a valid license despite their work history. To determine a potential hire's suitability, LEAs are dependent on their ability to conduct robust background investigations to assess a candidate's tenure at their prior agency. This is resource intensive for LEAs but potentially perilous to ignore given the resulting criticism that stems from a damaging incident involving a known discredited peace officer.<sup>19</sup>

Officers that secure employment at a law enforcement agency despite having been fired by their previous employer have been labeled as "wandering officers."<sup>20</sup> Wandering officers may be more expansively defined to include peace officers that were fired or left their agency under a disciplinary cloud.<sup>21</sup> Both definitions raise the wandering officer issue that law enforcement agencies may hire already-licensed peace officers despite concerning employment backgrounds or without knowing their background. Limited authority of POSTs may contribute to the wandering officer issue. Dual governance of professional standards for peace officers also contributes to the wandering officer issue. Individual state POSTs are empowered by laws to

<sup>19</sup> Chung, Christine. "Cleveland Officer Who Killed Tamir Rice Swiftly Exits New Police Job." New York Times, 7 July 2022. <https://www.nytimes.com/2022/07/07/us/tamir-rice-timothy-loehmann-pennsylvania.html>.

<sup>20</sup> Grunwald and Rappaport, *The Wandering Officer*, supra note 1.

<sup>21</sup> Dorothy Moses Schultz, "Wandering Cops: How States Can Keep Rogue Officers from Slipping Through the Cracks", 2022, and Peace Executive Research Forum, "Hiring for the 21st Century Law Enforcement Officer", 2015.

create a professional and accountable law enforcement culture. Wandering officers undermine that professional accountability and strain transparency.

## Comparing TCOLE to Peer State POSTs

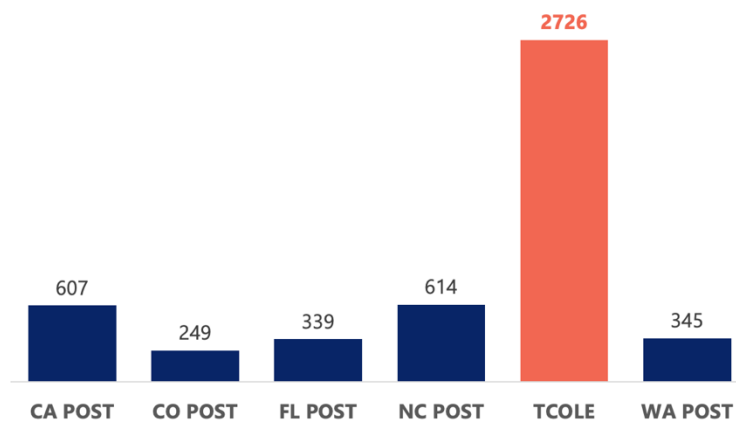
### Jurisdictional Comparison

To compare Texas against its peers, five state POSTs, California, Colorado, Florida, North Carolina and Washington, were chosen. The POSTs were selected by considering the state's size according to population and geography, racial and ethnic diversity, along with POST agency size and oversight responsibilities. The following three sections (POST Oversight, State Similarities and POST Statutory Comparison) contextualizes the variables that challenge LEAs to provide a professional and transparent workforce responding to calls for assistance in real world situations. The key variables reveal gaps in accountability measures, most notably, issues surrounding hiring and firing of wandering officers.

#### 1. POST Oversight – Total # of Agencies

A snapshot “Census of State and Local Law Enforcement Agencies” in 2008 (updated in 2011) showed that Texas had by far the most LEAs of any state, outpacing all others.<sup>22</sup> LEA information for peer states illustrates the number of LEAs currently overseen and regulated by the POST. The comparison below revealed that TCOLE's oversight stretches to thousands of agencies, while CA and FL range between 300 and 600 agencies.

#### Total Number of Agencies Subject to Post Oversight



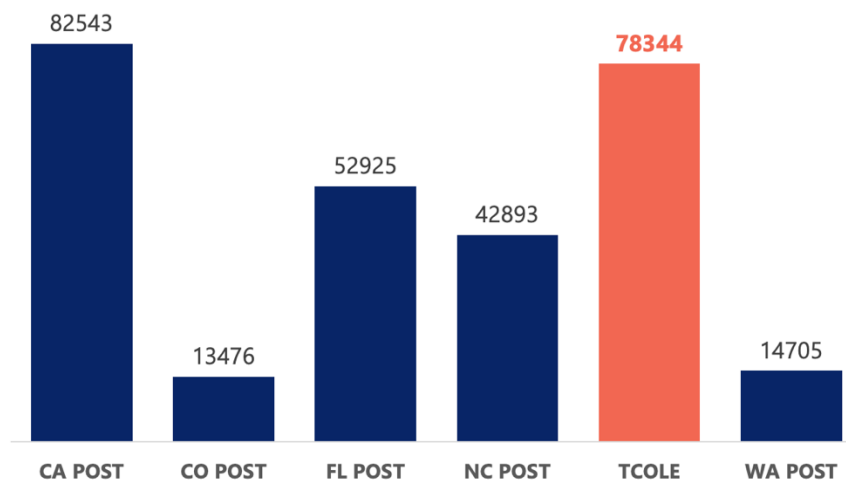
<sup>22</sup> Brian A. Reaves, *Census of State and Local Law Enforcement Agencies, 2008*, U.S. Department of Justice, July 2011.



## 2. POST Oversight - Total # of Licensed Peace Officers

The total number of active officers certified under POST authority were found on POST websites and POST responses to inquiries. The comparison revealed that TCOLE was a close second to CA in sheer numbers of officers, CA totaling 82,543 and TCOLE at 78,344.

### **Total Licensed Peace Officers**



In practical terms, TCOLE's oversight duties are amongst the largest in the peer group states. TCOLE is required to register law enforcement agencies for them to employ law enforcement personnel and lacks authority to deny registration.<sup>23</sup> Also, TCOLE is not empowered to revoke their registration.<sup>24</sup> Thus, TCOLE does not have meaningful control over the growing proliferation of agencies and their actions. Many agencies are small and may face resource constraints regarding misconduct investigations and disciplinary issues. 60% of Texas law enforcement agencies have a staff with 10 or fewer law enforcement personnel and limiter resources for employment decisions.<sup>25</sup> Moreover, the interpersonal relationships of agencies of 10 or fewer seemingly exponentially increase the potential for conflicts of interest and cannot be resolved through the reallocation of duties.

<sup>23</sup> Tex. Occ. Code § 1701.163.

<sup>24</sup> 2021 TCOLE Sunset Report, 17.

<sup>25</sup> *Id.* at 15.

### 3. POST Budget and Staffing

COMPARISON OF POST BUDGET AND STAFFING						
	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
<b>FY 2021</b>	\$86,911,000	\$5,475,012	\$13,391,291	\$2,186,678	<b>\$4,127,204</b>	N/A
<b>FY 2022</b>	\$110,166,000	\$5,765,041	\$17,539,373	\$2,879,286	<b>\$5,924,431</b>	\$36,000,000
<b>Full-Time Employees (2022)</b>	263	15	104	24	<b>68</b>	83

Despite TCOLE having more agencies to oversee and one of the highest # of licensed officers in the peer states, the budget allocation is second to lowest in comparison to other peer budgets.<sup>26</sup> On average, POSTs receive \$711 for every licensed officer overseen; TCOLE receives only \$53 per officer (the second lowest of all peer comparison states). Relative to number of LEAs, the peer POST average is \$52,349 per LEA overseen; TCOLE receives \$1,514 per LEA. Relative to the state population served, the peer POST average is \$1.49 per citizen; TCOLE receives \$0.14 per citizen. Across the three budget ratios—LEAs, officers, population—TCOLE has the lowest budget or second lowest for all. The peer comparison of the number of FTEs fares no better. TCOLE's low annual budget allocation and FTE count may account for significant barriers to achieving their mission to ensure that the people of Texas are served by highly trained and ethical law enforcement.

## Demographic Comparison

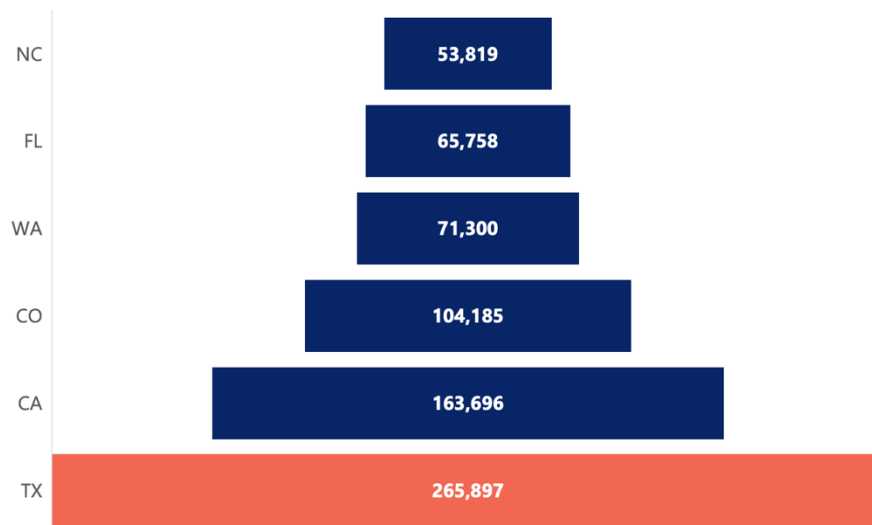
### 1. State Comparison - Size and Population

Comparative peer state information provides a framework distinguishing Texas's demographic and geographic characteristics from the other POST peer states. CA leads with the highest population and Texas follows in second place. Texas leads in state size, followed by CA and CO. CA and CO POST directors both expressed during interviews that expansive geographic areas challenge POSTs resources. Their shared experiences exposed not only POST challenges, but also individual LEA challenges based upon the distance to POST headquarter locations, training academies and exam centers. They also shared the challenges specifically with respect to in-person hearings and the required attendance of POST staff or agency staff.

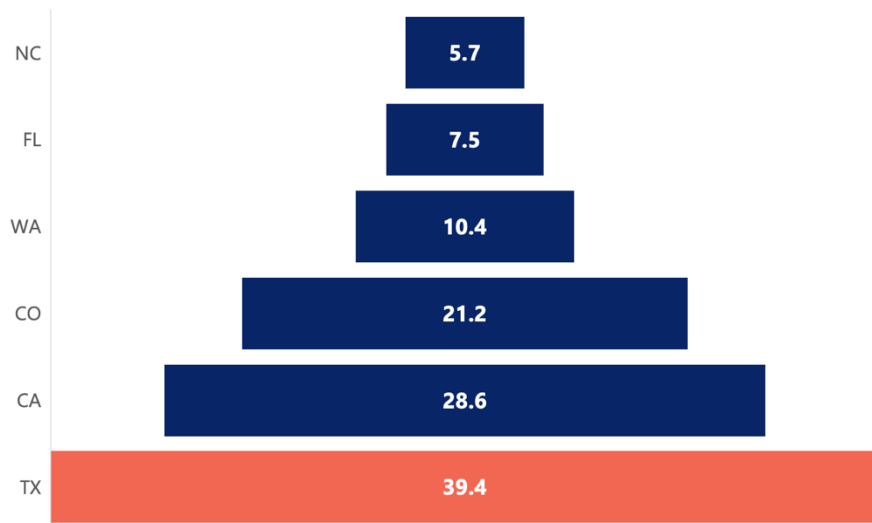
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<sup>26</sup> The Washington POST budget includes operation of a training academy, the only POST in the comparison set to do so.

### State by Geographic Size (Miles)



### State by Population (Millions)



## 2. State Comparison - 2020 Census Diversity Index By Race and Ethnicity

2020 CENSUS DIVERSITY INDEX BY RACE AND ETHNICITY								
2020	White	Hispanic/ Latino	Black	Asian	American Indian or Alaska Native	Native Hawaiian or Pacific Islander	2 or More – Not Hispanic or Latino	Total
CA	35%	39%	5%	5%	0%	1%	4%	100%
CO	65%	22%	4%	3%	1%	0%	5%	100%
FL	52%	27%	15%	3%	1%	0%	4%	100%
NC	61%	11%	20%	3%	1%	0%	4%	100%
TX	40%	39%	12%	5%	0%	0%	3%	100%
WA	61%	11%	20%	3%	1%	1%	4%	100%

Once again Texas and California closely align when it comes to largest racial and ethnic groups, and the remaining peer states follow closely in most racial and ethnic categories.<sup>27</sup> Understanding custom, culture, and language play a large part in effective policing.

LANGUAGES SPOKEN IN HOMES	
LA	185
Miami	128
Dallas	156
Houston	145
Seattle	166

With nearly 40% of the population in both CA and Texas Hispanic or Latino, a closer look at languages spoken in the home is insightful. As of 2013, the US Census Bureau has tracked the number of languages spoken in the home.

Four of the peer states have over 125 languages spoken in the homes, with Texas averaging 150 different languages. These peer state comparisons of size, population, racial and ethnic diversity, along with number of LEAs and peace officers provides unique insight to each. Texas law enforcement encompasses the largest geography, the second largest non-white population and population overall.

<sup>27</sup> U.S. Census Bureau, available at <https://www.census.gov/library/visualizations/interactive/racial-and-ethnic-diversity-in-the-united-states-2010-and-2020-census.html>.

## Peer POST Statutory Comparison

The following tables illustrate key statutory requirements for peer POSTs and compare the results against TCOLE's statutory requirements. Throughout the research process, POST forms have been utilized to determine statutory compliance by both the peer POSTs and the LEAs. A total of 73 peer POST forms were reviewed. The tables are listed in order of the process of hiring a potential applicant through separation.

### 1. POST Authority to Create Minimum Standards for Hiring and Licensing

POST licensure standards serve as a gatekeeping function for LEAs. TCOLE serves key functions that maintain professionalism through training requirements, licensure of applicants, approving new LEAs that meet legislative standards, and maintaining a database of licensee and agency records.<sup>28</sup> Yet, TCOLE notes that its Credentialing Division – tasked with the issuance of licenses from more than 2700 local units of government – is “a reactive function dependent upon local factors such as budgets, community standards and politics.”<sup>29</sup> The Sunset Commission has seemingly agreed that TCOLE is constrained by the practices of local LEAs, noting that Texas has a bifurcated approach to law enforcement regulation.<sup>30</sup> TCOLE sets minimum standards for issuance and maintenance of licenses but has no control over the disciplinary standards set and enforced by local LEAs regarding their peace officers.<sup>31</sup> This separation of powers over licensing and discipline exposes a gap in the regulation of professional standards. Because the public can reasonably presume TCOLE is more fully empowered like any other professional licensing agency, TCOLE is vulnerable to the perception of ineffectiveness for individual LEA standards that it cannot control.

Table 1 identifies the key points necessary in establishing a POST authority to regulate standards and training for granting and revoking licenses in their respective states. With the recent passage of new legislation in California,<sup>32</sup> the CA POST has joined the other peer POSTs in expanding their authority to decertify licensees. TCOLE's authoritative power to revoke licenses is consistent with peer POSTs.

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<sup>28</sup> Texas Commission on Law Enforcement, *Self-Evaluation Report: Key Functions and Performance*. Sunset Advisory Council. Texas, 2021.

<sup>29</sup> Texas Commission on Law Enforcement, *Self-Evaluation Report: Issuance of Licenses, Certificates, IDs*. Sunset Advisory Council. Texas, 2021.

<sup>30</sup> 2021 TCOLE Sunset Commission Report, 15.

<sup>31</sup> *Id.*

<sup>32</sup> CA Senate Bill 2 amended PC 13503 to adopt decertification rules.

**TABLE 1: POST AUTHORITY TO CREATE MINIMUM STANDARDS FOR HIRING AND LICENSING**

<b>Research Questions:</b>	<b>CA POST</b>	<b>CO POST</b>	<b>FL POST</b>	<b>NC POST</b>	<b>TCOLE</b>	<b>WA POST</b>
Does the POST have the authority <b>set and enforce education/training standards</b> for peace officers?	Y	Y	Y	Y	Y	Y
Does the POST have the authority <b>to grant and remove certification/licensing</b> ?	Y	Y	Y	Y	Y	Y
Does the POST <b>prescribe minimum statewide standings</b> for hiring agencies?	Y	Y	Y	Y	Y	Y

## 2. Statutory Pre-Hire Requirements

All applicants must be able to perform the demanding work of law enforcement. Various stressors associated with the very nature of the job may restrict someone's ability to perform their job. Becoming physically fit can be developed, but pre-existing medical/mental issues, substance use, criminal histories and prior law enforcement experience all impact an agency's decision to hire an application. Table 2 provides insight for pre-hire requirements specific to background checks, fingerprint requirements, applicant waivers and reporting requirements by applicants and agencies to POST. All POSTs have similar requirements.

Information contained on officer separation forms — the F-5 in Texas — is used in the hiring process for verification of previous law enforcement employment. However, in Texas, the F-5 form is required to be requested by hiring LEAs with no mandate on how to use the contained information.<sup>33</sup> Additionally, a hiring LEA in Texas must contact each previous employing LEA and request the personnel files.<sup>34</sup> As the state provides no guidance on examination of the records lackluster review of the obtained records and mere contact with the prior LEA could be the launch pad for wandering officers to enter and compete in the applicant pool and avoid scrutiny of past acts of misconduct. LEAs performing mere acquisition of the F-5, followed by perfunctory or unproductive contact with previous employers can contribute to the hiring of wandering officers.

<sup>33</sup> TCOLE consolidates multiple F-5s for licensees across their employment history into an F-5R.

<sup>34</sup> See Appendix 4 - TSS Flowchart.

**TABLE 2: STATUTORY PRE-HIRE REQUIREMENTS**

Research Questions:	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
Are applicants or employing agencies <b>required to report</b> to the POST of a pre-applicant candidate?	Y	Y	Y	Y	Y	Y
Is <b>proof of background check</b> required?	Y	Y	Y	Y	Y	Y
<b>Fingerprints required?</b>	Y	Y	Y	Y	Y	Y
Are applicants <b>required to sign a waiver</b> to release records of prior employment?	Y	Y	Y	Y	Y	Y

### 3. POST Mandated Use of NDI Prior to Offer of Employment

POST mandated use of the NDI prior to providing an offer of employment is a key recommendation to address the wandering officer problem<sup>35</sup>. However, merely checking the NDI for inclusion of an officer is ineffective unless the agency follows up. Agency level accountability for the lack of NDI use during the hiring process curtails wandering officers. Four of the six POSTs explicitly require the use of the NDI to identify an officer's inclusion; TCOLE is not one of them. CA and NC POSTs explicitly prohibit hiring an officer identified on the NDI.

**TABLE 3: MANDATED USE OF NDI FOR APPLICANTS**

Research Questions:	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
Is there an <b>explicit requirement</b> that LEA must use NDI to evaluate applicants?	Y	N	Y	Y	N	Y
Must the applicant <b>disclose prior law enforcement</b> employment to prospective LEA?	Y	Y	Y	Y	Y	Y
Are <b>LEAs prohibited from hiring</b> an applicant named on NDI?	Y	N	N	Y	N	N
Is there an <b>override process</b> that LEA can invoke to nonetheless hire?	N	N	N	N	N	N

During the additional analysis of the TCLEDDS dataset under Part Three below, Texas 2036 identified roughly 700 TCOLE licensees who began their law enforcement career either out of state or with a federal law enforcement agency.

<sup>35</sup> Ben Grunwald, John Rappaport, "The Wandering Officer" Yale Law Journal, 2020, Dorothy Moses Schultz, "Wandering Cops: How States Can Keep Rogue Officers from Slipping Through the Cracks", 2022, Peace Executive Research Forum, "Hiring for the 21<sup>st</sup> Century Law Enforcement Officer", 2015.



#### 4. LEA Notification of Appointment to POST

All POSTs have a requirement to be notified by a hiring LEA when an offer of employment or an appointment is made. Table 4 queries the types of required information included on a mandatorily submitted form to state POSTs. All POSTs have a reporting deadline that varies widely. Some forms require verification of a background check and fingerprint process, some do not. CA is the only POST which uses the same form for both notifications of appointments and separations<sup>36</sup>. FL POST requires the form be notarized.<sup>37</sup>

TABLE 4: LEA NOTIFICATION OF APPOINTMENT TO POST						
Research Questions:	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
Is the <b>hiring agency</b> required to report new hires to POST?	Y	Y	Y	Y	Y	Y
Is there a <b>deadline</b> to report?	Y	Y	Y	Y	Y	Y
Is <b>proof of background check</b> required?	Y	Y	Y	Y	Y	Y
<b>Fingerprints required?</b>	Y	Y	Y	Y	Y	Y
Is there a <b>call-out for hires</b> that involve a person that previously served as an officer?	Y	Y	Y	Y	Y	Y

TCOLE's appointment form appears to require the most comprehensive list of information and distinguishes the form for new hires or already licensed officers. It also documents overt verification that all required and previously submitted documentation (L-1 through L-5 forms) and processes have been completed, i.e., completed criminal history check, fingerprints, medical and psychological test, personal history statement, background confirmation form. Fewer required forms may streamline the notification of the appointment process.

<sup>36</sup> Implementation of CA SB2 will require separate forms to be used in 2023 and forms to be attested to under oath.

<sup>37</sup> See Appendix 3 - POST forms

## 5. POST Requires Notice of Separation from LEAs

All POSTs require LEAs to report that an officer is no longer employed by that agency. The reviewed forms indicate that each POST includes different types of information. Some POST forms are required to be notarized, attested to, or certified by the agency signer. Only FL requires the form be signed as an affidavit and notarized under penalty of law. All POSTs have a required deadline to submit the form.

Texas LEAs are required to report the termination of a peace officer's employment to TCOLE on the F-5 form. TCOLE's F-5 form mandates the agency to categorize the reason for separation by choosing one of three types identified as honorable, general, and dishonorable. In contrast, **all other POSTs require the LEA to choose a specific factual reason for the separation** such as; resigned pending complaint, charge or investigation, or retired pending complaint, charge or investigation or felony/serious crime conviction or discharge, resigned in lieu of termination, those options are factual.

For hiring purposes, the F-5 is paired with an applicant's signed release to make their separation notices available to hiring agencies. The reliance on the F-5 combined with an applicant's release of records may be insufficient to identify wandering officers as problematic hires.

TABLE 5: POST REQUIRES NOTICE OF SEPARATION FROM LEAs						
Research Questions:	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
Are <b>law enforcement agencies</b> required to report that an officer is no longer employed?	Y	Y	Y	Y	Y	Y
Is there a <b>deadline to report</b> ?	Y	Y	Y	Y	Y	Y
Is a <b>particular form</b> used for reporting?	Y	Y	Y	Y	Y	Y
Is there an indication that the <b>report of separation</b> is an affidavit or attested to by the submitting agency?	Y	N	Y	Y	N	Y

## 6. Licensure and Revocation Implications

The public does not have the choice of which peace officer responds to their call for help. Both the POST and the hiring LEA are standing in the public's shoes when a decision is made to hire or fire, license a peace officer, or revoke a peace officer's license. It is incumbent on the POST and the hiring LEA to complete a full and thorough vetting of officers on behalf of the public.

Hiring LEAs build and enhance public trust through their choice of hires. Any additional POST scrutiny of a LEA hire underscores its responsibility to the public.

The process for suspending or revoking an officer's license is as important as the process for granting a license. In Texas, TCOLE suspends the license of peace officers when two dishonorable discharges are documented and reported to TCOLE on the F-5.<sup>38</sup> Upon notification of a second dishonorable discharge, TCOLE suspends the licensee, and may revoke the license on this basis if the discharge designation withstands a challenge by the officer<sup>39</sup>. Texas officers can challenge their general or dishonorable discharges and attempt to avoid accumulating two dishonorable discharges. This creates the opportunity to rehabilitate their professional record for subsequent employment.

The chief administrator of the LEA attests to the truthfulness and accurateness of the designation of discharge on the F-5 form. TCOLE challenges to attestation are unlikely because TCOLE is not authorized to review disciplinary action taken by a LEA against a licensed peace officer.<sup>40</sup> In April 2022, TCOLE issued a Technical Assistance Bulletin regarding the choice of discharge designations by agency heads and advised that the designation is a subjective rating by the chief administrator which TCOLE will treat with deference.<sup>41</sup>

Subsequently, a Texas District Attorney's office has formally requested an opinion from the Texas Attorney General as to whether an intentional and knowing false entry on the F-5 is criminally prosecutable for tampering with an official government record.<sup>42</sup> These recent developments underscore the tension between the LEA's determination of discharge designation and whether one could enforce the attestation provision. Agency heads must acknowledge serious disciplinary matters within their knowledge purview and make consistent selections for the designation of separation.

In practice, the F-5 process has only resulted in nine license revocations in the last five fiscal years, despite TCOLE receiving notice of over 2,800 dishonorable discharges during the same time. The Sunset Commission described receiving a second dishonorable discharge as a "rarity."<sup>43</sup> Peace officers can file a petition for correction of their F-5 designation. This petition is filed with the State Office of Administrative Hearings (SOAH) to initiate a contested hearing process. TCOLE is not a party to the hearing, yet as the repository of F-5s, must monitor the hearing process and comply with its outcome. The LEA is a party to the hearing and carries the burden of proof to defend their designation by a preponderance of evidence standard. As the outcome impacts a *former* employee, the agency may be less invested in the outcome.

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<sup>38</sup> Tex. Occ. Code §1701.4521.

<sup>39</sup> Tex. Occ. Code §1701.4521(c).

<sup>40</sup> Tex. Occ. Code §1701.457.

<sup>41</sup> See Appendix 11.

<sup>42</sup> See Appendix 12.

<sup>43</sup> 2021 TCOLE Sunset Commission Report, 16.

**TABLE 6: LICENSURE AND REVOCATION IMPLICATION**

<b>Research Questions:</b>	<b>CA POST</b>	<b>CO POST</b>	<b>FL POST</b>	<b>NC POST</b>	<b>TCOLE</b>	<b>WA POST</b>
<b>Disqualifying conditions</b> that serve as mandatory basis to deny license?	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>
Are <b>LEAs barred from hiring</b> (or retaining) applicant if license is denied?	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>
Is <b>criminal conviction</b> a disqualifying basis?	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>
<b>Only felonies?</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>
Does POST have authority to <b>deny or cancel license</b> based on applicant's untruthfulness?	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>

## Public Reporting of Arrests and Misconduct

Reporting of officer misconduct is an important building block for increasing transparency and public trust. Officers who have been arrested can be an indication of problems within law enforcement agencies and can tarnish the reputation of policing overall. Serious sustained misconduct is a similarly problematic condition to avoid in officers. By increasing transparency and accountability around officers engaged in such misbehavior, POSTs and LEAs can improve trust over the long-term and remove the power of such officers to misbehave in the name of the government. The following subsections discuss arrests and misconduct reporting broadly as well as public facing databases for accountability through transparency.

How LEAs handle discipline of officers who are arrested should be in the interest of their state POST.<sup>44</sup> TCOLE should consider tracking data on peace-officer committed crimes and the way LEAs investigate the officer's actions associated with their arrest. TCOLE has the authority to suspend the license of a person arrested or indicted for a felony if it constitutes an immediate peril to public safety if the person were to remain licensed.<sup>45</sup> Fundamentally, arrest is a precursor to possible license action or decertification and monitoring the outcome of arrest-associated misconduct cases could strengthen the license revocation process. Monitoring a LEA's follow-up to arrests provides TCOLE with a point of comparison for LEAs confronting a similar incident.<sup>46</sup> Additionally, further Benchmark analysis may be able to assess whether TCOLE records a LEA or a licensee's failure to report arrests to TCOLE. Felony conviction is a basis for adverse actions against a license, notifications of arrest should be associated with the beginning of that process.

<sup>44</sup> Liederbach, John; Stinson, Philip M.; and Wentzlof, Chloe A., "Police Crime in Rural Areas Across the United States" (2022). Criminal Justice Faculty Publications. 124.

<sup>45</sup> 37 Tex. Admin. Code § 223.18.

<sup>46</sup> Stinson, Liederbach, Lab (2016). *Peace Integrity Lost: A Study of Law Enforcement Officers Arrested*, unpublished manuscript submitted to US DOJ, 15.

## 7: Officer and LEA Duty to Report (Excluding Pre-Hire, Appointment and Separation Reporting)

The requirement for LEAs and individual officers to report instances of behavior which may negatively impact the officer's licensure to their POST is key to ensuring those serving and protecting are doing so with the highest standards.

In four POSTs, officers are required to report a variety of information; only two, TCOLE and WA, require the officer to report an arrest, charge, or indictment. This requirement is significant in that officers may be arrested outside of their licensing state and will still be required to report their misconduct. When misconduct occurs within their state, there are requirements for agencies to directly report to the POST. In addition, current events which occur within a state are reflective of on-going changes to policies, procedures, and laws that direct peace officer's behavior as experienced by CO POST.<sup>47</sup>

TABLE 7: OFFICER AND LEA DUTY TO REPORT (EXCLUDING PRE-HIRE, APPOINTMENT AND SEPARATION REPORTING)						
Research Questions:	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
Officer <b>self-reporting requirements</b> to POST (in addition to pre-hire)	N	Y*	N	Y**	Y***	N
Agency <b>reporting requirements</b> to POST (in addition to pre-hire)	Y (Arrest)	Y (Arrest)	Y (Misconduct investigation results)	Y**	Y (Arrest)	Y (Arrest and UoF)
* Reporting another officer's use of Ketamine ** Giglio (Untruthfulness) and Critical Incident (Use of Force) *** Report to commission any arrest, charge or indictment For a criminal offense						

## 8. Public-Facing Database for Peace Officer License Status

TABLE 8: PUBLIC FACING DATABASE FOR PEACE OFFICER LICENSE STATUS						
	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
Public-facing database information regarding certification and decertification	N	Y 1 CLICK	N	Y 2 CLICKS	N	Y 2 CLICKS

<sup>47</sup> <https://www.denverpost.com/2021/02/02/jeremiah-axtell-lawsuit-ketamine-colorado-elijah-mcclain/>

Some of the peer POSTs have been required by law to provide public-facing databases to track licensure and revocation. Some POSTs have a robust collection and reporting system, and some do not. TCOLE and FL POST do not have any public-facing database information. The implementation of new legislation in California requires a plethora of shared public records; however, the requirement for a revocation database was not specified. The following diagrams illustrate the different POST databases' readily available information to the public and the number of clicks it takes the reader to get to the actual database. It should be noted that other POSTs use different nomenclature when referring to a peace officer's license revocation; "decertification" is used rather than revocation. Ultimately, decertification "revokes" a peace officer's valid license.

POST agencies providing this type of transparency and information are creating strong bonds of trust and confidence with the public. The public can check records for peace officers in their community to ensure they are in good standing.

## Data Submission Mechanisms

### 9: Electronic Form Submissions

POSTs need information to fulfill their mandated responsibilities and duties. Collecting officer and LEA information in formats that are usable, functional, and scalable are essential. Collecting paper and emailed PDF reports and storing them in file cabinets is relatively antiquated compared to the latest developments in data collection and analysis. However, these methods of capturing and storing data still exist in law enforcement. In five of the compared POSTs, that methodology is still used. COLE's electronic system is called Texas Secure Share (TSS).<sup>48</sup>

TABLE 9: ELECTRONIC FORMS SUBMISSIONS						
	CA POST	CO POST	FL POST	NC POST	TCOLE	WA POST
<b>Forms Required to be submitted to POST</b>	Post Electronic Data Interchange (EDI) System and Email	Electronically and Email	Automated Training Management System (ATMS)	Email and Mail	TSS System, Email and Mail	Email

In some states, new legislation has required POSTs to capture and analyze data on officer hiring, training, licensure, and misconduct. The need for a robust and state of the art data collection and analytical system has moved to the forefront of law enforcement needs. Compiling officer

<sup>48</sup> See Appendix 4 - Texas Secure Share Flowchart

data with broad capabilities will reduce human error, reduce the number of times staff touch the same piece of paper and make the collection of data actionable which ultimately holds the officer, the LEA and the POSTs accountable.

## Recent Legislative Actions: Texas and California

A sworn, licensed peace officer's career has a pre-employment phase, a pre-commissioned phase, a period of active employment as a fully empowered and credentialed peace officer, and separation of employment from their agency. Each phase has milestones to gauge compliance with standards of professional conduct. An officer's career-long compliance with professional standards and their employing agencies' enforcement of standards, supported by disciplinary records, are essential to identifying potential wandering officers. Recent legislative changes in Texas and California strengthen measures to identify wandering officers and better scrutinize their employment history.

In Texas, the Legislature passed Senate Bill 24 regarding employment records and pre-employment procedures. The bill is intended to be a mechanism to discourage LEAs from rehiring wandering officers without a full evaluation of their disciplinary records. It established a system for electronic record sharing between departments, and imposed serious consequences for agency heads that failed to comply. During the bill's passage, it was observed that the F-5 process was inadequate to deal with the problem.<sup>49</sup>

Prior to 2021, California was one of four states lacking a process to revoke a peace officer license for serious misconduct. This was not always the case. In 1982, California was the 9th state to enact decertification authority to the POST.<sup>50</sup> In 2003, after opposition to CA POSTs ability to investigate police officer misconduct, California became the only state where the authority to decertify law enforcement officers was reversed to a limited revocation authority.<sup>51</sup>

Recently, CA Senate Bills 2 and 16 have reversed course by increasing CA POST's authority regarding peace officer misconduct and license revocation with the support of the California Chiefs of Police Association.<sup>52</sup> CA SB 16 in particular requires retention and access to peace officer records ensuring information regarding an officer's adherence or deviation from standards. For example, agencies must retain records with no sustained findings for 5 years.<sup>53</sup>

CA SB 2 requires agencies report to the POST:

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<sup>49</sup> CBSnews.com, Texas Senate Unanimously Passes Bill Aimed at Keeping Bad Officers from Moving to Other Departments, March 31, 2022.

<sup>50</sup> Cal. Penal Code Section 13510.0 (West 1982)

<sup>51</sup> Goldman, Roger L., and Steven Puro, Revocation of Police Officer Certification: A Viable Remedy for Police Misconduct? 45 St. Louis L.J. 541, at 564-565 (2001).

<sup>52</sup> "CPCA Platform: CA Leading the Way" CA Police Chiefs Association, June 18, 2020,

<https://cpca.memberclicks.net/assets/media/CPCA%20Platform%20CA%20Leading%20the%20Way%206-19-20.pdf> (accessed Sept 3, 2022)

<sup>53</sup> Peace Officers: Release of Records, S.B., 16, 2021-2022 Regular Session, Section 3 of S.B. 16 amending Section 832.7 of the Penal Code, 2021



- Receipt of a complaint that could result in decertification/revocation.<sup>54, 55</sup>

CA SB 2 establishes:

- Basis for disqualification from employment as peace officer,
- Grounds for decertification/revocation that include termination for cause and serious misconduct,<sup>56</sup> and
- A process for decertification/revocation of peace officers.<sup>57</sup>

CA SB 2 enhances agency obligations regarding misconduct investigations by requiring:

- Completion of misconduct investigations for serious misconduct whether a peace officer is employed or no longer an employer, and
- CA POST will review the investigation and may conduct its own investigation.<sup>58</sup>

There are additional enhancements to CA POST authority worth noting because they support professional standards:

- Every background investigator must complete POST-certified training to conduct investigations with according to standards,
- The required Affidavit of Separation is submitted by Chief Executives under penalty of perjury,<sup>59</sup> and
- Any person previously employed in law enforcement, if listed in the National Decertification Index, is disqualified from license.<sup>60</sup>

As a result of the passage of SB 2, the CA POST is now empowered to raise the standards for licensure, monitor conduct of licensees, and enhance professional standards at the LEAs they oversee.

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<sup>54</sup> Definition of "serious misconduct" is in development by CA POST pursuant to their authority.

<sup>55</sup> *The Kenneth Ross Jr. Peace Decertification Act of 2021*, S.B., 2, 2021-2022 Regular Session, Section 15 amending the Penal Code Section 13510.9.

<sup>56</sup> Definition of "serious misconduct" is expected by Jan. 1, 2023. Minimum standards of serious misconduct were specified by the legislation for inclusion.

<sup>57</sup> *The Kenneth Ross Jr. Peace Decertification Act of 2021*, S.B., 2, 2021-2022 Regular Session, Section 2.

<sup>58</sup> *The Kenneth Ross Jr. Peace Decertification Act of 2021*, S.B., 2, 2021-2022 Regular Session, Section 1.

<sup>59</sup> California Penal Code 13510.9

<sup>60</sup> *The Kenneth Ross Jr. Peace Decertification Act of 2021*, S.B., 2, 2021-2022 Regular Session, Section 1.

## Findings and Recommendations

This POST peer comparison shines a light on similarities and differences in the authority, duties, and responsibilities between the six POST agencies. This review of best practices among other states informs the following findings and recommendations.

1. **Finding:** The number of agencies that TCOLE oversees is disproportionately higher than POSTs of peer states while receiving disproportionately fewer funds.
  - a. **Recommendation:** The Texas Legislature should increase funding to TCOLE to ensure it has resources that are properly proportionate to the agency's oversight responsibilities. The Legislature should also consider ways to address the uniquely large number of law enforcement agencies in Texas.
2. **Finding:** A significant number of officers come to Texas LEAs from out of state and federal agencies. Texas law does not currently require the use of the NDI for LEAs conducting background checks for officer licensure, nor does TCOLE conduct an NDI review.
  - a. **Recommendation:** The Texas Legislature should explicitly mandate the use of NDI and provide necessary rulemaking authority to TCOLE for NDI usage. Amending rules to include a mandatory review of the NDI by hiring LEAs prior to hiring and before any license is granted enhances professional standards and may deter wandering officers, particularly those who move to Texas from other states.
3. **Finding:** TCOLE's Appointment Form contains comprehensive data points and distinguishes a new hire from an already licensed officer. However, LEAs are required to submit multiple forms documenting the background requirements. TCOLE has the authority to create rules for the administration of licensure and any form change would not require legislative action.
  - a. **Recommendation:** TCOLE should review the forms LEAs are required to submit with the goal of reducing redundancies and potential for error.
4. **Finding:** TCOLE's Notice of Separation Form (F-5) discharge information is insufficient to determine an officer's reason for separation from a prior agency.
  - a. **Recommendation:** The Texas Legislature should consider revising statutory rules governing the F-5 in line with peer-state POST separation forms that require only specific fact-based information.
5. **Finding:** Texas law and TCOLE have requirements for both LEAs and peace officers to report any peace officer arrested. Other POSTs require a broader set of reporting on other serious misconduct, along with any reports of untruthfulness and/or use of force.
  - a. **Recommendation:** The Texas Legislature should mandate that peace officers and LEAs disclose allegations of serious misconduct to TCOLE.

6. **Finding:** TCOLE is not mandated to have a public-facing database reporting a peace officer's license status. TCOLE has an enormous responsibility to the public for ensuring that the people of Texas are served by highly trained and ethical law enforcement.
  - a. **Recommendation:** The Texas Legislature should support TCOLE's creation of a public facing searchable database identifying a peace officer's license status.
7. **Finding:** TCOLE is authorized to enter contracts for the performance of their functions and to develop and establish a system for the electronic submission of forms, data, and documents. TCOLE allows mail, email, and the use of Texas Secure Share (TSS) to accept forms submitted to them from agencies.
  - a. **Recommendation:** TCOLE should consider developing a robust data capture, analysis, and reporting system for TSS.

## PART TWO:

# The Challenge of Wandering Officers

### Background

LEAs across the country are facing unprecedented challenges in recruiting peace officer applicants. A June 2021 survey of nearly 200 LEAs by the Police Executive Research Forum found that a 5% decrease in the hiring rate coincided with an 18% increase in resignations and a staggering 45% increase in the retirement rate.<sup>61</sup> Simultaneously, LEAs are expected to raise their performance by hiring even better skilled applicants.<sup>62</sup> This can factor into how LEAs weigh competing priorities and qualifications in hiring decisions. Ultimately, LEAs often tolerate using an applicant pool that includes officers with questionable records, among them so-called “wandering officers.”

Wandering officers are peace officers that are fired (or resign in lieu of getting fired) and later find employment in law enforcement at another agency.<sup>63</sup> This contrasts with officers who resign or retire on good terms and subsequently find work at another agency. Research has not ascertained specific nationwide numbers of wandering officers because state record keeping varies widely.<sup>64</sup> The definitive research to date on wandering officers by Ben Grunwald and John Rappaport relied on more than two decades of detailed data from Florida peace officer records.<sup>65</sup> Their research showed that officers who were fired and found new work saw significantly worse outcomes compared to those who were never fired and found new work. Wandering officers are more likely to be fired again and fired for misconduct,<sup>66</sup> and they are more likely to be subjects of complaints of “moral character violations.”<sup>67</sup>

The research demonstrated that no more than 3% of Florida’s law enforcement officers employed each year fit the wandering officer designation.<sup>68</sup> However, any officer can have widespread interactions with community members, some more impactful than others, and just one instance of serious misconduct can create a significant breach in public trust and reputational damage to the hiring LEA and the profession at large.<sup>69</sup>

It is likely the case that hiring LEAs experienced a false sense of security when hiring experienced, licensed officers. Wandering officers can be attractive for hire for a few reasons.

- They are less costly than hiring other, less experienced candidates because less training and lead time is needed.<sup>70</sup>

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<sup>61</sup> Police Executive Research Forum, *Survey on Peace Workforce Trends*, Jun. 2021, <https://www.peaceforum.org/workforcesurveyjune2021>.

<sup>62</sup> The Workforce Crisis, and What Peace Agencies are Doing About It, Peace Executive Research Forum, Sept. 2019, 7.

<sup>63</sup> Ben Grunwald, John Rappaport, *The Wandering Officer*, (Yale Law Journal, 2020), 1682.

<sup>64</sup> Grunwald and Rappaport, *The Wandering Officer*, at 1683-84.

<sup>65</sup> *Id.*

<sup>66</sup> *Id.* at 1734.

<sup>67</sup> *Id.* at 1741. Florida law holds that a “moral-character violation” can include certain criminal conduct (regardless of prosecution), excessive use of force, misuse of office, sexual misconduct, and other serious violations of trust.

<sup>68</sup> *Id.* at 1687.

<sup>69</sup> Dorothy Moses Schultz, *Wandering Cops: How States Can Keep Rogue Officers from Slipping Through the Cracks*, (Manhattan Institute, 2022), 3.

<sup>70</sup> *Id.* at 4.

- The risk to the LEA's reputation and harm to community trust is not assessed.<sup>71</sup>
- Hiring LEAs may not sufficiently review disciplinary histories because the applicant is not decertified.
- The state's POST has a limited ability to provide records of prior peace officer misconduct creating a blind spot.<sup>72</sup>
- LEAs do not recognize a need for elevated supervision due to prior experience and therefore do realize a potential employment cost of enhanced supervision.<sup>73</sup>

Importantly, Grunwald and Rappaport's research characterizes where wandering officers go, and the kind of LEAs that hire them. They find that these officers "migrate to smaller agencies with fewer resources in communities with slightly higher proportions of residents of color."<sup>74</sup> This is important to bear in mind when considering Texas has a staggering number of such LEAs relative to peer states.<sup>75</sup>

Access to the reasons for officer separation are critical to fully analyze the wandering officer issue in Texas. However, because the separation information for Texas licensees is confidential,<sup>76</sup> stakeholders in the law enforcement profession and in the broader public are unable to assess the scope of true wandering officers in Texas. To compensate for the lack of transparency, this report has adopted two strategies. First, Benchmark and Texas 2036 analyzed officer movements while reviewing TCLEDDS data that excludes separation information in part three below. Second, Texas 2036 submitted targeted public information requests on F-5s and reviewing publicly available information on F-5 appeals before the State Office of Administrative Hearings.

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<sup>71</sup> Grunwald and Rappaport, *The Wandering Officer*, 1688.

<sup>72</sup> *Id.* at 1696.

<sup>73</sup> *Id.* at 1688-89.

<sup>74</sup> *Id.* at 1727.

<sup>75</sup> See Part One above.

<sup>76</sup> Tex. Occ. Code, § 1701.454.

## How Officers Wander in Texas

Efforts to combat problematic wandering officers in Texas stretch back to 1995, when statute first required the submission of reports to the state when a licensed peace officer leaves an LEA.<sup>77</sup> Once an officer leaves (either by resignation, termination, retirement, or death) the LEA's chief administrator (typically a peace chief, sheriff, or constable) is required to send an employment termination report to TCOLE. To do this, the chief fills out a "Separation of Licensee (F-5)" form promulgated by TCOLE (called an "F-5" for short).<sup>78</sup> The F-5 form requires a chief to check one of three boxes to describe the separation in terms of their "discharge" – honorable, general, or dishonorable.

If an officer receives a less-than-honorable discharge on their F-5, they are allowed to appeal by filing a petition to correct the report with TCOLE. Once received, TCOLE then sends the case to the State Office of Administrative Hearings (SOAH), where a judge hears the officer/petitioner's challenge to the LEA/respondent's discharge designation. If an officer is successful, the SOAH judge then orders TCOLE to change the F-5 to show an upgraded discharge designation. Anecdotally, stakeholders have alleged that officers who file petitions and pursue their SOAH appeal succeed in upgrading their discharge status most of the time. Relatedly, stakeholders acknowledge that LEAs frequently decline to participate in SOAH appeals, resulting in default victories for the officers seeking an upgrade in their discharge status, even in cases where an upgrade is not warranted.

Based on information provided by TCOLE, from FY2015-2022, an average of 18,049 F-5s were filed per year. On average, 15,772.5 (87.4%) were "honorable," 1,749 (9.7%) were "general," and 527.5 (2.9%) were "dishonorable." In theory, the F-5 and the discharge categories are supposed to provide notice to a future hiring chief at another LEA, with the "general" designation and especially the "dishonorable" discharge designation acting as red flags to call attention to a potentially troubled work history. In practice, the 3-level separation designation and the appeal process may frequently obscure wandering officers that warrant extra scrutiny.

### F-5 Discharge Designations

**Honorably:** Officer separated from agency in good standing.

**Generally:** Officer separated from agency and the separation was:

- (A) related to a disciplinary investigation of conduct that is not included in the definition of dishonorably discharged; or
- (B) for a documented performance problem and was not because of a reduction in workforce or an at-will employment decision.

**Dishonorably:** Officer separated from agency and the separation was:

- (A) related to allegations of criminal misconduct; or
- (B) due to officer's insubordination or untruthfulness.

<sup>77</sup> SB 1135, 74-R, (1995).

<sup>78</sup> Tex. Occ. Code § 1701.452; See also TCOLE's website for a sample form at [https://www.tcole.texas.gov/sites/default/files/FormsAppsPubs/separation\\_of\\_licensee\\_F-5\\_8.17.21\\_0.pdf](https://www.tcole.texas.gov/sites/default/files/FormsAppsPubs/separation_of_licensee_F-5_8.17.21_0.pdf).

## Wandering Officers as a Hindrance to Peace Officer Legitimacy in Texas

Due diligence regarding hiring and firing is vital to law enforcement legitimacy.<sup>79</sup> The prerequisite to handling the wandering officer issue is a credible system of red flags and interagency transparency. If serious acts of peace officer misconduct are committed by an officer who was previously disciplined or sanctioned by another LEA, the credibility of the second hiring agency is called into doubt with profession-wide repercussions. Across Texas, stories of rehired wandering officers engaging in misconduct are unfortunately common.<sup>80</sup>

Firing a peace officer is not synonymous with suspending or revoking the license of a peace officer. The employment relationship between the officer and an agency is fundamentally different from the licensing status between the officer and TCOLE. Firing and license actions each have their own standards and processes directed by different government actors. While the employer fires an officer ending the employer-employee relationship, TCOLE has the authority to revoke an officer's license. There are officers that are fired, resign in lieu of termination, or resign while under investigation for serious misconduct that do not meet the criteria for license suspension or revocation. These job seekers can reenter the market, seemingly more attractive for hire as an experience, already-licensed officer, eligible to work.



<sup>79</sup> International Association of Directors of Law Enforcement Standards and Training (IADLEST), *Model Standards for POST Administration*, 2022.

<sup>80</sup> For recent reporting on wandering officers, see, i.e. Robert Rivard, "Why do cops with dubious track records keep finding new jobs?," San Antonio Report, August 7, 2022 (<https://bit.ly/3VZSmqP>); Dillon Collier, "Honorable discharge: Officer accused of groping handcuffed woman bounced between departments despite trail of misconduct," KSAT, July 15, 2021 (<https://bit.ly/3MP9paJ>); Dillon Collier, "Arrested officer had history of discipline issues, repeated encounters with SAPD. Why was he allowed to protect and serve?," KSAT, June 17, 2021 (<https://bit.ly/3SoGGe1>); James Barragán, "He's done this before': How a Texas cop with sexual misconduct allegations kept getting hired," Dallas Morning News, May 14, 2021 (<https://bit.ly/3DjJBR5>).

Officers that do not receive an honorable discharge may remain licensed and eligible for reemployment. The discharge status at the termination of employment and the qualified reentry into the applicant pool based on licensee status are critical steps in curtailing wandering officers. TCOLE has recently updated their Desk Reference for Chief Administrators to acknowledge the critical significance of hiring an already-licensed peace officer as compared to an unlicensed applicant whose prospective employer will facilitate their licensure.<sup>81</sup>

The Desk Reference and TCOLE's hiring checklist summarize the different requirements for hiring an unlicensed applicant and a licensed applicant with an interruption in continuity of service. Specifically, the checklist identifies a protocol for hiring licensees who have had a shorter than 180-day break in service and a greater than 180-day break in service.<sup>82</sup> Licensees with a greater break in employment service are subject to more hiring requirements.

The passage of SB 24 in 2021 marks a significant step forward in requiring LEAs to conduct a robust background check of all candidates. For licensed peace officers previously employed at another agency, statute now requires the hiring LEA to contact each previously-employing LEA and review their personnel files. While the law is still new, one shortcoming arises from the wide variation in the record retention requirements that LEAs. All LEAs are required by TCOLE to maintain TCOLE-required forms for 5 years, but for other employment records such as an officer's personnel file, or agency commendations, internal affairs investigations, or adverse actions, the requirements vary widely. This variation is in part due to the wide array of entities that can establish LEAs under Texas law, including airports, private universities, and health care systems.

## Wandering Officers in Texas: The Limited Data Picture

Texas 2036 was able to obtain data on F-5s, the appeals of F-5s, and the rehiring of dishonorably discharged peace officers via public information request and other publicly available sources. Unfortunately, this data is necessarily incomplete. The confidentiality of the underlying information presents one set of obstacles in evaluating the separations of licensed peace officers. A more fundamental barrier to understanding the issue are the categories of separations themselves. Based on anecdotal feedback provided by stakeholders in the law enforcement community, the subjectivity and lack of transparency inherent to the categorical descriptions of "honorable," "general," and "dishonorable" lead to inconsistent applications of discharge designations.

### Rehiring of Wandering Peace Officers

Through a series of public information requests, Texas 2036 was able to obtain unique figures on wandering officers were rehired over the past 10 years. Between FY 2012 and 2022, 7,840

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<sup>81</sup>TCOLE's Chief Administrators Desk Reference 2022 <http://www.tcole.texas.gov/> referring Chiefs

<sup>82</sup> See, Appendix 13, Law Enforcement Agency Audit Checklist.



generally discharged peace officers, and at least 1,401 dishonorably discharged peace officers (hereinafter DDPOs), were rehired. On DDPOs, Texas 2036 acquired a dataset that lists all LEAs that rehired a dishonorably discharged licensee in the past 10 years, and how many of these rehiring they made. Due to the confidentiality required by statute, the dataset does not include licensee-level data or year-level data. It also excludes 42 agencies that are so small that once could hypothetically infer who those officers were (i.e. a case where an agency that employs one peace officer rehired one DDPO in the past 10 years). What is left is dataset that represents 566 LEAs that have collectively rehired 1,401 DDPOs in the past 10 years.

It is important to stress that the range of behaviors that can lead to a dishonorable discharge is wide. These licensed peace officers may have engaged in criminal misconduct, or they may have demonstrated insubordinate “backtalk” during a briefing, both of which might qualify under current statute, neither of which are distinguished when an LEA checks the “dishonorable” box on the F-5. Even TCOLE cannot distinguish between the different kinds of behavior that result in a dishonorable discharge.

### Dishonorably Discharged Peace Officer Rehiring from 2012-2022 – Top 10 Agencies

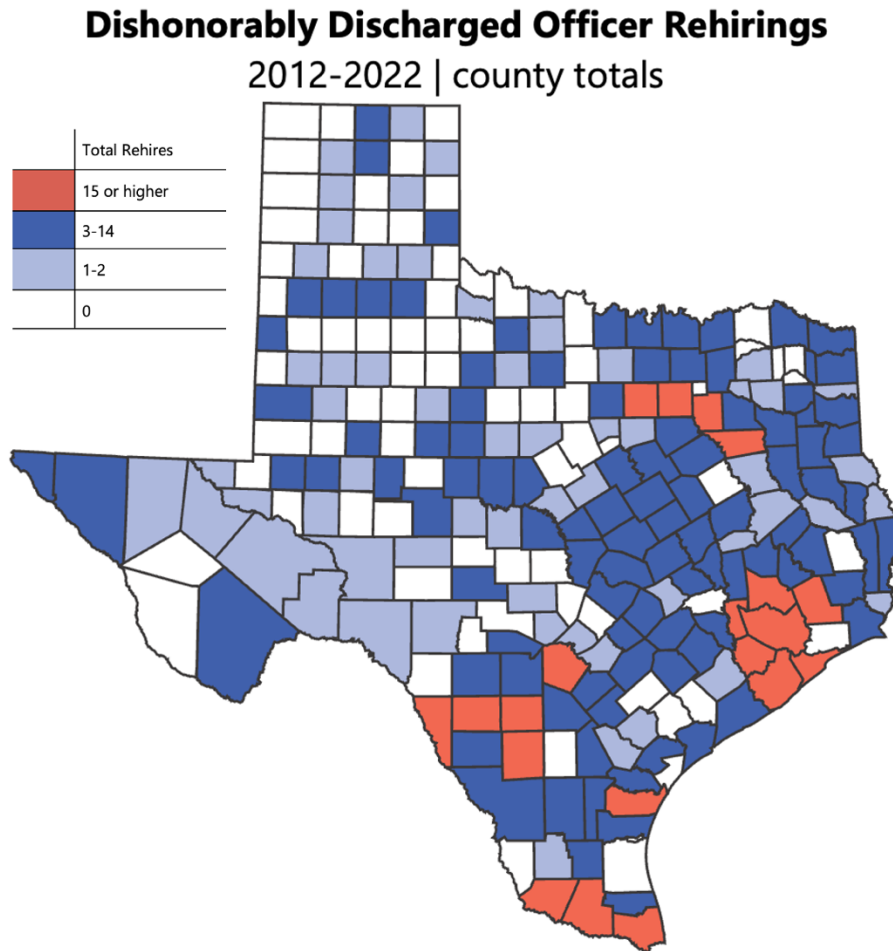
Department Name	Size of Peace Officer Force as of 08/2022	County	# DDPO Rehiring: 2012-2022
MAVERICK CO. SHERIFF'S OFFICE	130	MAVERICK	20
HARRIS CO. CONST. PCT. 4	574	HARRIS	17
CRYSTAL CITY POLICE DEPT.	44	ZAVALA	16
FRIIO CO. SHERIFF'S OFFICE	38	FRIIO	16
EDCOUCH POLICE DEPT.	18	HIDALGO	15
WALLER CO. CONST. PCT. 3	28	WALLER	13
ENCINAL POLICE DEPARTMENT	12	LA SALLE	12
HARRIS CO. SHERIFF'S OFFICE	2402	HARRIS	11
WALLER CO. SHERIFF'S OFFICE	109	WALLER	11
COFFEE CITY POLICE DEPT.	53	HENDERSON	11

Of note, several jurisdictions represented in the dataset recently received awards of federal COPS Hiring Program funding to specifically hire officers.<sup>83</sup> Because licensee-level data is not

<sup>83</sup> Jurisdictions that received COPS Hiring Program (CHP) awards in FYs 2020-2022 cover 31 agencies in the dataset. Among LEA awardees that received COPS funding, the three agencies with the highest number of rehires are: \$317,244 in FY 2020 to Rio Grande City for 3 officers (Rio Grande City PD = 6 DDPO rehires); \$349,319 in FY 2021 to City of Palmview for 3 officers (Palmview PD = 6 DDPO rehires); and \$348,768 in FY 2021 to Coffee City for 4 officers (Coffee City PD = 11 DDPO rehires). For more information on the program and awards, see <https://cops.usdoj.gov>

available, it is not possible to determine whether these federal awards were used to rehire DDPOs based on this dataset alone.

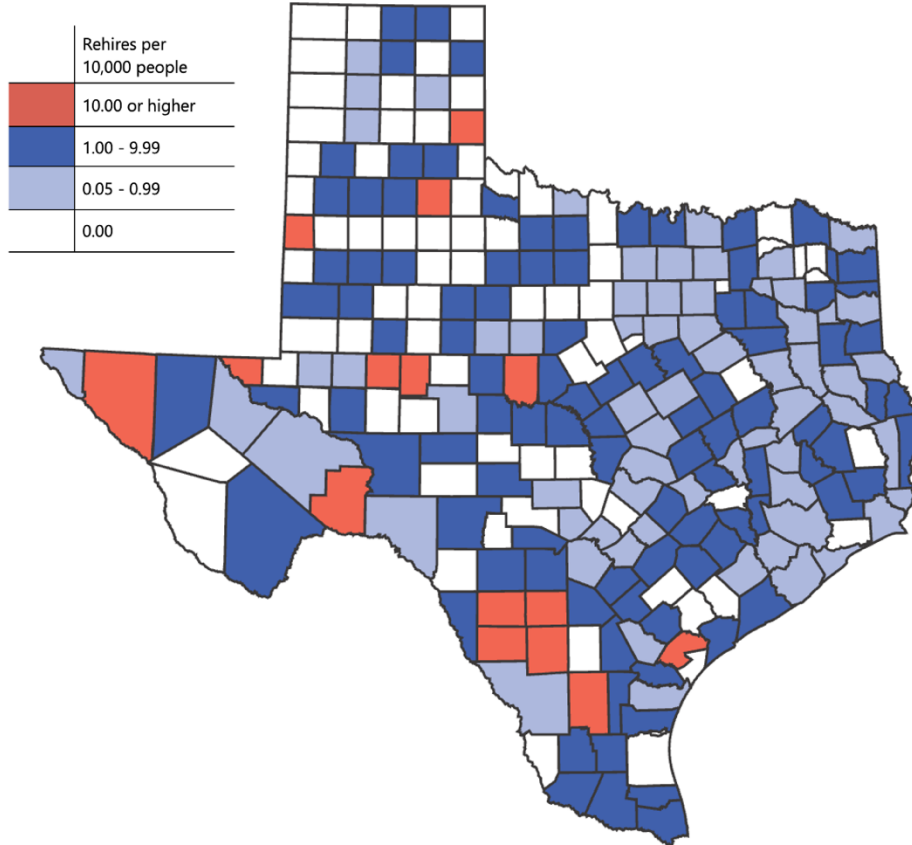
Across Texas's 254 counties, 182 had at least one DDPO rehiring in the past decade. The number of rehiring range from 93 DDPO rehires in Hidalgo County to one rehire in thirty-eight different counties.



The data were evaluated in several ways. First is a simple comparison of DDPO rehiring by county as compared to the size of the county. Looking at rehiring per 10,000 people shows that DDPO rehires are more concentrated in sparsely populated parts of the state. However, small numbers can distort the picture. For example, Loving County's 2020 census population was 64, and with 2 DDPO rehiring, rehiring rate of 312.50 per 10,000 people. La Salle County with 6,664 people and 20 rehiring had the next highest rate of 30.01.

## Dishonorably Discharged Officer Rehiring

2012-2022 | county per 10k



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### Dishonorably Discharged Peace Officer Rehiring from 2012-2022: Top 10 Harris County LEAs

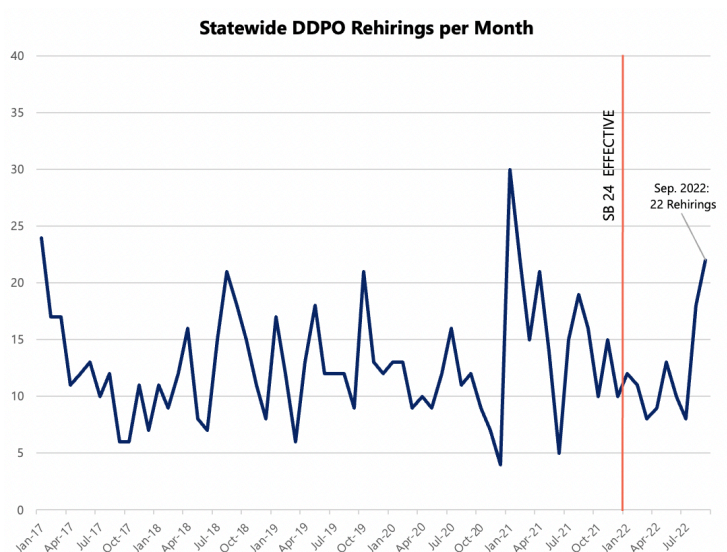
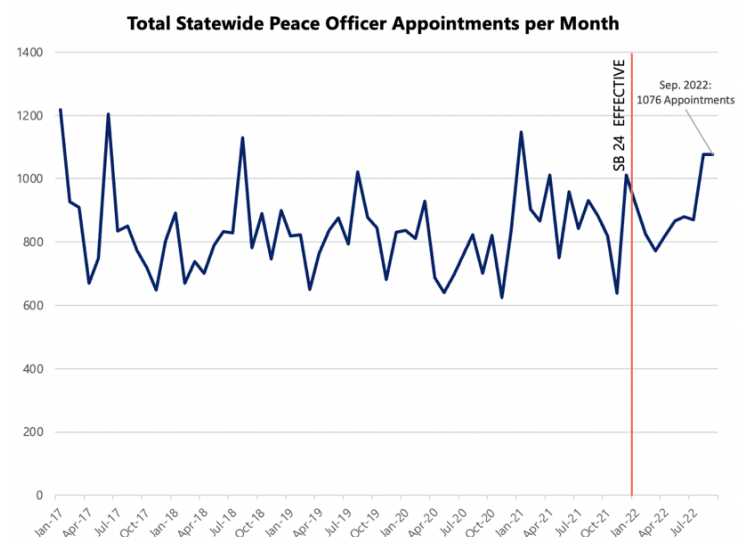
Department Name	Size of Peace Officer Force as of 08/2022	ZIP	# DDPO Rehiring: 2012-2022
HARRIS CO. CONST. PCT. 4	574	77379	17
HARRIS CO. SHERIFF'S OFFICE	2,402	77002	11
HARRIS CO. CONST. PCT. 6	99	77011	8
HARRIS CO. CONST. PCT. 2	89	77506	4
HARRIS CO. CONST. PCT. 7	121	77021	4
HOUSTON POLICE DEPT.	5,178	77073	4
GALENA PARK POLICE DEPT.	19	77547	3
HARRIS CO. CONST. PCT. 1	392	77002	3
ALDINE I.S.D. POLICE DEPT.	61	77038	2
KATY POLICE DEPT.	66	77493	2

Agency-level data also allows us to look at what happens in a specific area with multiple agencies of varying sizes and overlapping jurisdictions. This is particularly insightful in urban environments. Take for example Harris County and its 79 LEAs. In the past decade 17 of those agencies in the county had 66 DDPO rehiring. The majority of those DDPO rehiring occurred in Harris Co. Constable precincts (36 rehiring), most notably Precinct 4, which represented a quarter of all DDPO rehiring over the past decade.

## Additional Wandering Officer Questions

Other issues explored via public information request were exploring the rates of DDPO rehiring over time. Texas lawmakers and stakeholders are keen to understand the impact of SB 24 with the increased background check requirements. Beginning January 1, 2022, provisions of the bill were effective for all persons hired by an LEA, and two natural questions arise. First, it is reasonable to ask whether the increased regulatory burden will lead to *fewer* overall peace officer appointments. Second, one might expect to see *fewer* DDPO rehiring given those applicants will face more scrutiny.

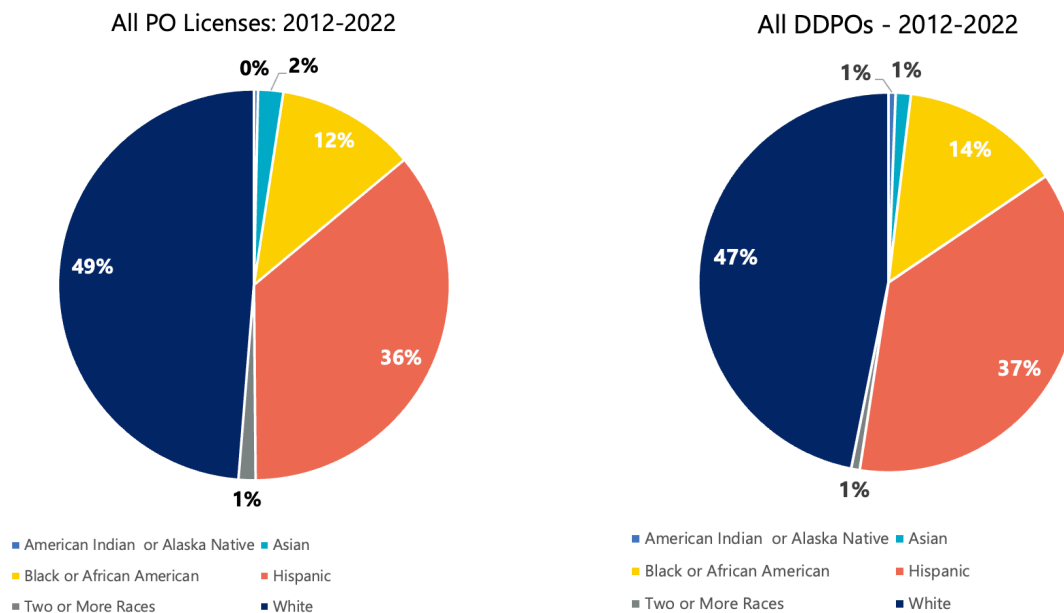
To offer an early look at whether either of these concerns are bearing out, one could look to the monthly L1 appointment forms for peace officers and as well as the number of DDPOs rehired per month. Texas 2036 requested statewide monthly figures from TCOLE on L1 appointments and DDPO rehiring from January 2017 to September 2022. In that period, there were an average of 841.48 L1 peace officer appointments and 12.78 DDPO rehiring per month. The appointment data does not show an uncharacteristic drop in appointments in the months following SB 24's application.



Similarly, the rate at which DDPOs were rehired saw no remarkable changes. On the contrary, September 2022 represented the third highest number of DDPO rehiring in the past 5 years.

Another question that was raised in the course of this review concerned the demographics of DDPOs. Given the scope of behavior that could be considered “insubordinate” or “untruthful” (possible reasons behind a dishonorable discharge) in the judgment of a chief administrator, Texas 2036 reviewed data on the race and sex of peace officers. This was to see if there was any indication that dishonorable discharges were given to peace officers out of proportion to the broader peace officer population.

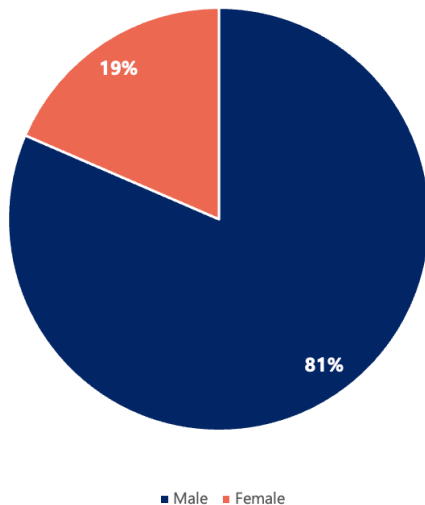
A comparison of the racial composition of the 43,303 peace officer appointments over the past decade to the 2,478 peace officer dishonorable discharges shows a notable consistency.



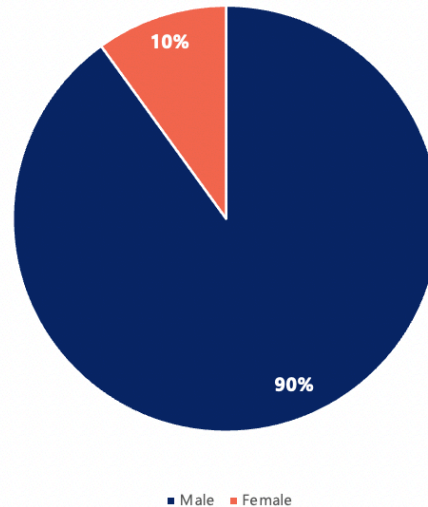
In contrast, there is a notable difference in the gender composition of DDPOs relative to the peace officer licenses granted in the same period. While males make up 81% of the peace officer licenses, they make up 90% of dishonorable discharges. One possible explanation is that because criminal behavior is more common among men than it is women,<sup>84</sup> male peace officers may be more likely to engage in the kind of criminal misconduct that warrants receiving a dishonorable discharge.

<sup>84</sup> Jeffery T. Walker, Sean Maddan, Understanding Statistics for the Social Sciences, Criminal Justice, and Criminology, 2013, p. 99 (“... [I]t is well supported in research that more men than women commit crimes.”).

All PO Licenses: 2012-2022



All DDPOs: 2012-2022



## Appeals of F-5 Forms before SOAH

Because SOAH cases migrated to eFile Texas in 2020,<sup>85</sup> basic information on the F-5 cases docketed at SOAH are now publicly available on reSearch.txcourts.gov ("reSearch"). Because the F-5 information is still confidential, underlying documents in these cases (i.e. pleadings, motions, orders, etc.) are not viewable to the public. However, the names of the parties and the parties' attorneys (if any) are viewable, as are the comments that parties, attorneys, and SOAH judges/staff attach to a case event in eFile. Using a program to pull information on cases that were active between March of 2020 to July 2022, Texas 2036 reviewed 1,185 F-5 cases at SOAH, of which 123 cases had enough information in the case event comments to deduce the outcome. With this information, we can explore the two related anecdotal claims raised by stakeholders described above.

First, of the 123 cases where an outcome was deduced, the officer/petitioner won 56.9% of the time, supporting the claim that officers win most of these appeals. The results of a public information request on this question suggests this may be lower than the actual figure. In FY 2021 alone, TCOLE noted that in the 177 cases where orders were issued, 133 resulted in a change to the F-5, suggesting an officer/petitioner win rate of 75%.

The second anecdotal claim is that LEAs/respondents in these appeals do not participate in the process, resulting in default wins. Without access to underlying documents in these cases, measuring participation is difficult. As a proxy for participation, we can count the instances in which reSearch shows an attorney of record for the officer/petitioner against those in which it

<sup>85</sup> See STATE OFFICE OF ADMINISTRATIVE HEARINGS, "e-Filing News," available at <https://www.soah.texas.gov/e-filing-news>.

shows an attorney for LEA/respondent.<sup>86</sup> Here, among all 1,185 cases reviewed, 54.5% of officer/petitioners were represented by an attorney, compared to only 27.3% of LEA/respondents that showed an attorney of record. Information from TCOLE obtained through public information requests sheds additional light supporting the claim that LEAs do not participate in these hearings. Of the 133 orders resulting in a change in the F-5 issued in FY 2021, 78 were described as “defaults.” This suggests, in other words, that 59% of the cases in which the officer/petitioner won a change in their F-5 discharge designation was due to the LEA/respondent declining to participate in the case.

Importantly, the data on F-5 cases before SOAH are only available because an officer attempted to correct their less-than-honorable F-5 in the process afforded under law. Except for a small minority of cases, all that a member of the public sees online via reSearch is that an officer *initially* received a less-than-honorable discharge, but the confidentiality rules prevent anyone else from seeing whether the officer was vindicated on the final version of the F-5.

What these data and figures do not capture are other substantive problems. Media reports and conversations with stakeholders present an even bleaker picture of how the F-5 system is regularly distorted or used as a bargaining chip under the cover of confidentiality. Chiefs are often unwilling to give a certain discharge for fear that taxpayer dollars would be wasted litigating against an ex-employee.<sup>87</sup> Some officers may receive honorable discharges where they are not warranted, because the chief’s priority is to successfully negotiate a problematic officer’s departure from their agency. Alternatively, some officers may receive less-than-honorable discharges as retaliation because non-participation in the F-5 case before SOAH carries no consequence, and until recently, was shielded by confidentiality rules.

In its self-evaluation reports to the Sunset Commission in 2019 and in 2021, TCOLE repeated its message on this issue. Regarding the F-5, TCOLE concluded, “the confidentiality of the document in the age of transparency and accountability is something that should be considered,” and “the value of maintaining the categories of discharge should be reviewed.”<sup>88</sup> This report reinforces that conclusion.

## Findings and Recommendations

1. **Finding:** The discharge designations and the confidentiality of the F-5 limit the ability of stakeholders review LEA practices, see individual officers’ full employment record, or understand the scope of the wandering officer problem in Texas.

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<sup>86</sup> This is not to say *pro se* officers and LEAs are not invested in the outcome, but rather that non-participation is less likely when an officer or LEA has taken the step of securing an attorney to represent them in an F-5 case before SOAH.

<sup>87</sup> See, e.g. Ricardo Delgado, “Activists: Ensure fired San Marcos cop won’t walk the beat again,” San Antonio Express-News, August 28, 2022 (<https://bit.ly/3CTsTXg>).

<sup>88</sup> TCOLE Self-Evaluation Report, p. 7.



- a. **Recommendation:** The Texas Legislature should make F-5 information about licensees' discharge publicly available.
  - b. **Recommendation:** The Texas Legislature should consider re-defining the discharge categories to be neutral, fact-based, and descriptive to better reflect the reason for an officer's separation.
  - c. **Recommendation:** TCOLE should analyze their personnel and licensing data for patterns indicative of wandering officers as only TCOLE has access to complete F-5 information.
2. **Finding:** The separation designations on the F-5 carry potential consequences for license revocation. Peace officers may challenge any less-than-honorable discharge by filing an appeal in which LEAs must attend a hearing to defend its discharge designation or else the designation is upgraded by default.
- a. **Recommendation:** The Texas Legislature should consider whether the license-specific consequences associated with the F-5 designation and its appeal contribute to the wandering officer issue rather than prevent it and adjust them accordingly.
  - b. **Recommendation:** The Texas Legislature should narrow the scope of which F-5 errors are appealable.
3. **Finding:** Since the passage of SB 24, there has not be a noticeable decline in peace officer appointments, nor has there been a noticeable decline in dishonorably discharged peace officers getting rehired. LEAs have widely varying record retention requirements and practices that can affect the quality of background investigations conducted by a hiring LEA.
- a. **Recommendation:** The Texas Legislature should establish uniform record retention requirements across all LEAs to ensure that subsequent rehiring LEAs have access to complete information on previously-employed officer applicants.
4. **Finding:** TCOLE's hiring checklist and "Desk Reference" for LEA administrators acknowledge that previously employed peace officers must be subject to additional scrutiny by subsequent rehiring LEAs.
- a. **Recommendation:** TCOLE should consider whether LEAs have sufficient support in their efforts to assess previously employed candidates. TCOLE should scale their support and resources to provide greater assistance to smaller, under-resourced LEAs' hiring efforts.



## PART THREE:

# TCOLE's Data System to Support Oversight and Regulation

### Background

Following a recommendation from the Sunset Advisory Commission, TCOLE recently began the process of acquiring the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) from the vendor that had developed and managed it since its inception. TCLEDDS contains data on all licensed and formerly licensed peace officers. For purposes of this report, Benchmark and TCOLE reached an agreement for access to TCLEDDS data categories of the Personal Status Report (PSR), which represents licensees non-confidential information. TCOLE provided TCLEDDS data for any LEA's personnel that was issued or granted a license within the last 10 years. This is a sample of TCOLE's licensees, excluded are those licensees who have not had a change in their license status before July 2012.

Benchmark received two files, (1) a historical license status file, and (2) an officer service history file. The license history data contains information on when a licensee received a license, type of license, and their license status, along with any changes/action to their license status. Each row details the license type, a license action (e.g., granted, expired, etc.), a date for when the license action took place, and whether the license became active or inactive on that date. It also contains a free text memo that provides some additional notes related to the license action. The license history data provided contained 303,878 entries pertaining to 106,467 unique license holders and 174,061 licenses. These data include any officers that had a grant or change in license status from July 2012 to July 2022; for those officers it includes all prior license actions. As a result, the license action dates range from 1966-11-01 to 2022-07-31.<sup>89</sup>

Benchmark assessed the quality of the TCLEDDS data by focusing on using the data to answer the two fundamental questions of this report: 1) Does TCOLE sufficiently collect and manage data to effectively oversee and regulate law enforcement? and 2) Does TCOLE collect sufficient data to track wandering officers? Texas 2036 then used the same data to conduct further analysis and shed more light on the wandering officer issue.

## Capacity of TCLEDDS Data to Demonstrate Effective Oversight

To demonstrate effective oversight, the TCLEDDS data should enable TCOLE to identify license holders and all former, current, and prospective employers of licensed officers. It should have

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<sup>89</sup> Though license actions prior to 2012 are in the dataset, we do not believe those data are completely representative of the prior to 2012 actions. For example, if an officer was granted a license in 1990 and it expired in 2015, both entries would be in the dataset. However, if another officer was granted a license in 1990 and their license expired in 2002 with no subsequent changes, that officer would not appear in the dataset.

information on the issuance of the license, any non-compliance or adverse license actions such as revocations, and whether the licenses are active or inactive. The data should enable TCOLE to easily identify where any given license holder is employed as well as which license holders are unemployed.

## Historical License Status Data

### 1. Data maintains consistent and accurate representation of licensees with license status changes

The number of active and inactive licenses for each license type can be partially identified in the TCLEDDS historical data, as shown in the following table. For all those officers who were granted a license, or had a change in status from July 2012, a total of 78,406 licenses were still active in July of 2022. The most common license found was the Peace Officer License, followed by the Jailer License and the Telecommunications Operator License. At the time that the data was pulled, there were 36,617 peace officers with active peace officer licenses, representing roughly half of the known licensed peace officers.<sup>90</sup> Excluded from these data are any officers granted a license prior to July 2012 that did not have a change in status.

TABLE 1: NUMBER OF ACTIVE AND INACTIVE LICENSES FOR EACH TYPE		
LICENSE	ACTIVE	INACTIVE
Conditional Reserve	151	30
Contract Jailer Certificate	47	24
DRE Instructor License	0	2
Elected Official	63	40
Grand Father Jailer License	3	5
Grand Father P.O. License	1	0
Grand Father Telecommunications Operator	15	1
Instructor License	0	2
Jailer License	11,327	23,258
Peace Officer License	6,356	36,617
Public Security Officer	0	2
Reserve Officer License	116	80
SFST Instructor Certificate	0	14
Supervision Officer Firearms Certificate	13	1
Telecommunications Operator License	8,215	12,356
Temporary Contract Jailer	269	0
Temporary Jailer License	46,530	4,419
Temporary Telecommunications Operator License	22,655	1,555

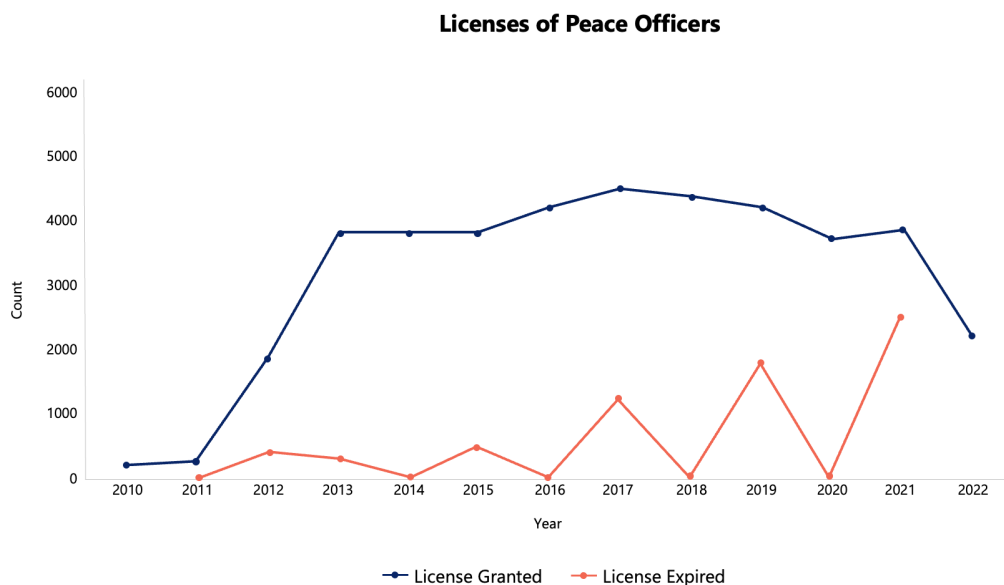
<sup>90</sup> See TCOLE, "Current Statistics," available at <https://www.tcole.texas.gov/content/current-statistics>.

Most license holders have one active license, but 12% hold multiple active licenses. The following table shows the distribution of active licenses for each license holder.

TABLE 2: DISTRIBUTION OF ACTIVE LICENSES FOR EACH LICENSE HOLDER	
Number of Active Licenses	Number of License Holder
0	36,934
1	61,006
2	8,185
3	338
4	4

## 2. Data provide a clear trend in the granting and expiring of licenses

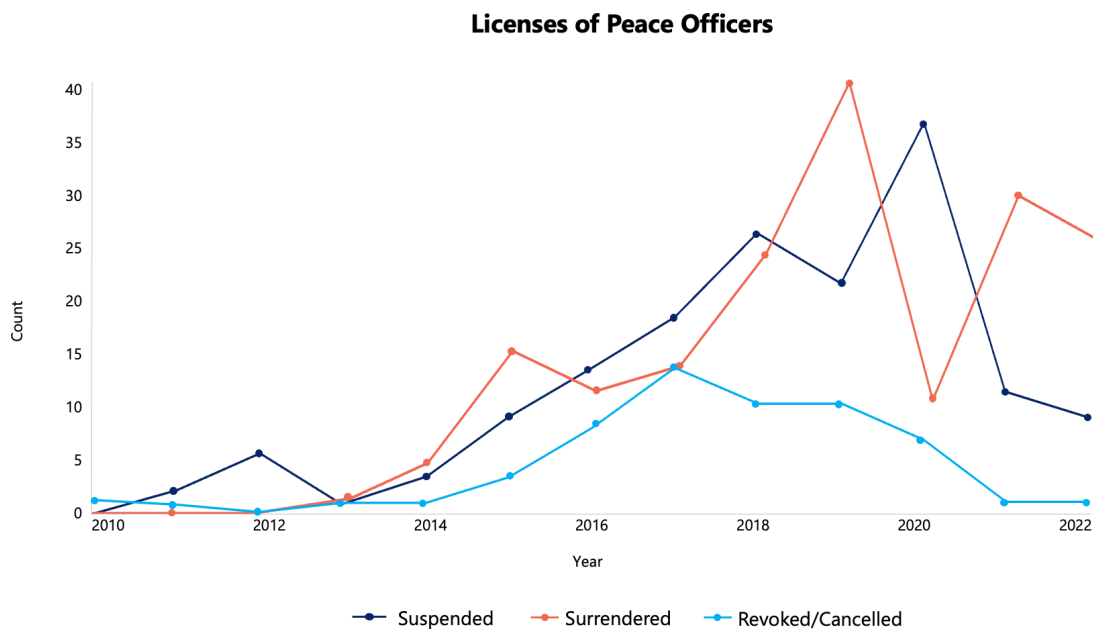
Using TCLEEDS data, one can identify the number of peace officer licenses that TCOLE grants each year. Between 2013 and 2021, TCOLE granted an average of 3,998 new peace officer licenses each year. The data also show that the licenses automatically expire when the license holders fail to complete certain mandated courses within a certain time frame, which reflects the biennial timeline established by the Legislature. Importantly, the increasing trend from 2011 to 2013, and decreasing trend in 2022, is an artifact of the way data was extracted from the TCLEEDS system.



### 3. License suspensions and surrenders grew while revocations declined.

The number of licenses that become inactive due to licenses being revoked or canceled, suspended, or surrendered each year is relatively small. Since 2010, the data show 139 peace officer license suspensions, 145 permanent voluntary surrenders, and 9 temporary voluntary surrenders. There were 36 licenses revoked, 11 canceled, and 5 statutory disqualifications. Bearing in mind the artificial effects of the TCLEDDS data pull, and acknowledging that this is an undercount,<sup>91</sup> these data suggest that licenses are rarely revoked.

Understanding the reason for an adverse license action is less straightforward. The data provide a free-text narrative/memo for the change in license status. Reviewing that memo section for the different license changes, one can manually find explanations. For revocation/cancellation, many memos referenced felony charges or felony convictions, but the reason is not always specified or clear. Surrendered licenses (permanent or temporary) often mentioned a plea agreement or due to criminal charges.<sup>92</sup> Suspended licenses, with durations of 90 days to 10 years, often referenced non-compliance, felony arrest, or reason not specified. The memo section may contain some information on reason and length of suspension, but it is not always specified.



<sup>91</sup> As explained above, this data pull is a subset of all licensees over the past decade. The TCOLE Commission meeting minutes record more license revocation, suspension, and surrender orders than the TCLEDDS data suggest. For example, the September 2021 meeting minutes show two statutory revocations for informational purposes, and the March 2021 minutes show 4 statutory revocations, but the data do not reflect them.

<sup>92</sup> TCOLE has a written surrender document that includes terms of surrender, but the reason for the surrender is not always specified in the license data, and no additional details are provided in the memo section.

While there was an increasing number of revocations, they peaked at 12 in 2017, years before and after were substantially lower. At the same time, the number of suspended and surrendered licenses meaningfully grew from 2013 to 2018. It is possible that the decline in revocations occurred due to officers choosing to surrender their licenses before they could be revoked.

## Officer Service History Data

### 4. Data maintains consistent and accurate representation of officer appointments

Transitioning from the license dataset to the services dataset, the services data include all appointments for officers that had a license grant/change after July 2012. This contains employment data where each row represents an employee and the appointment the employee held. The dataset includes employee details such as name, citizenship, race, gender, and education level. Additionally, for each appointment, the dataset contains the type of appointment (e.g., Peace Officer, Jailer, etc.) along with the corresponding license (e.g., Peace Officer License, Jailer License, etc.), the name of the department, the county it resides in, and the start and end date of that appointment. It also says whether it was the individual's first appointment with that license.

The services data contained 270,066 entries pertaining to 106,467 unique individuals. These entries represent 235,350 unique appointments.<sup>93</sup> The service appointment start-dates ranged from 1958-12-09 to 2022-07-31. The appointment end dates ranged from 1964-02-23 to 2022-07-25. There is no end date for appointments that are still ongoing. In the services data, there are 2365 departments located in Texas, across 254 counties.<sup>94</sup> There are also entries for appointments in states other than Texas as well as several federal departments (e.g., Department of Homeland Security, US Federal Bureau of Investigation, US Drug Enforcement Administrations, etc.).

As previously mentioned, these data are useful as a sample, they are not complete. Any officer who was granted a license prior to July 2012 and neither received a new license nor changed their license status was not included in the dataset. The analyses that follow can be considered informative, but not final due to incomplete data.

The TCLEDDS datasets, when merged together on person and license-type, can identify which active license holders are currently employed and where they are employed. Out of the 55,326 employed license holders, 89% of them hold one active appointment, while others may hold 2-6 active appointments at the same time.

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<sup>93</sup> Within the dataset, officers who have multiple educational degrees receive an entry in the dataset for each degree held.

<sup>94</sup> While the number of agencies with appointment data is 2365, TCOLE lists the total active agencies at 2765. At the time of this report's completion (September 15, 2020) TCOLE officials had not provided a reason for the discrepancy.

**TABLE 3: # of Active Appointments and License Holders**

Number of Active Appointments	Number of License Holders
1	49,354
2	5,712
3	234
4	22
5	2
6	2

90.5% of the active peace officer licenses are also employed as a peace officer. Those with active jailer or telecommunication operator licenses are employed at their respective positions at lower rates (64.3% for jailers, and 71.6% for telecommunications operators).

**TABLE 4: % OF LICENSES THAT ARE EMPLOYED**

License	Number of Employed License Holders	Number of Active Licenses	Percent of Licenses that are Employed <sup>113</sup>
Peace Officer License	33,140	36,617	90.5%
Jailer License	14,958	23,258	64.3%
Telecommunications Operator License	8,849	12,356	71.6%
Temporary Jailer License	3,057	4,419	69.2%
Temporary Telecommunications Operator License	1,066	1,555	68.6%

#### 5. Within provided dataset, data inconsistencies do exist, but the impact is minimal

As stated earlier, the data received cannot be considered complete because service history was only provided for those officers that had license activity. Officers with no license over the past decade activity were not included in the service history.

Within the provided data, analysis of the service history data identified a small proportion of the data with inconsistencies. There were 653 entries (~0.002% of total entries) in the services data

where the start date occurred after the end date, and 381 entries where the service time in months was negative. There were also two entries where the date was 2109-02-27, which could possibly have been a typographical error for 2019-02-27. There were 106 licenses (~0.06% of the licenses) in the license history data that had two license actions on that same date, one placing it in active status and one placing it in inactive status. There were some inconsistencies found in the high school, GED and education level variables. There were no missing values for high school and GED. Only about 27% of the officers had values for education level (values = College Credit, Associate, Bachelor, Master, Doctorate). There were 165 officers (<0.4%) with no high school education or GED but reported having an associate degree or higher.

After combining the license history data and services data, there were a total of 106,467 unique officer identifiers found. There were 111 entries that showed inconsistencies between the license history and service data, affecting 107 unique officer identifiers. Inconsistent is defined as the license is inactive according to the license history data, but the license holder is still employed. For example, there were 7 officers with suspended licenses (2 marked as felony arrest suspensions and 5 marked as suspended), but they are still listed as employed with their license in the services data. There was 1 officer marked deceased on 2022-06-27, but their employment status had not been updated with an end date.

There were 92 officers with licenses that were expired (due to time limit exceeded for temporary licenses) or inactive (due to out of compliance for permanent licenses), but their service data shows that they are still employed with their license. These inconsistencies are reflected in 57 departments. In addition, there were 3 officers that started their service appointment after their license had expired, and 3 officers whose license expired within the first week of their appointment.

These inconsistencies may raise concerns about whether the information in the TCLEDDS system is being routinely updated and agencies are communicating changes to their officer's employment status, but overall, the issues affect a small percentage of the total data.

The data collected in TCLEDDS is sufficient in managing the licensing and employment history of law enforcement personnel. It enables the identification of an officer's license status at any given time as well as all former and current employers of the license holder.

## Utility of TCLEDDS Data to Identify Wandering Officers

Benchmark further examined the utility of the data to see whether TCLEDDS is sufficient to identify a study of wandering officers in Texas. Wandering officers are peace officers that are fired (or resign in lieu of getting fired) and later find employment in law enforcement at another

agency.<sup>95</sup> As described above, the definitive research to date on wandering officers by Ben Grunwald and John Rappaport relied on more than two decades of detailed data from Florida peace officer records.<sup>96</sup> The dataset used contained information on 98,000 peace officers, with details that permitted distinction between officers who left their employment voluntarily, who were fired, and who resigned under investigations.

To identify wandering officers, Grunwald and Rappaport considered the following factors:

- How often officers landed a new job;
- How long it takes them to do so (assuming they are looking for work);
- How far they have to travel; and
- How many different jobs they tend to hold.<sup>97</sup>

Using the framework model by Grunwald and Rappaport, Benchmark explored the TCLEDDS data to identify wandering officers. TCOLE noted that separation/termination information was unable to be provided due to prohibitions to Texas state law requiring confidentiality and preservation of privacy.<sup>98</sup> Data points such as TCOLE's denials of license and refusal to accept reports of appointment are also unknown.

Given the data limitations, Benchmark performed an analysis of peace officer employment history and identified service appointment patterns that describe peace officer behavior that could be indicative of wandering officers. Note that using only service appointment patterns has its limitations since it does not differentiate between voluntary and involuntary separations and movements between departments. Information such as reasons for separation, as well as Internal Affairs data, should be an essential part of the analysis for identifying potential wandering officers or problematic officers.

## Service Appointment Patterns

Benchmark's analysis focused on service appointment patterns as it relates to officers that work as peace officers and jailers. The focus looked at officers that moved from one department to another more than expected, along with officers that had large gaps between appointments where they are not employed as a peace officer or jailer. In this section, the term licensee will refer to peace officers jailers. Benchmark originally identified 42,981 licensees that held a peace officer or jailer license at some point in their career. Licensees that have a career of less than 7 days were excluded. This results in a total of 42,959 licensees for the analysis.

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<sup>95</sup> Grunwald and Rappaport, *The Wandering Officer*, 1682.

<sup>96</sup> *Id.*

<sup>97</sup> *Id.* at 1718

<sup>98</sup> Note that TCOLE referenced their Cybersecurity Manual regarding Confidentiality and Security of Data in communication received Sept. 1, 2022. The Manual was not provided to Benchmark.



## Frequency of Changes in Employers

Four groups of movers were defined – rookie, stable, general, and frequent. The following table contains the definitions for each group and their corresponding criteria is based on their career tenure in years and the total number of departments worked. The rookie group consists of licensees that are within their first year of service. Stable licensees consist of those that worked in one department in their career, essentially no movement. For licensees that worked in more than one department, they were assigned to either a general or frequent mover. As an estimate, a licensee would be considered a frequent mover if they worked in more than 3 departments over the course of 4 years.<sup>99</sup>

It was noted that there are licensees that may hold overlapping or concurrent appointments at different departments at the same time. If only using the number of departments, they may appear to have higher-than-expected counts for the number of departments worked in, but not technically be frequent movers. To account for this scenario, the overlap ratio, as defined as the proportion of their career in which they had overlapping appointments, was computed. Looking at the distribution of the overlap ratio, about 99% falls under 0.4.

**TABLE 5: DEFINITION OF MOVER GROUPS**

Group	Description	Criteria
<b>Rookie</b>	Licensees with at most 1 year in their career	Career tenure $\leq 1$ year
<b>Stable</b>	Licensees that work in only 1 department throughout their whole career	Career tenure $> 1$ year and total departments = 1
<b>General</b>	Licensees with some movement throughout their career	Career tenure $> 1$ year and total departments/career tenure $\leq 0.75$ and overlap ratio $\geq 0.4$
<b>Frequent</b>	Licensees with more than expected movement throughout their career	Career tenure $> 1$ year and total departments/career tenure $> 0.75$ and overlap ratio $< 0.4$

Based on the estimate that 1% of licensees may work in more than one department at the same time, the threshold of 0.4 was selected. If the overlap ratio is greater than 0.4, then the licensee would be moved from frequent to general, since their total number of departments worked in will be likely inflated by their overlapping appointments. This adds an additional condition to be considered a frequent mover.

<sup>99</sup>BLS survey found individuals born between 1957-1964 held an average of 5.6 jobs while ages 18 to 24, an average of 4.5 jobs from ages 25 to 34, and an average of 2.9 jobs from ages 35 to 44. <https://www.bls.gov/news.release/pdf/nlsoy.pdf>

## Career Year to Career Tenure

The following table shows the distribution of licensees based on tenure and total departments employed. The green highlighted cells correspond to the rookie group. The blue highlighted cells are the stable group. The gray highlighted cells roughly correspond to the general group, while the orange roughly correspond to the frequent movers.

**TABLE 6: CAREER YEARS AND TOTAL NUMBER OF DEPARTMENTS EMPLOYED**

Career Tenure	TOTAL DEPARTMENTS								ALL
	1	2	3	4	5	6	7-10	>11	
Up to 1 year	4569	222	5	0	0	0	0	0	4886
(1,2)	3083	590	73	2	0	0	0	0	3748
(2,3)	2970	794	131	17	3	0	1	0	3916
(3,4)	2835	939	225	49	8	1	0	0	4057
(4,5)	2595	962	277	72	15	5	2	0	3928
(5,6)	2693	963	312	96	30	10	1	0	4105
(6,7)	2113	906	345	104	23	2	3	0	3506
(7,8)	1762	816	334	123	41	7	7	1	3091
(8,9)	1748	847	347	127	45	18	7	0	3139
(9,10)	1615	738	338	133	45	21	12	0	2902
(10,15)	1120	970	468	207	110	50	38	1	2964
(15,25)	407	430	261	163	99	60	65	5	1490
(25,35)	129	224	166	107	75	38	56	10	805
>35 years	26	120	83	5	32	28	50	8	422
ALL	27755	9521	3365	1275	526	250	242	25	42959

About 64% of licensees stay in the same department for the duration of their careers. About 95% of licensees work in 1-3 departments throughout their career. Out of the 33,333 licensees currently employed, 13.7% (4567) are currently employed with more than one active appointment, and about 1% (353) work in more than one department at the same time.

Licensees early in their career (0-3 years) are likely to be stable or frequent movers. Frequent movers are more evident in early career years. After 9-10 years, licensees are most likely either stable (still working in the same department) or have moved around to some extent.

**TABLE 7: CAREER TENURE AND LICENSEE MOVEMENT PATTERNS**

Career Tenure	Movement Patterns				
	Rookie	Stable	General	Frequent	All
(0,1)	4886	0	0	0	4886
(1,2)	0	3083	9	656	3748
(2,3)	0	2970	300	646	3916
(3,4)	0	2835	945	277	4057
(4,5)	0	2595	1240	93	3928
(5,6)	0	2693	1326	86	4105
(6,7)	0	2113	1362	31	3506
(7,8)	0	1762	1314	15	3091
(8,9)	0	1748	1384	7	3139
(9,10)	0	1615	1281	6	2902
(10,15)	0	1120	1839	5	2964
(15,25)	0	407	1082	1	1490
(25,35)	0	129	676	0	805
(35,+)	0	26	396	0	422
<b>All</b>	<b>4886</b>	<b>23096</b>	<b>13154</b>	<b>1823</b>	<b>42959</b>

**TABLE 8: DISTRIBUTION OF MOVEMENT**

Movement Groups	Currently Employed		Not Currently Employed	
	Count	Percent	Count	Percent
<b>Rookie</b>	2663	8%	2223	23%
<b>Stable</b>	19238	58%	3858	40.1%
<b>General</b>	10277	29.9%	2877	29.9%
<b>Frequent</b>	1154	3.5%	669	6.9%
<b>Total</b>	<b>33332</b>	<b>100%</b>	<b>9627</b>	<b>100%</b>

Under the grouping definitions, licensees with frequent movement make up about 4.2% of the total, and about 3.5% of the total currently employed licensees. Based on the empirical finding that wandering officers move from one department to another more than their peers, the frequent mover group may contain wandering officers. However, without additional information, such as reasons for the separation, it is not possible to definitively identify these licensees.

## Gaps in Employment

In addition to frequent appointments, wandering officers tend to have multiple gaps in their employment. Gaps for present purposes are defined as a period in which a licensee is not employed as a licensed peace officer or jailer. For example, if a peace officer ends their appointment and begins work as a telecommunications operator, but later returns to a peace officer appointment, the period in which they were a telecommunications operator will count as a gap.

Gaps in employment are not typical. Sixty-six percent of licensees (i.e., 28,494 licensees) had no gaps. When we look at the distribution gap among the movement groups, 77.8% of the licensees with no gap are in the stable group, while 16.5% are in the rookie group. General and frequent movers together make up just less than 6%.

There were 14,465 licensees (33.7%) who had at least one gap of any size, a day or more. There were a total of 24,129 gaps identified in the dataset. For licensees with gaps in their service, multiple gaps are infrequent, and the size of gaps vary largely.

About 40% (9659) of the gaps are small and no longer than a month. Medium gaps, of more than a month and up to a year, make up about 38.6% (9331) of the total gaps. Large gaps greater than a year are not as frequent and make up about 21.4% (5139) of the identified gaps.

Out of the 14,465 licensees with at least one gap, about 50% of the peace officers would have had at least a small or medium gap. Licensees with large gaps in their career are not as common. About 30% of the licensees had at least one large gap.

**TABLE 9: NUMBER OF LICENSEES WITH EMPLOYMENT CHANGES**

Gap Size	Description	Number of Licensees with at Least One Gap
Small gap	At least 1 day, up to 1 month	7217 (49.9%)
Medium gap	More than 1 month, up to 1 year	7353 (50.8%)
Large gap	More than 1 year	4388 (30.3%)

## Relationship Between Gaps and Frequency of Changes

The focus was narrowed to general and frequent movers since most of the appointment gaps occur within those two groups. 3.8% (187) of the rookie group and 4% (930) of the stable group had at least one gap of any size, while 89% (11,752) of the general movers and 87.5% (1,596) of the frequent movers had at least one gap.

The following table shows the number of licensees in each group with no gap, and with at least a small, medium, or large gap.

**TABLE 10: NUMBER OF LICENSEES IN EACH MOVEMENT GROUPING WITH NO GAP & WITH AT LEAST ONE SMALL, MEDIUM, OR LARGE GAP**

Gap	Grouping			
	Rookie (n=4886)	Stable (n=23096)	General (n=13154)	Frequent (n=1823)
No Gap	4699	22166	1402	227
Small	88	125	6149	855
Medium	102	449	5820	982
Large	-	406	3780	202

When comparing a licensee in the general group with a large gap and a licensee in the frequent group with a large gap, the frequent mover may be a possible wandering officer, based on the assumption that wandering officers may move around more than expected. When comparing a licensee in the frequent group with a small gap against the frequent group with a large gap, the licensees with a large gap may be possible wandering officers. This assumes that problematic licensees may have more difficulty in finding their next employment.

Using this analysis of service appointment frequency and gaps, the 202 frequent licensees with large gaps have patterns that may reflect those of wandering officers. The assumption is that they have worked in more departments than their peers over their career and had at least a large appointment gap. It would also be of interest to explore the 3780 general movers with large gaps, since some of the officers may be potential future frequent movers. However, additional information would be needed to test the assumptions and draw clearer conclusions. For example, knowing the reason for why the service appointment ended would be helpful, as voluntary service endings are not defined as wandering officers.

This additional information can help identify correlations and differences between licensees that end a service appointment voluntarily due to relocation, or involuntarily due to alleged misconduct.

Officer internal affairs data, such as complaints, investigations, and disciplinary actions data would also be useful, as it would potentially identify licensees that leave an appointment while under investigation or have a history of misconduct complaints or disciplinary actions. It would enable a more complete analysis to look at the relationship between licensees that move around, and their propensity to receive certain types of complaints resulting in misconduct investigations.

## Additional Analysis of Licensee Movement and LEA Characteristics

Texas 2036 received the TCLEDDS data from Benchmark and sought to conduct additional analysis to answer other questions further characterizing licensee movements over the past 10 years and the LEAs they move between. This is inspired in part by the Grunwald-Rappaport findings, which describe the kind of LEAs that tend to rehire a wandering officer as smaller and with fewer resources.<sup>100</sup> A decision was made to narrow the scope of the following analysis in two ways.

First, the scope was narrowed to focus on those licensees who had at least one appointment as a licensed peace officer, thus excluding jailers and telecommunicators. Second, the data set was narrowed to look at those licensees who at least two appointments at different LEAs. This would exclude officers who had concurrent appointments at the same LEA. In reference to the “Mover Groups” developed by Benchmark above, these are only “general” and “frequent” movers.

The second set of narrowing criteria was a focus on these licensees’ first recoded and last recorded appointments represented in the dataset (hereinafter, simply “first” and “last”) based on start date, excluding those cases where the first and last appointment were at the same LEA. Two sources were used to characterize the kind of LEA that employed them – an urban, suburban, and rural based on the LEA’s ZIP code,<sup>101</sup> and the size of the LEA as it was recorded in the August 2022.<sup>102</sup> As a result, this further excludes licensees who began their career outside of Texas, with a federal agency, or with a Texas LEA that no longer exists as of August 2022.

**Table 11: LEA SIZE GROUPS**

Group	Number of Licensees Employed
1	0-5 licensees
2	6-10 licensees
3	11-20 licensees
4	21-50 licensees
5	50-100 licensees
6	100-200 licensees
7	200-500 licensees
8	Over 500 licensees

This narrowing resulted in a sample of over 11,000 licensees representing those with appointments at least two different agencies or departments between July 2012 and July 2022, and whose first and last agencies matched with ZIP code and agency size sources.

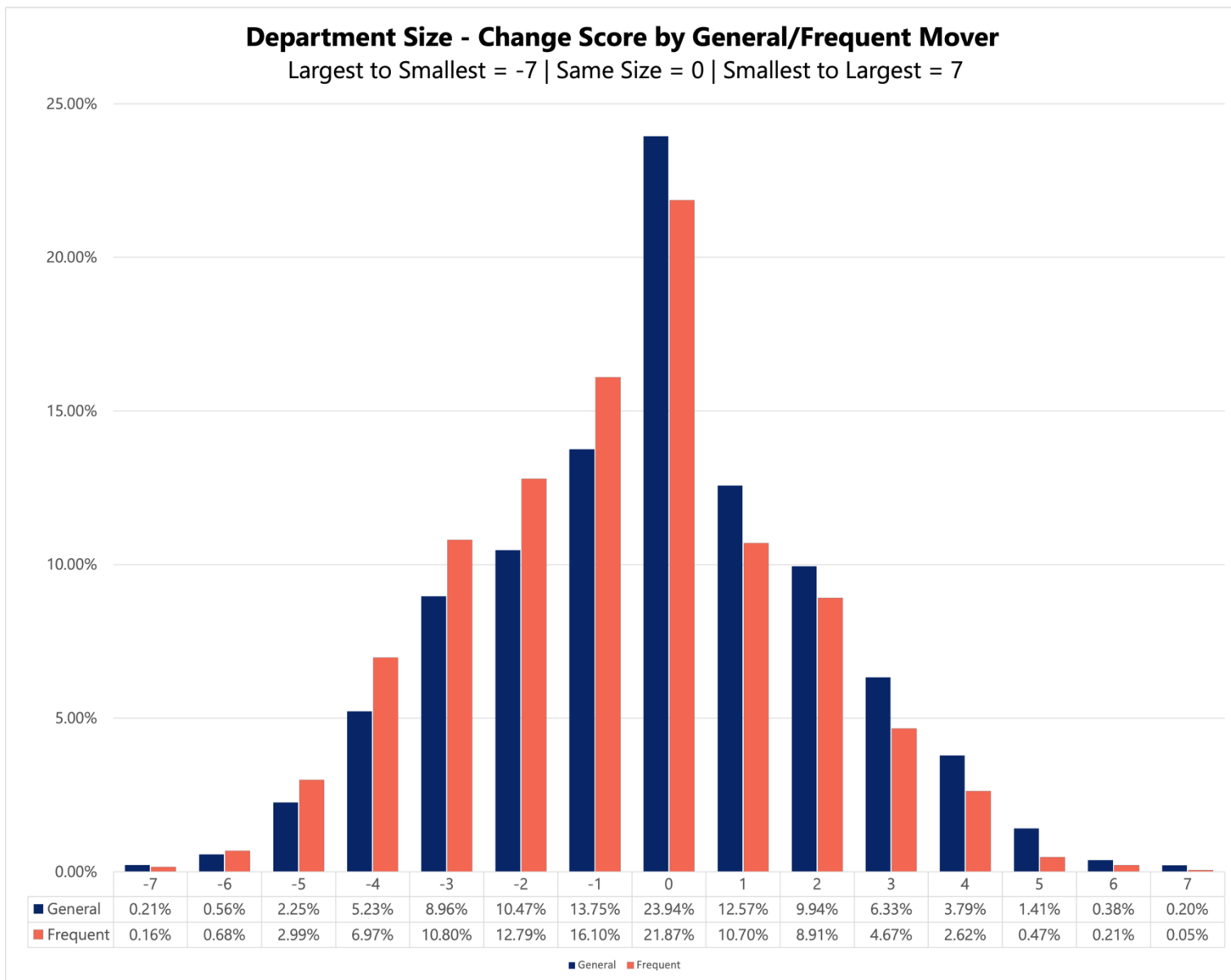
LEA or department size was evaluated by dividing LEAs into 8 groups according to how many licensees it employed in August 2022. The LEAs representing the peace officers’ first and last appointments were then sorted into these groups. To assess movement between agency type, a simple scoring was developed to compare the size group of the peace officer’s first LEA appointment against the size group of their last LEA appointment. The score was the difference between the size-group code, where a negative number indicates movement to a smaller LEA. For example, If an officer’s first LEA was an 8, and their last LEA was a 6, that officer’s score was -2 indicating movement to a smaller LEA.

<sup>100</sup> Grunwald & Rappaport, *The Wandering Officer*, 1727.

<sup>101</sup> Urban, suburban, rural classifications for ZCTAs were pulled from a dataset generated by a predictive model developed by Jed Kolko, Chief Economist at Trulia.

<sup>102</sup> This comes from the “Percentage of Manned Agencies” report provided by TCOLE, which is a snapshot that fails to account for fluctuations in size or distinguish between full-time or part-time peace officer employment.

Categorizing these peace officers as general and frequent movers using Benchmark's framework, the mover groups were then plotted with their change score in the graph below. Both frequent and general movers have similar movement patterns in that a plurality or majority of officers ended at a smaller LEA than their first (41.44% for general movers, 50.50% for frequent). Frequent movers had more movement towards smaller LEAs than general movers.

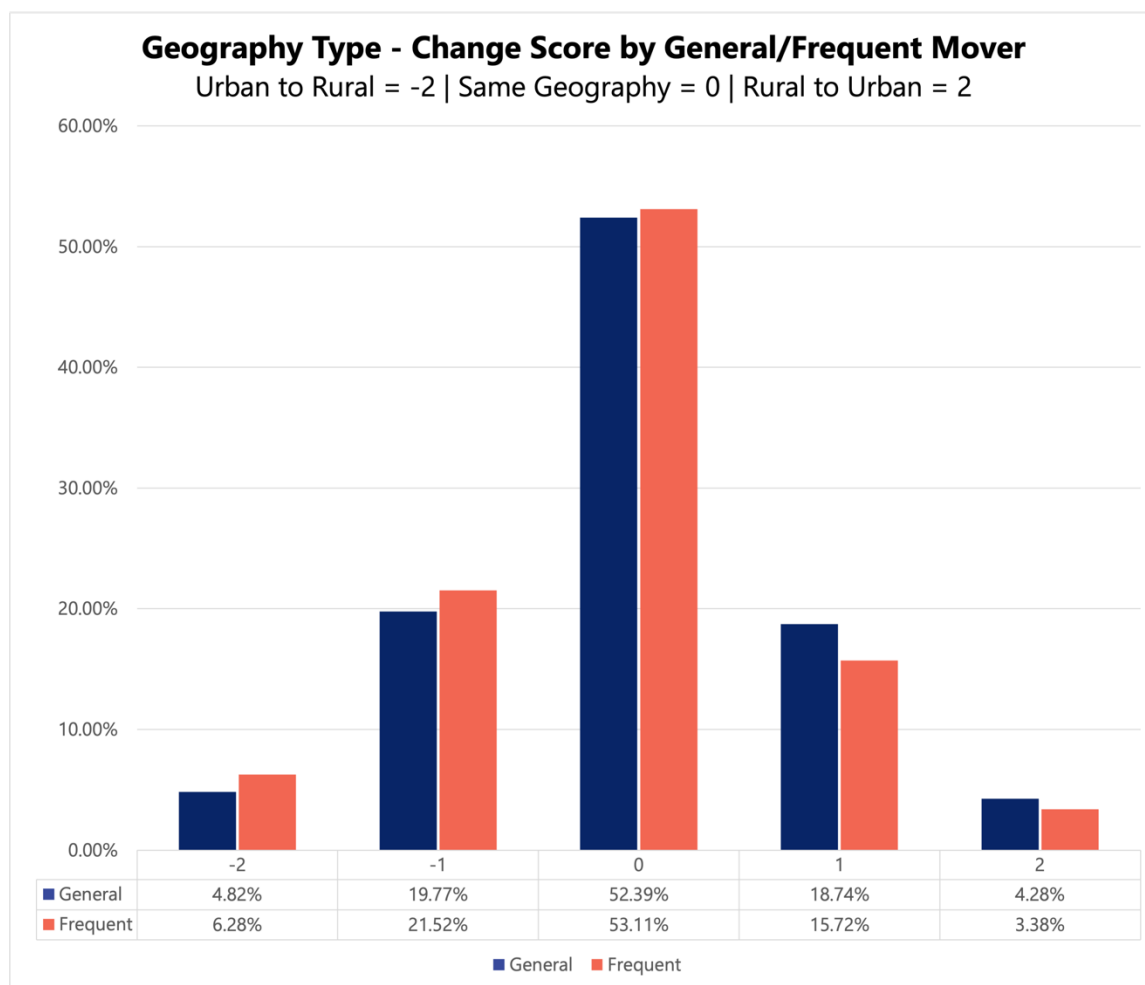


The second way the data were reviewed was by characterizing movements geographically by classifying the agency's ZIP code as urban, suburban, and rural.<sup>103</sup> Similar to department size, a score was given to each classification (urban = 3, suburban = 2, rural = 1) such that movement

<sup>103</sup> Urban, suburban, rural classifications for ZCTAs were pulled from a dataset generated by a predictive model developed by Jed Kolko, Chief Economist at Trulia.

from urban towards suburban or rural would decrease the score while movement from rural towards suburban or urban would increase the score. The scoring would then show urban to rural movement as -2 while rural to urban would be +2. Movement from an urban to suburban agency would be -1, movement from rural to suburban would be +1 and so on.

Compared to agency size, there was less variation in geographic classification. For both general and frequent movers, the majority ended up in an agency with the same geographic classification as their first agency. Among those who did change geographic classification, frequent movers showed slightly more movement from urban towards rural agencies.



Again, while informative, these analyses are necessarily incomplete. Not only does the dataset lack the most stable careers – those who were appointed prior to July 2012 with no change in license status – but the dataset lacks the reason for separation as recorded in the F-5 report that could more accurately characterize these movement patterns. As discussed above, that level of information is shielded by confidentiality rules.



## Findings and Recommendations

1. **Finding:** TCOLE sufficiently collects and manages the licensing and employment of law enforcement, county jail, and telecommunications personnel. It enables the identification of a licensee's status and employment at any given time. However, reasons for revoked, canceled, and suspended licenses are not easily identifiable. Licenses can be placed on administrative hold for a long time and still be an active license.
  - a. **Recommendation:** TCOLE should develop a more structured way of incorporating details on complaints and the commission's license actions to improve the utility of the data.
2. **Finding:** Due to confidentiality constraints, insufficient data has been provided to Benchmark to determine the scope of wandering officers in Texas. Therefore, TCOLE's ability to identify wandering officers is ill defined. The frequency in which officers move departments and gaps in employment is more easily assessed. While these patterns may indicate wandering officers, the data lacks basic information, such as the reasons for separation or internal affairs resolutions, which prevents identifying wandering officers.
  - a. **Recommendation:** The Texas Legislature should consider additional reporting requirements on LEAs to TCOLE regarding certain internal affairs investigations.
  - b. **Recommendation:** TCOLE should create data management protocols that enable the identification of wandering officers.
3. **Finding:** TCOLE has acknowledged that SB 24 has improved pre-employment background investigations for applicants and the on-line services for licensees.
  - a. **Recommendation:** TCOLE should maximize their new role in supporting agency compliance for background checks, sharing of personnel records related to pre-employment screening of applicants. TCOLE should ensure all LEA audits include actionable findings and to consider public release as appropriate. It is further recommended that TCOLE survey LEA Chiefs to determine their training needs related to implementation of SB 24.

## PART FOUR:

# Addressing Motor Vehicle Stop Data Deficiencies

### Background

The following is a discussion of Benchmark’s findings and analysis concerning the quality of the motor vehicle stop data compiled by Texas LEAs and reported to TCOLE and TCOLE’s corresponding management and enforcement practices. Although the statutory data reporting and enforcement requirements have been in place for over a decade, the primary finding of this analysis is that the quality of the data and TCOLE’s management and enforcement practices are insufficient to yield actionable insights to detect and prevent discriminatory policing practices.

### Texas Racial Profiling Law

Peace officers in Texas stop an average of 18,500 drivers daily,<sup>104</sup> making motor vehicle stops the most likely interaction with local law enforcement for most people. Vehicle stops in general may result in burdensome fines that disproportionately impact those with limited financial resources and are also linked to racial profiling.<sup>105</sup> Racial profiling is any law enforcement-initiated action that intentionally targets and stops racial and ethnic minorities based solely on their group status.<sup>106</sup>

The Texas legislature passed Senate Bill 1074 in 2001 (known as the racial profiling law) to ensure fair and impartial law enforcement creating Articles 2.131 – 2.138 in the Code of Criminal Procedure. It prohibits peace officers from engaging in racial profiling<sup>107</sup> and directs LEAs to adopt a detailed written policy to prevent and reduce the practice.<sup>108</sup> The statute also requires LEAs that employ peace officers who routinely conduct motor vehicle stops to satisfy specific data collection, analysis and reporting requirements. These requirements are collectively designed to provide insights about current policing practices, identify indicators of emerging or existing racially biased policing, and develop appropriate remedial measures as necessary.

Specifically, peace officers must collect and report certain information to the LEA every time the officer initiates a stop for an alleged violation of a law or ordinance. In 2001, that meant pedestrian stops as well.<sup>109</sup> The LEAs are instructed to do three things with this incident-based data. First, the statute strictly requires LEAs to compile, or aggregate, the incident-based data collected during the previous year into a single data set.<sup>110</sup> Since data without analysis is meaningless, the statute instructs LEAs to *conduct a comparative analysis* of the aggregated

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<sup>104</sup> Law Enforcement Agency Reports, TCOLE. “Comprehensive Aggregated Racial Profiling Data - 2021.” *Racial Profiling Reports | Texas Commission on Law Enforcement*, 1 Mar. 2022, <https://www.tcole.texas.gov/content/racial-profiling-reports>. [6,892,423 stops/365 days]

<sup>105</sup> Policing Project and Center For Policing Equity Release Guidebook on Stop Data Implementation. (2020, September 29). *Policing Project at NYU School of Law*. Retrieved September 4, 2022, from <https://www.policingproject.org/news-main/2020/9/29/policing-project-and-center-for-policing-equity-release-guidebook-on-stop-data-implementation>.

<sup>106</sup> 2001 Tex. Gen. Laws 947 (S.B. 1074); See also Wolfe, S. E., Carter, T., & Knode, J. (2021). *Michigan State Police Traffic Stop External Benchmarking: A Final Report on Racial and Ethnic Disparities*. East Lansing, MI: School of Criminal Justice, Michigan State University.

<sup>107</sup> Tex. Code Crim. Proc. art. 2.133.

<sup>108</sup> Tex. Code Crim. Proc. art. 2.132.

<sup>109</sup> Acts 2001, 77th Leg., Ch. 947 (S.B. 1074), Sec. 1.

<sup>110</sup> Tex. Code Crim. Proc. art. 2.1334(c).

data. As the name suggests, the analysis compares certain variables to identify and examine the extent of racial or ethnic disparities. Finally, the LEAs must report the information annually to their local governing body.<sup>111</sup>

Between 2001 and 2009, LEAs sent the annual reports to their local governing body.<sup>112</sup> This decentralized reporting structure provided no mechanism to gauge the nature and extent of racial profiling statewide. The statute, as amended in 2009 by HB 3389, eliminated the requirement to collect data on pedestrian stops and changed the decentralized reporting structure by requiring LEAs to submit annual reports to TCOLE.<sup>113</sup> This made TCOLE “the centralized repository and a one-stop-shop source for the public to access each agency’s racial profiling records.”<sup>114</sup> With exclusive authority to enforce the racial profiling data requirements, the amendment directed TCOLE to take disciplinary action that may result in civil penalties up to \$5,000 per day, per violation against an LEA that intentionally fails to submit the reports mandated under Articles 2.132 and 2.134, by the annual March 1 deadline.<sup>115</sup> TCOLE’s Desk Reference for Chief Administrators also notes that TCOLE may impose sanctions, ranging from letters of reprimand to a permanent revocation of the agency’s chief administrator’s license. HB 3389 also required peace officers to collect additional data about the stop, including whether the officer knew the race or ethnicity of the individual before making the stop,<sup>116</sup> and information relating to searches.<sup>117</sup>

## Sandra Bland Act Amends Racial Profiling Data Reporting

Eight years later, in 2017, the statute was again amended by SB 1849, also known as the Sandra Bland Act, in several notable ways. First, it repealed Article 2.135, a longstanding two-tiered reporting requirement that granted LEAs partial reporting exemptions if the LEAs satisfied one of the following two requirements: (1) the agency law enforcement vehicle used by the officer to make the stop is equipped with video and audio recording devices that records each stop, or (2) the LEA requested, but had not yet received, funding from the State to purchase such equipment.<sup>118</sup>

TCOLE provided extensive guidelines to facilitate this older, two-tiered reporting structure. Although some LEAs continue to attach these guidelines to their annual reports, by repealing Article 2.135, the Sandra Bland Act eliminated the partial reporting exemption. Instead, all reporting LEAs must now submit full reports annually, beginning with the data collected for stops during the 2018 calendar year and reported in 2019. Bear in mind, LEAs that do not employ peace

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<sup>111</sup> Tex. Code Crim. Proc. art. 2.132(b)(7), 2.134(b).

<sup>112</sup> *Id.* at 2.134(c).

<sup>113</sup> John Thomas, John Engel, Maggie Glynn, & Jody Barr. (2021, January 24). State of Texas: Texans push back against President Biden’s agenda. *KXAN*. Retrieved from <https://www.kxan.com/state-of-texas/state-of-texas-texans-push-back-against-president-bidens-agenda>.

<sup>114</sup> *Id.*

<sup>115</sup> Tex. Code Crim. Proc. art. 2.134(b), 2.134(g), 2.1385.

<sup>116</sup> *Id.* at 2.132(a)(6)(C).

<sup>117</sup> *Id.* at 2.132 (b)(6)(B), and Tex. Code Crim. Proc. 2.133(b)(3)-(7).

<sup>118</sup> Acts 2001, 77th Leg., Ch. 947 (S.B. 1074), Sec. 1.

officers who routinely conduct motor vehicle stops remain fully exempt from reporting requirements.<sup>119</sup>

Second, the Act also required officers to collect information on stops that result in a verbal or written warning, a ticket, or a citation instead of only when a citation is issued.<sup>120</sup> The information collected must now indicate whether the officer used physical force that resulted in bodily injury.

Finally, the Sandra Bland Act took affirmative steps to ensure incident-based data collected by the officers and reported to LEAs has a high degree of data integrity. Specifically, LEAs must now review the incident-based data to identify opportunities to improve practices and policies regarding motor vehicle stops,<sup>121</sup> and audit the data to ensure the race and ethnicity of the motorist is reported.<sup>122</sup>

In addition to the foregoing changes, HB 3389 and the Sandra Bland Act refined the comparative analysis of the aggregated incident-based data by requiring LEAs to:

- Evaluate and compare the number of motor vehicle stops with the race and ethnicity of the drivers;
- Examine the disposition of the stops, categorized by the race or ethnicity of the driver;
- Examine the number of searches resulting from stops, categorized by the race or ethnicity of the affected persons; and
- Evaluate and compare the number of searches with the number of searches that yielded contraband or other evidence.<sup>123</sup>

In other words, the comparative analysis is intended to identify and examine the extent of racial or ethnic disparities at two distinct periods: disparities in the peace officer's initial decision to make the stop and disparities in the officer's post-stop actions and the outcomes. The statute, however, does not prescribe the precise or optimal method to achieve this intended objective. For this reason, it directs TCOLE to develop guidelines instructing LEAs how to compile, analyze, and report the information required.<sup>124</sup> As noted above, TCOLE provided extensive guidelines to facilitate the now obsolete Tier 1 and Tier 2 reporting structure. Section 5.08 of the Sandra Bland Act addresses these guidelines and mandates TCOLE to complete two explicit tasks by *September 1, 2018*:

- Change the guidelines for compiling and reporting information required under Article 2.134 "to better withstand *academic scrutiny*;" and

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<sup>119</sup> LEAs that are fully exempt, complete and file an annual, online Exempt Status form through TCLEDDS, and available TCOLE's website. Law Racial Profiling Reports, TCOLE. "Law Enforcement Agency Requirements" / *Texas Commission on Law Enforcement*, 1 Mar. 2022, <https://www.tcole.texas.gov/content/racial-profiling-reports>.

<sup>120</sup> Tex. Code Crim. Proc. art. 2.132.

<sup>121</sup> *Id.*

<sup>122</sup> Tex. Code Crim. Proc. art. 2.133(c).

<sup>123</sup> *Id.*

<sup>124</sup> Tex. Code Crim. Proc. art. 2.134(e).

- Provide, in a downloadable format, all information reported under Article 2.134(b) (i.e., the aggregated data and comparative analysis),<sup>125</sup> and a glossary of terms so the public can readily understand the report.<sup>126</sup>

## Investigative Report by KXAN

In January 2021, KXAN Investigates, an Austin, Texas NBC affiliate published an in-depth investigative report on TCOLE's oversight of the state's racial profiling data reporting and enforcement practices. It also spotlighted the woeful inadequacy of the aggregated data set to perform meaningful analysis to advance the overarching data collection and reporting goals.<sup>127</sup>

### Failures to Report and Enforce

The investigation found TCOLE failed to mandate or enforce data collection, audit, and reporting requirements.<sup>128</sup> It revealed "TCOLE had no records of ever receiving a single comparative analysis" of aggregated racial profiling data from any LEA. In December 2020, TCOLE acknowledged it was unaware of the requirement to do so.<sup>129</sup> KXAN also found that TCOLE did not bring a single enforcement action against any LEAs in the past five years for failing to comply with statutory reporting requirements.<sup>130</sup>

The statute explicitly mandates TCOLE to revise its guidelines on how to compile and report the aggregated data and comparative analysis to better withstand academic scrutiny by September 1, 2018. However, the investigative report implies it is unlikely TCOLE complied with this mandate. In addition to TCOLE's apparent unfamiliarity with its statutory duty to collect the annual comparative analyses and enforce reporting requirements, LEAs interviewed during the investigation were unclear about what, precisely, they were required to do. Many LEAs informed KXAN they never performed a comparative analysis and "didn't know where to start." Others thought the aggregated racial profiling data, a component of the comparative analysis, was tantamount to the analysis. Although KXAN reported that some LEAs either conducted or hired an outside entity to perform the analysis, those reports varied greatly, ranging from eight to 81 pages.<sup>131</sup>

Following this report, TCOLE took affirmative measures to ensure all reporting LEAs submitted annual reports with aggregated racial profiling data and the corresponding comparative analysis by the March 1, 2021 deadline. First, TCOLE informed all LEAs of the annual reporting

<sup>125</sup> John Thomas, John Engel, Maggie Glynn, & Jody Barr. (2021, January 24). State of Texas: Texans push back against President Biden's agenda. *KXAN*. Retrieved from <https://www.kxan.com/state-of-texas/state-of-texas-texans-push-back-against-president-bidens-agenda>.

<sup>126</sup> Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.08.

<sup>127</sup> Barer, David, and Jody Barr. *KXAN Investigates*, 5 May 2022, <https://www.kxan.com/investigations/failed-collection-effort-spotty-data-undermine-texas-racial-profiling-law/>. Accessed 4 Sept. 2022.

<sup>128</sup> *Id.*

<sup>129</sup> John Thomas, John Engel, Maggie Glynn, & Jody Barr. (2021, January 24). State of Texas: Texans push back against President Biden's agenda. *KXAN*. Retrieved from <https://www.kxan.com/state-of-texas/state-of-texas-texans-push-back-against-president-bidens-agenda>.

<sup>130</sup> *Id.*

<sup>131</sup> Barer, David, and Jody Barr. "Texas Isn't Following Its Own Law on Racial Profiling; Police Don't Analyze Who They Pull Over." *KXAN Investigates*, 5 May 2022, <https://www.kxan.com/investigations/failed-collection-effort-spotty-data-undermine-texas-racial-profiling-law/>. Accessed 4 Sept. 2022.

requirements and possible disciplinary action and civil penalties imposed on LEAs that failed to timely submit the report.<sup>132</sup> TCOLE also updated its online reporting portal,<sup>133</sup> and now requires LEAs to sign an annual reporting document, affirming it complies with the “statutory data audit requirements.” Finally, TCOLE issued reprimand letters to 15 LEAs that submitted annual reports beyond the deadline. Ultimately, all reporting LEAs submitted annual reports with all required information in 2021, achieving full compliance for the first time.<sup>134</sup>

### Reported Data Are Insufficient to Identify Problems

It is critically important that incident-based data reported by the officers is accurate and includes all required information to develop and evaluate reliable inferences about the extent of possibly biased policing in connection with the stops. However, KXAN found many LEAs had no auditing procedures in place and TCOLE never took steps to verify that LEAs audited the data as required.<sup>135</sup> Although TCOLE now instructs LEAs to sign an annual report document, affirming it complied with the “statutory data audit requirements,” this measure falls short of the regular and systematic review and audit necessary to ensure high data integrity. Indeed, questions regarding the accuracy of the underlying data makes the data unreliable and, therefore, largely useless.

The KXAN report also interviewed scholars who specialize in statistical analysis of motor vehicle stop data. They remarked that the analysis based on aggregated racial profiling data has limited value. It may suggest agency-wide patterns of potential racially biased policing, but it cannot uncover problems with individual officers or groups of officers to prevent discriminatory practices.<sup>136</sup> Frank Baumgartner, political science professor at the University of North Carolina, and recognized as an expert in analyzing racial profiling data, stated that the aggregated data analyzed and reported is Texas is wholly inadequate and woefully insufficient to satisfy the objectives for which it was collected;<sup>137</sup> namely, to provide insights about current policing practices, identify indicators of emerging or existing racially biased policing, and develop appropriate remedial measures as necessary. In addition to reporting aggregated racial profiling data, Baumgartner recommends that Texas collect and release the incident-based, or “micro-level data” reported by the peace officer and linked to each individual motor vehicle stop.<sup>138</sup>

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<sup>132</sup> *Id.*

<sup>133</sup> Barr, Jody. “KXAN Investigation Leads to First-Ever 100% Racial Profiling Report Compliance in Texas.” *KXAN Investigates*, 1 June 2021, <https://www.kxan.com/investigations/kxan-investigation-leads-to-first-ever-100-racial-profiling-report-compliance-in-texas/>. Accessed 4 Sept. 2022.

<sup>134</sup> *Id.*

<sup>135</sup> *Id.*

<sup>136</sup> Barr, Jody. “KXAN Investigation Leads to First-Ever 100% Racial Profiling Report Compliance in Texas.” *KXAN Investigates*, 1 June 2021, <https://www.kxan.com/investigations/kxan-investigation-leads-to-first-ever-100-racial-profiling-report-compliance-in-texas/>. Accessed 4 Sept. 2022.

<sup>137</sup> Barer, David, and Jody Barr. “Texas Isn’t Following Its Own Law on Racial Profiling; Police Don’t Analyze Who They Pull Over.” *KXAN Investigates*, 5 May 2022, <https://www.kxan.com/investigations/failed-collection-effort-spotty-data-undermine-texas-racial-profiling-law/>.

<sup>138</sup> *Id.*

## Summary of LEA Requirements and TCOLE Requirements

The chart below contains a high-level summary of current requirements. Keep in mind, they apply only to LEAs that regularly make traffic stops.<sup>139</sup> According to the aggregated data for motor vehicle stops in 2021 and reported to TCOLE in 2022, Texas had a total 2,689 LEAs statewide, of which 1,541 (or 57.3%) are reporting LEAs and 1148 (or 42.7%) are exempt. The 1,541 reporting LEAs submitted aggregated data representing the information collected by peace officers during 6,892,423 individual motor vehicle stops throughout the 2021 calendar year.<sup>140</sup>

REPORTING AGENCY REQUIREMENT (ART. 2.132 - 2.134)	TCOLE REQUIREMENTS (ART. 2.133 - 2.134)
<b>Collect</b> data on motor vehicle stops for alleged violation of law/ordinance.	<b>Develop</b> guidelines for compiling and reporting the racial profiling data in a standard format.
<b>Audit</b> the data collected.	
<b>Compile</b> prior year's racial profiling data and complaints.	<b>Collect</b> and maintain the data and comparative analysis submitted by the agencies annually.
<b>Identify</b> improvements to practices and policies.	
<b>Conduct</b> comparative analysis, as required.	<b>Begin</b> disciplinary procedures against the chief administrator of an agency that intentionally fails to submit the annual report required.
<b>Submit</b> the annual report to TCOLE and the governing body, as required.	

<sup>139</sup> Tex. Code Crim. Proc. art. 2.132(1). In 2021, 69%, or 1540 of the total 2689 LEAs employed such officers. Law Enforcement Agency Reports, TCOLE. "Comprehensive Aggregated Racial Profiling Data - 2021." *Racial Profiling Reports I Texas Commission on Law Enforcement*, 1 Mar. 2022, <https://www.tcole.texas.gov/content/racial-profiling-reports>. [6,892,423 stops/365 days]

<sup>140</sup> Law Enforcement Agency Reports, TCOLE. "Comprehensive Aggregated Racial Profiling Data - 2021." *Racial Profiling Reports I Texas Commission on Law Enforcement*, 1 Mar. 2022, <https://www.tcole.texas.gov/content/racial-profiling-reports>. [6,892,423 stops/365 days]

## Analysis of Data Quality

*The racial profiling data in its current form cannot satisfy the objectives for which it was collected.*

In assessing the quality of the racial profiling data reported to TCOLE, Benchmark analyzed whether the data is complete (i.e., sufficient data, in the correct form, to conduct a meaningful analysis), accurate, and reported in a manner that is consistent with the statutory requirements.

The objectives of the data collection, analysis, and reporting requirements under statute are to provide opportunities to extract insights about current policing practices, expose emerging or existing racially biased policing, and inform the implementation of remedial measures to eradicate racial profiling and ensure fair and impartial law enforcement. High quality data and rigorous analysis are essential to meeting the objectives of the racial profiling law. Quality data and rigorous analysis require the following:

- The incident-based data collected by peace officers conducting a motor vehicle stop includes *all the data variables* needed to conduct a robust analysis.
- The incident-based data collected by the officer and reported to the LEA undergoes a regular and systematic audit to ensure the data is accurate and complete.
- The audited data is analyzed using bivariate and multivariate statistical analysis, at both the aggregate and incident-based, or micro—level.

The data collected and reported by Texas peace officers that is later aggregated and analyzed by LEAs, and, ultimately, made available to the public by TCOLE fails to satisfy any of these requirements. The data is missing key variables needed to perform a meaningful analysis of current policing practices. The data reported by officers does not include all the individual data variables needed to conduct an analysis that accounts for legitimate reasons for the stop/outcome, other than race, to determine if the disparity signifies racial bias. The missing variables include things like time of day, demographics relating to the officer making the stop, location coordinates, and demographics about the community such as crime rates, poverty levels, etc. In addition, by all accounts, LEAs do not conduct a regular and systematic audit to ensure the data is accurate and complete before aggregating it into a single data set. This greatly undermines the quality of the underlying data and renders the aggregated data set unreliable and subsequent analysis unhelpful, at best.



However, even if the data includes all key variables and undergoes a sufficient audit, an analysis that simply examines aggregated data files, two variables at a time (e.g., race and stops) – like the comparative analysis conducted by the LEAs – has limited value. The analysis might offer a summary description of disparities that may or may not be attributed to biased policing, but it will not come close to unearthing actionable insights, expose racially biased policing, nor can it inform remedial measures as contemplated in the racial profiling law.

Instead, these objectives require a more robust statistical analysis that examines more than two variables at a time, at both the aggregate and incident-based, or micro, levels. These data collection, audit and analysis issues are discussed in more detail below. The incident-based data currently collected during motor vehicle stops is missing key data variables needed to perform a meaningful analysis to determine the nature and extent of biased policing practices.

The first step in uncovering the nature and extent of biased policing during motor vehicle stops is the methodical collection of specific data about each stop.<sup>141</sup> This includes the data variables needed to examine the extent of racial disparities in the peace officer's decision to make the stop, actions during the stop, and subsequent disposition and outcomes of the stop.<sup>142</sup> Articles 2.132 and 2.133 identify the data Texas peace officers are required to collect and report.<sup>143</sup> This information includes:

1. Data about the driver: gender, race, and ethnicity, and whether the officer knew the race or ethnicity of the driver before making the stop,<sup>144</sup>
2. Details about the stop: reason for the stop (violation of law, pre-existing knowledge, moving traffic violation, vehicle traffic violation)<sup>145</sup> and location (City street, U.S. highway, county road, State highway, private property, or other),
3. Actions taken during the stop: whether a search was conducted, reason for the search (contraband in plain view, probable cause, inventory, incident to arrest), whether contraband was found,<sup>146</sup> description of the contraband (drugs, currency, weapons, alcohol, stolen property, or other), and whether the officer used force that results in bodily injury),<sup>147</sup>

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<sup>141</sup> Tex. Code Crim. Proc. art. 2.132 – 2.134 (granting TCOLE exclusive enforcement authority in connection with racial profile data reporting in 2009, beginning with the data collected in 2010 and reported in 2011).

<sup>142</sup> Pryor, M., Friedman, B., Goff, P. A., & Farhang, H. (2020). *Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities*. Center for Policing Equity and Policing Project at New York University School of Law. Retrieved June 2022.

<sup>143</sup> Tex. Code Crim. Proc. art. 2.132(a)(2), 2.133(b)(1).

<sup>144</sup> *Id.* at 2.132(b)(6)(c),

<sup>145</sup> *Id.* at 2.133(b)(2).

<sup>146</sup> *Id.* at 2.133(b)(4)-(6).

<sup>147</sup> Tex. Code Crim. Proc. art. 2.133(b)(9) (requiring peace officers to report to the LEA whether the officer *used physical force that resulted in bodily injury*).

4. Disposition/Result of the stop: verbal warning, written warning, citation, written warning and arrest, citation and arrest, or arrest), and whether an arrest was based on a violation of the Penal Code, traffic law, City Ordinance, or outstanding warrant for arrest.<sup>148</sup>

These data variables collected and reported by LEAs to TCOLE satisfy the minimum, statutory data collection and reporting requirements.<sup>149</sup> However, the data currently collected is insufficient to conduct the type of analysis needed to advance the objectives of the data collection and reporting requirements. This is because the data is missing some of the variables needed to conduct a *multivariate analysis* that may either legitimately explain disparities in the stops and post-stop outcomes or signify racially biased policing.<sup>150</sup>

Bivariate and *multivariate analysis* are general types of statistical techniques used to investigate the relationship between variables and commonly used to assess motor vehicle stop data. As the name suggests, a *bivariate analysis* examines the relationship between only two variables at a time, such as the driver's race and number of stops, the number of searches and the number of searches that yielded contraband, etc. A multivariate analysis, on the other hand, examines the relationship between more than two variables and is a technique used to control for all factors that explain the stop or post-stop outcomes. Both techniques can employ simple methods of analysis such as summary statistics and advanced methods like regression analysis – a mathematical way to sort and identify statistically significant relationships between variables.<sup>151</sup>

Bivariate and multivariate analyses are distinguished in terms of what they can reveal. A bivariate analysis identifies correlations between the two variables, or the strength and direction of the relationship. It cannot be used to reach conclusions about their relationship. This is because a bivariate analysis does not simultaneously “control” for (i.e., consider) variables other than race that might legitimately explain disparities in stops and post-stop outcomes, referred to as confounding variables. This requires a multivariate analysis.

For example, when examining the relationship between race and stops, confounding variables include police deployment in the area, crime rates, an outstanding warrant for arrest, etc.<sup>152</sup> If the multivariate analysis accounts for all legitimate factors and an unexplained disparity in the relationship between race and stops remains, it may be appropriate for an LEA to conclude the relationship points to racially biased policing. Because the multivariate analysis may lead to sound conclusions about the relationship between key variables, it is preferred over a bivariate analysis.<sup>153</sup> Although the data collected and reported under statute contain many of the variables

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<sup>148</sup> *Id.* at 2.132(6) (requiring peace officers to report to the LEA whether a verbal or written warning or ticket was issued in addition to the existing requirement that the officer report whether a citation was issued or an arrest made.)

<sup>149</sup> Articles 2.132 and 2.133 require officers to collect the “location” of the stop, without specifying location categories: city street, U.S. highway, county road, State highway, private property, or other. The categories, however, are included in the document entitled “Spreadsheet Provided By TCOLE For LEA Reporting,” found on the TCOLE website. Law Enforcement Agency Reports. “Comprehensive Aggregated Racial Profiling Data - 2021.” *Racial Profiling Reports / Texas Commission on Law Enforcement*, 1 Mar. 2022, <https://www.tcole.texas.gov/content/racial-profiling-reports>. This is true for the description of contraband as well. See also Tex. Code Crim. Proc. art. 2.133(b)(4).

<sup>150</sup> Tillyer, Rob, Robin Engel, Cherkauskas, Jennifer. “Best Practices in Vehicle Stop Data Collection and Analysis.” *Policing: An International Journal of Police Strategies & Management*, Mar. 2010, <https://doi.org/10.1108/pijpsm.2012.18135daa.004>.

<sup>151</sup> Alpert, Geoffrey P., et al. Analysis Group, Los Angeles, CA, 2005, pp. 1–229, *Proposed Pedestrian and Motor Vehicle Stop Data Analysis Methodology Report*.

<sup>152</sup> *Id.*

<sup>153</sup> *Id.* see also, See Baumgartner, F., Epp, D., & Love, B. (2014). Police Searches of Black and White Motorists. (Durham, NC). Chapel Hill, NC: University of North Carolina-Chapel Hill Department of Political Science; Chanin, Joshua & Welsh, Megan & Nurge, Dana. (2018), Traffic Enforcement Through the Lens of Race: A Sequential Analysis of Post-Stop Outcomes in San Diego, California. Criminal Justice Policy Review.

needed for this type of analysis, additional data is required to fully account for the reasons for a stop, other than race, in order to provide the public and LEAs with a greater understanding of their motor vehicle stop data.

## Best Practices

The Center for Policing Equity (CPE) and the Policing Project at New York University School of Law (NYU) issued a publication in 2020 entitled, *Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law enforcement Agencies, Government, and Communities* (hereinafter “the Guidebook”).<sup>154</sup> It represents a culmination of extensive research into racial and identity profiling, stop data collection, and data best practices. The Guidebook provides an opportunity to compare the minimum data collection requirements established by CPE and the NYU Policing Project with the data currently collected by LEAs. For the most part, this data falls within the statutory data collection and reporting requirements. However, the chart illustrates the additional data variables needed for a more robust analysis. Those variables are also listed below.

1. Data about the driver: age, residence within jurisdiction, sexual orientation, disability status, demeanor
2. Details about the stop: data and time of stop, location coordinates and corresponding crime rates and poverty levels, areas of proactive/targeted enforcement, and number of officers involved
3. Actions taken during the stop: whether contraband was seized, whether de-escalation strategies were employed, and the use of force regardless of whether the force resulted in bodily injury
4. Information about the officer: age, gender, race, ethnicity, education, experience, assignment, beat, precinct, district, military experience, and the officer’s use of de-escalation techniques

Although the statute expressly requires officers to collect specific data, it does not necessarily preclude the officer from reporting additional variables, with two exceptions. First, Articles 2.132 and 2.134 state that the reports cannot contain identifying information about the peace officer who makes the stop.<sup>155</sup> The additional, demographic information about the officer arguably falls outside the scope of “identifying information.” This data is necessary to analyze the officer’s actions and inform training and should include at least demographics, and ideally their rank, years of licensure, and assignment.<sup>156</sup>

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<sup>154</sup> Pryor, M., Friedman, B., Goff, P. A., & Farhang, H. (2020). *Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities*. Center for Policing Equity and Policing Project at New York University School of Law. Retrieved June 2022.

<sup>155</sup> Tex. Code Crim. Proc. art. 2.132 and 2.134(d).

<sup>156</sup> Pryor, M., Friedman, B., Goff, P. A., & Farhang, H. (2020). *Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities*. Center for Policing Equity and Policing Project at New York University School of Law. Retrieved June 2022.

Second, the reports cannot contain identifying information about the person stopped or arrested, other than the person's physical description as required under Article 2.133(b)(1). The additional data about the individual appears to fall squarely with the "physical description" required under the statute. For example, that description "includes" gender and race or ethnicity, a reference that typically indicates the list is not exhaustive.

Other than demographic information about the officer and individual stopped, the additional, necessary information includes the time of the stop (day or evening). This is key to a popular motor vehicle stop data benchmark called the veil of darkness. The rationale of this analysis is that peace officers are less likely to observe the race or ethnicity of the driver before initiating a stop in the evening.<sup>157</sup>

TCOLE currently instructs LEAs to report information not explicitly required in Articles 2.132-2.134. This is illustrated in the "Spreadsheet Provided by TCOLE for LEA Reporting."<sup>158</sup> Under the heading "Location," LEAs are required to report the various types of contraband listed under the "Description of Contraband" heading even though none are enumerated in the statute. Similarly, LEAs must report whether the stop occurred on a city street, U.S. highway, county road, etc., even though such details are not listed in the statute. The additional location coordinates appear to be a similar data point. TCOLE should determine if any of the additional data points are already recorded by officers during a stop pursuant to standard policy or practice, (i.e., the time), or if the data is otherwise secured in the official records maintained by the LEA and TCOLE (i.e., officer demographic information).<sup>159</sup>

Additionally, the narratives in some reporting LEAs' 2021 annual reports indicate that some data is collected or reported in a manner that is inconsistent with the statutory requirements. For example, Art. 2.134 requires LEAs to collect and report the dispositions of the stops. Although there can be multiple dispositions for one stop, it appears that at least some LEAs assert that TCOLE's instructions require the number of dispositions to equal the number of stops.<sup>160</sup> This reporting is inconsistent with the statutory requirements and undermines the reliability of the data.

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<sup>157</sup> Grogger, Jeffrey & Ridgeway, Greg. (2004). Testing for Racial Profiling in Traffic Stops From Behind a Veil of Darkness. *Journal of the American Statistical Association*. 101. 10.2307/27590768.

<sup>158</sup> See TCOLE's website at <https://www.tcole.texas.gov/content/racial-profiling-reports>.

<sup>159</sup> Grogger, Jeffrey & Ridgeway, Greg. (2004). Testing for Racial Profiling in Traffic Stops From Behind a Veil of Darkness. *Journal of the American Statistical Association*. 101. 10.2307/27590768, Wolfe, S. E., Carter, T., & Knode, J. (2021). *Michigan State Police Traffic Stop External Benchmarking: A Final Report on Racial and Ethnic Disparities*. East Lansing, MI: School of Criminal Justice, Michigan State University.

<sup>160</sup> See University of Texas Annual Racial Profiling Report (2021).

OPPORTUNITIES TO ENHANCE TEXAS STOP DATA REPORTING REQUIREMENTS				
#	CATEGORY	Center For Police Equity And Policing Project At NYU School Of Law Baseline Data Collection Requirements	Texas Stop Data Reporting Requirement	Does Texas Meet Or Exceed Baseline Requirements?
1	<b>Agencies/Officers Required To Collect Data</b>	All LEAs should collect data, regardless of size or specialization, including K-12 public school districts, university police agencies, transit officers, State police agencies and/or highway patrol.	Only LEAs that routinely make motor vehicle stops Other agencies are exempt from reporting	N
2	<b>Types Of Encounters For Which Data Is Collected</b>	Collect data for all non-consensual vehicle and pedestrian stops (including non-emergency checkpoint stops) regardless of outcome of the stop. Data that is collected for only citations and arrests is not representative or comprehensive.	Motor vehicle stops where a ticket, citation or warning is issued, or arrest made.	N
3	<b>Details Of The Stop</b>	Collect the date and time of incident, latitude/ longitude, beat, precinct, district. Did stop occur at checkpoint? Number of officers involved?	Records data for location: street address, approximate location, or other.	N
4	<b>Officer Making The Stop</b>	Unique identifier link officer to the stop. Data includes officer's race/ethnicity, sex, age, years of experience, rank, type of assignment, and military background Helps to identify problematic practices and training needs.	No Information required	N
5	<b>Person Being Stopped</b>	Collect data for pedestrians stopped and, in certain circumstances, when motor vehicle passengers are detained	Data is collected in connection with motor vehicle operators only	N
6	<b>Demographics Of The Person Being Stopped</b>	CPE recommends stop data to identify other disparities, such as age, sexual orientation, disability status, English-language ability, etc.	Demographics include race/ ethnicity and gender only	N
7	<b>Reason For The Stop</b>	Data should indicate if the stop "intelligence-led," initiated by another agency, or made in response to a call for service, radio call, or dispatch	Alleged violation of law or ordinance (including traffic violation)	N
8	<b>Use Of Force</b>	Report all use of force, identify the type and reason for the force, de-escalation strategies employed, and if there was an activated/ operating camera on the scene.	Use of Force: Collect data only if force results in physical injury	N
9	<b>Search &amp; Seizure</b>	Note: Data should also indicate if property was seized and the type of property.	Includes whether there was a search, basis, the consent, and contraband No requirements regarding property seizure.	Y
10	<b>Results/Outcomes</b>	No action taken, warning issued, citation issued, arrest.	Warning, ticket, citation, or arrest and complaints received against an officer	Y
11	<b>Data Integrity</b>	Agencies are required to have procedures in place to conduct regular and systematic audits to ensure data is collected for all encounters subject to reporting and data is complete and accurate	LEA is required to audit reports to ensure race and ethnicity of person operating the vehicle is reported	N

## The Incident-Based Data Reported by Officers to LEAs Do Not Undergo a Regular and Systemic Audit

LEAs must ensure the incident-based data reported by the officers is accurate and includes all required information to develop and evaluate reliable inferences about the extent of racially biased policing in connection with the stops. Based on the KXAN investigative reporting over the past eighteen months, some, if not most of the data, reported annually by LEAs has not undergone sufficient auditing to ensure data quality and safeguard the integrity of the aggregated data set, and to determine if some stop reports are missing entirely. KXAN found many LEAs had no auditing procedures in place and TCOLE took no steps up until 2020 to verify that LEAs verified the data as required. That year, TCOLE began requiring LEAs to sign an annual report with a simple, vague affirmation that the LEA complied with the "statutory data audit requirements." Although regular and systematic audits are best practice for data collection and analysis, it is important to note the statutory audit under Article 2.134 pertains to the LEAs responsibility to ensure only "that the race or ethnicity of the person operating the motor vehicle is being reported."<sup>161</sup>

Benchmark's general assessment included a review of various LEA annual reports, comparative analysis narratives, and TCOLE's Excel spreadsheet populated with the aggregate data reported

<sup>161</sup> Tex. Code Crim. Proc. art. 2.134(d) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

by the LEAs for 2021. The assessment reveals some inaccuracies in the data aggregated data set. For example, there are apparent errors in the stop data reported in the following data fields: for use of force, injury to the suspect, injury to the officer, or injury to both. The use of force resulting in physical injury is the only use of force reported to TCOLE.<sup>162</sup> Thus, the total number of injuries should equal the number of times the officer used force that resulted in injury. However, 49.5% of the 369 LEAs that reported use of force, the total number of injuries did not equal the number of times force was used. Simple errors such as this erode data quality, undermine the integrity of the data set, and renders any subsequent analysis of little use, at best.

The assessment also reveals ambiguities that lead to inconsistencies in how the data is reported and, in some instances, with the requirements of the statute. The following examples illustrate issues in reporting race and ethnicity, overreporting, and the appropriate benchmark(s) to reflect the demographic composition of traffic stops in the absence of racial bias.

First, Article 2.132 of the statute requires officers to indicate if they knew the race or ethnicity of the driver before making the stop. This “knowledge” is likely based on the officer’s perception of the driver’s race, which is the widely accepted best practice to determine if racial bias influenced the decision to make the stop. However, after making the stop, Article 2.133 requires the officer to report the driver’s race or ethnicity based not on the officer’s perception of race, but rather “as stated by the driver” or, if the driver fails to do so, “as determined by the officer to the best of the officer’s ability.”

The Dallas Police Department’s 2021 annual report recites a policy that is inconsistent with the statute and illustrates variations in the way officers across the state report race and ethnicity:

“The policy of the Dallas Police Department is that officers will not ask a person for their race or ethnicity. (General Order 302.01 J: ‘Officers will not ask an individual for their race but will make that determination to the best of their ability.’)”<sup>163</sup>

Second, in its *2021 Racial Profiling Data Analysis of the State of Texas*, the Institute for Predictive Analytics in Criminal Justice (IPAC) found overreporting by LEAs relating to contraband.<sup>164</sup> Instead of counting the number of searches that yielded contraband, some LEAs reported the number of contraband items found during each search. IPAC remarked that overreporting prevents an accurate calculation of hit rates. Similar to comments in various LEA reports, IPAC also noted inconsistencies in the data on race. Most notably, someone of Hispanic origin may be of any race. Consequently, unlike the Texas statute, the U.S. Census separates race and ethnicity. Researchers suspect people of Hispanic origin may report more than one race, resulting in overreporting. The statute also requires the officer to report just one race when, in fact, an individual may have multiple racial origins.

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<sup>162</sup> See University of Texas Annual Racial Profiling Report (2021).

<sup>163</sup> Dallas Police Department, Racial Profiling Analysis 2021. <https://dallaspolice.net/reports/Shared%20Documents/2021-racial-profiling-report.pdf>

<sup>164</sup> Del Carmen, Alex, et al. IPAC, Stephenville, Texas, 2022, pp. 1–27, 2021 Racial Profiling Data Analysis of the State of Texas, Annual Report.

Third, some LEAs expressed uncertainty regarding the appropriate benchmark to accurately reflect the demographic composition of traffic stops within its jurisdiction in the absence of racial bias. Based on the reporting guidelines on TCOLE's website, this appears to be an optional analysis of the race or ethnicity of the reporting area using census data. Some agencies appear to adjust the census data for households with access to a vehicle, while others may not. In addition, using only census data estimates overlooks a variety of other benchmarks often used, such as crime data, traffic data, veil of darkness, etc.<sup>165</sup>

## TCOLE Does Not Provide Sufficient Guidelines for Withstanding Academic Scrutiny

The comparative analysis under Article 2.134 largely requires LEAs to analyze the aggregated racial profiling data set in a manner that is sufficient to:

- *Evaluate and compare* the number of motor vehicle stops with the race and ethnicity of the drivers;
- *Examine* the disposition of the stops by the race or ethnicity;
- *Examine* the number of searches by the race or ethnicity of the affected persons; and
- *Evaluate and compare* the number of searches with the number that yielded contraband or other evidence.<sup>166</sup>

Based on the five stated variables: race, number of stops, disposition, number of searches, and the number of times the searches yielded contraband or other evidence, the objectives of the analysis are twofold: (1) examine the extent to which drivers are racially profiled, manifested by disparities in officer decisions to initiate the stop, and (2) examine the extent to which police officers exhibit racial bias during the stop, manifested by disparities in the outcomes and dispositions drivers receive after the stop (e.g., searches that do not yield contraband).

The statute does not prescribe the methodology by which to conduct the analysis to achieve the objectives. Instead, it requires TCOLE to provide LEAs with guidelines on compiling, analyzing, and reporting the information required under Article 2.134, with the expectation that the guidelines are revised periodically to withstand academic scrutiny.<sup>167</sup> TCOLE stated that the guidelines are provided on the website for Racial Profiling Reports.<sup>168</sup> The information on the website recites the statutory language, summarizes the requirements, describes how to upload and submit the required reporting documents as spreadsheet for LEA to input and report its

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<sup>165</sup> Amarillo Police Department Racial Profiling Report, 2019. <https://www.amarillopolice.org/Resources/2019RacialProfileReport.pdf>. For a comprehensive discussion on the external benchmarks used to analyze traffic stops, see Wolfe, S. E., Carter, T., & Knode, J. (2021). *Michigan State Police Traffic Stop External Benchmarking: A Final Report on Racial and Ethnic Disparities*. East Lansing, MI: School of Criminal Justice, Michigan State University.

<sup>166</sup> *Id.* at 2.134(c)(1).

<sup>167</sup> 2017 Tex. Gen. Laws 947, §5.08 (S.B. 1849).

<sup>168</sup> Law Enforcement Agency Reports. "Comprehensive Aggregated Racial Profiling Data - 2021." *Racial Profiling Reports | Texas Commission on Law Enforcement*, 1 Mar. 2022, <https://www.tcole.texas.gov/content/racial-profiling-reports>.



aggregated data for the required variables. The website does not instruct the LEAs on best practices to verify and audit the data collected by its officers. There is no discussion on how to perform the comparative analysis, including appropriate benchmarks, or interpret the results – all of which are vital to structure that facilitates a reliable and consistent reporting methodology.

In designing TCOLE guidelines for the comparative analysis, the Guidebook recommends identifying the specific questions the analysis is intended to answer, such as: whether certain groups bear a disproportionate burden from the stops, whether the data collected will help the LEA assess and remediate the conduct of individual officers, etc.<sup>169</sup> The Guidebook also labels the level of data analysis as either Silver or Gold in relation to these questions. A Silver standard performs a simple bivariate analysis, and a Gold standard performs the more complex multivariate analysis to gain more actionable findings.<sup>170</sup>

The charts below compare the data analyzed and reported to TCOLE by the reporting LEAs against the Guidebook's Gold and Silver standards. The comparison illustrates that the data and analysis reported to TCOLE falls short of the Gold standard, but they satisfy the Silver standard for answering many questions – namely, gauging the effectiveness of policing strategies, and identifying disparities in stops. However, the data and analysis reported fail to satisfy either standard for assessing the degree of group proportionality (i.e., the likelihood of different outcomes for different groups) and, significantly, assessing outliers in officer behavior. Furthermore, the chart illustrates that additional information is needed to achieve a complete data set that is sufficient to conduct a more probative and appropriate multivariate analysis that considers an array of confounding variables that influence whether an officer makes a stop, conducts a search, etc.

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<sup>169</sup> Pryor, et al., *The Guidebook*, at 7.

<sup>170</sup> Pryor, et al. *The Guidebook*, at 10.



## THE DATA ANALYSED AND REPORTED TO TCOLE MAY NOT PROVIDE INSIGHTS SUFFICIENT TO IDENTIFY AND REMEDIATE BIASED OUTCOMES

### *Effectiveness of Policing Strategies: Measuring the Benefits/Costs of Strategies and Impact on Public*

	The Questions the Analysis in Intended to Answer	Are the Questions Answered by the Current Comparative Analysis in TX?	Comment on Texas Requirements
Gold Standard	Have crime rates increased or decreased in areas that have been the subject of recent proactive targeted enforcement?	No	Statute does not require collection or reporting of crime data in areas surrounding MV stops or areas of proactive targeted enforcement.
	Have citizen complaints of racial or identity profiling increased or decreased in areas that have been the subject of recent proactive targeted enforcement?	No	Complaint data reported in aggregate only. Statute does not require collection or reporting of areas of proactive targeted enforcement.
	Have calls for service increased or decreased in areas that have been the subject of recent proactive targeted enforcement?	No	Calls for service are not compiled or reported to TCOLE. The statute requires that the local agency collect and report the "reason" for the stop, which encompasses such calls.
Silver Standard	What is the rate of vehicle stops resulting in citation or arrest?	Yes	Provided in Comparative Analysis.
	What is the rate of searches/frisks resulting from stops?	Yes	Provided in Comparative Analysis.
	What is the rate of contraband yield resulting from searches/frisks	Yes	Provided in Comparative Analysis.

## MEASURING DISPARITIES IN STOPS TO IDENTIFY AND ROOT-OUT BIASED OUTCOMES

	The Questions the Analysis in Intended to Answer	Are the Questions Answered by the Current Comparative Analysis in TX?	Comment on Texas Requirements
Gold Standard	Are there racial disparities in the use of force among persons stopped when controlling for age, gender, offense type, and neighborhood context?	No	TCOLE requires a bivariate analysis only Art. 2.134 requires an "evaluation" of motor vehicle stops and the race/ethnicity of the person stopped and does not preclude a multivariate regression analysis.
	Are there racial disparities in the yield rates of contraband found among perceived race of persons stopped when controlling for neighborhood context (e.g. crime, poverty)?	No	TCOLE requires a bivariate analysis only. Art. 2.134 requires agencies to evaluate and compare the hit rates and the race/ethnicity of the person stopped. It does not preclude a multivariate regression analysis.
	Are there racial disparities in the use of de-escalation techniques among perceived race of persons stopped when controlling for gender and neighborhood context?	No	The statute does not require the collection or reporting of data regarding de-escalation techniques implemented during the stop.
Silver Standard	Are there racial disparities in rates of persons searched?	Yes	Provided in Comparative Analysis
	Are there racial disparities in rates of persons arrested?	Yes	Provided in Comparative Analysis
	Are there racial disparities in rates of persons on whom force was used?	Yes	Provided in Comparative Analysis

## ASSESSING DEGREE OF GROUP REPRESENTATION/PROPORTIONALITY (Likelihood of Certain Outcomes for Different Demographic Groups)

	The Questions the Analysis in Intended to Answer	Are the Questions Answered by the Current Comparative Analysis in TX?	Comment on Texas Requirements
Gold Standard	Are there racial disparities between the number of vehicle stops across race of persons stopped compared to their representation in the population when controlling for neighborhood context?	No	TCOLE requires a bivariate analysis only. Art. 2.134 requires an "evaluation" of motor vehicle stops and the race/ethnicity of the person stopped and does not preclude a multivariate regression analysis that includes the location of the stop.
	What is the proportion of the number of citizen complaints in the neighborhood to the number of police stops in the same neighborhood when controlling for neighborhood context (e.g., crime, poverty)?	No	Complaint data reported in aggregate only and are not tied to neighborhood. The statute does not require the collection or reporting of data regarding the crime and poverty rates of the neighborhoods in which the stop is located.
	What is the proportion of citizen complaints alleging racial or identify profiling to the number of police stops when controlling for neighborhood context.	No	Complaint data reported in aggregate only and are not tied to the number and location of the stops.
Silver Standard	Is the proportion of vehicle stops by race equal to their representation in the population?	No	Population estimate of reporting area is optional. Data regarding the residence of the individual stopped (i.e., within or outside the population benchmark) is not reported to TCOLE.
	Are there racial disparities between perceived race of persons identified in officer-initiated stops in proportion to the race of persons identified in all calls for service.	No	Although the agencies are required to collect and report data on the reason for the stop, TCOLE does not require the agencies to compile and report data regarding whether the stop was officer-initiated or in response to a call for service.

## ASSESSING OUTLIERS IN OFFICER BEHAVIOR (STANDOUTS)

	The Questions the Analysis in Intended to Answer	Are the Questions Answered by the Current Comparative Analysis in TX?	Comment on Texas Requirements
Gold Standard	Are some officers responsible for a disproportionate amount of stops when controlling for assignment type?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What common factors exist among officers with the highest rate of use of force incidents when controlling for offense type and neighborhood context (e.g., crime, poverty)?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What common factors exist among officers with the highest number of citizen complaints when controlling for offense type and neighborhood context (e.g., crime, poverty)?	No	The statute does not require agencies to collect or report information on the officer making the stop.
Silver Standard	What is the average number of stops per officer?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What is the average number of searches per officer?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What percentage of each officer's searches yield contraband?	No	The statute does not require agencies to collect or report information on the officer making the stop.

Another chart comparing the racial profiling data collection requirements of Texas against peer states such as California, Colorado, Florida, North Carolina, and Washington is included in Appendix 9.

## Findings and Recommendations

### Data Quality

1. **Findings:** The data reporting meets basic statutory requirements; however, the available information is unreliable and largely unusable to help ascertain the nature and extent of racial profiling during motor vehicle stops. The data collected and reported must contain all data variables necessary to conduct a comprehensive analysis. This includes the data needed to conduct the Gold standard analysis recommended by the CPE/NYU Guidebook and discussed in this report. Finally, an analysis that imparts actionable insights and targeted solutions requires incident-based, micro-level data, and more complex statistical techniques.
  - a. **Recommendation:** The Texas Legislature should consider adopting additional data collection fields that are not expressly required under statute but offer more comprehensive information needed to conduct a robust analysis. This includes the collection and reporting of demographic information on the officer making the stop.
  - b. **Recommendation:** TCOLE should collect the incident-based, micro-level data to provide the opportunity for more robust and meaningful statistical analysis to the extent allowable under current law. TCOLE should consider partnering with academic institutions to perform comparative analyses for LEAs and to conduct an annual statewide statistical analysis of the incident-based micro-data. The analyses should utilize bivariate and multivariate techniques that employ summary and descriptive statistics and inferential analyses, including methods such as regression analysis.
  - c. **Recommendation:** TCOLE should consider releasing the raw data for analysis by stakeholders in law enforcement and the broader public.
2. **Findings:** There are inaccuracies in the Excel spreadsheet maintained on TCOLE's website. In addition to collecting a complete data set, data quality also requires accurate data to ensure data integrity. Benchmark's preliminary assessment included an initial review of various annual report narratives and TCOLE's Excel spreadsheet populated with the aggregate data for 2021, reported by LEAs. That assessment reveals that the data reported and maintained in Excel format on the TCOLE website is inaccurate in some instances. For example, there appear to be errors in the stop data reported for use of force, injury to the suspect, injury to the officer, or

injury to both. The use of force resulting in physical injury is the only use of force reported to TCOLE. Simple errors erode data quality and undermine the integrity of the data set.

- a. **Recommendation:** Considering the significance of auditing practices and procedures to the quality of the data and validity of any ensuing analysis, the Texas Legislature should expand the statutory auditing requirement to include the audit of all racial profiling data collected and reported by LEAs to TCOLE, instead of an audit that only verifies data is reported on the race or ethnicity of the driver. This is needed to ensure the data is accurate, complete and includes all data points.
- b. **Recommendation:** TCOLE should continue to hold chief administrators accountable for ensuring their LEAs: (1) submit a report for all applicable motor vehicle stops, and (2) the report is accurate and contains no missing data. LEAs should also conduct regular and systematic audits to correct reporting errors, missing data, etc., which may include an audit committee.
- c. **Recommendation:** TCOLE should embed data validation formulas in the reporting spreadsheet to help eliminate logical inconsistencies and missing data. TCOLE should also include data audit standards in its guidelines for data compilation and reporting, including how to handle incident-based reports with missing or inaccurate data and the extent to which LEAs should include that incident in the aggregated data set.
- d. **Recommendation:** TCOLE should develop and conduct training on the data audit standards set forth in the recommended guidelines. It should also develop and conduct training on when and how to collect and report motor vehicle stop data, including complex scenarios such as reporting requirements when a passenger is arrested because of the stop, etc.
- e. **Recommendation:** TCOLE should utilize established standards to evaluate LEA performance based upon metrics such that agencies which meet and exceed standards are acknowledged and those which fall below standards are trained and remediated.

## Data Management Practices

3. **Finding:** TCOLE currently does not have general rulemaking authority to set new rules and standards related to the required fields for racial profiling reports.
  - a. **Recommendation:** The Texas Legislature should grant TCOLE explicit rulemaking authority over the required fields for racial profiling reports such that LEAs submit data to withstand academic scrutiny.
4. **Finding:** In 2017, the Sandra Bland Act explicitly required TCOLE to revise its guidelines that provide the standards for compiling and reporting information required under Article 2.134 better withstand academic scrutiny, by September 1, 2018. The report includes the aggregated

data set and comparative analysis of that data. TCOLE's instructions, sample forms, and spreadsheet do not provide the direction necessary to address the data quality and enforcement issues identified in this report.

- a. **Recommendation:** TCOLE should develop comprehensive guidelines with sufficient detail to address the data quality issues raised in this report, including standards to ensure the data collected and reported by LEAs is consistent with the statutory requirement. The guidelines should include information on: (1) how TCOLE tracks LEA reporting compliance, (2) the LEA behavior that manifests the intent needed to trigger disciplinary action, and (3) the disciplinary process and potential outcomes.
5. **Finding:** TCOLE currently requires LEAs to submit the detailed written racial profiling policies adopted by LEAs under Article 2.132(b).
  - a. **Recommendation:** TCOLE should create a sample Racial Profiling/Motor Vehicle Stop Data policy to ensure LEA policies are consistent with the statute and contain all of the requisite elements, including the manner and process by which an individual may file a complaint alleging racial profiling, the specific information officers must collect upon making a motor vehicle stop, standards for reviewing video and audio documentation, and the improvements the LEA can make in its practices and policies based on its review of the stop data collected.
6. **Finding:** Transparency for the public is required by section 5.08(2) of the Sandra Bland Act. The Act mandates TCOLE to provide, in a downloadable format, all information reported under statute, which specifically requires aggregated, incident-based data compiled during the prior year. In addition to the aggregated data, the statute clarifies that the report must also include a comparative analysis and information regarding complaints alleging a peace officer engaged in racial profiling. TCOLE does provide a downloadable Excel spreadsheet with the aggregated data. It does not provide the comparative analyses submitted by the LEAs, in downloadable or any other format. In addition to the aggregated data, comparative analysis, and information on complaints, TCOLE must also provide a glossary of terms so the public can readily understand the report. The glossary is not available.
  - a. **Recommendation:** TCOLE should make LEAs' Motor Vehicle Stop Data and the required glossary should be available to the public. The data should be free and publicly available in tabular form and in several open formats whenever possible. Since most members of the public may not have the skills to analyze the data, TCOLE should provide high level visualizations that summarize the data in a meaningful way.

## PART FIVE:

# Recommendations for Comprehensive Data and Reporting System

As TCOLE looks to the future of its oversight responsibilities, evolving the TCOLE data systems used to capture and report on officer and LEA performance presents an important opportunity. The platform used to capture data can expand the mechanism for capturing data as well as the specific data fields. Once those data are captured, finding the means to report as much of that data to the public will improve overall accountability and transparency.

Under Texas law, high-value data is information that can be used to increase state agency accountability and responsiveness and improves public knowledge and the agency's operations.<sup>171</sup> The law requires Texas state agencies to post these data sets on their websites, excluding information deemed confidential or protected by state or federal law, which is protected from disclosure.<sup>172</sup> Generally, the law favors posting data rather than withholding it. TCOLE is a state agency obligated to identify high-value data sets and post them on a public website as raw data in an open standard format that the public can search, extract, organize, and analyze. TCOLE is required to use the agency's website home page and the identifier "data" as a resource locator.

Shared data can help build trust. It has value in serving the public and in assisting policymakers. However, TCOLE may be underutilizing its data. Data sharing initiatives with local law enforcement agencies would support professional standards for Texas law enforcement by serving as a basis for best practices and developing strategies. Government agencies should make data public that is complete, timely, accessible (online and free), and use input to determine a way to disseminate information that has value to the public.<sup>173</sup>

As shown in the analysis of peer agencies (Part One of this report), peer states are reporting a substantial amount of information about their officers, their licenses, misconduct, etc. TCOLE has an opportunity to expand its reporting to match its peers.

To minimize the time to value, this public data reporting could initially take the form of computer and human-readable files (e.g. CSV) and expand to formats more specifically tailored for each (e.g. JSON and XLSX). To manage this system going forward, TCOLE could provide a database driven platform that would provide interactive exploration of the data along with the ability to download specific reports.

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<sup>171</sup> Tex. Gov. Code § 2054.1265.

<sup>172</sup> *Id.*

<sup>173</sup> See "The 8 Principles of Open Government Data (OpenGovData.org)." *The 8 Principles of Open Government Data (OpenGovData.org)*, Resources.data.gov of the United States Government, .



## Officer Licensure

TCOLE should provide all information to the public on licensed officers under TCOLE's jurisdiction. The granting, expiration, suspension, revocation, canceling and all other license statuses should be available as close to real-time to provide a peace officer's complete history. If TCOLE has the data, it should be reported. Public reporting would allow searching for any individual officer to see their license history as well as to pull up all transactions that have occurred each year across officers. Additional useful reporting would include searches by LEA or specific action type (e.g., report on all revocations). The information would include the officer's name, license information, and TCOLE identifier. Transactions on licenses would not have to include narratives/memos or information about administrative holds and pending statuses.

## Officer Appointment

Once officer licensure data are conveyed to the public, officer appointment data would be the next component to expand transparent reporting. Beyond analyses mandated by law, reporting of records and analytics for the employment/appointment of licensees and officers to any agency in Texas should be publicly reported. This information would include the officer's name and TCOLE identifier, and service dates within the agency. Other demographic data and personally identifiable information could be excluded from reporting to protect officer privacy. The data capture system should include capturing the explicit separation reason in a defined format with common values. Auditing of the records would identify potential problems within an agency or with an officer.

- Resigned
- Resigned pending discipline
- Retired
- Dismissed for cause
- Dismissed during probation
- Unknown
- Other (which could include deceased, leave of absence, etc.).

## Motor Vehicle Stop Data

TCOLE's collects motor vehicle stop data from law enforcement agencies that is collected, compiled, and analyzed pursuant to state law to identify and correct incidents of racial profiling by law enforcement. TCOLE's annual comprehensive racial profiling report is based upon the motor vehicle stop data collected from those agencies.

Benchmark audited the types of incident-based data—categorical variables the law enforcement agencies are required to collect under Article 2.133 of the Texas Criminal Code—against the data TCOLE collects from the agencies pursuant to Article 2.134.<sup>174</sup> The audit reveals that TCOLE complies with its statutory collection requirements regarding the stop data variables reported.

Despite complying at the overall level, Part Four of this report has identified that the data collected is insufficient to identify instances of racial profiling. TCOLE should consider collecting data about individual stops. These data could be collected in a centralized portal or via a data integration that feeds data from individual agencies and vendors. By offering the data capture via a centralized portal, smaller, low-budget agencies would benefit from TCOLE's improved technology offerings. By offering data integration feeds from agencies and vendors, larger agencies or those that have already implemented expanded stop data collection that meets the reporting needs would not have to change.

Once additional data are captured, the data would be reported to the public in aggregated forms (by agency, by year, by officer) and would be available for request by researchers at the individual event level.

## Additional Data Capture and Analysis

To fully identify problematic officer movement problems, additional information about officer misconduct would need to be available. While there is often substantial variation in the type of misconduct captured, and allowances should be made for agencies to maintain internal discipline policies, other state POSTs capture the more severe types of violations. For example, the State of Minnesota maintains an online portal for agencies to submit all severe misconduct investigations on officers. That portal is then used for generating data analyses for the legislature and research reports.

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<sup>174</sup> See Appendix 7.



**New Misconduct Report**

Incident Information

Agency Case Number

Intake Method\*

Complaint Type\*

Date of Incident  Time of Incident

Date Reported to Agency\*

Address / Location of Incident  City

State  Zip Code

**MR22-9-85** (Draft)

Employee  License Number (if applicable)

**Allegation 1**

Allegation Type\*

Standards of Conduct Violation\*

Criminal Violation Status\*  Criminal Violation Type\*

Allegation Status Agency  Allegation Status POST

**Allegation 2**

Allegation Type\*

Allegation Status Agency  Allegation Status POST

TCOLE’s authority does not extend into capturing other information about officer behavior, but that would not preclude the agency from integrating other state or federal data streams into its data systems. Officer-involved shootings reported to the attorney general could be merged into the TCOLE systems to help the agency understand how its POST implementations affect officer behavior.

Agency level statistics from the state or federal government (for example, reports on crime and use of force) could expand the utility of a public data exploration tool. By allowing the public look at the employment patterns by agency, they could more effectively lobby for funding, policy, etc.

Finally, the more information that TCOLE compiles about individual officers into its data system, the more it could be *proactive* in its engagement with LEAs. For example, should TCOLE identify potential wandering officers through automated analyses, TCOLE would be able to notify the agency with a suggestion for follow-up. Additional predictive analyses could identify early trends in officer behaviors connected to license revocation and alert LEAs to help avoid the problem. With TCOLEs overall charge to ensure professional conduct, the more information it can provide to individual officers and their agencies, the more effective it will be for the public.

## Findings and Recommendations

1. **Finding:** It has been determined that TCOLE is following minimum statutory collection requirements regarding stop data variables. However, Part Four identifies enhanced collection requirements to withstand academic scrutiny.
  - a. **Recommendations:** TCOLE should continue to collect minimum statutory collection requirements and assess data collection methodologies that will withstand academic scrutiny.
2. **Findings:** Motor Vehicle Stop data qualifies as a high-value data set under Texas law.
  - a. **Recommendation:** These datasets should be complete, timely and made freely accessible online as discussed in depth in Part Four of this report.
3. **Finding:** TCLEDDS contains high-value data on licensees' training, education, and service history.
  - a. **Recommendation:** These datasets be identified and made freely accessible online as discussed in depth in Part Three of this report.
4. **Finding:** There are unidentified high-value datasets at TCOLE.
  - a. **Recommendation:** TCOLE should identify all qualifying data considered a high-value data set.
5. **Finding:** It is best practice to accept public input as to the way high-value datasets are shared.
  - a. **Recommendation:** TCOLE should encourage and capture public input through surveys, public meetings and open public comment periods and accept public input as appropriate.

## APPENDICES

**Appendix 1**  
**Peer Post Regulatory Comparison Data Points**

<b>Powers and Duties of Commission</b>	<b>Provides for the adoption of rules</b>
	<b>Establish Minimum standards for licensure of officer, jailer, public security officer or telecommunicator</b>
	<b>Reporting UP</b>
	<b>Receive Reports from LE agencies</b>
	<b>Authority to Enter Into Contracts</b>
	<b>Authority to Conduct Research</b>
	<b>Policy Implementation for technology</b>
	<b>Setting LEO Appointment Date</b>
	<b>Dispute Resolution</b>
	<b>Electronic Forms Submission</b>
	<b>Consequences of Criminal Conviction or Deferred Adjudication</b>
	<b>Rules Related to Acceptance of Credit Hours for Completion of Certain High School Courses</b>
	<b>Reports/Requests from Agencies for information</b>
<b>Powers and Duties (Fees and Budget Allocation)</b>	<b>Fees</b>
	<b>Gifts and Grants</b>
	<b>Money Allocated &amp; Used for Training or Cont Ed</b>
	<b>Peace Officer Registry</b>
	<b>Authority to Commission Investigators as Peace officers</b>
	<b>Records Access by Commission and Public</b>
	<b>Records Audit</b>

**Appendix 1**  
**Peer Post Regulatory Comparison Data Points**

<b>Powers and Duties (Records Access and Use Reporting)</b>	<b>Information Provided by Commissioning Entities (not <u>by</u> TCOLE but <u>to</u> TCOLE)</b>
	<b>Annual Report for Body Worn Cameras</b>
	<b>Incident Based Data Collection</b>
<b>Public Interest and Complaints Procedure</b>	<b>Public Interest Complaints</b>
	<b>Disciplinary Process</b>
	<b>Records of Complaints</b>
	<b>Tracking and Analysis of Complaints</b>
	<b>Public Participation</b>
	<b>Public Database certification suspensions and revocations</b>
	<b>Training Programs</b>
	<b>Curriculum</b>
	<b>Risk Assessment for training</b>
	<b>Enrollment Qualifications</b>
	<b>Peace Officer Training Course</b>
	<b>Weapons Proficiency</b>
	<b>Trafficked Persons</b>
	<b>Training for Holders of License to Carry Handgun (Schools)</b>
	<b>Canine Training</b>
	<b>At risk Elder Abuse</b>
	<b>Impaired Driving</b>
	<b>Diversion investigators and diversion supervisors</b>
	<b>School District Peace Officers and Resource Officers</b>
	<b>Policy Creation for LE Agencies</b>
	<b>Profiling Training</b>
	<b>Domestic violence training</b>
<b>Training</b>	<b>Juvenile Justice</b>

**Appendix 1**  
**Peer Post Regulatory Comparison Data Points**

	Mental Health and Wellness Strategies for Justice Officers
	Ethics
	Community policing
	Use of force
	Minority sensitivity.
	The duty to intervene and report.
	persons who are deaf or hard of hearing
	Establish Training Centers
	Training Body Worn Camera
	Training Epinephrine
	Establish Criminal Justice Division
	License Required
Licensure	Certain LE Officers Holding Office
	License Application
	Examination
	Examination Results
	Radio Microwave, laser and electronic speed measuring instruments
	Psych and Physical Exam
	Jailer License
	Telecommunicator License
	Qualified Applicant waiting Appointment
	Weapons Qualification
	Diversion Officers and Supervisors
	County Jailer Training
	Workforce Shortage
	Disqualification: Felony or Supervision
	Disqualification: Conviction of Barrarty
	Exemption for licensure if appointed prior to 1970
	Licensure: Military Special Forces

**Appendix 1**  
**Peer Post Regulatory Comparison Data Points**

	Reactivation of Peace Officer License or lapse in active status or readmission after denial or revocation
	Limitation of Required Info
	Use of NDI
	Fingerprinting
	Revoke, Suspend, Certify...
	Length of Certification
	Background Investigations
Continuing Education and Yearly Weapons Proficiency	Peace officers
	Cont' ED Programs
	Cont' ED Procedures
	Cont' Ed Constables
	Ongoing Weapons Proficiency
Professional Training and Recognition	Weapons Proficiency for Retired Peace Officers
	Professional Recog
	Proficiency Certificates
	Other Proficiency Specialties
DISCIPLINARY PROCEDURES	Identify types of criminal justice positions
	Pre-employment Procedure
	Employment Termination
	License Suspended for Dis-H Discharge
	Petition for Correction or Hearing
	Maintenance of Reports and Statements
	Subpoena
	Immunity from Liability
	Limitation of Commission Authority
	Disciplinary Action
	Felony Conviction or Supervision
	Untuthfulness

**Appendix 1**  
**Peer Post Regulatory Comparison Data Points**

	Authority to Investigate Violation of Rules
	Barraty Conviction
	Hearing
<b>Criminal Penalty &amp; Appeals</b>	Appeal
	Penalty for Appointment of Specific Persons
	Penalty for Appointment Not Certified For Investigative Hypnosis
	Penalty for Appointment with Convictions
	Powers and Duties
	Penalty for failing to report to commission
	Contract w Higher Learning
<b>Misc/Accountability Issues</b>	POST Code of Conduct
	Officer Self Reporting Requirements
	Wandering Officer
	Use of Force Reporting Requirements



Home » Current Statistics

## Current Statistics

### Currently there are

<b>Peace Officers</b>	
78335	Peace Officer License
56	Reserve Officer License
5	Elected Official
<b>Jailers</b>	
22407	Jailer License
3023	Temporary Jailer License
8	Grand Father Jailer License
<b>Telecommunicators</b>	
8866	Telecommunications Operator License
1077	Temporary Telecommunications Operator License
2	Telecommunications Operator

### appointed in Texas

### Active TCOLE Agencies and Training Providers

2726	Agencies
204	Contractual Provider
114	Academy
1	Academic Providers





# Agency List by Name

Total Agencies in POST - 607 (Incl. Independent Communications)

Generated by: CSB Call Center. Questions about this list ? Call (916) 227-4858

Agency Type		Definitions	Certificate Type
PD	1	CCD - Community College District	S - Specialized requires completion of Specialized Basic Investigator Course
SD	2	DPS - Dept Public Safety	G - General (Regular) requires completion of Regular Basic Course
CSU	3		Coroner's Specialized Certificate requires 80 hour Death Invest Course + PC 832 Arrest & Firearms. Receives Specialized Certificate with verbage reflecting Coroner's Specialized Certificate
UC	4		
CCD	5		
Marshal	6		
DA	7		
Others in POST	8		

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	DISP ENTRY
ALAMEDA CO SD/CORONER	01000	Yes	2	G	05	01/16/1991
ALAMEDA PD	01010	Yes	1	G	05	03/06/1989
ALBANY PD	01020	Yes	1	G	05	03/03/1989
ALHAMBRA PD	19010	Yes	1	G	09	03/09/1989
ALLAN HANCOCK CCD PD	42950	Yes	5	G	08	05/17/2000
ALPINE CO SO	02000	Yes	2	G	02	04/01/2008
ALTURAS PD	25010	Yes	1	G	02	
AMADOR CO DA	03920	Yes	7	G	02	
AMADOR CO SO/CORONER	03000	Yes	2	G	02	07/31/1990
AMTRAK PD	19973		1	G	03	
ANAHEIM PD	30010	Yes	1	G	10	02/27/1998
ANDERSON PD	45010	Yes	1	G	02	
ANGELS CAMP PD	05010	Yes	1	G	04	04/19/1989
ANTIOCH PD	07010	Yes	1	G	05	10/10/1990
APPLE VALLEY UNIF SCH DIST PD	36964	Yes	8	G	07	05/13/2021
ARCADIA PD	19020	Yes	1	G	09	09/16/1997
ARCATA PD	12010	Yes	1	G	01	01/31/1989
ARROYO GRANDE PD	40010	Yes	1	G	08	04/03/1989
ARVIN PD	15010	Yes	1	G	08	01/16/1991
ATASCADERO PD	40070	Yes	1	G	08	01/31/1989
ATHERTON PD	41010	Yes	1	G	06	07/07/1989
ATWATER PD	24010	Yes	1	G	04	04/11/1989
AUBURN PD	31010	Yes	1	G	02	03/06/1989
AVENAL PD	16040	Yes	1	G	04	
AZUSA PD	19050	Yes	1	G	09	07/22/1991
BAKERSFIELD PD	15020	Yes	1	G	08	01/02/1998
BALDWIN PARK PD	19060	Yes	1	G	09	04/19/1989
BANNING PD	33010	Yes	1	G	07	05/14/1992
BARSTOW PD	36010	Yes	1	G	07	04/19/1989

## Florida Criminal Justice Agency Websites

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Criminal Justice Professionalism Division (/CJSTC)

CJSTC General Information (/CJSTC/General-Information)

Criminal Justice Training Resources (/CJSTC/Training-Resources)

CJP Division Contacts (/CJSTC/Contact-Us)

For Officers and Instructors (/CJSTC/Officer-Requirements)

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**\* Please note:** *Some of the agencies listed below may not have a dedicated website available.*

### County Law Enforcement Agencies:

- Alachua County Sheriff's Office (<http://www.alachuasheriff.org/>)
- Baker County Sheriff's Office (<http://www.bakerso.com>)
- Bay County Sheriff's Office (<http://www.bayso.org/>)
- Bradford County Sheriff's Office (<http://www.bradfordsheriff.org/>)
- Brevard County Sheriff's Office (<http://www.brevardsheriff.com/home/>)
- Broward County Sheriff's Office (<http://www.sheriff.org/Pages/Home.aspx>)
- Calhoun County Sheriff's Office (<http://www.calhounsheriff.com/>)
- Charlotte County Sheriff's Office (<http://www.ccsso.org/>)
- Citrus County Sheriff's Office (<http://www.sheriffcitrus.org/>)
- Clay County Sheriff's Office (<http://www.claysheriff.com/>)
- Collier County Sheriff's Office (<http://www.colliersheriff.org/>)
- Columbia County Sheriff's Office (<http://www.columbiasheriff.org/>)
- De Soto County Sheriff's Office (<http://www.desotosheriff.com/>)

- Dixie County Sheriff's Office (<http://www.dixiecountysheriff.com/>)
- (Duval County) Jacksonville Sheriff's Office (<http://www.coj.net/Departments/Sheriffs+Office/default.htm>)
- Escambia County Sheriff's Office (<http://www.escambiaso.com/>)
- Flagler County Sheriff's Office (<http://www.flaglersheriff.com/>)
- Franklin County Sheriff's Office (<http://www.franklinsheriff.com/>)
- Gadsden County Sheriff's Office (<http://gadsdensheriff.org/>)
- Gilchrist County Sheriff's Office (<http://www.gcso.us/>)
- Glades County Sheriff's Office (<http://www.gladessheriff.org/>)
- Gulf County Sheriff's Office (<http://gulfsheriff.com/>)
- Hamilton County Sheriff's Office (<http://hamiltonsheriff.com/>)
- Hardee County Sheriff's Office (<http://www.hardeeso.com/>)
- Hendry County Sheriff's Office (<http://hendrysheriff.org/>)
- Hernando County Sheriff's Office (<http://www.hernandosheriff.org/>)
- Highlands County Sheriff's Office (<http://www.highlandssheriff.org/>)
- Hillsborough County Sheriff's Office (<http://www.hcso.tampa.fl.us/>)
- Holmes County Sheriff's Office (<http://www.holmescountysheriff.org/>)
- Indian River County Sheriff's Office (<http://www.ircsheriff.org/>)
- Jackson County Sheriff's Department (<http://www.jcsheriff.com/>)
- Jefferson County Sheriff's Office (<http://www.jcso1.com/>)
- Lafayette County Sheriff's Office (<http://www.lafayetteso.org/>)
- Lake County Sheriff's Office (<http://www.lcso.org/>)
- Lee County Sheriff's Office (<http://www.sheriffleefl.org/>)
- Leon County Sheriff's Office (<http://www.leoncountysso.com/>)
- Levy County Sheriff's Office (<http://www.levyso.com/>)
- Liberty County Sheriff's Office (<http://libertycountysheriff.org/>)
- Manatee County Sheriff's Office (<http://www.manateesheriff.com/>)
- Marion County Sheriff's Office (<http://www.marionso.com/>)
- Martin County Sheriff's Office (<https://www.mcsofl.org/>)
- Miami-Dade County Police Department (<http://www.mdpcd.com/>)

- Monroe County Sheriff's Office (<http://www.keysso.net/>)
- Nassau County Sheriff's Office (<http://www.nassauso.com/>)
- Okaloosa County Sheriff's Office (<http://www.sheriff-okaloosa.org/>)
- Okeechobee County Sheriff's Office (<http://www.okeesheriff.org/>)
- Orange County Sheriff's Office (<http://www.ocso.com/>)
- Osceola County Sheriff's Office (<https://www.osceolasheriff.org/>)
- Palm Beach County Sheriff's Office (<http://www.pbso.org/>)
- Pasco County Sheriff's Office (<http://pascosheriff.com/>)
- Pinellas County Sheriff's Office (<http://www.pcsoweb.com/>)
- Polk County Sheriff's Office (<http://www.polksheriff.org/>)
- Putnam County Sheriff's Office (<https://www.putnamsheriff.com/>)
- Santa Rosa Sheriff's Office (<http://www.santarosasheriff.org/>)
- Sarasota County Sheriff's Office (<http://www.sarasotasheriff.org/>)
- Seminole County Sheriff's Office (<http://www.seminolesheriff.org/>)
- St. Johns County Sheriff's Office (<http://www.sjso.org/>)
- St. Lucie County Sheriff's Office (<http://www.stluciesheriff.com/>)
- Sumter County Sheriff's Office (<http://sumtercountysheriff.org/>)
- Suwannee County Sheriff's Office (<https://www.suwanneecountysheriff.org/>)
- Taylor County Sheriff's Office (<http://taylorsheriff.org/>)
- Union County Sheriff's Office (<http://www.unionsheriff.us/>)
- Volusia County Sheriff's Office (<http://volusia.org/sheriff/>)
- Wakulla County Sheriff's Office (<http://www.wcso.org/>)
- Walton County Sheriff's Office (<http://www.waltonso.org/>)
- Washington County Sheriff's Office (<http://www.wcso.us/>)

**Local Law Enforcement Agencies:**

- Alachua County Public Schools Police Department (<https://www.sbac.edu/Page/28986>)
- Alachua Police Department (<https://www.cityofalachua.com/government/police-department>)

- Altamonte Springs Police Department (<http://www.altamonte.org/Index.aspx?NID=421>)
- Altha Police Department (<https://calhouncountygov.com/community/#public-safety>)
- Apalachicola Police Department (<http://www.apalachicolapolice.com/>)
- Apopka Police Department (<http://www.apopka.net/154/Police>)
- Arcadia Police Department (<https://arcadia-fl.gov/departments/police/>)
- Astatula Police Department (<http://townofastatula.com/docs/police-department/>)
- Atlantic Beach Police Department (<http://coab.us/25/Police>)
- Atlantis Police Department (<https://www.atlantisfl.gov/165/Police>)
- Auburndale Police Department (<http://www.auburndalefl.com/apd-home/>)
- Aventura Police Department (<https://www.cityofventura.com/240/Police>)
- Bal Harbour Police Department (<https://www.balharbourfl.gov/police>)
- Bartow Police Department (<https://www.cityofbartow.net/departments-services/police>)
- Bay District Schools Department of Safety & Security (<http://www.bay.k12.fl.us/student-safety>)
- Bay Harbor Islands Police Department (<https://www.bayharborislands-fl.gov/264/Police-Department>)
- Belleair Police Department (<http://www.townofbelleair.com/428/Police>)
- Belleview Police Department (<http://www.belleviewfl.org/180/Police>)
- Belle Isle Police Department (<http://www.cityofbelleislefl.org/police-department>)
- Biscayne Park Police Department ([http://www.biscayneparkfl.gov/index.asp?Type=B\\_BASIC&SEC={D4C91E1B-FFB7-4A0B-87C1-91B1202C36D5}](http://www.biscayneparkfl.gov/index.asp?Type=B_BASIC&SEC={D4C91E1B-FFB7-4A0B-87C1-91B1202C36D5}))
- Blountstown Police Department (<http://www.blountstownpd.com/>)
- Boca Raton Police Department (<https://www.myboca.us/178/Police-Services>)
- Bonifay Police Department (<http://www.bonifaypolice.com/>)
- Bowling Green Police Department (<http://bowlinggreenfl.org/our-community/police-department/>)
- Boynton Beach Police Department (<http://www.bbpd.org/>)
- Bradenton Beach Police Department (<http://www.cityofbradentonbeach.com/162/Police>)
- Bradenton Police Department (<http://bradentonpd.com/>)
- Brevard Public Schools District Security (<https://www.brevardschools.org/Domain/1174>)
- Broward County School Board Police Department (<http://www.broward.k12.fl.us/police/>)
- Bunnell Police Department (<https://www.bunnellcity.us/police>)

- Cape Coral Police Department (<http://www.capecops.com/>)
- Carrabelle Police Department (<http://www.carrabellepolice.com/>)
- Casselberry Police Department (<http://www.casselberry.org/index.aspx?nid=17>)
- Cedar Key Police Department (<https://cityofcedarkey.org/police-department/>)
- Center Hill Police Department (<https://centerhillpolicedept.webs.com/aboutus.htm>)
- Chattahoochee Police Department ([http://www.chattgov.org/city/government/police\\_department.php](http://www.chattgov.org/city/government/police_department.php))
- Chiefland Police Department (<http://www.chieflandpd.com/>)
- Chipley Police Department (<http://www.cityofchipley.com/183/Police-Department>)
- Clearwater Police Department (<http://www.clearwaterpolice.org/>)
- Clermont Police Department (<http://www.clermontfl.gov/departments/police-department/>)
- Clewiston Police Department (<http://www.clewiston-fl.gov/department/?fDD=10-0>)
- Cocoa Beach Police Department (<http://www.cityofcocoabeach.com/165/Police>)
- Cocoa Police Department (<http://www.cocoapolice.com/>)
- Coconut Creek Police Department (<http://coconutcreek.net/pd/police>)
- Coral Gables Police Department (<https://www.coralgables.com/departments/Police>)
- Coral Springs Police Department (<https://www.coralsprings.org/Government/Departments/Police>)
- Cottondale Police Department (<http://www.cityofcottondale.net/>)
- Crescent City Police Department (<https://crescentcity-fl.com/police-department/>)
- Crestview Police Department (<http://www.crestviewpd.org/>)
- Cross City Police Department (<https://www.townofcrosscity.com/police/>)
- Dade City Police Department (<http://www.dadecitypolice.com/>)
- Davenport Police Department ([http://www.mydavenport.org/index.asp?Type=B\\_BASIC&SEC=%7B3A5E53F5-B77B-41EB-81A8-4F1BD04282B7%7D](http://www.mydavenport.org/index.asp?Type=B_BASIC&SEC=%7B3A5E53F5-B77B-41EB-81A8-4F1BD04282B7%7D))
- Davie Police Department (<http://www.daviepolice.com/>)
- Daytona Beach Police Department (<http://www.codb.us/index.aspx?nid=280>)
- Daytona Beach Shores Department of Public Safety (<https://www.dbshores.org/177/Public-Safety>)
- DeFuniak Springs Police Department (<https://www.defuniaksprings.net/187/City-Marshall-Police>)
- Deland Police Department (<http://www.delandpd.org/>)
- Delray Beach Police Department (<https://www.delraybeachfl.gov/government/city-departments/police>)



- Doral Police Department (<https://www.cityofdoral.com/police/>)
- Dunnellon Police Department (<http://dunnellon.org/police>)
- Duval County School Police Department (<https://dcps.duvalschools.org/domain/5387>)
- Eatonville Police Department (<http://www.townofeatonville.org/police/>)
- Edgewater Police Department (<http://www.cityofedgewater.org/police>)
- Edgewood Police Department ([http://www.edgewood-fl.gov/departments/police\\_department/departments/chief\\_of\\_police.php](http://www.edgewood-fl.gov/departments/police_department/departments/chief_of_police.php))
- El Portal Police Department (<https://elportalvillage.com/el-portal-police-department/>)
- Eustis Police Department (<http://eustis.org/government/police/index.php>)
- Fellsmere Police Department (<https://www.cityoffellsmere.org/police>)
- Fernandina Beach Police Department (<http://www.fbfl.us/109/Police>)
- Flagler Beach Police Department (<http://www.fbpd.org/>)
- Florida City Police Department (<http://www.floridacityfl.gov/departments/police/index.php>)
- Fort Lauderdale Police Department (<http://www.flpd.org/>)
- Fort Myers Police Department (<http://www.fmpolice.com/>)
- Fort Pierce Police Department (<http://www.fppd.org/>)
- Fort Walton Beach Police Department (<http://fwb.org/police/>)
- Fruitland Park Police Department (<http://www.fruitlandpark.org/police>)
- Gainesville Police Department (<http://www.gainesvillepd.org/>)
- Golden Beach Police Department (<http://www.goldenbeach.us/police-department/>)
- Graceville Police Department (<http://www.jacksoncounty.com/list/member/graceville-city-of-349>)
- Green Cove Springs Police Department (<http://www.gcspd.com/>)
- Gretna Police Department ([https://mygretna.com/index.asp?SEC=6C38CB7B-F58E-4454-B115-671D855D5D00&Type=B\\_BASIC](https://mygretna.com/index.asp?SEC=6C38CB7B-F58E-4454-B115-671D855D5D00&Type=B_BASIC))
- Groveland Police Department (<http://www.groveland-fl.gov/148/Police-Department>)
- Gulf Breeze Police Department (<https://www.cityofgulfbreeze.us/police-department/>)
- Gulf Stream Police Department (<https://www.gulf-stream.org/gulf-stream-police/>)
- Gulfport Police Department (<http://www.gulfportpolice.com/>)
- Haines City Police Department (<https://hainescity.com/197/Police-Department>)
- Hallandale Beach Police Department (<http://www.hallandalebeachfl.gov/index.aspx?NID=17>)
- Havana Police Department (<https://www.townofhavana.com/police-department/>)

- Hialeah Police Department (<https://www.hialeahfl.gov/267/Police>)
- Hialeah Gardens Police Department (<https://www.cityofhialeahgardens.com/departments/police>)
- High Springs Police Department (<http://highsprings.us/police-department/>)
- Highland Beach Police Department (<http://highlandbeach.us/departments/police-department/>)
- Hillsboro Beach Police Department (<http://www.hillsborobeachpd.org/>)
- Holly Hill Police Department (<https://www.hollyhillfl.org/police-department>)
- Hollywood Police Department (<http://www.hollywoodpolice.org/>)
- Holmes Beach Police Department ([https://www.holmesbeachfl.org/departments/police\\_department/index.php](https://www.holmesbeachfl.org/departments/police_department/index.php))
- Homestead Police Department (<http://www.cityofhomestead.com/index.aspx?NID=104>)
- Howey-in-the-Hills Police Department (<https://www.howey.org/police>)
- Indianalantic Police Department (<https://www.indialantic.com/town-departments/>)
- Indian Creek Village Public Safety Department (<http://indiancreekvillage.org/public-safety-department/>)
- Indian Harbour Beach Police Department (<https://www.indianharbourbeach.org/ihbpd>)
- Indian River Shores Police Department (<https://www.irspsd.org/>)
- Indian Shores Police Department (<http://www.myindianshores.com/2226/Police-Department>)
- Interlachen Police Department (<http://www.interlachen-fl.gov/Interlachen-Police-Department.php>)
- Jacksonville Aviation Authority Police Department (<http://www.flyjacksonville.com/Content2015.aspx?id=163>)
- Jacksonville Beach Police Department (<https://www.jacksonvillebeach.org/436/Police-Department>)
- Jasper Police Department (<https://jasper-fl.com/police-department/>)
- Juno Beach Police Department (<https://www.juno-beach.fl.us/police>)
- Jupiter Inlet Colony Police Department (<http://www.jicpolice.org/home22.html>)
- Jupiter Island Public Safety Department (<http://townofjupiterisland.com/public-safety/>)
- Jupiter Police Department (<http://www.jupiter.fl.us/jpd/>)
- Kenneth City Police Department (<https://www.kennethcityfl.org/police-department>)
- Key Biscayne Police Department ([http://keybiscayne.fl.gov/index.php?submenu=police\\_&src=gendocs&ref=Police&category=DeptsSvcs](http://keybiscayne.fl.gov/index.php?submenu=police_&src=gendocs&ref=Police&category=DeptsSvcs))
- Key Colony Beach Police Department (<https://keycolonybeach.net/kcbpd/>)
- Key West Police Department (<https://www.cityofkeywest-fl.gov/335/Police-Department>)
- Kissimmee Police Department (<https://www.kissimmee.gov/departments/police-department-2195>)
- Lady Lake Police Department (<https://www.ladylake.org/departments/police/>)

- Lake Alfred Police Department (<https://www.mylakealfred.com/196/Police>)
- Lake City Police Department (<http://www.lcfla.com/index.php/departments/policedepartment>)
- Lake Clarke Shores Police Department (<https://www.townoflcs.com/police>)
- Lake Hamilton Police Department (<https://www.townoflakehamilton.com/police>)
- Lake Mary Police Department (<http://www.lakemaryfl.com/police-department>)
- Lake Placid Police Department (<http://www.lppd.com/>)
- Lake Wales Police Department (<http://www.cityoflakewales.com/292/Police-Department>)
- Lakeland Police Department (<http://www.lakelandgov.net/departments/lakeland-police-department/>)
- Lantana Police Department (<https://www.lantana.org/police-department>)
- Largo Police Department (<https://largo.com/police/>)
- Lauderhill Police Department (<http://lauderhill-fl.gov/departments/police-department>)
- Lawtey Police Department (<http://www.lawteypolice.org/>)
- Lee County Port Authority Police Department (<https://www.flylcpa.com/police/>)
- Leesburg Police Department (<https://www.leesburgflorida.gov/government/departments/police/index.php>)
- Leon County Schools Department of Safety (<https://www.leonschools.net/domain/31>)
- Lighthouse Point Police Department (<http://www.lhppd.com/>)
- Live Oak Police Department ([http://www.cityofliveoak.org/index.asp?SEC=C6911C74-9088-4DF1-84F2-EC72265D1F9E&Type=B\\_BASIC](http://www.cityofliveoak.org/index.asp?SEC=C6911C74-9088-4DF1-84F2-EC72265D1F9E&Type=B_BASIC))
- Longboat Key Police Department (<https://www.longboatkey.org/town-government/departments/police-department>)
- Longwood Police Department (<http://www.longwoodfl.org/220/Police-Department>)
- Lynn Haven Police Department (<https://www.cityoflynnhaven.com/151/Police>)
- Madison Police Department (<http://www.cityofmadisonfl.com/departments/police/>)
- Maitland Police Department (<http://www.maitlandpd.org/>)
- Manalapan Police Department (<http://www.manalapan.org/index.aspx?nid=187>)
- Marco Island Police Department (<https://www.cityofmarcoisland.com/police>)
- Margate Police Department (<http://www.margatefl.com/215/Police>)
- Marianna Police Department (<http://www.cityofmarianna.com/130/Police>)
- Mascotte Police Department (<https://www.cityofmascotte.com/170/Police>)
- Medley Police Department (<http://www.medleypd.com/>)
- Melbourne Beach Police Department (<https://www.melbournebeachfl.org/police-department>)

- Melbourne International Airport Police Department (<http://mlbair.com/AirportOperations/AirportOverview/AirportPoliceDepartment.aspx>)
- Melbourne Police Department (<http://www.melbourneflorida.org/police/>)
- Melbourne Village Police Department (<http://melbournevillagepolice.org/>)
- Miami Beach Police Department (<https://www.miamibeachfl.gov/city-hall/police/>)
- Miami Gardens Police Department (<http://www.miamigardenspolice.org/>)
- Miami Police Department (<http://www.miami-police.org/>)
- Miami Shores Police Department (<http://www.miamishoresvillage.com/village-department/police?sid=7:Police>)
- Miami Springs Police Department (<http://www.miamispringspolice.com/>)
- Miami-Dade Schools Police Department (<https://mdspolice.com/>)
- Miccosukee Police Department (<https://tribe.miccosukee.com/>)
- Midway Police Department (<https://www.mymidwayfl.com/police>)
- Milton Police Department (<https://www.miltonfl.org/185/Police-Department>)
- Miramar Police Department (<http://www.miramarpd.org/>)
- Monticello Police Department (<https://www.cityofmonticello.us/police-department>)
- Mount Dora Police Department (<http://ci.mount-dora.fl.us/325/Police>)
- Naples Police Department (<https://www.naplesgov.com/police>)
- Nassau District Schools Department of Student Safety (<https://www.nassau.k12.fl.us/Page/2124>)
- Neptune Beach Police Department (<https://www.ci.neptune-beach.fl.us/police-department>)
- New Port Richey Police Department (<http://www.nprpolice.org/>)
- New Smyrna Beach Police Department (<http://www.cityofnsb.com/82/Police-Department>)
- Niceville Police Department (<https://cityofniceville.org/264/Police>)
- North Bay Village Police Department (<https://northbayvillage-fl.gov/police/>)
- North Miami Beach Police Department (<https://www.citynmb.com/150/Police>)
- North Miami Police Department (<http://www.northmiamipolice.com/153/Police-Department>)
- North Palm Beach Police Department (<http://www.village-npb.org/176/Police-Department>)
- North Port Police Department (<http://cityofnorthport.com/index.aspx?page=266>)
- Oakland Police Department (<http://oaklandpd.com/163/Police-Department>)
- Ocala Police Department (<http://www.ocalapd.com/>)
- Ocean Ridge Police Department ([https://www.oceanridgeflorida.com/departments/police\\_department/index.php](https://www.oceanridgeflorida.com/departments/police_department/index.php))

- Ocoee Police Department (<http://www.ocoee.org/193/Police>)
- Okaloosa County Airport Police Department (<https://www.flyvps.com/flyvps-airport-police-department/>)
- Okeechobee Police Department (<http://www.cityofokeechobee.com/New%20Police%20Dept2.htm>)
- Opa Locka Police Department (<http://www.opalockafl.gov/index.aspx?NID=140>)
- Orange City Police Department (<https://www.ourorangecity.com/departments/police-department/>)
- Orange County Public Schools District Police ([https://www.ocps.net/departments/district\\_police](https://www.ocps.net/departments/district_police))
- Orange Park Police Department (<https://www.townoforangepark.com/departments/police-department/>)
- Orchid Police Department (<https://www.townoforchid.com/>)
- Orlando Police Department (<http://www.cityoforlando.net/police/index.htm>)
- Ormond Beach Police Department (<http://www.ormondbeach.org/index.aspx?NID=109>)
- Oviedo Police Department (<http://www.cityofoviedo.net/186/Police>)
- Palatka Police Department (<http://www.palatka-fl.gov/231/Police-Department>)
- Palm Bay Police Department (<https://www.palmbayflorida.org/government/city-departments-f-to-z/police>)
- Palm Beach County School Board (<https://www.palmbeachschools.org/>)
- Palm Beach Gardens Police Department (<http://www.pbgfl.com/police>)
- Palm Beach Police Department (<http://www.palmbeachpolice.com/>)
- Palm Beach Shores Police Department ([http://www.palmbeachshoresfl.us/departments/police\\_department/index.php](http://www.palmbeachshoresfl.us/departments/police_department/index.php))
- Palm Springs Police Department (<http://www.villageofpalm springs.org/Index.aspx?NID=300>)
- Palmetto Police Department (<http://www.palmettofl.org/index.aspx?nid=117>)
- Panama City Airport Police Department (<https://www.iflybeaches.com/airport-info/facilities-services>)
- Panama City Police Department (<https://www.panamacitypolice.org/>)
- Panama City Beach Police Department (<https://www.pcbfl.gov/departments/police-department>)
- Parker Police Department (<http://www.cityofparker.com/services-police.aspx>)
- Pembroke Pines Police Department (<http://www.ppin.es.com/Index.aspx?NID=377>)
- Pensacola Police Department (<http://www.pensacolapolice.com/>)
- Perry Police Department ([http://www.taylorcountygov.com/City\\_Government.php](http://www.taylorcountygov.com/City_Government.php))
- Pinecrest Police Department (<http://www.pinecrest-fl.gov/index.aspx?page=135>)
- Pinellas County Schools Police Department (<https://www.pcsb.org/police>)
- Pinellas Park Police Department (<https://www.pinellas-park.com/420/Police>)

- Plant City Police Department (<https://www.plantcitygov.com/police>)
- Plantation Police Department (<http://www.psd.plantation.org/>)
- Ponce Inlet Police Department (<http://ponce-inlet.org/222/Police-Department>)
- Port Orange Police Department (<https://www.port-orange.org/160/Police-Department>)
- Port Richey Police Department (<https://cityofportrichey.com/police-department/>)
- Port St. Joe Police Department (<http://www.cityofportstjoe.com/city-public-safety.cfm>)
- Port St. Lucie Police Department (<http://www.cityofpsl.com/government/departments/police>)
- Punta Gorda Police Department (<http://www.ci.punta-gorda.fl.us/government/police>)
- Putnam County School District Police Department (<https://putnamsheriff.com/school-resource-officer-program>)
- Quincy Police Department (<http://www.myqpd.net/>)
- Riviera Beach Police Department (<https://www.rivierabch.com/rbpd>)
- Rockledge Police Department (<http://www.cityofrockledge.org/198/Police-Department>)
- Sanford International Airport Police Department (<http://www.osaa.net/organization.asp>)
- Sanford Police Department (<http://www.sanfordfl.gov/departments/police-department>)
- Sanibel Police Department (<http://www.mysanibel.com/Departments/Police-including-Emergency-Management>)
- Sarasota County School Police Department (<https://www.sarasotacountyschools.net/Page/2420>)
- Sarasota Police Department (<http://www.sarasotapd.org/>)
- Sarasota-Manatee Airport Police Department (<http://srq-airport.com/police>)
- Satellite Beach Police Department ([http://www.satellitebeach.org/departments/police\\_department/index.php](http://www.satellitebeach.org/departments/police_department/index.php))
- Sebastian Police Department (<http://www.sebastianpd.org/>)
- Sebring Police Department (<https://www.mysebring.com/162/Police-Department>)
- Seminole Police Department (<http://spd.semtribe.com/>)
- Shalimar Police Department (<http://www.shalimarflorida.org/police-dept.html>)
- Sneads Police Department (<https://sneadsfl.com/police-department/>)
- South Daytona Police Department (<http://www.southdaytona.org/department/?fDD=9-0>)
- South Miami Police Department (<http://www.southmiamifl.gov/index.aspx?NID=184>)
- South Palm Beach Police Department (<http://www.southpalmbeach.com/police-department.html>)
- Springfield Police Department (<https://www.springfieldfl.net/emergency-services/police/>)
- St. Augustine Beach Police Department (<http://sabpd.org/>)

- St. Augustine Police Department (<https://www.citystaug.com/241/Police-Department>)
- St. Cloud Police Department (<https://www.stcloud.org/983/St-Cloud-Police-Department>)
- St. Petersburg Police Department (<https://police.stpete.org/>)
- Starke Police Department (<http://www.cityofstarke.org/police-department.php>)
- Stuart Police Department (<https://cityofstuart.us/262/Police-Department>)
- Sunny Isles Beach Police Department (<https://www.sibfl.net/sibpd/>)
- Sunrise Police Department (<http://www.sunrisefl.gov/index.aspx?page=69>)
- Surfside Police Department (<https://www.townofsurfsidefl.gov/departments-services/police>)
- Sweetwater Police Department (<https://cityofsweetwater.fl.gov/police/>)
- Tallahassee Police Department (<http://www.talgov.com/publicsafety/tpd.aspx>)
- Tampa International Airport Police Department (<http://www.tampaairport.com/airport-police>)
- Tampa Police Department (<http://www.tampagov.net/police>)
- Tarpon Springs Police Department (<http://www.tspd.us/>)
- Tavares Police Department (<http://www.tavares.org/187/Police-Department>)
- Temple Terrace Police Department (<http://www.templeterrace.com/index.aspx?nid=171>)
- Tequesta Police Department (<http://www.tequesta.org/index.asp?nid=69>)
- Titusville Police Department (<http://www.titusville.com/SectionIndex.asp?SectionID=7>)
- Treasure Island Police Department (<http://www.mytreasureisland.com/departments/police/index.php>)
- Trenton Police Department ([http://www.trentonflorida.org/index.asp?SEC=BD0313DF-1BD6-428A-95E6-641ACD5953E4&Type=B\\_BASIC](http://www.trentonflorida.org/index.asp?SEC=BD0313DF-1BD6-428A-95E6-641ACD5953E4&Type=B_BASIC))
- Umatilla Police Department (<https://www.umatillafl.org/police-department>)
- Valparaiso Police Department (<http://www.valp.org/depts/index.html#policedept>)
- Venice Police Department (<https://www.venicegov.com/government/police>)
- Vero Beach Police Department (<http://www.vbpd.org/>)
- Virginia Gardens Police Department (<http://www.vgpd.com/>)
- Volusia County Department of Public Protection (<https://www.volusia.org/services/public-protection/>)
- Volusia County Beach Safety (<https://www.volusia.org/services/public-protection/beach-safety/>)
- Wauchula Police Department (<https://www.cityofwauchula.com/wauchula-police-department>)
- Welaka Police Department (<https://www.welaka-fl.gov/police-department>)

- West Melbourne Police Department (<http://www.westmelbourne.org/index.aspx?NID=537>)
- West Miami Police Department ([https://cityofwestmiamifl.com/index.asp?SEC=71B05AEB-1936-4AE4-B71E-92021030349E&Type=B\\_BASIC](https://cityofwestmiamifl.com/index.asp?SEC=71B05AEB-1936-4AE4-B71E-92021030349E&Type=B_BASIC))
- West Palm Beach Police Department (<http://wpb.org/police/>)
- White Springs Police Department (<http://www.whitesprings.org/>)
- Wildwood Police Department (<https://wildwoodpolice-fl.gov/>)
- Williston Police Department (<https://willistonpolice.org/>)
- Wilton Manors Police Department (<http://www.wiltonmanors.com/204/Police-Department>)
- Windermere Police Department (<https://town.windermere.fl.us/police-department>)
- Winter Garden Police Department (<http://www.wgpd.com/>)
- Winter Haven Police Department (<http://www.winterhavenpd.com/>)
- Winter Park Police Department (<http://www.wppd.org/>)
- Winter Springs Police Department (<https://www.winterspringsfl.org/police>)
- Zephyrhills Police Department (<http://www.ci.zephyrhills.fl.us/295/Police-Department>)

**Contact Us**

FDLE Contacts (</Contact-Us.aspx>)

Florida Fusion Center (</FFC.aspx>)

Media (</Audio-Video.aspx>)

Email FDLE (</Contact-Us.aspx>)

**Investigations & Forensics**



[Computer Crimes \(/FCCC.aspx\)](#)  
[Domestic Security \(/Domestic-Security.aspx\)](#)  
[Forensics Section \(/Forensics.aspx\)](#)  
[Investigations Section \(/Investigations.aspx\)](#)

### **Public Safety Services**

[Criminal Justice Information \(/CJIS.aspx\)](#)  
[Criminal Justice Professionalism \(/CJSTC.aspx\)](#)  
[Missing Persons \(http://www.fdle.state.fl.us/MCICSearch/\)](http://www.fdle.state.fl.us/MCICSearch/)  
[Officer Training \(/CJSTC/Training-Resources.aspx\)](#)

### **Other Links**

[Capitol Police \(/Capitol-Police.aspx\)](#)  
[Legal Information \(/OGC.aspx\)](#)  
[Open Government \(/Open-Government.aspx\)](#)  
[Publications \(/Publications.aspx\)](#)

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	Appendix 2 POST Website Info re States and Oversight	
						DISP	ENTRY
BAY AREA RAPID TRANSIT PD	01210	Yes	1	G	05		01/17/1990
BEAR VALLEY PD	15150	Yes	1	G	08		
BEAUMONT PD	33020	Yes	1	G	07		06/14/1990
BELL GARDENS PD	19090	Yes	1	G	09		03/05/1990
BELL PD	19070	Yes	1	G	09		09/06/1989
BELMONT PD	41020	Yes	1	G	06		02/14/1989
BELVEDERE PD	21010	Yes	1	G	01		
BENICIA PD	48010	Yes	1	G	01		10/22/1991
BERKELEY PD	01030	Yes	1	G	05		04/03/1989
BEVERLY HILLS PD	19100	Yes	1	G	09		04/14/1989
BISHOP PD	14010	Yes	1	G	07		08/01/2005
BLYTHE PD	33030	Yes	1	G	07		05/02/1991
BRAWLEY PD	13010	Yes	1	G	10		03/09/1989
BREA PD	30020	Yes	1	G	10		09/01/2006
BRENTWOOD PD	07020	Yes	1	G	05		04/08/2020
BRISBANE PD	41030	Yes	1	G	06		07/07/1989
BROADMOOR PD	41190	Yes	1	G	06		07/07/1989
BUENA PARK PD	30030	Yes	1	G	10		03/09/1989
BURBANK AIRPORT AUTH PD	19125		8	G	09		
BURBANK PD	19120	Yes	1	G	09		06/07/1990
BURLINGAME PD	41040	Yes	1	G	06		02/28/1989
BURLINGTON NORTHRN SANTA FE RR	19971		8	G	07		
BUTTE CCD PD	04855	Yes	5	G	02		
BUTTE CO DA	04920	Yes	7	G	02		
BUTTE CO SO/CORONER	04000	Yes	2	G	02		02/22/1989
CA ALCOHOLIC BEVERAGE CONTROL	34981		8	S	03		
CA ASSEMBLY SGT AT ARMS LEGIS	34944		8	S	03		
CA DEPT CONSUMER AFF DEN BD	34989		8	S	03		
CA DEPT CONSUMER AFF INVEST	34983		8	S	03		
CA DEPT DEVELOPMENTAL OPS	34947		8	S	03		
CA DEPT EMPLOYMENT DEVELOPMENT	34175		8	S	03		
CA DEPT FISH & WILDLIFE	34985		8	G	03		09/22/1998
CA DEPT HEALTH CARE SVCS	34160		8	S	03		
CA DEPT INDUSTRIAL RELATIONS	19976		8	S	03		
CA DEPT INSURANCE FRAUD	34130		8	S	03		
CA DEPT JUSTICE	34940		8	S	03		
CA DEPT MOTOR VEHICLES	34986		8	S	03		
CA DEPT OF FIN PROT AND INNOV	19975		8	S	03		
CA DEPT PARKS & RECREATION	34988		8	G	03		04/26/1989
CA DEPT PUB HEALTH FOOD/DRUG	34165		8	S	03		
CA DEPT SOCIAL SERVICES	34170		8	S	03		
CA DEPT STATE HOSPITALS	34945		8	S	03		
CA DEPT TOXIC SUBSTANCES CNTL	34161		8	S	03		
CA FRANCHISE TAX BOARD	34946		8	S	03		

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	DISP ENTRY
CA HIGHWAY PATROL	34890		8	G	03	01/17/2011
CA HORSE RACING BOARD	34997		8	S	03	
CA OFFICE OF LE SUPPORT (OLES)	34925		8	S	03	
CA SECRETARY OF STATE OFC INV	34971		8	S	03	
CA STATE FAIR PD	34990		8	G	03	
CA STATE LOTTERY	34992		8	S	03	
CAL - OES	34995		8	S	03	
CAL FIRE	34984		8	G	03	
CALAVERAS CO DA	05013	Yes	7	G	04	
CALAVERAS CO SD	05000	Yes	2	G	04	05/01/1989
CALEXICO PD	13020	Yes	1	G	10	05/16/1989
CALIFORNIA CITY PD	15110	Yes	1	G	08	03/21/1989
CALIPATRIA PD	13030	Yes	1	G	10	
CALISTOGA PD	28010	Yes	1	G	01	10/17/1990
CAMPBELL PD	43020	Yes	1	G	06	01/17/1990
CAPITOLA PD	44010	Yes	1	G	06	02/21/1989
CARLSBAD PD	37010	Yes	1	G	10	10/11/1989
CARMEL PD	27010	Yes	1	G	06	02/21/1989
CATHEDRAL CITY PD	33040	Yes	1	G	07	03/10/1998
CENTRAL MARIN POLICE AUTHORITY	21950	Yes	1	G	01	02/11/2013
CERES DPS	50010	Yes	1	G	04	01/10/1990
CERRITOS CCD PD	19955	Yes	5	G	09	
CHAFFEY CCD PD	36955	Yes	5	G	07	
CHICO PD	04020	Yes	1	G	02	03/28/1990
CHINO PD	36020	Yes	1	G	07	07/31/1991
CHOWCHILLA PD	20010	Yes	1	G	04	04/11/1989
CHULA VISTA PD	37020	Yes	1	G	10	07/18/1989
CITRUS HEIGHTS PD	34060	Yes	1	G	03	10/01/2006
CLAREMONT PD	19130	Yes	1	G	09	01/27/1989
CLAYTON PD	07030	Yes	1	G	05	
CLEARLAKE PD	17020	Yes	1	G	01	04/18/1991
CLOVERDALE PD	49010	Yes	1	G	01	05/22/1989
CLOVIS PD	10010	Yes	1	G	04	11/28/1989
CLOVIS UNIF SCHL DIST PD	10015	Yes	8	G	04	
COALINGA PD	10020	Yes	1	G	04	01/31/1989
COAST CCD PD	30975	Yes	5	G	10	
COLLEGE OF THE SEQUOIAS PD	54099	Yes	5	G	04	04/11/1989
COLMA PD	41050	Yes	1	G	06	12/18/1990
COLTON PD	36030	Yes	1	G	07	08/22/1990
COLUSA CO DISTRICT ATTORNEY	06920	Yes	7	G	02	
COLUSA COUNTY SD	06000	Yes	2	G	02	04/28/1999
COLUSA PD	06010	Yes	1	G	02	
COMPTON CCD PD	19152	Yes	5	G	09	06/11/2019
COMPTON UNIF SCH DIST PD	19151	Yes	8	G	09	

NAME	NUMBER	REIMBURSABLE	TYPE	CERT.	REGION	Appendix 2
						DISP ENTRY
POST Website Info re States and Oversight						
CONCORD PD	07040	Yes	1	G	05	02/13/1990
CONTRA COSTA CCD PD	07952	Yes	5	G	05	
CONTRA COSTA CO DA	07920	Yes	7	G	05	
CONTRA COSTA CO SO/CORONER	07000	Yes	2	G	05	04/03/1989
CORCORAN PD	16010	Yes	1	G	04	02/25/2002
CORNING PD	52010	Yes	1	G	02	01/03/1989
CORONA PD	33150	Yes	1	G	07	10/07/1996
CORONADO PD	37030	Yes	1	G	10	03/28/1990
COSTA MESA PD	30040	Yes	1	G	10	07/17/2012
COTATI PD	49020	Yes	1	G	01	04/06/1989
COVINA PD	19160	Yes	1	G	09	02/09/1990
CPSU SAN LUIS OBISPO PD	40850	Yes	3	G	08	08/02/1989
CRESCENT CITY PD	08010	Yes	1	G	01	06/24/1996
CSU BAKERSFIELD DPS	15850	Yes	3	G	08	02/23/1996
CSU CAL MARITIME ACADEMY PD	48850	Yes	3	G	01	
CSU CHANNEL ISLANDS PD	56954	Yes	3	G	08	12/19/2001
CSU CHICO PD	04850	Yes	3	G	02	07/01/2004
CSU DOMINGUEZ HILLS PD	19810	Yes	3	G	09	11/05/1990
CSU EAST BAY PD	01850	Yes	3	G	05	04/13/1989
CSU FRESNO DPS	10850	Yes	3	G	04	04/27/1989
CSU FULLERTON PD	30270	Yes	3	G	10	04/11/1989
CSU HUMBOLDT PD	12850	Yes	3	G	01	09/11/1989
CSU LONG BEACH PD	19820	Yes	3	G	09	07/24/1990
CSU LOS ANGELES DPS	19830	Yes	3	G	09	05/17/1989
CSU MONTEREY BAY PD	27810	Yes	3	G	06	
CSU NORTHRIDGE DEPT POLICE SVS	19840	Yes	3	G	09	02/08/1995
CSU POMONA DPS	19850	Yes	3	G	09	02/15/1993
CSU SACRAMENTO UNIVERSITY PD	34850	Yes	3	G	03	08/10/2009
CSU SAN BERNARDINO PD	36850	Yes	3	G	07	04/11/1989
CSU SAN DIEGO PD	37850	Yes	3	G	10	04/21/1989
CSU SAN FRANCISCO PD	38850	Yes	3	G	05	05/17/1989
CSU SAN JOSE PD	43850	Yes	3	G	06	03/28/1989
CSU SAN MARCOS DPS	37855	Yes	3	G	10	08/01/1995
CSU SONOMA PD	49850	Yes	3	G	01	04/21/1989
CSU STANISLAUS DPS	50850	Yes	3	G	04	03/01/1990
CUESTA CCD DPS	40080	Yes	5	G	08	
CULVER CITY PD	19180	Yes	1	G	09	02/15/2011
CYPRESS PD	30050	Yes	1	G	10	
DALY CITY PD	41060	Yes	1	G	06	02/21/1989
DAVIS PD	57010	Yes	1	G	02	06/30/1989
DEL NORTE CO DA	08020	Yes	7	G	01	
DEL NORTE COUNTY SO	08000	Yes	2	G	01	12/18/1990
DEL REY OAKS PD	27020	Yes	1	G	06	
DELANO PD	15030	Yes	1	G	08	01/02/1990

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						POST	Website Info re States and Oversight
DEPT CANNABIS CNTL, ENF DIV	34991		8	G	03		
DESERT HOT SPRINGS PD	33060	Yes	1		07	05/22/2001	
DINUBA PD	54010	Yes	1	G	04	03/09/1989	
DIXON PD	48020	Yes	1	G	01	04/26/1989	
DOS PALOS PD	24020	Yes	1	G	04	08/15/2011	
DOWNEY PD	19200	Yes	1	G	09	12/13/1989	
EAST BAY REG PARK DPS	01140	Yes	1	G	05	07/14/1989	
EAST PALO ALTO PD	41270	Yes	1	G	06		
EL CAJON PD	37050	Yes	1	G	10	04/19/1989	
EL CAMINO CCD PD	19952	Yes	5	G	09	07/29/1996	
EL CENTRO PD	13040	Yes	1	G	10	11/28/1990	
EL CERRITO PD	07050	Yes	1	G	05		
EL DORADO CO DA	09920	Yes	7	G	02		
EL DORADO CO SO	09000	Yes	2	G	02	08/25/1998	
EL MONTE PD	19220	Yes	1	G	09	01/03/1989	
EL SEGUNDO PD	19230	Yes	1	G	09		
ELK GROVE PD	34050	Yes	1	G	03	10/01/2006	
EMERYVILLE PD	01040	Yes	1	G	05	01/31/1989	
ESCALON PD	39010	Yes	1	G	03	02/09/1990	
ESCONDIDO PD	37060	Yes	1	G	10	06/23/1989	
ETNA PD	47030	Yes	1	G	02		
EUREKA PD	12030	Yes	1	G	01	09/12/1994	
EXETER PD	54020	Yes	1	G	04	12/23/1998	
FAIRFAX PD	21030	Yes	1	G	01	10/08/1991	
FAIRFIELD PD	48030	Yes	1	G	01	04/03/1989	
FARMERSVILLE PD	54030	Yes	1	G	04	06/01/2009	
FERNDALE PD	12040	Yes	1	G	01		
FIREBAUGH PD	10030	Yes	1	G	04		
FOLSOM PD	34010	Yes	1	G	03	01/31/1989	
FONTANA PD	36040	Yes	1	G	07	01/03/1989	
FONTANA UNIFIED SCHOOL DIST	36041	Yes	8	G	07	12/20/1996	
FOOTHILL-DEANZA CCD PD	43900	Yes	5	G	06		
FORT BRAGG PD	23010	Yes	1	G	01	01/31/1989	
FORTUNA PD	12050	Yes	1	G	01	10/24/1990	
FOSTER CITY PD	41200	Yes	1	G	06	11/27/1989	
FOUNTAIN VALLEY PD	30070	Yes	1	G	10	07/18/1989	
FOWLER PD	10040	Yes	1	G	04		
FREMONT PD	01050	Yes	1	G	05	02/14/1989	
FRESNO CO DA	10920	Yes	7	G	04		
FRESNO CO SO	10000	Yes	2	G	04	03/09/1989	
FRESNO PD	10050	Yes	1	G	04	05/16/1989	
FRESNO YOSEMITE INT'L AIRPORT	10953		8	G	04		
FULLERTON PD	30080	Yes	1	G	10	07/10/1990	
GALT PD	34020	Yes	1	G	03	07/24/1990	

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POST Website Info re States and Oversight						
GARDEN GROVE PD	30090	Yes	1	G	10	04/19/1989
GARDENA PD	19240	Yes	1	G	09	
GILROY PD	43040	Yes	1	G	06	09/20/1990
GLENDALE CCD PD	19251	Yes	5	G	09	
GLENDALE PD	19250	Yes	1	G	09	07/14/1989
GLENDORA PD	19260	Yes	1	G	09	04/19/1989
GLENN CO DA	11920	Yes	7	G	02	
GLENN CO SO/CORONER	11000	Yes	2	G	02	10/30/1989
GONZALES PD	27030	Yes	1	G	06	
GRASS VALLEY PD	29010	Yes	1	G	02	
GREENFIELD PD	27040	Yes	1	G	06	
GRIDLEY PD	04030	Yes	1	G	02	04/12/1989
GROVER BEACH PD	40020	Yes	1	G	08	01/16/1991
GUADALUPE PD	42010	Yes	1	G	08	01/31/1989
GUSTINE PD	24030	Yes	1	G	04	06/23/1989
HACIENDA LA PUENTE USD	19261	Yes	8	G	09	
HANFORD PD	16020	Yes	1	G	04	09/27/1990
HAWTHORNE PD	19280	Yes	1	G	09	
HAYWARD PD	01060	Yes	1	G	05	02/21/1989
HEALDSBURG PD	49030	Yes	1	G	01	02/14/1989
HEMET PD	33080	Yes	1	G	07	06/23/1989
HERCULES PD	07060	Yes	1	G	05	
HERMOSA BEACH PD	19290	Yes	1	G	09	02/08/1995
HESPERIA UNIFIED SCHOOL DIST	36032	Yes	8	G	07	
HILLSBOROUGH PD	41080	Yes	1	G	06	01/31/1989
HOLLISTER PD	35010	Yes	1	G	06	
HUMBOLDT CO DA	12920	Yes	7	G	01	
HUMBOLDT CO SO	12000	Yes	2	G	01	02/14/1989
HUMBOLDT DEPT WELFARE/INVEST	12925		8	S	01	
HUNTINGTON BEACH PD	30100	Yes	1	G	10	03/09/1989
HUNTINGTON PARK PD	19310	Yes	1	G	09	01/31/1989
HURON PD	10060	Yes	1	G	04	01/27/1992
IMPERIAL CO DA	13920	Yes	7	G	10	
IMPERIAL CO SO	13000	Yes	2	G	10	03/27/2000
IMPERIAL PD	13060	Yes	1	G	10	
INDIO PD	33090	Yes	1	G	07	03/09/1989
INGLEWOOD PD	19330	Yes	1	G	09	04/13/1989
INYO CO DA	14920	Yes	7	G	07	
INYO COUNTY SO	14000	Yes	2	G	07	12/01/1989
IONE PD	03020	Yes	1	G	02	
IRVINE PD	30260	Yes	1	G	10	10/11/1989
IRVINE VALLEY CCD PD	30265	Yes	5	G	10	02/15/2011
IRWINDALE PD	19340	Yes	1	G	09	03/28/1995
JACKSON PD	03030	Yes	1	G	02	04/22/1996

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						DISP	ENTRY
KENSINGTON PD	07130	Yes	1	G	05		
KERMAN PD	10070	Yes	1	G	04		
KERN CO DA	15920	Yes	7	G	08		
KERN CO-DEPT OF PARKS & REC	15935	Yes	8	S	08		
KERN COUNTY SO	15000	Yes	2	G	08		05/07/1992
KERN HIGH SCHOOL DISTRICT PD	15925	Yes	8	G	08		03/03/2021
KING CITY PD	27050	Yes	1	G	06		
KINGS CO DA	16920	Yes	7	G	04		
KINGS CO SHERIFF'S OFFICE	16000	Yes	2	G	04		01/10/1990
KINGS CO-HUMAN SVCS,WELFARE FD	16930		8	S	04		
KINGSBURG PD	10080	Yes	1	G	04		
LA HABRA PD	30120	Yes	1	G	10		07/14/1989
LA MESA PD	37080	Yes	1	G	10		03/04/1993
LA PALMA PD	30060	Yes	1	G	10		01/03/1989
LA VERNE PD	19380	Yes	1	G	09		06/06/1989
LAGUNA BEACH PD	30110	Yes	1	G	10		01/03/1989
LAKE CO DA	17920	Yes	7	G	01		
LAKE CO SO	17000	Yes	2	G	01		12/01/1989
LAKE SHASTINA DISTRICT PD	47100	Yes	1	G	02		
LAKEPORT PD	17010	Yes	1	G	01		
LASSEN CO DA	18920	Yes	7	G	02		
LASSEN CO SO	18000	Yes	2	G	02		08/17/1989
LEMOORE PD	16030	Yes	1	G	04		
LINCOLN PD	31030	Yes	1	G	02		01/17/1990
LINDSAY DPS	54040	Yes	1	G	04		02/25/2002
LIVERMORE PD	01070	Yes	1	G	05		06/07/1989
LIVINGSTON PD	24040	Yes	1	G	04		07/22/1991
LODI PD	39020	Yes	1	G	03		05/22/1989
LOMPOC PD	42020	Yes	1	G	08		12/18/1997
LONG BEACH DISASTER/EMERG COMM	19825	Yes	8	G	09		09/19/2018
LONG BEACH PD	19410	Yes	1	G	09		06/30/1989
LOS ALAMITOS PD	30130	Yes	1	G	10		
LOS ALTOS PD	43050	Yes	1	G	06		03/26/1991
LOS ANGELES CITY PARK RANGER	19965		8	G	09		
LOS ANGELES CO CORONER	19945	Yes	8	S	09		
LOS ANGELES CO DA	19920	Yes	7	G	09		02/09/1990
LOS ANGELES CO SD	19000	Yes	2	G	07		08/11/1989
LOS ANGELES PD	19420	Yes	1	G	08		01/16/1991
LOS ANGELES PORT PD	19932	Yes	8	G	09		03/22/1991
LOS ANGELES SCHOOL PD	19961	Yes	8	G	09		
LOS ANGELES WORLD AIRPORTS PD	19953	Yes	8	G	09		
LOS BANOS PD	24050	Yes	1	G	04		03/09/1989
LOS GATOS PD	43070	Yes	1	G	06		01/31/1989
LOS RIOS CCD PD	34052	Yes	5	G	03		03/24/2014

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	Appendix 2 POST Website Info re States and Oversight	
						DISP	ENTRY
MADERA CO DA	20920	Yes	7	G	04		
MADERA CO SO	20000	Yes	2	G	04	02/01/1991	
MADERA PD	20020	Yes	1	G	04	03/09/1989	
MAMMOTH LAKES PD	26010	Yes	1	G	07		
MANHATTAN BEACH PD	19440	Yes	1	G	09		
MANTECA PD	39030	Yes	1	G	03	08/18/1989	
MARIN CCD PD	21120	Yes	5	G	01		
MARIN CO DA	21920	Yes	7	G	01		
MARIN CO HEALTH & HUMAN SVCS	21065		8	G	01		
MARIN CO SO	21000	Yes	2	G	01	04/17/1990	
MARIN MUNCPL WATER DIST	21190		8	G	01		
MARINA PD	27051	Yes	1	G	06		
MARIPOSA CO DA	22920	Yes	7	G	04		
MARIPOSA CO SO	22000	Yes	2	G	04		
MARTINEZ PD	07140	Yes	1	G	05	06/30/1989	
MARYSVILLE PD	58010	Yes	1	G	02	10/17/1990	
MCFARLAND PD	15050	Yes	1	G	08	05/24/2010	
MENDOCINO CO DA	23920	Yes	7	G	01		
MENDOCINO CO HEALTH/HUMAN SVCS	23964		8	G	01		
MENDOCINO CO SO	23000	Yes	2	G	01	02/14/1989	
MENDOTA PD	10090	Yes	1	G	04		
MENIFEE PD	33170	Yes	1	G	07		
MENLO PARK PD	41090	Yes	1	G	06	06/30/1989	
MERCED CCD PD	24070	Yes	5	G	04		
MERCED CO DA	24920	Yes	7	G	04		
MERCED CO SO	24000	Yes	2	G	04	07/18/1989	
MERCED PD	24060	Yes	1	G	04	03/09/1992	
MILL VALLEY PD	21050	Yes	1	G	01		
MILPITAS PD	43080	Yes	1	G	06	04/23/1990	
MIRA COSTA CCD PD	37150	Yes	5	G	10	10/01/2001	
MODESTO PD	50020	Yes	1	G	04		
MODOC CO SO	25000	Yes	2	G	02	06/01/2005	
MONO CO DA	26013	Yes	7	G	07		
MONO CO SD	26000	Yes	2	G	07	05/22/1989	
MONROVIA PD	19460	Yes	1	G	09	10/14/1994	
MONTCLAIR PD	36050	Yes	1	G	07	10/16/1992	
MONTEBELLO PD	19470	Yes	1	G	09	04/11/1989	
MONTEBELLO UNIFIED SCHOOL DIST	19475	Yes	8	G	09		
MONTEREY CO DA	27013	Yes	7	G	06		
MONTEREY CO EMER COMM	27725	Yes	8		06	06/25/2001	
MONTEREY CO SHERIFF'S OFFICE	27000	Yes	2	G	06		
MONTEREY PARK PD	19480	Yes	1	G	09	06/23/1989	
MONTEREY PD	27060	Yes	1	G	06		
MORAGA PD	01141	Yes	1	G	05		



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POST Website Info re States and Oversight						
MORGAN HILL PD	43100	Yes	1	G	06	06/07/1991
MORRO BAY PD	40030	Yes	1	G	08	03/03/1989
MOUNT SHASTA PD	47060	Yes	1	G	02	01/31/1989
MOUNTAIN VIEW PD	43110	Yes	1	G	06	12/12/2017
MURRIETA PD	33180	Yes	1	G	07	02/08/1995
NAPA CO DA	28920	Yes	7	G	01	
NAPA CO SO	28000	Yes	2	G	01	
NAPA PD	28020	Yes	1	G	01	04/06/1989
NAPA VALLEY COLLEGE DPS	28050	Yes	5	G	01	
NATIONAL CITY PD	37090	Yes	1	G	10	07/14/1989
NEVADA CITY PD	29020	Yes	1	G	02	
NEVADA CO DA	29920	Yes	7	G	02	
NEVADA CO SO	29000	Yes	2	G	02	04/12/1989
NEWARK PD	01080	Yes	1	G	05	02/14/1989
NEWMAN PD	50030	Yes	1	G	04	
NEWPORT BEACH PD	30140	Yes	1	G	10	11/05/1990
NOVATO PD	21060	Yes	1	G	01	03/03/1989
OAKDALE PD	50040	Yes	1	G	04	01/09/1989
OAKLAND CITY HOUSING AUTH PD	01012	Yes	8	G	05	
OAKLAND PD	01090	Yes	1	G	05	01/17/1990
OAKLEY PD	07170	Yes	1	G	05	
OCEANSIDE PD	37100	Yes	1	G	10	10/11/1989
OHLONE CCD PD	01951	Yes	5	G	05	12/29/2021
ONTARIO PD	36070	Yes	1	G	07	01/23/1990
ORANGE CO DA	30920	Yes	7	G	10	
ORANGE CO SD/CORONER	30000	Yes	2	G	10	07/14/1989
ORANGE COVE PD	10100	Yes	1	G	04	
ORANGE PD	30150	Yes	1	G	10	06/23/1989
ORLAND PD	11010	Yes	1	G	02	
OROVILLE PD	04040	Yes	1	G	02	06/11/1990
OXNARD PD	56040	Yes	1	G	08	03/28/1989
PACIFIC GROVE PD	27070	Yes	1	G	06	
PACIFICA PD	41110	Yes	1	G	06	
PALM SPRINGS PD	33110	Yes	1	G	07	07/14/1989
PALO ALTO PD	43120	Yes	1	G	06	12/18/1997
PALOMAR CCD PD	37155	Yes	5	G	10	
PALOS VERDES ESTATES PD	19510	Yes	1	G	09	08/01/2006
PARADISE PD	04050	Yes	1	G	02	07/21/1989
PARLIER PD	10110	Yes	1	G	04	
PASADENA CITY CCD PD	19531	Yes	5	G	09	09/16/1997
PASADENA PD	19530	Yes	1	G	09	01/13/1995
PASO ROBLES PD	40040	Yes	1	G	08	10/11/1989
PETALUMA PD	49080	Yes	1	G	01	10/13/1989
PIEDMONT PD	01100	Yes	1	G	05	01/31/1989

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	Appendix 2 DISP ENTRY
						POST Website Info re States and Oversight
PINOLE PD	07070	Yes	1	G	05	06/07/1989
PISMO BEACH PD	40050	Yes	1	G	08	03/03/1989
PITTSBURG PD	07080	Yes	1	G	05	
PLACENTIA PD	30160	Yes	1	G	10	04/11/1989
PLACENTIA PUBLIC SAFETY COMM	30165	Yes	8		10	03/26/2021
PLACER CO DA	31920	Yes	7	G	02	
PLACER COUNTY SO	31000	Yes	2	G	02	06/30/1989
PLACERVILLE PD	09010	Yes	1	G	02	05/17/2000
PLEASANT HILL PD	07090	Yes	1	G	05	02/14/1989
PLEASANTON PD	01110	Yes	1	G	05	07/07/1989
PLUMAS CO SO	32000	Yes	2	G	02	03/01/2008
POMONA PD	19550	Yes	1	G	09	02/09/1998
PORT HUENEME PD	56050	Yes	1	G	08	10/25/1989
PORT OF STOCKTON PD	39930	Yes	8	G	03	
PORTERVILLE PD	54050	Yes	1	G	04	10/11/1989
RED BLUFF PD	52020	Yes	1	G	02	06/23/1997
REDDING PD	45020	Yes	1	G	02	01/03/1989
REDLANDS PD	36080	Yes	1	G	07	03/09/1989
REDONDO BEACH PD	19560	Yes	1	G	09	03/20/1991
REDWOOD CITY PD	41130	Yes	1	G	06	01/31/1989
REEDLEY PD	10120	Yes	1	G	04	03/09/1989
RIALTO PD	36090	Yes	1	G	07	10/11/1989
RICHMOND PD	07100	Yes	1	G	05	03/09/1989
RIDGECREST PD	15060	Yes	1	G	08	10/11/1989
RIO DELL PD	12070	Yes	1	G	01	
RIPON PD	39040	Yes	1	G	03	12/18/1997
RIVERSIDE CCD PD	33955	Yes	5	G	07	
RIVERSIDE CO DA	33920	Yes	7	G	07	06/07/1990
RIVERSIDE CO PUBLIC SOCIAL SER	33916		8	S	07	
RIVERSIDE CO SD	33000	Yes	2	G	07	02/21/1990
RIVERSIDE PD	33130	Yes	1	G	07	07/19/1989
ROCKLIN PD	31040	Yes	1	G	02	10/03/1990
ROHNERT PARK DPS	49040	Yes	1	G	01	01/31/1989
ROSEVILLE PD	31050	Yes	1	G	02	04/03/1989
ROSS PD	21070	Yes	1	G	01	
SACRAMENTO CO CORONER	34960	Yes	8	S	03	
SACRAMENTO CO DA	34920	Yes	7	G	03	
SACRAMENTO CO HUMAN ASST INV	34964		8	S	03	
SACRAMENTO CO REG PARKS DEPT	34955	Yes	8		03	
SACRAMENTO CO SD	34000	Yes	2	G	03	03/01/1993
SACRAMENTO PD	34040	Yes	1	G	03	07/21/1989
SADDLEBACK CCD PD	30970	Yes	5	G	10	03/24/2014
SAINT HELENA PD	28030	Yes	1	G	01	01/31/1989
SALINAS PD	27080	Yes	1	G	06	

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	Appendix 2 POST Website Info re States and Oversight	
						DISP	ENTRY
SAN BENITO CO DA	35920	Yes	7	G	06		
SAN BENITO CO SO	35000	Yes	2	G	06		
SAN BERNARDINO CCD PD	36825	Yes	5	G	07	05/06/2015	
SAN BERNARDINO CO DA	36920	Yes	7	G	07		
SAN BERNARDINO CO HUMAN SVCS	36965		8	S	07		
SAN BERNARDINO CO SD	36000	Yes	2	G	07	01/03/1989	
SAN BERNARDINO PD	36100	Yes	1	G	07	08/03/1989	
SAN BERNARDINO UNIF SCHL DIST	36930	Yes	8	G	07	05/01/1999	
SAN BRUNO PD	41140	Yes	1	G	06	02/14/1989	
SAN DIEGO CCD PD	37145	Yes	5	G	10	08/23/1991	
SAN DIEGO CITY SCHOOLS PD	37140	Yes	8	G	10	02/15/1995	
SAN DIEGO CO DA	37920	Yes	7	G	10		
SAN DIEGO CO PUBLIC ASST INV	37960		8	S	10		
SAN DIEGO CO SD	37000	Yes	2	G	10	07/14/1989	
SAN DIEGO HARBOR PD, PORT OF	37930	Yes	8	G	10	04/01/2003	
SAN DIEGO PD	37110	Yes	1	G	10	10/03/1990	
SAN FERNANDO PD	19610	Yes	1	G	09	05/22/2001	
SAN FRAN INT'L AIRPORT COMM	38025	Yes	8		06	05/03/2010	
SAN FRANCISCO CCD PD	38840	Yes	5	G	05		
SAN FRANCISCO CO DA	38920	Yes	7	G	05		
SAN FRANCISCO CO MED EXAM	38060	Yes	8	S	05		
SAN FRANCISCO CO SO	38000	Yes	2	G	05		
SAN FRANCISCO DEPT EMER MGT	38825	Yes	8		05	07/01/1999	
SAN FRANCISCO PD	38010	Yes	1	G	05	04/30/1989	
SAN GABRIEL PD	19620	Yes	1	G	09	10/03/1990	
SAN JOAQUIN CO DA	39920	Yes	7	G	03	10/30/1989	
SAN JOAQUIN CO SO	39000	Yes	2	G	03	10/30/1989	
SAN JOAQUIN DELTA COLLEGE PD	39950	Yes	5	G	03	07/01/2011	
SAN JOSE PD	43130	Yes	1	G	06	08/22/1989	
SAN JOSE UNIF SCHL DIST PD	43853	Yes	8	G	06		
SAN JOSE/EVERGREEN CCD PD	43855	Yes	5	G	06		
SAN LEANDRO PD	01120	Yes	1	G	05	04/12/1991	
SAN LUIS OBISPO CO DA	40920	Yes	7	G	08		
SAN LUIS OBISPO CO SO	40000	Yes	2	G	08	03/18/1996	
SAN LUIS OBISPO PD	40060	Yes	1	G	08	06/30/1989	
SAN MARINO PD	19630	Yes	1	G	09	02/07/1991	
SAN MATEO CO CORONER	41960	Yes	8	S	06		
SAN MATEO CO DA	41920	Yes	7	G	06		
SAN MATEO CO PUB SFTY COMM CTR	41926	Yes	8		06	12/15/1994	
SAN MATEO CO SHERIFF'S OFFICE	41000	Yes	2	G	06		
SAN MATEO PD	41160	Yes	1	G	06	02/17/1999	
SAN PABLO PD	07110	Yes	1	G	05	12/05/1989	
SAN RAFAEL PD	21090	Yes	1	G	01	03/03/1989	
SAN RAMON PD	07160	Yes	1	G	05		

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	Appendix 2 POST Website Info re States and Oversight	
						DISP	ENTRY
SAND CITY PD	27090	Yes	1	G	06		
SANGER PD	10130	Yes	1	G	04	04/19/1989	
SANTA ANA PD	30190	Yes	1	G	10	04/27/1990	
SANTA ANA UNIF SCHL DIST PD	30961	Yes	8	G	10		
SANTA BARBARA CO DA	42920	Yes	7	G	08		
SANTA BARBARA CO SO	42000	Yes	2	G	08	06/07/1991	
SANTA BARBARA PD	42030	Yes	1	G	08	05/08/1996	
SANTA CLARA CO COMM DEPT	43825	Yes	8		06	11/18/1996	
SANTA CLARA CO DA	43920	Yes	7	G	06		
SANTA CLARA CO DA-WELFARE FRD	43921		8	S	06		
SANTA CLARA CO SO	43000	Yes	2	G	06		
SANTA CLARA PD	43140	Yes	1	G	06	07/01/2006	
SANTA CRUZ CO DA	44920	Yes	7	G	06		
SANTA CRUZ CO SO	44000	Yes	2	G	06		
SANTA CRUZ PD	44020	Yes	1	G	06	01/17/1990	
SANTA MARIA PD	42040	Yes	1	G	08	03/03/1989	
SANTA MONICA CCD PD	19951	Yes	5	G	09	02/16/1996	
SANTA MONICA OFFICE EMER MGT	19925	Yes	8		09	10/12/2015	
SANTA MONICA PD	19650	Yes	1	G	09	01/03/2000	
SANTA PAULA PD	56060	Yes	1	G	08	10/11/1989	
SANTA ROSA PD	49050	Yes	1	G	01	05/02/1990	
SAUSALITO PD	21100	Yes	1	G	01	04/13/1989	
SCOTTS VALLEY PD	44040	Yes	1	G	06	07/07/1989	
SEAL BEACH PD	30200	Yes	1	G	10		
SEASIDE PD	27100	Yes	1	G	06		
SEBASTOPOL PD	49060	Yes	1	G	01	03/28/1989	
SELMA PD	10150	Yes	1	G	04	05/01/1989	
SHAFTER PD	15070	Yes	1	G	08	04/15/1991	
SHASTA AREA SAFETY COMM AGCY	45925	Yes	8		02	03/04/1994	
SHASTA CO DA	45920	Yes	7	G	02		
SHASTA CO MARSHAL	45910	Yes	6	G	02	08/26/2013	
SHASTA CO SO	45000	Yes	2	G	02	03/28/1989	
SIERRA CO SHERIFF'S OFFICE	46000	Yes	2	G	02	05/26/2020	
SIERRA MADRE PD	19660	Yes	1	G	09	06/07/1990	
SIGNAL HILL PD	19670	Yes	1	G	09	01/31/1989	
SIMI VALLEY PD	56090	Yes	1	G	08	02/22/1996	
SISKIYOU CO DA	47920	Yes	7	G	02		
SISKIYOU CO SD	47000	Yes	2	G	02	08/18/1989	
SNOWLINE JOINT UNIF SCHL DIST	36033	Yes	8	G	07		
SOLANO CCD DPS	48855	Yes	5	G	01		
SOLANO CO DA	48013	Yes	7	G	01		
SOLANO CO SO	48000	Yes	2	G	01	05/12/1989	
SOLANO CO SPECIAL INV BUREAU	48964		8		01		
SOLEDAD PD	27110	Yes	1	G	06		

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	Appendix 2 POST Website Info re States and Oversight	
						DISP	ENTRY
SONOMA CO DA	49920	Yes	7	G	01		
SONOMA CO HUM SRV,WLF FRD INV	49964		8	S	01		
SONOMA CO JR COLLEGE DIST PD	49955	Yes	8	G	01	06/01/2007	
SONOMA CO SHERIFF'S OFFICE	49000	Yes	2	G	01	01/31/1991	
SONOMA-MARIN AREA RAIL TRANSIT	49210	Yes	8	G	01		
SONORA PD	55010	Yes	1	G	04	01/16/1990	
SOUTH BAY REG PUB COMM AUTH	19980	Yes	8		09	03/28/1991	
SOUTH GATE PD	19690	Yes	1	G	09	04/18/1989	
SOUTH LAKE TAHOE PD	09020	Yes	1	G	02	04/11/1990	
SOUTH PASADENA PD	19700	Yes	1	G	09	06/07/1990	
SOUTH SAN FRANCISCO PD	41170	Yes	1	G	06	07/07/1989	
SOUTHWESTERN CCD PD	37025	Yes	5	G	10	08/17/2020	
STALLION SPRINGS PD	15140	Yes	1	G	08		
STANISLAUS CO DA	50920	Yes	7	G	04		
STANISLAUS CO SD	50000	Yes	2	G	04		
STANISLAUS REGIONAL 9-1-1	50925	Yes	8		04	01/03/1989	
STATE CENTER CCD PD	10950	Yes	5	G	04	12/07/2015	
STOCKTON PD	39050	Yes	1	G	03	09/18/1995	
STOCKTON USD DEPT PUB SAFETY	39955	Yes	8	G	03	04/24/1996	
SUISUN CITY PD	48050	Yes	1	G	01	02/14/1989	
SUNNYVALE DPS	43160	Yes	1	G	06	03/05/1990	
SUSANVILLE PD	18010	Yes	1	G	02		
SUTTER CO DA	51920	Yes	7	G	02		
SUTTER CO HEALTH & HUMAN SVCS	51964		8	G	02		
SUTTER CO SO	51000	Yes	2	G	02	01/31/1989	
SUTTER CREEK PD	03050	Yes	1	G	02		
TAFT PD	15080	Yes	1	G	08	06/23/1989	
TEHACHAPI PD	15090	Yes	1	G	08	11/07/2016	
TEHAMA CO DA	52920	Yes	7	G	02		
TEHAMA CO SO	52000	Yes	2	G	02	03/27/2002	
TIBURON PD	21110	Yes	1	G	01		
TORRANCE PD	19720	Yes	1	G	09	11/19/1997	
TRACY PD	39060	Yes	1	G	03	07/21/1989	
TRINITY CO DIST ATTORNEY	53920	Yes	7	G	02		
TRINITY CO MARSHAL	53910	Yes	6	G	02		
TRINITY COUNTY SO	53000	Yes	2	G	02	03/28/1989	
TRUCKEE PD	29030	Yes	1	G	02		
TULARE CO DA	54013	Yes	7	G	04		
TULARE CO SO	54000	Yes	2	G	04	07/18/1989	
TULARE PD	54060	Yes	1	G	04	11/15/1990	
TULELAKE PD	47070	Yes	1	G	02		
TUOLUMNE CO DA	55013	Yes	7	G	04		
TUOLUMNE CO SO	55000	Yes	2	G	04	01/27/1989	
TURLOCK PD	50070	Yes	1	G	04	01/09/1989	

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	Appendix 2 DISP ENTRY
						POST Website Info re States and Oversight
TUSTIN PD	30220	Yes	1	G	10	03/09/1989
TWIN RIVERS USD PD	34970	Yes	8	G	03	07/01/2012
UC BERKELEY PD	01870	Yes	4	G	05	07/30/1990
UC DAVIS PD	57970	Yes	4	G	02	06/26/1990
UC IRVINE PD	30870	Yes	4	G	10	06/09/1993
UC LOS ANGELES PD	19870	Yes	4	G	09	09/03/1993
UC MERCED PD	24870	Yes	4	G	04	05/01/2006
UC RIVERSIDE PD	33870	Yes	4	G	07	03/28/1990
UC SAN DIEGO PD	37970	Yes	4	G	10	10/10/1990
UC SAN FRANCISCO PD	38870	Yes	4	G	05	07/10/1990
UC SANTA BARBARA PD	42870	Yes	4	G	08	06/07/1990
UC SANTA CRUZ PD	44870	Yes	4	G	06	09/11/1991
UKIAH PD	23030	Yes	1	G	01	09/01/1989
UNION CITY PD	01130	Yes	1	G	05	01/31/1989
UNION PACIFIC RAILROAD	19972		8	G	02	
UPLAND PD	36110	Yes	1	G	07	10/24/1990
VACAVILLE PD	48060	Yes	1	G	01	09/06/1990
VAL VERDE UNIF SCH DIST PD	33015	Yes	8	G	07	
VALLEJO PD	48070	Yes	1	G	01	05/02/1989
VENTURA CO CCD PD	56930	Yes	5	G	08	
VENTURA CO DA	56920	Yes	7	G	08	
VENTURA CO SO	56000	Yes	2	G	08	08/22/1989
VENTURA PD	56080	Yes	1	G	08	03/09/1989
VERNON PD	19730	Yes	1	G	09	02/28/1989
VICTOR VALLEY COLLEGE PD	36155	Yes	5	G	07	
VISALIA PD	54070	Yes	1	G	04	07/18/1989
WALNUT CREEK PD	07120	Yes	1	G	05	07/19/1989
WATSONVILLE PD	44030	Yes	1	G	06	08/02/1989
WEED PD	47080	Yes	1	G	02	05/22/1989
WEST CITIES COMM CTR	30125	Yes	8		10	07/03/1997
WEST COVINA PD	19750	Yes	1	G	09	06/01/2009
WEST SACRAMENTO PD	57040	Yes	1	G	02	
WEST VALLEY CCD PD	43851	Yes	5	G	06	
WESTMINSTER PD	30240	Yes	1	G	10	03/26/1991
WESTMORLAND PD	13070	Yes	1	G	10	
WHEATLAND PD	58020	Yes	1	G	02	05/02/1989
WHITTIER PD	19760	Yes	1	G	09	01/03/1989
WILLIAMS PD	06020	Yes	1	G	02	
WILLITS PD	23040	Yes	1	G	01	06/30/1989
WINTERS PD	57020	Yes	1	G	02	
WOODLAKE PD	54080	Yes	1	G	04	09/24/2001
WOODLAND PD	57030	Yes	1	G	02	
YOLO CO COMM EMER	57925	Yes	8		02	07/28/1989
YOLO CO DA	57920	Yes	7	G	02	

NAME	NUMBER	REIMBURSABLE	TYPE	CERT	REGION	DISP ENTRY
<del>POST Website Info re States and Oversight</del>						
YOLO CO SHERIFF'S OFFICE	57000	Yes	2	G	02	
YREKA PD	47090	Yes	1	G	02	06/19/1998
YUBA CITY PD	51020	Yes	1	G	02	06/30/1989
YUBA CO DA	58920	Yes	7	G	02	
YUBA CO SD	58000	Yes	2	G	02	08/14/1990
YUBA COMMUNITY COLL DIST PD	58910	Yes	5	G	02	

**Total agencies in POST : 607**

# Texas Commission On Law Enforcement

## Personal Status Report

Name	TCOLE ID (P ID)	STATUS
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<b>Citizen</b>	<b>Race</b>	<b>Gender</b>
Yes	Hispanic	Male

### Career/Professional Training

<b>Institution</b>	<b>Hours</b>	<b>Education</b>	<b>From</b>	<b>To</b>
	0	High School		
Total Higher Education Hours	0			

This section is a work in progress and will be changed further in the near future.

### Branch

Military Service Time Training Credit	3840
Total Higher Education Points	0
Total Military Training Hours	3840
Total	3840

### Service History

Appointed As	Department	Award	Service Start Date	Service End Date	Service Time
Peace Officer (Full Time)	TEXAS COMMISSION ON LAW ENFORCEMENT	Peace Officer License	10/1/2012		9 years, 5 months
Peace Officer	HARRIS CO. CONST. PCT. 8	Peace Officer License	10/14/2002	9/28/2012	10 years, 0 months
Peace Officer	HARRIS CO. SHERIFF'S OFFICE	Peace Officer License	6/21/2001	10/11/2002	1 years, 4 months
Jailer	HARRIS CO. SHERIFF'S OFFICE	Jailer License	1/10/2000	10/11/2002	2 years, 9 months

### Total Service Time

Description	Service Time
Jailer	2 years, 9 months
Peace Officer	20 years, 8 months
Total officer time	20 years, 8 months



# Texas Commission On Law Enforcement

## Personal Status Report

### Award Information

Award	Type	Action	Action Date
Temporary Jailer License	License	Granted	1/26/2000
		Expired - Time limit exceeded	1/11/2007
Jailer License	License	Granted	3/9/2000
		Inactive – Out of Compliance	9/1/2013
Peace Officer License	License	Granted	8/8/2001
Basic Jailer	Certificate	Certification Issued	1/18/2001
Basic Peace Officer	Certificate	Certification Issued	1/3/2005
Basic Instructor Proficiency	Certificate	Certification Issued	2/8/2006
Firearms Instructor Proficiency	Certificate	Certification Issued	10/4/2007
SFST Instructor Proficiency Certificate	Certificate	Certification Issued	8/23/2008
Intermediate Peace Officer	Certificate	Certification Issued	8/18/2009
Advanced Peace Officer	Certificate	Certification Issued	5/29/2010
Master Peace Officer	Certificate	Certification Issued	12/20/2019

### Academy History

	Date	Institution	Course Title
Completed	6/11/2001	Harris County Sheriff's Academy	Basic Peace Officer
Completed	2/24/2000	Harris County Sheriff's Academy	Basic County Jail Course

### Courses Completed

09/01/2021 - 08/31/2023

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
355	Annual Firearms Qualification 1701.355	1/7/2022	0	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	

# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

09/01/2021 - 08/31/2023

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
355	Annual Firearms Qualification 1701.355	11/10/2021	0	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	
3187	87th Session State and Federal Law Update	11/9/2021	4	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	87th Session State and Federal Law Update
Unit Hours			4		

09/01/2019 - 08/31/2021

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
3740	Chief's Continuing Education	4/30/2021	40	Bill Blackwood LEMI of Texas	Continuing Chief's Training
4800	DPS - TCIC/TLETS Mobile Operator Training Course	3/31/2021	8	Texas Department of Public Safety LEA	
355	Annual Firearms Qualification 1701.355	5/28/2020	0	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	
3106	Conference ( General )	10/28/2019	4	Texas Commission on Law Enforcement	
Unit Hours			52		

09/01/2017 - 08/31/2019 \*

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
3881	Emergency Management (General Number)	8/6/2019	3	Texas Department of Public Safety LEA	
3740	Chief's Continuing Education	5/3/2019	40	Bill Blackwood LEMI of Texas	Continuing Chief's Training
8001	Retirement Planning for Law Enforcement	11/15/2018	2	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	
1849	De-escalation Tech (SB 1849)	11/13/2018	8	Texas Commission on Law Enforcement	De-escalation Tech (SB 1849)
355	Annual Firearms Qualification 1701.355	11/13/2018	0	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	
6060	Canine Training General	5/3/2018	2	Texas Commission on Law Enforcement	
355	Annual Firearms Qualification 1701.355	5/2/2018	0	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	

# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

**09/01/2017 - 08/31/2019 \***

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
30418	Civilian Interaction Training	5/1/2018	2	Texas Commission on Law Enforcement	Civilian Interaction Training Program
355	Annual Firearms Qualification 1701.355	11/9/2017	0	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	
3185	85th Legislative Session Legal Update	11/8/2017	4	Texas Commission on Law Enforcement	85th Session State and Federal Law Update
Unit Hours			61		

**09/01/2015 - 09/30/2017**

Course No.	Course Title	Course Date	Course	Institution	Training Mandates
			Hours		
2055	Firearms	11/16/2016	3	Texas Commission on Law Enforcement	84th Session State and Federal Law Update
38763	SABA ( Self Aid, Buddy Aid )	11/15/2016	8	TEEX Central Texas Police Academy	
3760	FBI-LEEDA Executive Institute	3/10/2016	22	Texas Commission on Law Enforcement	
6026	Curriculum Development Committee	1/28/2016	4	Texas Commission on Law Enforcement	
3184	84th Legislative Session Legal Update	11/18/2015	2	Texas Commission on Law Enforcement	
3745	FBI-LEEDA Command Institute	10/2/2015	36	Texas City Police Academy	
Unit Hours			75		

**09/01/2013 - 08/31/2015**

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
6615001	FEMA Emergency Manager/Orientation (FEMA IS-001a)	8/15/2015	6	Texas Commission on Law Enforcement	
66099	FEMA Intro to ICS (FEMA IS-100b)	8/15/2015	3	Texas Commission on Law Enforcement	
66548	FEMA Continuity of Ops Prog Man (FEMA IS-548)	8/15/2015	4	Texas Commission on Law Enforcement	
66546	FEMA Continuity/Operations Aware (FEMA IS-546a)	8/13/2015	1	Texas Commission on Law Enforcement	
66242	FEMA Effective Communication (FEMA IS-242)	8/13/2015	8	Texas Commission on Law Enforcement	

# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

**09/01/2013 - 08/31/2015**

<b>Course No.</b>	<b>Course Title</b>	<b>Course Date</b>	<b>Course Hours</b>	<b>Institution</b>	<b>Training Mandates</b>
66547	FEMA Intro Continuity/Ops (COOP) (FEMA IS-547a)	8/13/2015	2	Texas Commission on Law Enforcement	
3196	Law Seminar	8/12/2015	1	Texas Commission on Law Enforcement	
3312	ALERRT Update	9/17/2014	8	Texas Commission on Law Enforcement	
2046	Driving	9/16/2014	4	Texas Department of Public Safety LEA	
3183	83rd Legislative Session Legal Update	12/3/2013	4	Texas Commission on Law Enforcement	83rd Session State and Federal Law Update
<b>Unit Hours</b>			<b>41</b>		

**09/01/2011 - 08/31/2013**

<b>Course No.</b>	<b>Course Title</b>	<b>Course Date</b>	<b>Course Hours</b>	<b>Institution</b>	<b>Training Mandates</b>
3303	Law Enforcement Officer Flying Armed - (FAA)	7/13/2013	2	Texas Commission on Law Enforcement	
6016	Security Awareness (General)	6/28/2013	2	TEXAS COMMISSION ON LAW ENFORCEMENT (Training Rosters)	
3182	82nd Legislative Session Legal Update	12/7/2012	2	Texas Commission on Law Enforcement	82nd Session State and Federal Law Update
3105	Executive Protection Training	11/7/2012	24	Texas Commission on Law Enforcement	
2067	S.F.S.T. Practitioner	8/30/2012	24	Harris County Constable Pct. 8	
2055	Firearms	7/17/2012	8	HARRIS CO. CONST. PCT. 8 (Training Rosters)	
4021	Video Techniques	4/19/2012	24	University of Houston - Downtown LEA	
2178	S.F.S.T. Practitioner Update	4/5/2012	8	Texas Municipal Police Association	
3200	Investigations	3/22/2012	16	WEBSTER POLICE DEPT.	
66201	FEMA ICS Single Res/Initial Incident (FEMA IS-200b	12/16/2011	3	HARRIS CO. CONST. PCT. 8 (Training Rosters)	
3182	82nd Legislative Session Legal Update	10/18/2011	4	Harris County Constable Pct. 6	82nd Session State and Federal Law Update
<b>Unit Hours</b>			<b>117</b>		

# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

09/01/2009 - 08/31/2011

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
2055	Firearms	5/6/2011	8	Harris County Constable Pct. 8	
3702	Field Training Officer	2/25/2011	40	Harris County Constable Pct. 8	
3400	Traffic	10/21/2010	2	Texas Municipal Police Association	
2055	Firearms	9/3/2010	8	Harris County Constable Pct. 8	
3151	Health and Safety Code	7/29/2010	1	Harris County Sheriff's Academy	
3402	DWI/DUI Detection and Enforcement	7/15/2010	1	WEBSTER POLICE DEPT.	
2067	S.F.S.T. Practitioner	6/25/2010	24	Harris County Constable Pct. 8	
2055	Firearms	5/17/2010	8	Texas City Police Academy	
3800	Technical/Specialized	2/12/2010	1	Harris County Sheriff's Academy	
3311	ALERT	1/31/2010	16	TEEX Central Texas Police Academy	
2070	Accident Investigations	1/3/2010	2	Harris County Constable Pct. 8	
3300	Patrol/Tactical	11/18/2009	8	Harris County Constable Pct. 8	
3300	Patrol/Tactical	11/17/2009	8	Harris County Constable Pct. 8	
3300	Patrol/Tactical	11/16/2009	8	Harris County Constable Pct. 8	
3400	Traffic	11/2/2009	6	Texas Municipal Police Association	
3800	Technical/Specialized	10/13/2009	8	Lone Star College System District LEA	
3181	81st Legislative Session Legal Update	9/30/2009	4	Texas Municipal Police Association	State and Federal Law Update
3600	Juvenile	9/2/2009	3	HARRIS CO. CONST. PCT. 8 (Training Rosters)	
3102	Civil Process Exemption by Constable	9/1/2009	0	Harris County Constable Pct. 8	Civil Process
Unit Hours			156		

# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

**09/01/2007 - 08/31/2009**

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
2110	Spanish for Law Enforcement Distance (Intermed.)	8/16/2009	32	Classen Buck Seminars, Inc.	Spanish for Law Enforcement (Intermediate) Spanish for Telecommunicators (Intermediate)
3617	Juvenile Issues	8/14/2009	9	HARRIS CO. CONST. PCT. 8 (Training Rosters)	
2105	Child Abuse Prevention and Investigation (Interm.)	7/29/2009	24	Classen Buck Seminars, Inc.	Child Abuse Prevention and Investigation (Intermediate)
2106	Crime Scene Investigation (Intermediate)	7/28/2009	32	Classen Buck Seminars, Inc.	Crime Scene Investigation (Intermediate)
3737	New Supervisor's Course	7/24/2009	24	Texas City Police Academy	Cultural Diversity (Intermediate) New Supervisor's Required Training Special Investigative Topics (Intermediate)
3807	TCIC/NCIC for Less than Full Access Operators	2/17/2009	8	WEBSTER POLICE DEPT.	
3807	TCIC/NCIC for Less than Full Access Operators	2/16/2009	8	Texas Department of Public Safety LEA	
3854	Computer Operations	10/30/2008	4	Harris County Sheriff's Academy	
1016	S.F.S.T. Instructor	8/22/2008	50	TEEX Central Texas Police Academy	
3800	Technical/Specialized	10/10/2007	8	Lone Star College System District LEA	
3102	Civil Process Exemption by Constable	9/1/2007	0	Harris County Constable Pct. 8	Civil Process
<b>Unit Hours</b>			<b>199</b>		

**09/01/2005 - 08/31/2007**

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
66100	FEMA Intro ICS (FEMA IS-100a)	8/31/2007	3	HARRIS CO. CONST. PCT. 8 (Training Rosters)	
2222	Firearms Instructor Certification	6/29/2007	40	Baytown Police Academy	
3102	Civil Process Exemption by Constable	5/22/2007	0	TCLEOSE MITIGATING CIR.	Civil Process

# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

**09/01/2005 - 08/31/2007**

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
3840	CIT - Train the Trainer	5/8/2007	16	Texas Commission on Law Enforcement	Crisis Intervention Training (AdvPOC) issued prior to 4-1-18 Crisis Intervention Training (Intermediate) issued prior to 4-1-18 Peace Officer Intermediate Options Peace Officer Intermediate Options 1987-01 Peace Officer Intermediate Options 2005-01 Peace Officer Intermediate Options 2006-01 Peace Officer Intermediate Options 2009-09
1014	Basic Instructor Course	12/22/2006	40	Harris County Constable Pct. 3	
2108	Arrest, Search, and Seizure (Intermediate)	9/19/2006	15	Harris County Constable Pct. 3	Arrest, Search, and Seizure (Intermediate)
3702	Field Training Officer	8/4/2006	40	Harris County Constable Pct. 3	
3300	Patrol/Tactical	6/23/2006	48	Alvin Community College LEA	
3800	Technical/Specialized	10/27/2005	4	Lone Star College System District LEA	
			<b>Unit Hours</b>	<b>206</b>	

**09/01/2003 - 08/31/2005**

Course No.	Course Title	Course Date	Course Hours	Institution	Training Mandates
3300	Patrol/Tactical	8/16/2005	5	Harris County Constable Pct. 3	
3939	Cultural Diversity	7/7/2005	4	Harris County Constable Pct. 3	Cultural Diversity (Intermediate)
1014	Basic Instructor Course	5/24/2005	40	Lone Star College System District LEA	
2107	Use of Force (Intermediate)	4/22/2005	16	Harris County Constable Pct. 8	Use of Force (Intermediate)
3800	Technical/Specialized	4/8/2005	40	Lone Star College System District LEA	
3232	Special Investigative Topics	3/15/2005	4	Harris County Constable Pct. 3	Special Investigative Topics (Intermediate)
3102	Civil Process Exemption by Constable	3/2/2005	0	TCLEOSE MITIGATING CIR.	Civil Process

# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

**09/01/2003 - 08/31/2005**

<b>Course No.</b>	<b>Course Title</b>	<b>Course Date</b>	<b>Course Hours</b>	<b>Institution</b>	<b>Training Mandates</b>
3300	Patrol/Tactical	3/2/2005	3	Harris County Constable Pct. 8	
3277	Identity Theft	2/15/2005	4	Harris County Constable Pct. 3	Identity Theft (Intermediate)
3702	Field Training Officer	2/11/2005	40	Harris County Constable Pct. 3	
3300	Patrol/Tactical	11/16/2004	2	Harris County Constable Pct. 3	
3300	Patrol/Tactical	11/23/2003	16	Harris County Constable Pct. 3	
<b>Unit Hours</b>			<b>174</b>		

**09/01/2001 - 08/31/2003**

<b>Course No.</b>	<b>Course Title</b>	<b>Course Date</b>	<b>Course Hours</b>	<b>Institution</b>	<b>Training Mandates</b>
3300	Patrol/Tactical	8/15/2003	4	Harris County Constable Pct. 8	
3102	Civil Process Exemption by Constable	6/23/2003	0	TCLEOSE MITIGATING CIR.	Civil Process
2067	S.F.S.T. Practitioner	3/27/2003	24	TEEX Central Texas Police Academy	
3807	TCIC/NCIC for Less than Full Access Operators	12/11/2002	8	Harris County Sheriff's Academy	
3900	Community	9/6/2002	10	OTHER TRAINING	
3900	Community	8/6/2002	10	OTHER TRAINING	
3900	Community	7/29/2002	10	OTHER TRAINING	
3256	Racial Profiling	5/23/2002	4	Harris County Sheriff's Academy	Racial Profiling (Intermediate)
3800	Technical/Specialized	2/14/2002	4	Harris County Sheriff's Academy	
3255	Asset Forfeiture	1/31/2002	3	Harris County Sheriff's Academy	Asset Forfeiture (Intermediate)
<b>Unit Hours</b>			<b>77</b>		

**09/01/1999 - 08/31/2001**

<b>Course No.</b>	<b>Course Title</b>	<b>Course Date</b>	<b>Course Hours</b>	<b>Institution</b>	<b>Training Mandates</b>
1999	Personnel Orientation by Dept. Basic Proficiency	7/18/2001	0	OTHER TRAINING	Personnel Orientation



# Texas Commission On Law Enforcement

## Personal Status Report

### Courses Completed

**09/01/1999 - 08/31/2001**

<b>Course No.</b>	<b>Course Title</b>	<b>Course Date</b>	<b>Course Hours</b>	<b>Institution</b>	<b>Training Mandates</b>
3300	Patrol/Tactical	6/21/2001	32	Harris County Sheriff's Academy	
1000	Basic Peace Officer	6/11/2001	838	Harris County Sheriff's Academy	Cultural Diversity (Mandate) Special Investigative Topic (Mandate)
3807	TCIC/NCIC for Less than Full Access Operators	5/17/2001	8	Harris County Sheriff's Academy	
3800	Technical/Specialized	7/12/2000	4	Harris County Sheriff's Academy	
3232	Special Investigative Topics	7/11/2000	8	Harris County Sheriff's Academy	Special Investigative Topics (Intermediate)
3939	Cultural Diversity	7/10/2000	8	Harris County Sheriff's Academy	Cultural Diversity (Intermediate)
1999	Personnel Orientation by Dept. Basic Proficiency	3/28/2000	0	OTHER TRAINING	Personnel Orientation
3904	Cultural Awareness	3/7/2000	4	Harris County Sheriff's Academy	
3500	Jail	2/25/2000	8	Harris County Sheriff's Academy	
1007	Basic County Jail Course	2/24/2000	106	Harris County Sheriff's Academy	Cultural Diversity (Intermediate)
<b>Unit Hours</b>			<u>1016</u>		
<b>Total Hours</b>			<u><u>2178</u></u>		

### Total Hours

<b>Total Career/Professional Hours</b>	3840
<b>Total TCOLE Course Hours</b>	<u>2178</u>
<b>Total Hours</b>	<u><u>6018</u></u>

\*Courses submitted between 09/01/2017 and 09/30/2017 will be credited to the 2015-2017 and 2017-2019 training unit, but will only count once toward total training hours.

INFORMATION PRIVACY ACT: Pursuant to the Federal Privacy Act (Public Law 93-579) and the Information Practices Act (IPA) of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information. Failure to provide any part of the requested information may delay processing of this application or result in an incomplete record. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual for whom personal information is collected has the right to inspect that information in any record maintained by POST. Inquiries may be directed to the POST Information Practices Act Coordinator at the address listed above. Contact the POST Administrative Services Bureau for instructions on requesting records.

## INSTRUCTIONS

- Complete Section 1–Identification, AND *as appropriate*, Section 2–Appointment OR Section 3–Termination ([POST Reg 1003](#)) and Section 4–Attestation.
- Please type or legibly print (in ink) all required information. Use the TAB key (or SHIFT-TAB) to navigate between boxes.
- Mail a printout of this Notice to the above address within 10 days of such actions.

## SECTION 1. IDENTIFICATION

1. POST ID NUMBER (OR SSN)	2. NAME (Last, First Middle)	3. BIRTHDATE (MM/DD/YYYY)
4. GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female		5. ALSO KNOWN AS (Last, First Middle)
6. RACE/ETHNICITY (Check box that best describes race/ethnicity – <a href="#">See INSTRUCTIONS for Definitions</a> )  <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Filipino <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Native Hawaiian or Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Other		FOR POST USE ONLY
7. RANK / CLASSIFICATION (Select and enter the POST Code from the list – <a href="#">See INSTRUCTIONS for Rank/Class</a> )		8. DEPARTMENT NAME

## SECTION 2. APPOINTMENT

9. APPOINTMENT DATE (MM/DD/YYYY)	11. APPOINTMENT STATUS (Check the appropriate Status box; also check the appropriate Reserve Level in Box 12 if applicable) <input type="checkbox"/> Peace Officer <input type="checkbox"/> Dispatcher – <i>Go to box 13</i> <input type="checkbox"/> Records Supervisor – <i>Go to box 14</i> <input type="checkbox"/> Reserve Peace Officer <input type="checkbox"/> Level RI – <i>Authority for duration of assignment</i> <input type="checkbox"/> Level RI24 – <i>Authority 24 hours/day</i> <input type="checkbox"/> Level II <input type="checkbox"/> Level III
10. APPOINTMENT TYPE ( <a href="#">POST Reg 1003</a> )  <input type="checkbox"/> New <input type="checkbox"/> Promotion <input type="checkbox"/> Demotion <input type="checkbox"/> Appointment Status Change <i>(Examples: Reserve to Peace Officer, Dispatcher to Reserve, etc.)</i> <input type="checkbox"/> Correction to Record <i>(please mark corrections on hard copy with highlighter)</i>	12. PEACE OFFICER RESERVE LEVEL ( <a href="#">Penal Code 830</a> )  Complete this item for <i>Peace Officer</i> or <i>Reserve Peace Officer</i> status ONLY.  Enter the complete Penal Code subsection which describes the peace officer authority of the above-named appointee..... <b>PC 830, Subsection:</b> _____
13. TIME BASE ( <a href="#">POST Reg 1001</a> )  <input type="checkbox"/> Full time <input type="checkbox"/> Part time <input type="checkbox"/> Seasonal Full Time <input type="checkbox"/> Seasonal Part Time	14. PAY STATUS  <input type="checkbox"/> Paid <input type="checkbox"/> Unpaid

## SECTION 3. TERMINATION

15. TERMINATION DATE (MM/DD/YYYY)	16. REASON FOR TERMINATION <input type="checkbox"/> Resigned <input type="checkbox"/> Discharged <input type="checkbox"/> Retired <input type="checkbox"/> Felony/Serious Crime Conviction ( <i>refer to <a href="#">POST Reg 1003(c)</a></i> ) <input type="checkbox"/> Resigned pending complaint, charge, or investigation <input type="checkbox"/> Retired pending complaint, charge, or investigation <input type="checkbox"/> Deceased <input type="checkbox"/> Other: _____
-----------------------------------	---

## SECTION 4. ATTESTATION

17. ATTESTATION OF REPORTING OFFICIAL
---------------------------------------

I attest that the information provided on this form is true and correct and is based on my personal knowledge or inquiry, and that the information is substantiated by agency personnel records.

Print Full Name: \_\_\_\_\_ Title: \_\_\_\_\_ Contact Number ( ) \_\_\_\_\_

Signature ► \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 3 - POST FORMS

Per RCW 43.101.135 - This form must be submitted to the Washington State Criminal Justice Training Commission (WSCJTC) **within 15 days of occurrence**. This form must be signed by the agency head or their designee. If a designee is assigned, they acknowledge the agency head has been briefed on this action.

### Section 1: Officer's Information

<b>FULL Legal Name</b> (as reflected on state issued driver's license) <small>(First Middle Last):</small>	<b>Acadis ID:</b>	<b>Gender Identity:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> X
<b>Agency:</b>	<b>Status:</b> <input type="checkbox"/> Officer <input type="checkbox"/> Deputy <input type="checkbox"/> Corrections Officer <input type="checkbox"/> Corrections Deputy	
<b>Badge no.</b>	<b>Hire Date</b> (MM/DD/YYYY):	<b>Date of Occurrence</b> (MM/DD/YYYY):

### Section 2: Occurrence Details (Check All Boxes That Apply):

<input type="checkbox"/> Discipline	<input type="checkbox"/> Suspension	<input type="checkbox"/> Criminal charges	<input type="checkbox"/> Use of force:	<input type="checkbox"/> Serious Injury	<input type="checkbox"/> Death
Is there an ongoing investigation for occurrence?					Yes* <input type="checkbox"/> No <input type="checkbox"/>
Who is investigating? Agency or Team				Incident number	
Has there been previous sustained occurrences for the same behavior in the last 12 months?					Yes* <input type="checkbox"/> No <input type="checkbox"/>
Details surrounding the occurrence:					

### Section 3: This section must be signed by the agency head or designee indicating the agency is aware of this action.

I understand that the WSCJTC will rely on the information provided in Section 2 for matters pertaining to peace and corrections officer certification and I declare under penalty of perjury under the law of Washington that the foregoing is true and correct.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_, Washington.

\_\_\_\_\_  
Signature

<b>Printed/Typed Name:</b>	<b>Rank/Title:</b>	<b>Contact Email:</b>	<b>Contact Phone:</b>
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This form must be submitted to the CJTC **immediately** upon hire or appointment. It must be signed by the hiring authority or designee of the agency. In the instance of a one-officer department, or where the police chief is the applicant, this form must be completed by the hiring authority for that agency.

### Section 1: Officer's Information

- Provide FULL legal name as reflected on state issued driver's license.

FULL Name (First Middle Last):		Date of Birth	SSN:	Gender Identity: <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> X
Agency (Do not abbreviate):		Status: LE: <input type="checkbox"/> Officer <input type="checkbox"/> Deputy CO: <input type="checkbox"/> Officer <input type="checkbox"/> Deputy <input type="checkbox"/> Reserve Other: _____		
Hire Date (MM/DD/YYYY):	WSP SID (not ORI) or DATE FINGERPRINTS SUBMITTED:	Most Previous <u>Law Enforcement or Corrections</u> Employment:		
Officer's Agency Assigned Email Address:		Agency: _____ Location (City, State): _____ Employment Dates (mm/yy): _____ - _____		

### Section 2: Conditions of Employment and Requirements of Training

[RCW 43.101.095](#) sets the conditions of peace or corrections officer certification and the conditions of employment for peace officers, corrections officers, and reserve peace officers. It is expected the agency review those statutes and rules prior to signing this form.

- Per RCW 43.101.095(2)(b), prior to a nonconditional offer of employment, this agency completed its own background investigation. This agency confirms no information has been found that would disqualify the applicant from certification, and the applicant is suitable for employment. The background investigation for this applicant was completed on:
- Per RCW 43.101.095(2)(vi), this agency administered a psychological examination for this applicant on:
- Per RCW 43.101.095(2)(vii), this agency completed its own polygraph test for this applicant on:
- **Basic Academy**, training must occur within 6 months of hire date. Please refer to RCW 43.101.200 or 43.101.220 for admission requirements.
- **Basic Equivalency Academy**, applicants must attend the first available course offered after hire date.
- **Basic Reserve Officer Academy**, [WAC 139-05-810](#) & **Basic Reserve Equivalency Academy**, [WAC 139-05-825](#), per RCW 10.93.090, peace officers appointed as reserves must complete one of these academies prior to exercising any arrest authority. Please refer to the specific WAC for admission requirements.

### Section 3: This section must be signed by the hiring authority, or designee.

I understand that this is an application for certification or training to the Commission. I hereby attest that I have read and understand the requirements of [RCW 43.101.095](#) and above named individual has met these requirements and is a duly authorized employee of this agency.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, in \_\_\_\_\_, Washington.

\_\_\_\_\_  
Hiring Authority/Designee's Signature

Hiring Authority/Designee's Printed/Typed Name:

Hiring Authority/Designee's Rank/Title:



## NOTICE OF OFFICER SEPARATION

Per RCW 43.101.135 - This form must be submitted to the Washington State Criminal Justice Training Commission (WSCJTC) **within 15 days of separation**; regardless of pending appeals. This form must be signed by the agency head or their designee. If a designee is assigned, they acknowledge the agency head has been briefed on this action.

**Section 1: Officer's Information**

<b>FULL Legal Name</b> (as reflected on state issued driver's license) (First Middle Last):	<b>Acadis ID:</b>	<b>Gender Identity:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> X
<b>Agency:</b>	<b>Status:</b> <input type="checkbox"/> Officer <input type="checkbox"/> Deputy <input type="checkbox"/> Other <input type="checkbox"/> Corrections Officer <input type="checkbox"/> Corrections Deputy	
<b>Date of Birth</b> (MM/DD/YYYY):	<b>Hire Date</b> (MM/DD/YYYY):	<b>Separation Date</b> (MM/DD/YYYY):

**Section 2: Reason for Separation**

<input type="checkbox"/> Resignation <input type="checkbox"/> Termination <input type="checkbox"/> Retirement <input type="checkbox"/> Medical <input type="checkbox"/> Deceased	
If resignation, retirement, or medical separation: did the officer do so in lieu of termination?	Yes* <input type="checkbox"/> No <input type="checkbox"/>
Was the officer under investigation or accused of any wrongdoing or misconduct at the time of separation?	Yes* <input type="checkbox"/> No <input type="checkbox"/>
Did the officer surrender their certification?	Yes* <input type="checkbox"/> No <input type="checkbox"/>
If the officer was terminated or if yes was checked in any box above, mark the corresponding box for misconduct per RCW 43.101.105 and supply a detailed explanation in the summary box below: <input type="checkbox"/> Color of Authority <input type="checkbox"/> Conviction <input type="checkbox"/> Did not intervene/report use of force <input type="checkbox"/> Discrimination <input type="checkbox"/> Made false/misleading statements <input type="checkbox"/> Prohibited from possessing weapons <input type="checkbox"/> Sexual Harassment <input type="checkbox"/> Use of Force <input type="checkbox"/> Other	
Details surrounding termination/resignation/retirement/suspension:	

If the officer was terminated or if yes was checked in any box above, provide the following information per RCW 43.101.155:

<b>Separated Officer's Mailing Address:</b>	<b>Contact Phone #:</b>	<b>MANDATORY Personal Email:</b>
---	-------------------------	----------------------------------

**Section 4: This section must be signed by the agency head or designee indicating the agency is aware of this action.**

I understand that the WSCJTC will rely on the information provided in Section 2 for matters pertaining to peace and corrections officer certification and I declare under penalty of perjury under the law of Washington that the foregoing is true and correct.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_, Washington.

\_\_\_\_\_  
Signature

<b>Printed/Typed Name:</b>	<b>Rank/Title:</b>	<b>Contact Email:</b>	<b>Contact Phone:</b>
----------------------------	--------------------	-----------------------	-----------------------



Washington State  
Criminal Justice Training Commission

CONTRACTOR  
LOGIN

ACADIS  
TRAINING  
PORTAL

Certification / Certification Complaint Form

Certification Complaint Form

Please use the latest version of Google Chrome to access this form. If the form does not work, please email [certificationcomplaints@cjtc.wa.gov](mailto:certificationcomplaints@cjtc.wa.gov).

SB 5051/ RCW 43.101.145 allows any individual to submit a written complaint to the CJTC stating that an Officers Certification (LE/ Corrections) should be denied / revoked / or suspended.

Name of Complainant

Enter Here

Date/ Time of Complaint

ie: 7/23/21, 5 p.m.

Date/ Time of Incident of Concern (If available)

Nature of Concern or Complaint

Give a brief description of reason for complaint

Brief Synopsis of the Complaint

Officer's Name, Badge #, Agency if known

Current Contact Information

Email, Phone Number

Please check box if you would like to be contacted but remain anonymous.

☐ I would like to remain anonymous

SUBMIT

Campus Map  
Staff Directory  
Imgs

WAC Rules and Activity  
Public Records Act  
Employment

19010 1st Avenue South Burien,  
Washington 98148  
 206.835.7300

TOP

FOLLOW US!



**TEXAS COMMISSION ON LAW ENFORCEMENT**

6330 E. Highway 290, STE. 200, Austin, Texas 78723-1035

Phone: (512) 936-7700

<http://www.tcole.texas.gov>**SEPARATION OF LICENSEE (F-5)****LICENSEE INFORMATION (Occupations Code 1701.452)****Non-refundable \$35 fee for paper form. Money order, agency or cashier's check. (5541)**

1. TCOLE PID	2. Last Name.	3. First Name	4. M.I.	5. Suffix (Jr., etc.)
6. Date of Birth	7. Home or Permanent Mailing Address		8. City	
9. State	10. Zip Code	11. Phone Number	12. Email	

**13. APPOINTMENT**

<input type="checkbox"/> Peace Officer <input type="checkbox"/> County / Contract Jailer <input type="checkbox"/> Telecommunicator <input type="checkbox"/> Medical Corporation P.O. <input type="checkbox"/> Public Security Officer <input type="checkbox"/> Reserve Officer (licensed reserve or conditional only)	
14. TCOLE Agency Number	15. Appointing Agency

**16. DESIGNATION OF SEPARATION: (Check only one).**

Report must be submitted not later than the seventh business day after the date the license holder:

- (1) resigns, retires, or separates from the agency; and  
 (2) exhausts all administrative appeals available to the license holder.

17. Date Appointed: \_\_\_\_\_ 18. Separation Date: \_\_\_\_\_

☐ **Honorably Discharged**

Retired, resigned, or separated from employment with or died while employed by a law enforcement agency while in good standing and not because of pending or final disciplinary actions or a documented performance problem.

☐ **General Discharge**

- (A) was terminated by, retired or resigned from, or died while employed by a law enforcement agency and the separation was related to a disciplinary investigation of conduct that is not included in the definition of dishonorably discharged; or  
 (B) was terminated by or retired or resigned from a law enforcement agency and the separation was for a documented performance problem and was not because of a reduction in workforce or an at-will employment decision.

☐ **Dishonorably Discharged**

- (A) was terminated, by a law enforcement agency or retired or resigned in lieu of termination by the agency in relation to allegations of criminal misconduct; or  
 (B) was terminated, by a law enforcement agency or retired or resigned in lieu of termination by the agency for insubordination or untruthfulness.

**ATTENTION LICENSEE:**

To appeal this F-5 Report, you must complete and submit to TCOLE a "Petition to Correct" form within 30 days after receipt.

If this is your second dishonorable discharge on an F-5 Report, your license will be suspended upon TCOLE's receipt of this document.  
 Failure to timely appeal a second dishonorable discharge with a petition to correct form will result in the revocation of your license.

**18. I, chief administrator or designees, attest that this is a true and accurate explanation of the circumstances under which this person resigned or was terminated.****A copy of this F-5 was provided to the person as required by Occupations Code 1701.452, in 7 business days by:**☐ Hand delivery on \_\_\_\_\_  
Date☐ Certified mail on \_\_\_\_\_  
Date

Agency Administrator or Designee (Type or Print)

Signature

Date

Details

Change in Record\*

Demotion

Employment Status\*

Please Select

Employee Name\*

Active

On- Leave (Active)

PID\*

New Title/Rank

Please Select

Employment Type

Please Select

Supervisor

Please Type

Effective Date\*

DOB listed in Employee's User Profile

Details

Change in Record\*

Demotion

Employment Status\*

Please Select

Employee Name\*

Please Type

PID\*

New Title/Rank

Please Select

Employment Type

Supervisor

Academy Director

Academy Only

Academy Staff - Non-Certified

Acting Interim Chief of Police

Admin Asst

Administrator

Agent

Agent in Charge

Effective Date\*

DOB listed in Employee's User Profile

Comments

Details

Change in Record\*

Promotion

Employment Status\*

Please Select

Employee Name\*

Active

On- Leave (Active)

PID\*

New Title/Rank

Please Select

Employment Type

Supervisor

Please Type

Effective Date\*

DOB listed in Employee's User Profile

Comments

Details

Change in Record\*

Separation

Employment Status\*

Please Select

Employee Name\*

Resigned

Resigned While Under Investigation

Resigned in Lieu of Termination

Retired While Under Investigation

Resigned/Retired Prior to Investigation

Terminated

Terminated for Cause

Retired

PID\*

Supervisor

Effective Date\*

DOB listed in Employee's User Profile

Comments

Details

Change in Record\*

Demotion

Employment Status\*

Please Select

Employee Name\*

Please Type

PID\*

New Title/Rank

Please Select

Employment Type

Please Select

Supervisor

Please Type

Effective Date\*

DOB listed in Employee's User Profile

Comments

Certified Peace Officer

Non-Certified Peace Officer

Civilian

CO POST Employee Update Form – completely automated, no actual form, all done online with specific identifying categories to capture officer factual licensure status.



**TEXAS COMMISSION ON LAW ENFORCEMENT**  
 6330 E. Highway 290 , STE. 200 Austin, Texas 78723 - 1035 , Phone ( 512 ) 936- 7700  
<http://www.tcole.texas.gov>

**APPOINTMENT APPLICATION (L-1)**  
**Commission Rules 217.1, 217.3, 217.7, 225.1, 223.2, 225.3**  
**Non-refundable \$35 fee for processing paper form. Money order, agency or cashier's check. (5541)**  
**SECTION 1 - APPLICANT LICENSE STATUS. (5541)**

**New Applicant (never licensed for this type of appointment) §217.1**

**(Applicant must sign page 2, section I)**

**Peace Officer or County Corrections**

**Unlicensed Elected / Appointed official (PO training incomplete, skip to sec2)**

Agency must submit Fingerprint Applicant Services of Texas (FAST). Agency must retain copy of L-1, original L-2 & L-3 form, (or copy from academy), all DD214s (if applicable), proof of education, certified documents from the appropriate authority showing the final disposition of each arrest, probation, community supervision, conviction or other criminal history, along with FAST returns from DPS showing record checks through FBI and DPS.

**Already Licensed §217.7**

**Check one: (Applicant must sign page 2, section II)**

**License holder with a "180 day break or less in service:"** Agency retains copy of L-1 and F-5R response.

- ☐ **License holder with more than a "180 day break in service:"** Agency must retain copy of L-1, new L-2, L-3, FAST returns from DPS showing record checks through FBI and DPS per §217.7, weapons qualifications, if required, according to §218.9 within the last 12 months.
- Date of L-2 \_\_\_\_\_ L-3 \_\_\_\_\_**

**SECTION 2 - APPLICANT INFORMATION**

1. TCOLE PID <small>Required</small>	2. Last Name	3. First Name	4. M. I.	5. Suffix (Jr., etc.)
6. Race / Ethnicity <input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Multicultural <input type="checkbox"/> White				7. Date of Birth
8. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	9. US Citizen <input type="checkbox"/> Yes <input type="checkbox"/> No	10. Driver's License State: _____ Num.: _____	11. Education <input type="checkbox"/> GED <input type="checkbox"/> High School	
12. Home Mailing Address	13. City	14. State	15. Zip Code	16. Primary Phone Number (    )    -

**SECTION 3 - APPOINTMENT INFORMATION**

17. Date Appointed	18. License / Appointment Type: <b>(CHECK ONLY ONE)</b> <input type="checkbox"/> Sheriff (Elected or Appointed) <input type="checkbox"/> Constable (Elected or Appointed) <input type="checkbox"/> Chief of Police <input type="checkbox"/> Chief Law Enforcement Officer <input type="checkbox"/> City Marshal <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Peace Officer <input type="checkbox"/> County Jailer <input type="checkbox"/> Reserve Officer (licensed reserve or conditional only)			
19. Peace Officer Pay Status: <b>(CHECK ONLY ONE)</b> <input type="checkbox"/> <b>Full-Time</b> <input type="checkbox"/> <b>Non-Full-Time</b>				
20. Retired State Officer <input type="checkbox"/> Yes <input type="checkbox"/> No.	21. <b>\$100.00 Fee Required</b> <input type="checkbox"/> Contract Jailer (5120) <input type="checkbox"/> Medical Facility Police Officer (5125)			
22. TCOLE Agency Number	23. Appointing Agency			24. Phone Number

I certify that I am the chief administrator of the above-named agency, or the person designated by the chief administrator to sign this document. I further certify that this agency has on file and readily accessible to the Commission the appropriate documents to show that the above-named individual meets the minimum standards for licensing and/or appointment.

Name and Title of Chief Administrator or Designee (Type or Print)		Signature of Chief Administrator or Designee	
Sworn to and subscribed before me, this the _____ day of _____, _____			
Notary public in and for, State of Texas			
My commission expires _____ / _____ / _____		Printed Name of Notary	

Notary Seal or Stamp		_____	
		Signature of Notary	

### Special Conditions for the Appointment Application (L-1)

Licensees who wish to reinstate their law enforcement officer licenses following a Commission-ordered disciplinary action (suspension or probation) are required to complete the "Licensee Reinstatement Application" prior to submitting this form.

#### SECTION I: Applicant for new license:

I, the undersigned, attest that I have received a copy of and read Commission Rule 217.1, Minimum Standards for Initial Licensure. I further attest that I meet all requirements for initial licensure as outlined by Commission Rule 217.1.

I am fully aware that this application is a government document and, under penalties of perjury, I declare the foregoing information to be true and correct.

_____		____/____/____	
Signature of Applicant or License Holder		Date	
Sworn to and subscribed before me, this the _____ day of _____, _____			
Notary public in and for, State of Texas			
My commission expires ____/____/____		_____	
		Printed Name of Notary	
Notary Seal or Stamp		_____	
		Signature of Notary	

#### SECTION II: License holder with over a "180 day break in service:"

I, the undersigned, attest that I have received a copy of and read Commission Rule 217.7, Reporting the Appointment and Termination of a Licensee. I further attest that I meet all requirements for appointment as outlined by Commission Rule 217.7.

I am fully aware that this application is a government document and, under penalties of perjury, I declare the foregoing information to be true and correct.

_____		____/____/____	
Signature of Applicant or License Holder		Date	
Sworn to and subscribed before me, this the _____ day of _____, _____			
Notary public in and for, State of Texas			
My commission expires ____/____/____		_____	
		Printed Name of Notary	
Notary Seal or Stamp		_____	
		Signature of Notary	

**Appendix 3 - POST FORMS**

TEXAS COMMISSION ON LAW ENFORCEMENT  
 6330 E. Highway 290, STE. 200, Austin, Texas 78723-1035  
 Phone: (512) 936-7700

Please email to [complaintrequest@tcole.texas.gov](mailto:complaintrequest@tcole.texas.gov)

Or mail to the address above

**CRIMINAL CHARGES NOTIFICATION (E-1)**

Commission Rules §211.27, 211.28, 211.29

**LICENSEE INFORMATION**

1. TCOLE PID	2. Last Name	3. First Name.	4. M.I.	5. Suffix (Jr., etc.)
6. Last 4 #s of SSN	7. Race / Ethnicity <input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Multicultural <input type="checkbox"/> White	8. Date of Birth	9. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	10. Driver's License State: Num:
11. Home Mailing Address	12. City	13. State	14. Zip Code	15. Phone Number

**CURRENT DEPARTMENT INFORMATION**

16. TCOLE Agency No.	17. Appointing Agency	18. Agency Mailing Address
19. City	20. County	21. Zip Code
22. Phone Number		
23. Type of appointment (Check all that apply) <input type="checkbox"/> Peace Officer. <input type="checkbox"/> Licensed Reserve Off. <input type="checkbox"/> Jailer <input type="checkbox"/> Telecommunicator <input type="checkbox"/> Public Security Off. <input type="checkbox"/> Other (un-appointed)		

**ARREST INFORMATION**

24. Date arrested or charged	25. Offense(s) Charged With (indicate felony or misdemeanor and class)
26. Name of Arresting Agency, Address, City, County, Zip Code, Phone Number	
27. Licensee and employing agency must submit Criminal Charges (E-1) form (check one) <input type="checkbox"/> Licensee <input type="checkbox"/> Employing Agency <input type="checkbox"/> Arresting Agency <u>must submit this form and all arrest reports</u>	

**Licensee must submit: 211.27**

- (4) an arrest, charge, or indictment for a criminal offense above the grade of Class C misdemeanor or for any Class C misdemeanor involving the duties and responsibilities of office or family violence, including the name of the arresting agency, the style, court, and cause number of the charge or indictment, if any;
- (5) the final disposition of the criminal action; and
- (6) receipt of a dishonorable or other discharge based on misconduct which bars future military service.

**Arresting agency must submit: 211.28**

When an agency receives information that it has arrested or charged an individual that is required to report under §211.27 of this title for any offense above a Class C misdemeanor, or for any Class C misdemeanor involving the duties and responsibilities of office or family violence, the chief administrator or their designee must report such arrest to the commission in the format currently prescribed by the commission within 30 business days of notice of the arrest.

**Employing agency must submit: 211.29**

An agency shall notify the commission, electronically or in writing, within 30 days, when it receives information that a person under appointment with that agency has been arrested, charged, indicted, or convicted for any offense above a Class C misdemeanor, or for any Class C misdemeanor involving the duties and responsibilities of office or family violence.

**I am authorized to certify the attached documents are true and correct copies of this agency's public files of matters observed, recorded, or maintained pursuant to a duty imposed by law.**

Name (Type or Print)	Title	Signature	Date
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## SECTION FOR N.C. TRANSFERS ONLY

If the Applicant is a lateral, transfer (holds GFA or GNA Certification), indicate the following North Carolina Administrative Code (12 NCAC 09C .0306) requirements have been met and appropriate documentation has been placed in the applicant's personnel file prior to employment.

Date of Hire: \_\_\_\_\_ Fingerprint Requirements: Date Submitted to State Bureau of Investigation: \_\_\_\_\_  
☐ F-1 Medical History Statement (Completed by Applicant): **MUST** be completed within one year **prior** to transfer.  
☐ F-2 Medical Examination Report: **MUST** be conducted within one year **prior** to transfer. Date Conducted \_\_\_\_\_  
 Completed by: ☐ Physician/PA or ☐ Nurse Practitioner NC License #: \_\_\_\_\_  
 Full Name: \_\_\_\_\_  
 Drug Screen: ☐ Positive ☐ Negative  
 Date Laboratory Reported Test Results: \_\_\_\_\_ (**MUST** be within 60 days **prior** to employment.)  
 Name of HHS Certified Laboratory: \_\_\_\_\_

Firearms Qualification: Indicate one of the following and attach a copy of the Firearms Qualification Record (F-9A).

☐ Applicant successfully completed this agency's In-Service Firearms Qualification. Qualification Date: \_\_\_\_\_  
☐ Applicant successfully completed In-Service Firearms Qualification at the previous agency and the on-duty weapon and the off-duty weapon(s) shall remain the same as the on used to qualify within the preceding 12 month period.  
 Qualification Date: \_\_\_\_\_ Location: (agency or facility) \_\_\_\_\_ NOTE: Attach a copy of the Firearms Qualification Record (Form F-9A)

Law Enforcement Experience: Previous L.E. Agency \_\_\_\_\_ Date of Separation (if applicable): \_\_\_\_\_  
 Does the applicant intend to hold dual appointments? ☐ Yes ☐ No

## REQUIRED FOR ALL APPLICANTS

## AOC-CR-280 FORM (LAW ENFORCEMENT APPLICATION FOR VERIFICATION OF EXPUNCTION-REQUIRED FOR ALL APPLICANTS:

Date Completed: \_\_\_\_\_ Agencies are required to submit a copy of the processed AOC-CR-280 form and all results returned from the NC Administrative Office of the Courts (AOC) for all applicants. The form can be found on the AOC website. The results of any expunged charge(s) must be listed by the applicants in the below section.

## ALL APPLICANTS &amp; TRANSFERS MUST READ AND COMPLETE THIS CRIMINAL RECORD SECTION IN THEIR OWN HANDWRITING

**Note:** Answer all of the following questions completely and accurately. **Any falsification or misstatements of fact may be sufficient to disqualify you.** If any doubt exists in your mind as to whether or not you were arrested or charged with a criminal offense at some point in your life or whether an offense remains on your record, you should answer "yes". You **MUST** list any and all criminal charges regardless of the date of the offense and the disposition (to include dismissals, not guilty, nol pros, PJC, or any other disposition where you enter a plea of guilty). Juvenile charges or arrests should also be listed.

Include all offenses other than minor traffic offenses. Specifically include DWI, DUI, driving while under the influence of drugs, driving while license permanently revoked, speeding to elude arrest, or duty to stop in event of accident. Traffic Offenses in the "Class B Misdemeanor" Manual **MUST** be listed.

**You must include any and all offenses and convictions regardless of whether or not the offenses/conviction were expunged pursuant to NCGS 15A-145.4 and 15A-145.5, 15A-145.6, 15A-145.8A, 15A-146, or expunged or sealed with a similar out-of-state law.** If you list a charge(s), please attach certified and true copies of warrant(s) and judgement(s) for each offense, even if documentation and changes have previously been reported to this agency.

I. Have you ever been arrested by law enforcement officer or otherwise charged with a criminal offense? (The term "charged" as used in this question includes being issued a criminal citation or summons).

☐ No-Applicant's Initials \_\_\_\_\_

☐ Yes, please list below

1. Offense Charged: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony

Disposition Offense if different than original offense: \_\_\_\_\_

☐ Misdemeanor ☐ Felony

Date of Offense: \_\_\_\_\_ Disposition/Date: \_\_\_\_\_ Court Docket #: \_\_\_\_\_

County/State: \_\_\_\_\_ Probation: ☐ No ☐ Yes

2. Offense Charged: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony

Disposition Offense if different than original offense: \_\_\_\_\_

☐ Misdemeanor ☐ Felony

Date of Offense: \_\_\_\_\_ Disposition/Date: \_\_\_\_\_ Court Docket #: \_\_\_\_\_

County/State: \_\_\_\_\_ Probation: ☐ No ☐ Yes

3. Offense Charged: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony

Disposition Offense if different than original offense: \_\_\_\_\_

☐ Misdemeanor ☐ Felony

Date of Offense: \_\_\_\_\_ Disposition/Date: \_\_\_\_\_ Court Docket #: \_\_\_\_\_

County/State: \_\_\_\_\_ Probation: ☐ No ☐ Yes

4. Offense Charged: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Disposition Offense if different than original offense: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Date of Offense: \_\_\_\_\_ Disposition/Date: \_\_\_\_\_ Court Docket #: \_\_\_\_\_  
 County/State: \_\_\_\_\_ Probation: ☐ No ☐ Yes

**II. Have you ever had a criminal offense or criminal conviction expunged pursuant to NCGS 15A-145.4 and 15A-145.5, 15A-145.6; 15A-145-8, 15A-146, or a similar out-of-state law?**

- ☐ No ☐ Yes, please list below
1. Offense Charged: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Disposition Offense if different than original offense: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Date of Offense: \_\_\_\_\_ Disposition/Date: \_\_\_\_\_ Court Docket #: \_\_\_\_\_  
 County/State: \_\_\_\_\_ Probation: ☐ No ☐ Yes
2. Offense Charged: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Disposition Offense if different than original offense: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Date of Offense: \_\_\_\_\_ Disposition/Date: \_\_\_\_\_ Court Docket #: \_\_\_\_\_  
 County/State: \_\_\_\_\_ Probation: ☐ No ☐ Yes
3. Offense Charged: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Disposition Offense if different than original offense: \_\_\_\_\_  
☐ Misdemeanor ☐ Felony
- Date of Offense: \_\_\_\_\_ Disposition/Date: \_\_\_\_\_ Court Docket #: \_\_\_\_\_  
 County/State: \_\_\_\_\_ Probation: ☐ No ☐ Yes

As the applicant for certification, I attest that I am of the minimum standards for employment, that I meet or exceed each of those requirements, that the information provided above and all other information submitted by me, both oral and written throughout the employment and certification process, is thorough, complete, and accurate to the best of my knowledge. **I further understand and agree that any omission, falsification or misrepresentation of any factor or portion of such information can be the sole basis for termination of my employment and/or denial, suspension or revocation of my certification at any time, now or later. I further understand that I have a continuing duty to notify the Commission of all criminal offense, which I am arrested for or charged with, plead no contest to, plead guilty to or am found guilty of.** If applicable, I specifically acknowledge that my continued employment and certification are contingent on the results of the fingerprint records check and other criminal history records being consistent with the information provided in my Personal History Statement and as reflected in this application.

Signature of Applicant/Candidate

Date

I, as an official representative of the appointing agency, do submit to the Commission the above-named appointee as a candidate for certification. The candidate meets or exceeds each of the minimum standards for employment and this agency had properly conducted the required employment procedures as established by the Commission and incorporated into 12 NCAC 09. All documents necessary to insure compliance with the rules of the Code are being retained in the personnel files of this agency and may be inspected at any reasonable time by representatives of the Commission. **I acknowledge that any omission, falsification or misrepresentation of information or procedures, by either the candidate or this agency throughout the employment and/or certification process, may result in certification being denied, suspended or revoked by the Commission at any time, now or later.**

Signature of Executive Officer or Registered Authorized Representative

Title Form

Date

**EXCERPT FROM CLASS B MISDEMEANOR MANUAL OF TRAFFIC OFFENSES WHICH ARE NOT MINOR**  
**Appendix 3 - POST FORMS**

20-28	Driving while license permanently revoked (20-28(b))[(b) Repealed]	10/1/94 -11/12/96	1
20-28(d)(3)	Driving while license permanently revoked (3 <sup>rd</sup> offense)	5/31/02-Present	1
20-30(5)	Fictitious name or address in any application for a driver's license or learner's permit (20-35)	5/31/02-Present	2
20-37.7(e)	Special identification card (fraud or misrepresentation in application of or use thereof)	01/01/06-Present	2
20-37.8	Fraudulent use of a fictitious name for a special identification card (20-37.8(b)) [NOTE: violations of 20-37.8(b) became felonious eff. 12/1/99]	10/1/94-12/1/99	2
20-37.8	Fraudulent use of a fictitious name for a special identification card (20-37.8(c))	5/31/02-Present	2
20-63(g)	Registration of plates furnished by the Division, etc. (alteration, disguise, or concealment of numbers)	01/01/06-Present	2
20-71.4	Failure to disclose damage to a vehicle	01/01/06-Present	2
20-102.1	False report of theft or conversion of a motor vehicle	10/1/94-Present	2
20-111(5)	Fictitious name or address in application for registration	10/1/94-Present	1
20-130.1	Use of red or blue lights on vehicles prohibited (20-130.1(e))	10/1/94-Present	1
20-136.2	Air bag installation	01/01/06-Present	1
20-137.2	Operation of vehicles resembling law-enforcement vehicles (20-137.2(b))	10/1/94-Present	1
20-138.1	Driving while impaired (punishment level 1; 20-179(g) or 2 (20-179(h))	10/1/94-5/31/02	M
20-138.1(d)	Driving while impaired (punishment level 1; 20-179(g) or 2 (20-179(h))	5/31/02-Present	M
20-138.2	Impaired driving in commercial vehicle (20-138.2(e))	10/1/94-Present	M
20-141(j)	At least 15 mph over; trying to elude arrest [NOTE: Repealed paragraph (j) eff. 12/1/97; recodified under 20-141.5(a)]	10/1/94-12/1/97	1
20-141.3(a) & (c)	Unlawful racing on streets and highways	11/12/96-Present	1
20-141.5(a)	Speeding to elude arrest	11/17/99-Present	1
20-157(h)	Duty to Move Over	01/01/06-Present	1
20-166(b)	Duty to stop in event of accident or collision	10/1/94-Present	1
20-166(c)	Duty to stop in event of accident or collision	10/1/94-Present	1
20-166(c1)	Duty to stop in event of accident or collision	10/1/94-Present	1
20-183.8(b1)	Inspection violation by Inspector	3/1/11-Present	3
20-279.31(b)(1)	Other violation; penalties (gives information required in a report of a reportable accident, knowing/having reason to believe information is false)	01/01/06-Present	1
20-279.31(b)(2)	Other violations; penalties (forges or without authority signs any evidence of proof of financial responsibility)	01/01/06-Present	1
20-279.31(b)(3)	Other violations; penalties (forges/offers for filing any evidence of proof of financial responsibility, knowing/having reason to believe that evidence is forged/signed without authority)	01/01/06-Present	1
20-313.1	Making false certification or giving false information	01/01/06-Present	1
20-371	Regulation of professional house moving [increased punishment from Class 3 to Class 1 misdemeanor]	3/1/11-Present	1

\*Note that violations of 20-138.1 Driving While Impaired (punishment levels 3, 4 & 5) are considered Class A Misdemeanor and should also be listed in response to number 49.

**Appendix 3 - POST FORMS**

**NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS DIVISION  
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS DIVISION**

Post Office Drawer 149  
Raleigh, North Carolina 27602  
Telephone: (919) 661-5980  
Fax: (919) 779-8210

Post Office Drawer 629  
Raleigh, North Carolina 27602  
Telephone: (919) 779-8213  
Fax: (919) 662-4515



**Requirement to Report Material Relevant to Testimony (Giglio)**

*In accordance with N.C.G.S. 17C-16 and 17E-16, et. seq. attached hereto and incorporated herein by reference, please provide the following information. Completion of this report is required by law and should be submitted by the affected applicant/officer; and by the agency head on record with the Criminal Justice or Sheriffs' Standards Division.*

**Involved Individual's Full Name:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Agency:** \_\_\_\_\_

**Name and Title of Person Who Made Notification:** \_\_\_\_\_

**Date Notified of Incident:** \_\_\_\_\_

**Copy of Notification Provided?** ☒

**Please select all that apply:**

- ☒ Police Officer responsible to the CJ Standards Commission under N.C.G.S. 17C.
- ☒ Deputy responsible to the Sheriffs' Commission under N.C.G.S. 17E.
- ☒ Notice has been rescinded. N.C.G.S. 17C-16(e) or 17E-16(e)
- ☒ Notice that the individual has a hearing in Superior Court N.C.G.S. 17C-16(h) or 17E-16(h)

Submitted By: \_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Signature / Date



Appendix 3 - POST FORMS

**NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS DIVISION  
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS DIVISION**

Post Office Drawer 149  
Raleigh, North Carolina 27602  
Telephone: (919) 661-5980  
Fax: (919) 779-8210

Post Office Drawer 629  
Raleigh, North Carolina 27602  
Telephone: (919) 779-8213  
Fax: (919) 662-4515



**Critical Incident Report for NC Law Enforcement**

Completion of this report is required by law and should be submitted by the agency head or appropriate designee on record with the Criminal Justice or Sheriffs' Standards Division. A **Critical Incident** is defined as "An incident involving any use of force by a law enforcement officer that results in death or serious bodily injury to a person". NCGS further defines **Serious Bodily Injury** as, "bodily injury that creates a substantial risk of death, or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization."

It is the responsibility of each agency to apply the definitions to incidents occurring in their jurisdiction. If more than one officer is involved, a separate form is required for each officer.

**Involved Employee Full Name:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Date of Incident:** \_\_\_\_\_

**Time of Incident:** \_\_\_\_\_

**Location of Incident:** \_\_\_\_\_

**Type of Injury:** ☐ **Serious Bodily Injury**

☐ **Death**

**Agency:** \_\_\_\_\_

**Date of Submission:** \_\_\_\_\_

**Please select appropriate:**

☐ Police Officer responsible to the CJ Standards Commission under N.C.G.S. § 17C-15.

☐ Justice Officer (Deputy, Detention Officer, or Telecommunicator) responsible to the Sheriffs' Commission under N.C.G.S. § 17E.

**Printed Name of Officer:** \_\_\_\_\_

\_\_\_\_\_  
Signature / Date

☐ Officer Refused to Sign

☐ Officer Unavailable to Sign

**Submitted By:** \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Agency Head or  
Authorized Representative

\_\_\_\_\_  
Signature / Date



**Detailed description of reasons for investigation:** Do not use generic terminology in this section such as conduct unbecoming, failed to meet agency standards, violation of agency procedures, etc. Detailed information describing the unlawful act or act of misconduct is needed for efficient processing (Attached additional sheets as necessary.)

### Notice to Separating Officer

**Note:** Separated officers seeking recertification should refer to rule [12 NCAC 09B .0403](http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2012%20-%20Justice) for requirements <http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2012%20-%20Justice>

- ☐ I have been advised of my option to provide a written attachment to this Affidavit of Separation and I **HAVE** provided such a statement.
- ☐ I have been advised of my option to provide a written attachment to this Affidavit of Separation and I have **NOT** provided such written statement

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Printed Name of Officer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**The section below is to be filled out by the Executive Officer or Authorized Representative**

- ☐ Officer Refused to Sign      ☐ Officer Unavailable to Sign

Was the Officer provided with a copy of this completed Form F-5B(LE)?      ☐ Yes      ☐ No

If yes, in what manner was form provided to the officer?

- ☐ In Person    ☐ Mail    ☐ Certified Mail    ☐ Other (Please Specify) \_\_\_\_\_

\_\_\_\_\_  
Signature of Executive Officer  
or Authorized Representative

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Note: Must be notarized**

State of North Carolina

County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said County and

State do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledge the due execution of the foregoing instrument in writing for the purposes therein expressed.

WITNESS my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
My Commission expires: \_\_\_\_\_

Notary Public

Please type or print in black or blue ink and use capital and small letters to write names.

1. Social Security Number: \_\_\_\_\_

2. Employment date: \_\_\_\_\_

3. Applicant's Name: \_\_\_\_\_  
Last

4. Certification type:

- ☐ Law Enforcement  
☐ Law Enforcement Auxiliary  
☐ Correctional  
☐ Correctional Auxiliary  
☐ Correctional Probation

\_\_\_\_\_  
First MI

\*The applicant's name shall match the applicant's birth certificate or proof of citizenship. Supporting documentation of name change must be maintained on file at the employing agency.

6. Date of birth: \_\_\_\_\_

5. Agency ORI Number: FL \_\_\_\_\_

8. \_\_\_\_\_  
Applicant's signature Date

7. Agency name: \_\_\_\_\_

9. The following are requirements for certification as an officer:

- ☐ Minimum age of 18 for correctional officer or 19 for all others  
☐ U.S. Citizenship  
☐ High School Graduate or Equivalent  
☐ Background Investigation form CJSTC-77  
☐ Proof of military discharge, if applicable  
☐ Fingerprint Response or Fingerprint Notification form CJSTC-62  
☐ Registration of Employment Affidavit of Compliance form CJSTC-60

- ☐ Physician's Assessment form CJSTC-75  
☐ Drug Screening Results  
☐ Affidavit of Applicant Form CJSTC-68  
☐ Completion of Basic Recruit Training  
☐ Acceptable Score on Officer Certification Examination  
☐ Documentation supporting legal name change, if applicable

I hereby attest that I have collected, verified, and have on file documentation open for Commission inspection that the applicant has met the provisions of Section 943.13(1)-(10), F.S., or any rule adopted pursuant thereto.

10. \_\_\_\_\_ 11. \_\_\_\_\_  
Agency Administrator or Designee's Signature Date

OATH

Pursuant to Section 117.05(13)(a), Florida Statutes

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of Physical Presence ☐ OR Online Notarization ☐ this \_\_\_\_\_

day of \_\_\_\_\_, year \_\_\_\_\_, By \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public – State of Florida

\_\_\_\_\_  
Print, Type, or Stamp Commissioned name of Notary Public

Personally Known ☐ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

NOTE: This form should ONLY be submitted after all requirements have been met for certification as an officer.

CJSTC USE ONLY

\_\_\_\_\_  
FDLE Field Specialist's Name

\_\_\_\_\_  
Review Date

**INSTRUCTIONS FOR COMPLETING FORM CJSTC 59**

This form should only be submitted after ALL requirements have been complied with for certification as an officer.

**HOW TO COMPLETE EACH ITEM**

1. **Social Security Number.** Enter the applicant's social security number as in this example: 000-00-0000.
2. **Employment Date.** Enter the date the applicant began employment with the agency.
3. **Name.** Enter the applicant's legal first and last name. If the applicant has a middle initial, enter it above (MI).
4. **Certification Type.** Enter X in the box for the type of certification for which the applicant is requesting.
5. **Agency ORI.** Enter the last seven digits of the agency's originating agency identifier number. There are nine digits in agency ORI codes. The first two have been entered and are FL. Enter as in this example: FL0370000.
6. **Date of Birth.** Enter the applicant's date of birth as in this example: 06-29-1941.
7. **Agency Name.** Enter the agency's name.
8. **The applicant shall sign and date this form.**
9. **Enter X in the box at the left of each requirement to indicate compliance.**

**Attestment:** The agency administrator or administrator's designee shall complete the remainder of this affidavit in the presence of a notary public.

10. **Agency administrator's signature.** The agency administrator or designee shall sign on this line.
11. **Date signed.** The agency administrator or designee shall enter the date the affidavit was signed.
12. **Notary.** Enter the agency's county and requested date. Enter the name of the administrator or designee. Upon witnessing the agency administrator or designee's signing of this affidavit, the notary public shall complete the notary block.

**AGENCY REQUIREMENTS**

- If the agency is entering the information on-line through the Commission's Automated Management Training System (ATMS), please print this form and maintain the original on file at the agency.
- If the agency is not entering the information on-line through ATMS, maintain the original form on file at the agency and submit a completed copy of the form and letter requesting FDLE to enter the data into ATMS. Submit the copies to: **Florida Department of Law Enforcement, Criminal Justice Professionalism Program, P.O. Box 1489, Tallahassee, Florida 32302-1489, Attention: Records Section. Fax Number: 850-410-8605**

Please type or print in black or blue ink and use capital and small letters to write names, addresses, and titles

1. Social Security Number: \_\_\_\_\_
2. Officer's Name: \_\_\_\_\_  

Last

First

MI
3. Date of birth: \_\_\_\_\_
4. Ethnic group or race:  
☐ Hispanic ☐ White ☐ Asian ☐ Other ☐ Black  
☐ American Indian/Native Alaskan
5. Sex: ☐ Male ☐ Female
6. Education (Check highest diploma or degree):  
☐ EQ/AA/AS ☐ BA/BS ☐ MA/MS ☐ JD/PHD/EDD  
**Note:** To receive educational salary incentive, complete the Higher Education Report Form CJSTC-63.
7. Agency ORI: FL \_\_\_\_\_
8. Agency Name: \_\_\_\_\_
9. Employment Date: \_\_\_\_\_
10. Is this officer employed under a Temporary Employment Authorization? If yes, complete the Temporary Authorization form CJSTC-65.  
☐ Yes ☐ No

11. Employment Class  
☐ Law Enforcement  
☐ Correctional  
☐ Correctional Probation  
☐ Concurrent  
☐ Special Elected or Appointed  
Railroad Police  
☐ Full-time ☐ Part-time
- Employment Type  
☐ Full-time  
☐ Part-time  
☐ Auxiliary
12. If officer completed auxiliary training, does agency have proof of required high liability training on file?  
☐ Yes Date: \_\_\_\_\_ ☐ No
13. Is this officer requesting an equivalency-of-training? If yes, maintain on file the following forms: Equivalency-of-Training form CJSTC-76 for out-of-state or Federal Officers and the Equivalency-of-Training Proficiency Demonstration form CJSTC-76A.  
☐ Yes ☐ No
14. Does the agency have the results of the officer's processed fingerprints on file? If yes, please indicate the date you received the fingerprint results from the Florida Department of Law Enforcement or the FBI.  
☐ Yes Date: \_\_\_\_\_ ☐ No
15. Does the agency have on file the seven-panel controlled substance screening results as required in Rule 11B-27.00225?  
☐ Yes ☐ No
16. Has the agency completed a background investigation and have on file all documents required in Chapter 27, F.A.C.? ☐ Yes ☐ No

I hereby certify that I have collected, verified, and am maintaining on file evidence that the applicant has met the provisions of Section 943.13(1)-(8) and 943.131, F.S., or any rule adopted pursuant thereto. I fully understand that this affidavit constitutes an official statement under the purview of Section 837.06, F.S., is subject to verification by the Criminal Justice Standards and Training Commission, and any intentional false execution of this affidavit constitutes a misdemeanor of the second degree.

17. \_\_\_\_\_  
Agency Administrator or Designee's Signature
18. \_\_\_\_\_  
Date
19. \_\_\_\_\_  
Agency Administrator or Designee's Printed Name and Title

## 20. OATH

Pursuant to Section 117.05(13)(a), Florida Statutes

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of Physical Presence ☐ OR Online Notarization ☐ this \_\_\_\_\_

day of \_\_\_\_\_, year \_\_\_\_\_. By \_\_\_\_\_

Signature of Notary Public – State of Florida

Print, Type, or Stamp Commissioned name of Notary Public

Personally Known ☐ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

An officer shall not be employed in a sworn status until all requirements of Section 943.13, F.S. have been met.

## INSTRUCTIONS FOR COMPLETING FORM CJSTC-60

Use this form to register officers with the Criminal Justice Standards and Training Commission.

### USE THIS FORM WHEN:

1. An officer is initially employed.
2. Employment status is changed to full-time, part-time, or auxiliary.
3. An officer changes discipline. Disciplines are law enforcement, correctional, or correctional probation. Concurrent is when an officer has more than one certification.
4. An officer is reinstated because of a court order.
5. An officer transfers from one correctional institution to another with the Florida Department of Corrections.
6. An officer returns to the agency after a leave of absence.
7. The agency merges with another criminal justice agency.
8. An officer is terminated for not having fingerprints for a period not to exceed one calendar year from the date the officer was employed or appointed pursuant to Section 943.13(5), F.S.

### HOW TO COMPLETE THIS FORM

1. **Social Security Number.** Enter the officer's social security number as in this example: 000-00-0000.
2. **Name.** Enter the officer's legal last and first name. If the officer has a middle initial, enter it above (MI).
3. **Date of Birth.** Enter the officer's date of birth as in this example: 06-29-41.
4. **Ethnic group or race.** Enter X in the box beside the officer's ethnic group or race. Ethnic groups and races are defined as follows:
  - a. **Hispanic:** all persons of Mexican, Puerto Rican, Central, or South American, or other Spanish culture or origin, regardless of race. May be either white or black.
  - b. **Asian:** Persons originated from any original peoples of Far East, southeast Asia, Indian Subcontinent, or Pacific Islands. Examples are : China, Japan, Korea, Philippine Islands and Samoa.
  - c. **American Indian or Native Alaskan:** Persons originated from any original peoples of North America and maintain cultural identification through tribal affiliation or community recognition.
  - d. **Black:** Persons originated from any Black racial groups of Africa, but not of Hispanic origin or culture.
  - e. **White:** Originated from any original peoples of Europe, North Africa, or Middle East, but not of Hispanic origin or culture.
  - f. **Other:** Persons originated from the combination of peoples or any peoples who are not Hispanic, Asian, Pacific Islander, American Indian, Native Alaskan, Black, or White.
5. **Sex.** Enter X in the box beside the officer's sex.
6. **Education.** Enter X in the box for the highest certificate, diploma, or degree that the officer holds.
  - a. **EQ/AA/AS:** Equivalency, Associate of Arts, Associate of Science
  - b. **BA/BS:** Bachelor of Arts, Bachelor of Science
  - c. **MA/MS:** Master of Arts, Master of Science
  - d. **JD/PHD/EDD:** Jurist Doctorate (Doctorate of Law), Doctorate (Science Arts or Education,) Doctorate of Education.
7. **Agency ORI.** Enter the last seven digits of the agency's originating agency identifier number. There are nine digits in agency ORI codes and each ORI code begins with FL. Enter as in this example: FL 0370000.
8. **Agency Name.** Enter the agency's name.
9. **Employment date.** Enter the date the officer began working in a certified position, after successful completion of basic recruit training, unless he or she is employed under a temporary employment authorization (TEA). The employment date for the TEA shall be the initial date of employment. Enter as in this example: 05-28-1991.
10. **Temporary Employment Authorization.** Enter X in the box beside "Yes" if the agency hired an officer using a temporary employment authorization (TEA). Enter X in the box beside "No" if the officer was not hired using a TEA.

11. **Employment Class.** Enter X in the box beside the officer's employment type for the applicable discipline. **Note:** The "Special Elected or Appointed" box should only be checked if the person is an elected or appointed official affiliated with the agency for the purposes of maintaining the continued education requirement pursuant to Section 943.135(4), F.S.

**Employment type.** Enter X in the box for the type of employment.

- a. **Example:** If the Flamingo County Sheriff's Office employs John Mason as a **FULL-TIME** law enforcement officer, enter X in the box beside full-time.
  - b. **Example:** If the Flamingo County Sheriff's Office employs John Mason, who is certified as a part-time law enforcement officer, enter X in the box beside **PART-TIME**.
  - c. **Example:** If the Flamingo County Sheriff's Office employs John Mason, who is certified as an auxiliary law enforcement or correctional officer, enter X box beside **AUXILIARY**.
12. **High-Liability Training for Certified Auxiliary Officers.** Only correctional or law enforcement officers may serve as a certified auxiliary officer. Enter X in the box beside "Yes" if proof of required high-liability training is in the officer's file. If "Yes" is marked, indicate the date the high-liability training was completed. Enter X in the box beside "No" if proof of high-liability training is not in the officer's file.
  13. **Equivalency-of-Training.** Enter X in the box beside "Yes" if the agency is requesting an equivalency-of-training. Enter X in the box beside "No" if the agency is not requesting an equivalency-of-training. Enter X in the box beside "No" if the agency is not requesting an equivalency-of-training. **Example:** Jim Doss is employed by the Flamingo County Sheriff's Office and was previously certified out-of-state. Mr. Doss wants to become a Florida certified officer. Enter X in the box beside "Yes."
  14. **Results of Processed Fingerprints.** Enter X in the box beside "Yes" if the agency has on file the results of the officer's processed fingerprints by FDLE and the FBI, and enter the date the results were received. Enter X in the box beside "No" if the agency does not have on file the fingerprint results.
  15. **Controlled Substance Screening.** Enter X in the box beside "Yes" if the agency has completed the seven-panel controlled substance test requirement for the officer. Enter X in the box beside "No" if the agency has not completed the seven-panel controlled substance test requirement for the officer.
  16. **Background Investigation.** Enter X in the box beside "Yes" if the agency has completed the required background investigation and has on file the required documents. Enter X in the Box beside "no" if the agency has not completed the background investigation. **Note:** Officers should not be employed in a sworn status until all requirements of Section 943.13, F.S. have been met.

### AFFIDAVIT OF COMPLIANCE

The agency administrator or designee shall complete the remainder of this affidavit in the presence of a notary public.

17. **Agency administrator's signature.** The agency administrator or designee shall their name attesting that the information on the form is true and correct.
18. **Date signed.** The agency administrator or designee shall enter the date the affidavit was signed.
19. **Agency administrator's title.** Type or print the agency administrator or designee's title and date in black or blue ink.
20. The notary shall complete all blank spaces of this section.

### AGENCY REQUIREMENTS

- If the agency is entering the information on-line through the Commission's Automated Management Training System (ATMS), please print this form and maintain the original on file at the agency.
- If the agency is not entering the information on-line through ATMS, maintain the original form on file at the agency and submit a completed copy of the form and the following four attachments. Submit the copies to: **Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489. Attention: Records Section. Fax Number 850-410-8605**
  1. A copy of the applicant's social security card.
  2. A letter requesting FDLE to enter the data into ATMS.
  3. A completed Employment Background Investigative Report form CJSTC-77.
  4. A completed Affidavit of Applicant form CJSTC-68.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION

APPLICATION FOR CRIMINAL JUSTICE TRAINING  
SCHOOL CERTIFICATION AND RE-CERTIFICATION



PLEASE CHECK ONE: ☐ New Application ☐ Re-certification Re-certification Period: \_\_\_\_\_

Date of Application: \_\_\_\_\_ Type of Certification Requested A ☐ B ☐ C ☐

Name of Commission-certified training school or agency requesting certification or Re-certification:

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

CJSTC Region Number: \_\_\_\_\_

Training Center Director: \_\_\_\_\_



**APPLICATION FOR CRIMINAL JUSTICE  
TRAINING SCHOOL CERTIFICATION and RE-CERTIFICATION**

**APPLICATION INSTRUCTIONS**

Section 943.12(6)-(8), F.S., authorizes the Commission to develop and approve criminal justice training schools and to issue certificates based on compliance with rule requirements. Training entities requesting to become certified or re-certified as a Commission-certified training school shall complete the Criminal Justice Training School Certification and Re-certification application, form CJSTC-29.

The certification or re-certification request shall be restricted to the applicant. Rule Chapter 11B-21, F.A.C., provides specific requirements for certification and re-certification. Familiarity with this rule may assist you in completing the application. The applicant shall complete only those portions of the application that apply and shall ensure that data in the application is supported by documentation attached to the application. Commission staff reserves the right to verify all data.

Type "A" certification grants the training school the authority to deliver Commission-approved Basic Recruit Training Program Courses for law enforcement, corrections, and correctional probation and to deliver Commission-approved Advanced and Specialized Training Program Courses.

Type "B" certification grants the training school the authority to deliver Commission-approved Basic Recruit Training Program Courses for law enforcement and Commission-approved Advanced and Specialized Training Program courses.

Type "C" certification grants the training school the authority to deliver Commission-approved Basic Recruit Training Program Courses for corrections and correctional probation officers and to deliver Commission-approved Advanced and Specialized Training Program Courses.

For applications submitted for initial certification, Commission staff shall conduct a training needs analysis for the region served by the applicant, and shall make a formal recommendation to the Commission based upon the needs analysis and other pertinent information that may bear upon the certification of the training entity.

For applications submitted for re-certification, Commission staff shall conduct an official evaluation of the training school pursuant to Rule 11B-21.002(5), F.A.C., and shall report the findings to the Commission along with a formal recommendation regarding the training school's request for re-certification.

**Mail the application for Criminal Justice Training School Certification and Re-certification to:**

Florida Department of Law Enforcement  
Criminal Justice Professionalism Program  
Post Office Box 1489  
Tallahassee, Florida 32302-1489  
**Attention: Field Services Section**

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION**

**APPLICATION FOR CRIMINAL JUSTICE TRAINING SCHOOL CERTIFICATION AND RE-CERTIFICATION**

Please Type

**IDENTIFICATION DATA**

Name of Training School		Area code and Telephone number	
Mailing Address: P.O. Box or Street	City	County	Zip Code
Street address - if different from above	City	County	Zip Code

**ADVISEMENT**

Rule 11B-21.001(3), F.A.C., requires that each criminal justice training school certified or recertified by the Commission shall establish a method for receiving advisement from employing agencies served by the training school.

Describe the form of advisement to be used by the proposed training school; e.g., Local Advisory Committee, Regional Training Council, Other (be specific).

Identify by name, title, and agency all members of the school's local advisory committee, if applicable.

	<u>NAME</u>	<u>TITLE</u>	<u>AGENCY</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Identify the chair of the local advisory committee, if appropriate.

Name	Title	Area Code and Telephone Number
Agency or Training School	Address	
E-mail Address: _____		

Identify by name, title, and agency all members of the regional training council.

	<u>NAME</u>	<u>TITLE</u>	<u>AGENCY</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			

Identify the chair of the regional training council, if appropriate.

Name	Title	Area Code and Telephone Number
Agency or Training School	Address	
E-mail Address:		

One full time salaried criminal justice training school director employed on a 12-month calendar with faculty or administrative status.

One full-time clerk or administrative assistant assigned to report to the training center director, whose responsibilities are restricted to providing assistance to the director. Two or more persons may perform such clerical or administrative duties provided that the aggregate personnel time dedicated to these duties are equivalent, at minimum, to a full-time position.

Two full-time criminal justice instructors or instructional coordinators assigned to report to the training school director for training schools with a Type "A" certification. One coordinator position can be comprised of two or more individuals provided the aggregate personnel time dedicated to these duties are equivalent to one full-time position. A training school with a Type "B" or "C" certification shall have at least one full-time criminal justice training instructor or instructor coordinator position assigned to report solely to the training center director.

Instructor/or Instructor Coordinator: \_\_\_\_\_

**MINIMUM FACILITIES REQUIREMENT STANDARDS**

Criminal justice training schools requesting certification and re-certification to teach Commission-approved training courses shall comply with the Commission's minimum facility standards pursuant to Rule Chapter 11B-21.005, F.A.C.

**CLASSROOM REQUIREMENTS**

(Requirements outlined on form CJSTC-205)

List main campus or training school location of classroom facility(ies). Please attach additional pages as needed.

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**FIREARMS RANGE REQUIREMENTS**

(Requirements outlined on form CJSTC-201)

List main campus or training school location of firearms range(s). Please attach additional pages as needed.

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Does the training school own, lease, or have a written agreement to access the property on which the designated firing range(s) are located? (Please attach copies of lease or written agreements.)

Own: ☐

Lease: ☐

Written Agreement: ☐

**DRIVING RANGE REQUIREMENTS**

(Requirements outlined on form CJSTC-202)

List main campus or training school location of driving range(s). Please attach additional pages as needed.

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Does the training school own, lease, or have a written agreement to access the property on which the designated driving range(s) are located? (Please attach copies of lease or written agreements.)

Own: ☐

Lease: ☐

Written Agreement: ☐

**DEFENSIVE TACTICS TRAINING REQUIREMENTS**

(Requirements outlined on form CJSTC-203)

List main campus or training school location of defensive tactics facility(ies). Please attach additional pages as needed.

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**FIRST AID EQUIPMENT REQUIREMENTS**

(Requirements outlined on form CJSTC-208)

List main campus or training school location of first aid facility(ies). Please attach additional pages as needed.

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## SATELLITE TRAINING SITES

Please list all satellite facilities used by your training school. Include all classroom facilities and high liability facilities and indicate the facility type (e.g., classroom, firearms, etc.). Please attach additional pages as needed.

Facility Type: \_\_\_\_\_ Facility Type: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Name of Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Facility Type: \_\_\_\_\_ Facility Type: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Name of Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Facility Type: \_\_\_\_\_ Facility Type: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Name of Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Facility Type: \_\_\_\_\_ Facility Type: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Name of Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Facility Type: \_\_\_\_\_ Facility Type: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Name of Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Facility Type: \_\_\_\_\_ Facility Type: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Name of Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Facility Type: \_\_\_\_\_ Facility Type: \_\_\_\_\_

Name of Facility: \_\_\_\_\_ Name of Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**FOR INITIAL CERTIFICATION ONLY**

Rule 11B-21.002(3),F.A.C., requires entities that request training school certification to obtain approval from the Regional Training Council in its area.

Did the Regional Training Council approve this training school certification request?

Yes ☐ No ☐

If the answer is *no*, please explain:

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\_\_\_\_\_  
Chairman of the Regional Training Council

\_\_\_\_\_  
Title

\_\_\_\_\_  
Chairman of the Regional Training Council Signature

\_\_\_\_\_  
Date

**ATTESTMENT FOR CERTIFICATION OR RE-CERTIFICATION**

(Required for all applications)

The statements contained in the application are true, complete, and correct, and I agree that said statements shall form the basis of this application. I understand that any intentional falsification of this application may result in denial, suspension, or revocation of my requested training school certification. In addition, I agree to abide by all of the rules, regulations, and policies adopted by the Criminal Justice Standards and Training Commission and of the Criminal Justice Professionalism Program, Florida Department of Law Enforcement, in relation to the Commission's criminal justice training programs.

NOTE: Documentation of the Regional Training Council's approval shall be attached to form CJSTC-29.

\_\_\_\_\_  
Designated Agency Administrator or School President

\_\_\_\_\_  
Title

\_\_\_\_\_  
Agency Administrator or School President Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Training Center Director

\_\_\_\_\_  
Training Center Director Signature

\_\_\_\_\_  
Date

<p>1. Last Four Digits of Social Security Number: _____</p> <p>2. Name: _____  <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Last</span> <span>First</span> <span>MI</span> </div> </p> <p>3. Agency Name: _____</p> <p>4. Agency ORI: FL _____</p> <p>5. Date Employed: _____ 6. Separation Date: _____</p>	<p><b>Employment Class</b></p> <p><input type="checkbox"/> Law Enforcement</p> <p><input type="checkbox"/> Correctional</p> <p><input type="checkbox"/> Correctional Probation</p> <p><input type="checkbox"/> Concurrent</p> <p><input type="checkbox"/> Special Elected or Appointed</p> <p><input type="checkbox"/> Instructor</p> <p><b>Employment Type</b></p> <p><input type="checkbox"/> Full time</p> <p><input type="checkbox"/> Part time</p> <p><input type="checkbox"/> Auxiliary</p>
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**7. Separation Reasons**

<p><b>7A. ADMINISTRATIVE – ROUTINE</b></p> <p><input type="checkbox"/> Voluntary separation not involving misconduct</p> <p><input type="checkbox"/> Transfer within agency. No break in service</p> <p><input type="checkbox"/> Retired. Not involving misconduct</p> <p><input type="checkbox"/> Deceased</p> <p><input type="checkbox"/> Budgetary constraints. Local and Federal grants not renewed</p> <p><input type="checkbox"/> Extended leave of absence  Type: _____  Periods of Time: _____</p> <p><input type="checkbox"/> Military leave of absence  Periods of Time: _____</p> <p><input type="checkbox"/> Suspension  Periods of Time: _____</p> <p><input type="checkbox"/> Administrative separation not involving misconduct</p> <p><input type="checkbox"/> Special elected or appointed  Position: _____  Anticipated term: _____</p> <p><input type="checkbox"/> Instructor request for change of affiliation</p> <p><b>7B. ADMINISTRATIVE – NON-ROUTINE</b></p> <p><input type="checkbox"/> Failure to complete basic recruit training</p> <p><input type="checkbox"/> Failure to pass the State Officer Certification Examination</p>	<p><b>7C. ADMINISTRATIVE – SUBSTANDARD PERFORMANCE</b></p> <p><input type="checkbox"/> Failure to satisfactorily complete the agency field-training program (training performance issues).</p> <p><input type="checkbox"/> Failure to perform assigned tasks satisfactorily.</p> <p><b>7D. OTHER – EXAMPLE</b></p> <p><input type="checkbox"/> Excessive absenteeism, failure to report for duty, sleeping on duty, etc.</p> <p><b>7E. UNFAVORABLE – MISCONDUCT</b></p> <p><input type="checkbox"/> Voluntary separation or retirement while being investigated for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C.</p> <p><input type="checkbox"/> Voluntary separation or retirement in lieu of termination for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C.</p> <p><input type="checkbox"/> Terminated for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C.</p> <p><b>NOTE:</b> The agency administrator or designee shall provide written documentation of the internal or criminal investigation upon request by Commission staff.</p>	<p><b>7F. Pursuant to Section 943.1395(5), F.S., an employing agency must conduct an internal investigation when having cause to suspect that an officer or instructor it employs or employed at the time of the alleged violation, or employed on a Temporary Employment Authorization is not in compliance with Section 943.13(4) or (7), F.S., or Rule 11B-27.0011, F.A.C.</b></p> <p><input type="checkbox"/> Voluntary separation or retirement while being investigated for violation of Section 943.13(4), F.S., or violation of moral character standards defined in Rule 11B-27.0011, F.A.C.</p> <p><input type="checkbox"/> Voluntary separation or retirement in lieu of termination for violation of Section 943.13(4), F.S., or violation of moral character standards as defined in Rule 11B-27.0011, F.A.C.</p> <p><input type="checkbox"/> Terminated for violation of Section 943.13(4), F.S., or violation of moral character standards as defined in Rule 11B-27.0011, F.A.C.</p> <p><b>NOTE:</b> The agency administrator or designee shall provide written documentation of the internal or criminal investigation upon request by Commission staff.</p>
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**NOTICE:** Section 943.139(2), F.S., requires the execution of an Affidavit of Separation by the employing agency in a case of officer separation. **WARNING:** Intentional false execution of this Affidavit of Separation constitutes a misdemeanor of the second degree.

8. Agency Administrator or Designee's Signature	9. Agency Administrator or Designee's Printed Name	10. Date
11. Agency Administrator or Designee's Title		

**12. OATH**

Pursuant to Section 117.05(13)(a), Florida Statutes

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of Physical Presence ☐ OR Online Notarization ☐ this \_\_\_\_\_

day of \_\_\_\_\_, year \_\_\_\_\_, By \_\_\_\_\_

Signature of Notary Public – State of Florida

Print, Type, or Stamp Commissioned name of Notary Public

Personally Known ☐ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_



## USE THIS FORM TO SEPARATE AN OFFICER FROM AN AGENCY

### USE THIS FORM WHEN:

1. An officer or instructor separates from an agency when he or she voluntarily separates, retires, or dies.
2. An officer transfers within the agency.
3. Budgetary constraints (local or federal grants not renewed) are experienced by an agency.
4. An officer has an extended leave of absence or suspension.
5. An agency terminates an officer for administrative reasons.
6. An officer fails to complete a basic recruit training program.
7. An officer fails to pass the State Officer Certification Examination.
8. An officer fails to satisfactorily complete the agency's field training program.
9. An officer or instructor fails to perform assigned tasks satisfactorily.
10. An officer or instructor has excessive absenteeism, fails to report for duty, etc.
11. An officer or instructor voluntarily separates, retires, or is terminated while being investigated for a violation of agency policy.

The Internal Investigation Report, form CJSTC-78, shall accompany form CJSTC-61 if any of the following reasons for separation of employment or appointment are applicable to the officer or instructor:

1. An officer or instructor voluntarily separates or retires while being investigated for a violation of Section 943.13(4), F.S., or for a violation of moral character standards as defined by Rule 11B-27.0011, F.A.C.
2. An officer or instructor is terminated for a violation of Section 943.13 (4), F.S., or for a violation of moral character standards as defined by Rule 11B-27.0011, F.A.C.
3. An officer or instructor voluntarily separates or retires in lieu of termination for a violation of Section 943.13(4), F.S., or for violation of moral character standards as defined in Rule 11B-27.0011, F.A.C.

**NOTE:** The Special Elected or Appointed box should only be checked if an individual is an elected or appointed official affiliated with an agency to maintain his or her continuing education requirement. Please indicate the individual's position and anticipated term of office.

## HOW TO COMPLETE EACH ITEM

1. **Social Security Number.** Enter the last four digits of the officer's social security number as in this example: 000-00-1234.
2. **Name.** Enter the officer's legal last and first name. Enter the officer's middle initial if applicable.
3. **Agency Name.** Enter the agency's name.
4. **Agency ORI:** Enter the last seven digits of the agency's originating identifier number as in this example: FL0370000.
5. **Date Employed.** Enter the officer's employment date as a sworn officer as in this example: (MM/DD/YYYY).
6. **Date Separated.** Enter the last date the officer was employed as in this example: (MM/DD/YYYY).

The agency administrator or designee shall complete the remainder of this affidavit in the presence of a notary public.

7. **Separation Reasons.** Place a check mark in the applicable box(es):
  - 7a. Administrative-Routine
  - 7b. Administrative – No Routine
  - 7c. Administrative - -Substandard Performance
  - 7d. Other Example(s)
  - 7e. Unfavorable Misconduct. **NOTE:** The agency administrator or designee shall provide proof of the internal or criminal investigation upon request by Commission staff.
8. **Administrator or Designee's Signature.** The agency administrator or designee shall sign his or her name.
9. **Agency Administrator or Designee's Name.** The agency administrator or designee shall print his or her name.
10. **Date Signed.** The agency administrator or designee shall enter the date the affidavit is signed.
11. **Agency Administrator or Designee's Title.** The agency administrator or designee shall print his or her title.
12. **Completion of Affidavit Section.** The notary public shall complete all blank lines in the Affidavit Section.

## AGENCY REQUIREMENTS

- If the agency is entering the information on-line through the Commission's Automated Management Training System (ATMS), please print this form and maintain the original on file at the agency.
- If the agency is not entering the information on-line into ATMS, maintain the original form on file at the agency and submit a completed copy of the form with the required documentation attached and a letter requesting FDLE to enter the data into ATMS. Submit the copies to: **Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489. Attention: Records Section. Fax Number 850-410-8605.**



## RULE 17 COMPLIANCE FORM

AGENCY NAME: \_\_\_\_\_

Please complete and submit this form to [post@coag.gov](mailto:post@coag.gov) by January 31<sup>st</sup>, 2021.

Rule 17 – Certification Records states:

*By the 31<sup>st</sup> of January of each year, each agency shall verify the accuracy of the certified peace officers associated with the law enforcement agency listed on the POST portal by submitting an email to POST. By submitting this email each agency is certifying that the agency has confirmed all certified peace officers associated with their law enforcement agency have no convictions that would prevent the individual from being a certified peace officer in Colorado, and that each certified peace officer has a valid Colorado Driver's License or Colorado ID.*

I certify that:

- ☐ All POST-certified officers employed by this agency as paid or reserve officers possess a valid Colorado driver's license or ID
- ☐ POST-certified officers employed by this agency have no decertifying offenses
- ☐ The roster for this agency is correct as of the date of submission of this form
- ☐ I have advised all POST-certified officers to review and update their profile information in the POST portal as needed  
*(It is not necessary for officers to make changes prior to submission of this form)*

OR

- ☐ This agency does not presently employ any POST-certified officers

Electronic submission of this document via a recognized agency-sponsored email account, or by an account of the person submitting the document, satisfies the legal requirements relative to an official signature. There is no need to submit this document in any other format, including a paper document bearing a written signature.

---

Name of person submitting form

Date

Please contact POST at 720-508-6721 or [post@coag.gov](mailto:post@coag.gov) with any questions.

*January 6, 2020*

***Please complete the following information for ANY peace officer with a disqualifying incident, as referenced in § 24-31-305 (1.5), C.R.S. Contact POST directly regarding questions about what constitutes a “disqualifying incident”.***

Last

First

Middle

### Peace Officer Contact Information

## Jurisdiction

[illegible]

Date: \_\_\_\_\_

33



# Notification of Finding of Untruthfulness

Colorado Department of Law - POST  
1300 Broadway 9<sup>th</sup> Floor  
Denver, CO 80203  
[post@coag.gov](mailto:post@coag.gov) 720-508-6721 FAX 866-858-7486

October 2019

SB19-166  
24-31-305 (2.5)

Agency Name		Name of Agency Executive Submitting Form 13	
Agency Executive Phone Number		Agency Executive Email Address	
Peace Officer - Last Name	Peace Officer - First Name	Middle Name	
Peace Officer Last Known Personal Address	City	State	Zip
Peace Officer Personal Email Address (if known)		Peace Officer Personal Cell Phone (if known)	
Date(s) of Employment: _____		Date(s) of Incident: _____	
Peace Officer Date of Birth: _____		Colorado PID# _____ (000000 or 0000-0000)	

**Please check the applicable boxes below.**

1. ☐ The certificate holder knowingly made an untruthful statement concerning a material fact OR knowingly omitted a material fact:  
(At least ONE of the following MUST apply; please check ALL that apply)
  - ☐ On an official criminal justice record.
  - ☐ While testifying under oath.
  - ☐ During an internal affairs investigation.
  - ☐ During an **administrative investigation and/or disciplinary process**<sup>1</sup>.
2. ☐ The law enforcement entity that employs or employed the certificate holder has done each of the following:  
(ALL of the following MUST apply; please check)
  - ☐ Completed an administrative process, as defined by a published policy in effect at the time of the untruthful statement concerning a material fact OR omission of a material fact.
  - ☐ Determined by a **clear and convincing standard of the evidence**<sup>2</sup> through an administrative investigation and/or disciplinary process the certificate holder knowingly made an untruthful statement concerning a material fact OR knowingly omitted a material fact on an official criminal justice record, OR while testifying in court, OR during an internal affairs investigation OR comparable administrative investigation.
  - ☐ Certifies that the certificate holder has elected not to exercise OR has exhausted the internal disciplinary appeal rights provided by their employer.

**Please retain documentation of investigative details for possible future review. Do not need to include with form.**

PURSUANT TO 24-31-305(2.5), C.R.S., UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS AFFIDAVIT AND ACCOMPANYING DOCUMENTS AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THEY ARE TRUE, CORRECT AND COMPLETE. I FURTHER ACKNOWLEDGE THAT ANY FALSE STATEMENT, MISSTATEMENT, OR INACCURACY **MAY RESULT IN REVOCATION OF MY CERTIFICATION, AS WELL AS CRIMINAL PROSECUTION.**

Agency Executive's Signature _____	State of _____
Signed before me this _____ day of _____, _____	County of _____
My Commission Expires: ____--____--____	NOTARY PUBLIC _____

<sup>1</sup> **Administrative Investigation and Disciplinary Process** means an employer's formal process of internal control that assures that an allegation of violation of employer rules, policy, procedure, or other misconduct or improper actions by an employee are subject to a complete and objective investigation resulting in findings of fact and disciplinary action for any substantiated violation.

<sup>2</sup> **Clear and convincing standard of evidence** means proof that persuades the decision-maker to find that the truth of the contention is highly probable.



# Notification of Finding of Unlawful Use of Force OR Failure to Intervene

FORM

**13B**

Colorado Department of Law - POST  
1300 Broadway 9<sup>th</sup> Floor  
Denver, CO 80203  
[post@coag.gov](mailto:post@coag.gov) 720-508-6721 FAX 866-858-7486

December 2021

SB20-217  
§ 24-31-904, C.R.S.  
§ 18-8-802(1.5)(f), C.R.S.

Agency Name (or name of organization submitting form)

Name of Agency Executive Submitting Form

Executive Phone Number

Executive Email Address

Peace Officer - Last Name

Peace Officer - First Name

Middle Name

Peace Officer Last Known Address

City

State

Zip

Peace Officer Personal Email Address

Peace Officer Personal Cell Phone

Date(s) of Employment: \_\_\_\_\_ Date(s) of Incident: \_\_\_\_\_

Peace Officer Date of Birth: \_\_\_\_\_ Colorado PID# \_\_\_\_\_ (000000 or 0000-0000)

**Please check the applicable boxes below. At least ONE of the following MUST apply. Check ALL that apply.**

- ☐ The certificate holder was **found CIVILLY LIABLE\*** for:
- ☐ Unlawful use of physical force, **OR**
  - ☐ Failure to intervene in the use of unlawful physical force (§ 24-31-904, C.R.S.)

\*IF A PEACE OFFICER IS CONVICTED OF, OR PLEADS GUILTY OR NOLO CONTENDERE TO A **CRIME** INVOLVING THE UNLAWFUL USE OR THREATENED USE OF PHYSICAL FORCE, OR A CRIME INVOLVING THE FAILURE TO INTERVENE IN THE USE OF UNLAWFUL FORCE, PLEASE USE THE "DISQUALIFYING INCIDENT NOTIFICATION FORM" TO REPORT TO POST. **See POST Rule 1 for definition of "found Civilly Liable".**

- ☐ The certificate holder was found after an **INTERNAL INVESTIGATION** or by an **ADMINISTRATIVE LAW JUDGE** or **HEARING OFFICER** to have:
- ☐ Used unlawful physical force, **OR**
  - ☐ Failed to intervene in the use of unlawful physical force, **OR**
  - ☐ Violated §18-1-707, C.R.S.

- ☐ This incident resulted in serious bodily injury or death to any person (§ 18-8-802(1.5)(f), C.R.S.)

AGENCY COMPLETING INVESTIGATION, OR COURT OF RECORD: \_\_\_\_\_

CASE OR DOCKET NUMBER: \_\_\_\_\_

**Please retain documentation of investigative details for possible future review, if applicable.**

PURSUANT TO § 24-31-305(2.5), C.R.S., UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS AFFIDAVIT AND ACCOMPANYING DOCUMENTS AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THEY ARE TRUE, CORRECT AND COMPLETE. I FURTHER ACKNOWLEDGE THAT ANY FALSE STATEMENT, MISSTATEMENT, OR INACCURACY **MAY RESULT IN REVOCATION OF MY CERTIFICATION, AS WELL AS CRIMINAL PROSECUTION.**

Agency Executive's Signature

State of \_\_\_\_\_

County of \_\_\_\_\_

Signed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

My Commission Expires: \_\_\_\_ -- \_\_\_\_ -- \_\_\_\_

NOTARY PUBLIC



Colorado Department of Law - POST  
1300 Broadway 9<sup>th</sup> Floor  
Denver, CO 80203  
[post@coag.gov](mailto:post@coag.gov) 720-508-6721 FAX 866-858-7486

## Notification of a Criminal Investigation/Charges by Investigating Agency

FORM

**13D**

March 2022

HB 21-1250  
§ 24-31-303(1)(r)(l)(G),  
C.R.S.

Agency Name (or name of organization submitting form)		Name of Agency Executive Submitting Form	
Executive Phone Number		Executive Email Address	
Peace Officer - Last Name	Peace Officer – First Name	Middle Name	
Peace Officer Last Known Address	City	State	Zip
Peace Officer Personal Email Address		Peace Officer Personal Cell Phone	
Date(s) of Employment: _____		Date(s) of Incident: _____	
Peace Officer Date of Birth: _____		Colorado PID# _____ (000000 or 0000-0000)	

**Please check the applicable box below.**

- ☐ The certificate holder is the subject of a criminal investigation for a crime that could result in revocation or suspension pursuant to disqualifying incidents pursuant to POST Rule 1. (Includes ALL felony investigations. See POST website for list of misdemeanors which affect certification).

Statute	Date of Offense	Docket Number (if already filed)	Court (if already filed)	Comments

Investigating Agency: \_\_\_\_\_ Case or Report Number: \_\_\_\_\_

**Please retain documentation of investigative details for possible future review, if applicable.**

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS AFFIDAVIT AND ACCOMPANYING DOCUMENTS AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THEY ARE TRUE, CORRECT AND COMPLETE. I FURTHER ACKNOWLEDGE THAT ANY FALSE STATEMENT, MISSTATEMENT, OR INACCURACY **MAY RESULT IN CRIMINAL PROSECUTION.**

Agency Executive's Signature \_\_\_\_\_ State of \_\_\_\_\_  
Signed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ County of \_\_\_\_\_  
My Commission Expires: \_\_\_\_--\_\_\_\_--\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

**INSTRUCTIONS** – [Back to Form](#)**SECTION 5. RACE / ETHNICITY**

Use these definitions to assist you in selecting the category that best describes the appointee's race/ethnicity.

**American Indian or Alaska Native**

A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

**Asian**

A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, Thailand, and Vietnam.

**Black or African American**

A person having origins in any of the black racial groups of Africa.

**Filipino**

A person having origins in any of the original peoples of the Philippine Islands.

**Hispanic or Latino**

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

**Native Hawaiian or Other Pacific Islander**

A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White**

A person having origins in any of the original peoples of Europe, Middle East, or North Africa.

**SECTION 6. RANK / CLASSIFICATION**

Use this list to select the POST code for the appointee's rank/classification. This code will appear on the appointee's Peace Officer Profile (P101) in the Rank column under the Employment section.

**Rank/Classification**      **POST Code**

Acting Chief..... ACTC  
 Administrator..... ADM  
 Agent..... AGNT  
 Assistant Chief..... ACHF  
 Assistant Commissioner..... ACOM  
 Assistant Marshal..... AMAR  
 Assistant Sheriff..... ASH  
 Bureau Chief..... BURC  
 Captain..... CAPT  
 Chief..... CHF  
 Chief Deputy..... CDEP  
 Chief Investigator..... CHFI  
 Commander..... CMDR  
 Commissioner..... COM  
 Coroner..... COR  
 Corporal..... CPL  
 Deputy (I, II, III)..... DPTY  
 Deputy Chief..... DCHF  
 Deputy Commissioner..... DCOM  
 Deputy Coroner..... DCOR  
 Deputy Coroner Supervisor..... DCRS  
 Deputy Coroner Manager..... DCRM  
 Deputy Marshal (I, II, III)..... DMA  
 Detective (I, II, III)..... DET

**Rank/Classification**      **POST Code**

Director..... DIR  
 Dispatcher (I, II, III)..... DIS  
 Dispatcher Manager..... DISM  
 Dispatcher Supervisor..... DISS  
 District Attorney..... DA  
 Division Chief..... DVC  
 Inspector..... INS  
 Investigator (I, II, III)..... INV  
 Investigator Manager..... INVM  
 Investigator Supervisor..... INVS  
 Investigator, Welfare Fraud..... WINV  
 Investigator Manager, Welfare Fraud..... WINM  
 Investigator Supervisor, Welfare Fraud..... WINS  
 Jail Assistant Sheriff..... JASH  
 Jail Commander..... JCMR  
 Jail Captain..... JCAP  
 Jail Deputy..... JDEP  
 Jail Lieutenant..... JLT  
 Jail Senior Deputy..... JS DP  
 Jail Sergeant..... JS GT  
 Lieutenant..... LT  
 Manager..... MGR  
 Marshal..... MAR  
 Police Officer (I, II, III)..... PO

**Rank/Classification**      **POST Code**

Ranger..... RANG  
 Ranger Manager..... RNGM  
 Ranger Supervisor..... RNGS  
 Records Supervisor..... RECS  
 Records Supervisor/Dispatcher..... RS/D  
 (Full-time Records Supervisor **AND** full-time Dispatcher)  
 Reserve Level I..... RI  
 (Peace officer authority for duration of assignment only)  
 Reserve Level I (24 hours)..... RI24  
 (Peace officer authority 24 hours a day)  
 Reserve Level II..... RII  
 Reserve Level III..... RI II  
 Sergeant..... SGT  
 Sergeant-at-Arms..... SGTA  
 Sergeant-at-Arms Chief..... SGTC  
 Sheriff..... SH  
 Sheriff/Coroner..... SHC  
 Special Agent..... SA  
 Supervisor..... SUP  
 Supreme Court Bailiff..... SCB  
 Trainee..... TRN  
 Undersheriff..... US  
 Warden..... WARD





## TCOLE Secure Share (TSS) is now live and accepting applications for accounts!

APPLY NOW

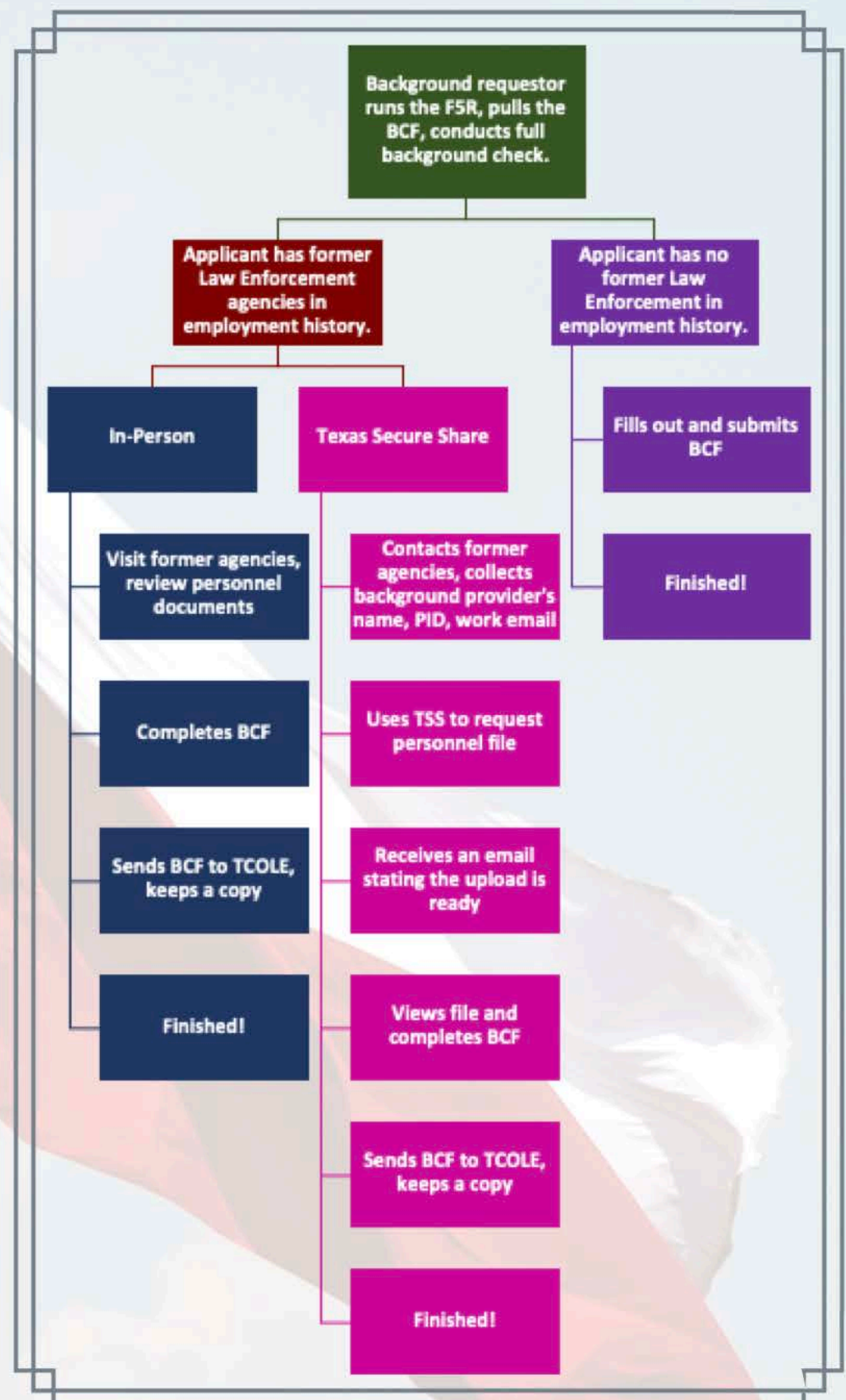
Once you receive an email, verify your email address by doing the following:

- Click on the link in the email
- Click the word 'Verify'
- Log in to the page you are directed to using your email address and the password you created

Please allow up to 72 hours for the review process. You will be notified once your application has been processed and you are able to utilize the system.

Have questions for our Secure Share Team? You can reach them by email at [seureshare@tcole.texas.gov](mailto:seureshare@tcole.texas.gov), or calling at 512-936-7700, option 3, then 2.

You can find additional information on TCOLE's background confirmation form (BCF) and TCOLE Secure Share (TSS), as well as access the recorded how-to presentation, presentation slides and presentation handouts [here](#).



Senate Bill 24, passed by the 87th Texas Legislature, tasks the Texas Commission on Law Enforcement with developing and implementing an electronic process by which agencies can share licensees' employment files for background investigation purposes.

For all licensee appointments on or after January 1, a Law Enforcement agency representative who is working on the pre-employment background phase of an appointment must submit the Background Confirmation Form (BCF) available on the TCOLE website. A copy of the BCF should be retained by the hiring agency along with the F-5R in the appointee's TCOLE file. A copy must also be provided to TCOLE via email at [seureshare@tcole.texas.gov](mailto:seureshare@tcole.texas.gov).



**Appendix 5**  
**Categories of Data Collected for Comparative Analysis Pursuant to T.A.C. 2.134**

Categories of Data Collected for Comparative Analysis Pursuant to 2.134	
<b>Filing Data</b> year, analyzing commission, filing status of LEA, filing dept. ID and location, total stops by dept.	YEAR
	analysis
	filing_status
	submission_date
	DEPARTMENT_NAME
	DEPARTMENT_NUMBER
	COUNTY_NAME
	REGION
	ZIP_CODE
	CHIEF_ADMIN_NAME
	total_stops
<b>Demographics of Stopped Driver</b> race and sex	
	sex_female
	sex_female_native
	sex_female_asian
	sex_female_black
	sex_female_white
	sex_female_hispanic
	sex_male

**Appendix 5**  
**Categories of Data Collected for Comparative Analysis Pursuant to T.A.C. 2.134**

Demographics of Stopped Driver race and sex	sex_male_native
	sex_male_asian
	sex_male_black
	sex_male_white
	sex_male_hispanic
	race_native
	race_asian
	race_black
	race_white
	race_hispanic
	race_known_yes
	race_known_no
Reason for Stop stopping officer's basis and race of driver	reason_violation_of_law
	reason_violation_of_law_native
	reason_violation_of_law_asian
	reason_violation_of_law_black
	reason_violation_of_law_white
	reason_violation_of_law_hispanic
	reason_pre_existing_knowledge
	reason_pre_existing_knowledge_native
	reason_pre_existing_knowledge_asian
	reason_pre_existing_knowledge_black
	reason_pre_existing_knowledge_white
	reason_pre_existing_knowledge_hispanic
	reason_moving_traffic_violation
	reason_moving_traffic_violation_native
	reason_moving_traffic_violation_asian
	reason_moving_traffic_violation_black
	reason_moving_traffic_violation_white
	reason_moving_traffic_violation_hispanic
	reason_vehicle_traffic_violation
	reason_vehicle_traffic_violation_native
	reason_vehicle_traffic_violation_asian
	reason_vehicle_traffic_violation_black
	reason_vehicle_traffic_violation_white
	reason_vehicle_traffic_violation_hispanic
Location of Stop type	
	location_city_street
	location_us_highway
	location_county_road

**Appendix 5**  
**Categories of Data Collected for Comparative Analysis Pursuant to T.A.C. 2.134**

	location_state_highway
	location_private_property_other
<b>Search Justification</b> search conducted (yes/no), reason for search, and race of driver	
	search_conducted_yes
	search_conducted_yes_native
	search_conducted_yes_asian
	search_conducted_yes_black
	search_conducted_yes_white
	search_conducted_yes_hispanic
	search_conducted_no
	search_conducted_no_native
	search_conducted_no_asian
	search_conducted_no_black
	search_conducted_no_white
	search_conducted_no_hispanic
	search_reason_consent
	search_reason_consent_native
	search_reason_consent_asian
	search_reason_consent_black
	search_reason_consent_white
	search_reason_consent_hispanic
	search_reason_contraband
	search_reason_contraband_native
	search_reason_contraband_asian
	search_reason_contraband_black
	search_reason_contraband_white
	search_reason_contraband_hispanic
	search_reason_probable
	search_reason_probable_native
	search_reason_probable_asian
	search_reason_probable_black
	search_reason_probable_white
	search_reason_probable_hispanic
	search_reason_inventory
	search_reason_inventory_native
	search_reason_inventory_asian
	search_reason_inventory_black
	search_reason_inventory_white
	search_reason_inventory_hispanic
	search_reason_incident_to_arrest
	search_reason_incident_to_arrest_native
	search_reason_incident_to_arrest_asian
	search_reason_incident_to_arrest_black
	search_reason_incident_to_arrest_white
	search_reason_incident_to_arrest_hispanic
	contraband_discovered_yes

## Appendix 5

### Categories of Data Collected for Comparative Analysis Pursuant to T.A.C. 2.134

<p><b>Contraband</b> contraband found (yes/no), type of contraband found, and race of driver</p>	contraband_discovered_yes_native
	contraband_discovered_yes_native_arrested_yes
	contraband_discovered_yes_native_arrested_no
	contraband_discovered_yes_asian
	contraband_discovered_yes_asian_arrested_yes
	contraband_discovered_yes_asian_arrested_no
	contraband_discovered_yes_black
	contraband_discovered_yes_black_arrested_yes
	contraband_discovered_yes_black_arrested_no
	contraband_discovered_yes_white
	contraband_discovered_yes_white_arrested_yes
	contraband_discovered_yes_white_arrested_no
	contraband_discovered_yes_hispanic
	contraband_discovered_yes_hispanic_arrested_yes
	contraband_discovered_yes_hispanic_arrested_no
	contraband_discovered_no
	contraband_discovered_no_native
	contraband_discovered_no_asian
	contraband_discovered_no_black
	contraband_discovered_no_white
	contraband_discovered_no_hispanic
	contraband_drugs paraphernalia
	contraband_drugs paraphernalia_native
	contraband_drugs paraphernalia_asian
	contraband_drugs paraphernalia_black
	contraband_drugs paraphernalia_white
	contraband_drugs paraphernalia_hispanic
	contraband_currency
	contraband_currency_native
	contraband_currency_asian
	contraband_currency_black
	contraband_currency_white
	contraband_currency_hispanic
	contraband_weapons
	contraband_weapons_native
	contraband_weapons_asian
	contraband_weapons_black
	contraband_weapons_white
	contraband_weapons_hispanic
	contraband_alcohol
	contraband_alcohol_native
	contraband_alcohol_asian
	contraband_alcohol_black
	contraband_alcohol_white
	contraband_alcohol_hispanic
	contraband_stolen property
	contraband_stolen property_native

## Appendix 5

### Categories of Data Collected for Comparative Analysis Pursuant to T.A.C. 2.134

	contraband_stolen property_asian
	contraband_stolen property_black
	contraband_stolen property_white
	contraband_stolen property_hispanic
	contraband_other
	contraband_other_native
	contraband_other_asian
	contraband_other_black
	contraband_other_white
	contraband_other_hispanic
<b>Result of Stop</b> by type of officer action and race of driver	result_verbal
	result_verbal_native
	result_verbal_asian
	result_verbal_black
	result_verbal_white
	result_verbal_hispanic
	result_written
	result_written_native
	result_written_asian
	result_written_black
	result_written_white
	result_written_hispanic
	result_citation
	result_citation_native
	result_citation_asian
	result_citation_black
	result_citation_white
	result_citation_hispanic
	result_written_arrest
	result_written_arrest_native
	result_written_arrest_asian
	result_written_arrest_black
	result_written_arrest_white
	result_written_arrest_hispanic
	result_citation_arrest
	result_citation_arrest_native
	result_citation_arrest_asian
	result_citation_arrest_black
	result_citation_arrest_white
	result_citation_arrest_hispanic
	result_arrest
	result_arrest_native
	result_arrest_asian
	result_arrest_black
	result_arrest_white
	result_arrest_hispanic

## Appendix 5

### Categories of Data Collected for Comparative Analysis Pursuant to T.A.C. 2.134

<b>Arrest</b> arrest of driver (yes/no), charging type, and race of driver	
	arrest_penal_code
	arrest_penal_code_native
	arrest_penal_code_asian
	arrest_penal_code_black
	arrest_penal_code_white
	arrest_penal_code_hispanic
	arrest_traffic
	arrest_traffic_native
	arrest_traffic_asian
	arrest_traffic_black
	arrest_traffic_white
	arrest_traffic_hispanic
	arrest_city_ordinance
	arrest_city_ordinance_native
	arrest_city_ordinance_asian
	arrest_city_ordinance_black
	arrest_city_ordinance_white
	arrest_city_ordinance_hispanic
	arrest_warrant
arrest_warrant_native	
arrest_warrant_asian	
arrest_warrant_black	
arrest_warrant_white	
arrest_warrant_hispanic	
<b>Physical Force</b> occurred (yes/no), type of force used by officer, race of driver	
	physical_force_yes
	physical_force_yes_native
	physical_force_yes_asian
	physical_force_yes_black
	physical_force_yes_white
	arrest_warrant_hispanic
	physical_force_yes_hispanic
	physical_force_no
	physical_force_no_native
	physical_force_no_asian
	physical_force_no_black
	physical_force_no_white
	physical_force_no_hispanic
	complaints
	complaints_disciplinary_yes
	complaints_disciplinary_no
	physical_force_yes_bodily_injury_suspect
	physical_force_yes_bodily_injury_officer
	physical_force_yes_bodily_injury_both

**Appendix 6**  
**Personal Status Report (PSR)**

PSR Data Fields	
<b>Case Number</b>	
<b>Demographics</b>	Name
	TCOLE ID (PID)
	Citizen
	Race
	Gender
<b>Career/Professional Training</b>	Institution
	Hours
	Education
	Branch
<b>Service History</b>	Appointed As
	Department
	Award
	Service Start Date
	Service End Date
	Service Time
<b>Total Service Time</b>	Description
	Service Time
<b>Award Information</b> *includes licensing	Award
	Type
	Action
	Action Date
<b>Academy History</b>	Date
	Institution
	Course Title
<b>Courses Completed</b> *two year cycles? Why sectioned	Course No.
	Course Title
	Course Date
	Course Hours
	Institution
	Training Mandates
<b>Total Course Hours</b>	Total
	Career/Professional Hours
	Total TCOLE Course Hours
	Total Hours
<b>Notes</b>	

## Appendix 7

### TCOLE Reporting Instructions and Forms Encompass Statutory Requirements

TCOLE'S REPORTING INSTRUCTIONS AND FORMS ENCOMPASS STATUTORY REPORTING REQUIREMENTS				
#	CATEGORY	STATUTE	REPORTING REQUIREMENTS SATISFY STATUTE	COMMENT
1.0	WHICH LEAs AND OFFICERS ARE REQUIRED TO COLLECT STOP DATA?		Y	
	Local law enforcement agencies, sheriff offices, State police/highway patrol, university law enforcement) <b>that routinely make motor vehicle stops.</b> Agencies that do not routinely make motor vehicle stops are exempt from reporting.	CRIM P Art. 2.132(a)(1), 1.133(b), 2.12 (Peace Officer Defined)	Y	Reporting Instruction Each agency must file by March 1 either its annual online report for the previous year or its online exempt status form (i.e., agencies that do not routinely make motor vehicle stops).
2.0	FOR WHICH ENCOUNTERS DO OFFICERS COLLECT DATA?		Y	
	Motor vehicle stops where a ticket, citation or warning is issued, or arrest made.	CRIM P Art. 2.132(b)(6), 2.133(b)	Y	Report #6C Note: Some stops have multiple dispositions. TCOLE requires that the # of dispositions match the # of stops. Thus, the reporting may not include all dispositions.
3.0	DETAILS OF THE STOP		Y	
	Location: Street address, approximate location, or other.	CRIM P Art. 2.132 (b)(6)(E), 2.133(b)(7)	Y	Report Form
4.0	WHO IS THE PERSON BEING STOPPED?		Y	
	Motor vehicle operator only	CRIM P Art. 2.133(b)(1)	Y	Since subject of report can only be a MV operator. At least one annual report narrative suggests that the agency is collecting and reporting data for passengers as well. Data regarding passengers should be designated as such.
5.0	DEMOGRAPHIC DATA ON THE PERSON BEING STOPPED		Y	
	A Race or Ethnicity	CRIM P Art. 2.132(a)(3) & (b)(6)(A), 2.133(b)(1)(B)	Y	Report #6(a) and Form.
	1 Asian	CRIM P Art. 2.132(a)(3)	Y	Report #6(a) and Form
	2 Black/African American	CRIM P Art. 2.132(a)(3)	Y	Report #6(a) and Form
#	CATEGORY	STATUTE	REPORTING REQUIREMENTS SATISFY STATUTE	COMMENT
	3 Hispanic/Latino(a)	CRIM P Art. 2.132(a)(3)	Y	Report #6(a) and Form
	4 Middle Eastern or South Asian		Y	Report #6(a) and Form
	5 Native American	CRIM P Art. 2.132(a)(3)	Y	Report #6(a) and Form
	6 Alaska Native	CRIM P Art. 2.132(a)(3)	Y	Report #6(a) and Form
	7 Pacific Islander	CRIM P Art. 2.132(a)(3)	Y	Report #6(a) and Form
	8 White	CRIM P Art. 2.132(a)(3)	Y	Report #6(a) and Form
	B Determination of Race or Ethnicity		Y	
	1 Race or ethnicity as stated by the individual stopped. If not stated, then as determined by the officer.	CRIM P Art. 2.133(b)(1)(B)	Y	Report doesn't specify if MV operator identified his/her race or if race was determined by PO. In addition, at least one agency reported that its officers are prohibited from asking the motorist to state his/her race.
	C Was Race/Ethnicity Known Prior to Stop	CRIM P Art. 2.132(b)(6)(C)	Y	Report #6(c) and Form
	D Gender of Person Stopped	CRIM P Art. 2.133(b)(1)(A)	Y	Report Form
	1 Male		Y	Report Form
	2 Female		Y	Report Form
6.0	PRIMARY REASON FOR STOP/NATURE OF STOP		Y	
	Alleged Violation of Law or Ordinance (including Traffic Violation). This is NOT an exclusive list. May contain additional reasons for the stop.	CRIM P Art. 2.132(b)(6)(F), 2.133(b)(2)	Y	Report #6(f) and Form includes broad categories: Violation of law, pre-existing knowledge, moving traffic violation, vehicle traffic violation. Additional reasons may include "intelligence-led," or in response to call for service, radio call or dispatch.
7.0	USE OF FORCE		Y	



## Appendix 7

### TCOLE Reporting Instructions and Forms Encompass Statutory Requirements

		Use of Force: Collect Data Only If Force Results in Physical Injury	CRIM P Art. 2.132(b)(6)(D), 2.133(b)(9)	Y	Report #6(d) and Form
<b>8.0</b>	<b>DATA COLLECTED: ACTIONS TAKEN - SEARCH &amp; SEIZURE (check all that apply)</b>			Y	
	<b>A</b>	<b>Consent for Search</b>	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>1</b>	Asked for Consent to Search Person	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>2</b>	Consent Given	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>3</b>	Consent Not Given	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>4</b>	Search of Person was Conducted	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
<b>#</b>	<b>CATEGORY</b>		<b>STATUTE</b>	<b>REPORTING REQUIREMENTS SATISFY STATUTE</b>	<b>COMMENT</b>
	<b>5</b>	Asked for Consent to Search Property	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>6</b>	Consent Given	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>7</b>	Consent not Given	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>8</b>	Search of Property was Conducted	CRIM P Art. 2.132(b)(6)(B), 2.133(b)(3)	Y	Report #6(b) and Form. Doesn't distinguish between search of person or property.
	<b>B</b>	<b>Basis for SEARCH (person and/or property). Check all that apply</b>	CRIM P Art. 2.133(b)(5)	Y	Report Form
	<b>1</b>	Consent Given	CRIM P Art. 2.133(b)(3)	Y	Report Form
	<b>2</b>	Contraband or other evidence in plain view	CRIM P Art. 2.133(b)(5)(A)	Y	Report Form
	<b>3</b>	Probable Cause or Reasonable Suspicion	CRIM P Art. 2.133(b)(5)(B)	Y	Report Form
	<b>4</b>	Incident to Arrest	CRIM P Art. 2.133(b)(5)(C)	Y	Report Form
	<b>5</b>	Vehicle Inventory due to towing of MV (for search of property)	CRIM P Art. 2.133(b)(5)(C)	Y	Report Form
	<b>C</b>	<b>Contraband or Evidence Discovered During Stop (in search/in plain view)</b>	CRIM P Art. 2.133(b)(4)	Y	Report Form provides categories and statute requests a description.
	<b>1</b>	None	CRIM P Art. 2.133(b)(4)	Y	Report Form provides categories and statute requests a description.
	<b>2</b>	Firearm(s)		Y	Report Form provides categories and statute requests a description.
	<b>3</b>	Weapon(s) other than a Firearm		Y	Report Form provides categories and statute requests a description.
	<b>4</b>	Drugs/narcotics		Y	Report Form provides categories and statute requests a description.
	<b>5</b>	Alcohol		Y	Report Form provides categories and statute requests a description.
	<b>6</b>	Money		Y	Report Form provides categories and statute requests a description.
	<b>7</b>	Drug Paraphernalia		Y	Report Form provides categories and statute requests a description.
	<b>8</b>	Suspected Stolen Property		Y	Report Form provides categories and statute requests a description.
	<b>9</b>	Other Contraband or Evidence		Y	Report Form provides categories and statute requests a description.
<b>#</b>	<b>CATEGORY</b>		<b>STATUTE</b>	<b>REPORTING REQUIREMENTS SATISFY STATUTE</b>	<b>COMMENT</b>
	<b>D</b>	<b>If Property Seized, Basis for SEIZURE and Type of Property</b>	n/a		Doesn't address seizure. However, the Report Form lists "Inventory" as a "Reason" for the search.
<b>9.0</b>	<b>RESULTS/ENFORCEMENT OUTCOME</b>		<b>CRIM P Art. 2.133(6) &amp; (8)</b>	Y	
	<b>A</b>	Warning (verbal or written)	CRIM P Art. 2.133(b)(8)	Y	Report Form
	<b>B</b>	Citation for infraction: Code/Ordinance	CRIM P Art. 2.133(b)(8)	Y	Report Form
	<b>C</b>	Arrest Pursuant to Outstanding Warrant & Statement of Offense	CRIM P Art. 2.133(b)(6)	Y	Report Form
	<b>D</b>	Arrest Based on Violation of Penal Code and Statement of Offense	CRIM P Art. 2.133(b)(6)	Y	Report Form
	<b>E</b>	Arrest Based on Traffic Law or City Ordinance & Statement of Offense	CRIM P Art. 2.133(b)(6)	Y	Report Form
	<b>F</b>	Complaint against an officer	CRIM P Art. 2.132(b)(3)	Y	Report Form. Only requires aggregate numbers of complaints, how many resulted in disciplinary action.
	<b>G</b>	Disciplinary action against PO		Y	Report Form. Only requires aggregate numbers of complaints, how many resulted in disciplinary action.
<b>10.0</b>	<b>THE OFFICER MAKING THE STOP</b>			Y	

## Appendix 7

### TCOLE Reporting Instructions and Forms Encompass Statutory Requirements

	No Information required	N/A		No officer info required. CRIM P Art. 2.132(b)(5) requires appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article.
<b>11.0</b>	<b>REPORTING</b>		<b>Y</b>	
	<b>A</b> LEA Reporting Requirements			
	1 Chief Admin of LEA responsible for auditing reports to ensure race and ethnicity of person operating MV is reported.	CRIM P Art. 2.133(c)	<b>Y</b>	Report. Attestation that Agency has satisfied the statutory data audit requirements. LEA isn't required to submit its procedures to conduct regular and systematic audits to verify that data is complete and accurate.
	2 LEA Reviews Report Data to Identify Improvements	CRIM P Art. 2.132(h), 2.134	<b>N</b>	The Report and/or Form does not require the Agency to state that it has or has not identified ways to improve its practices and policies for MV stops and to list anticipated improvements.
	3 LEA Submits Annual Report/Data Analysis to POST/State Agency/Commission and other governing bodies by March 1	CRIM P Art. 2.132(b)(7)(A), 2.134(b)	<b>Y</b>	Report #7(a) & (b). TCOLE began collecting reports in 2011.
<b>#</b>	<b>CATEGORY</b>	<b>STATUTE</b>	<b>REPORTING REQUIREMENTS SATISFY STATUTE</b>	<b>COMMENT</b>
	4 LEA Must Submit Report Electronically	TCOLE Website	<b>Y</b>	TCOLE Reporting Instructions
	<b>B</b> LEA Report Contents - Compilation & Analysis			BASELINE - U.S. Census Bureau's. Some agencies use the U.S. Census Bureau's Fair Roads Standard.
	1 Incident-based data compiled during the previous year	CRIM P Art. 2.134(b)(1)(A)	<b>Y</b>	TCOLE Reporting Instructions
	2 Comparative Analysis: # of MV stops of persons recognized as racial or ethnic minorities and persons not so recognized.	CRIM P Art. 2.134(c)(1)(A)	<b>Y</b>	TCOLE Reporting Instructions (Sandra Bland Act 2017)
	3 Comparative Analysis: Disposition of MV stops, categorized according to the race or ethnicity of the affected persons, including any searches resulting from stops.	CRIM P Art. 2.134(c)(1)(B)	<b>Y</b>	TCOLE Reporting Instructions
	4 Comparative Analysis: Number of searches resulting and whether contraband or other evidence was discovered in the course of those searches.	CRIM P Art. 2.134(c)(1)(C)	<b>Y</b>	TCOLE Reporting Instructions
	5 Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling	CRIM P Art. 2.134(c)(2)	<b>Y</b>	TCOLE Reporting Instructions
	<b>C</b> POST/State Agency/Commission Reporting			
	1 Guidelines	CRIM P Art. 2.134(e)	<b>Y</b>	No guidelines aside from reporting instructions and forms on website.
	6 Reports/Data and Analysis are Available to the Public		<b>Y</b>	
<b>12.0</b>	<b>ENFORCEMENT OF REPORTING REQUIREMENTS</b>		<b>Y</b>	
<b>#</b>	<b>CATEGORY</b>	<b>STATUTE</b>	<b>REPORTING REQUIREMENTS SATISFY STATUTE</b>	<b>COMMENT</b>

## Appendix 7

### TCOLE Reporting Instructions and Forms Encompass Statutory Requirements

		Law Enforcement Agency is Penalized for Failure to Submit Data	CRIM P Art. 2.132(b)(7)(g), 2.134(g) & 2.1385(a)	Y	TCOLE reporting instructions provide notice that failure to submit the required report within the reporting period may result in license action against the chief administrator and/or civil penalties against the agency.
13.0	<b>WRITTEN POLICY OF RACIAL PROFILING</b>		CRIM P Art. 2.132(b)		Report #1-7
	<b>A</b>	Provides the required elements of the LEA's policy on racial profiling	CRIM P Art. 2.132(b)	Y	Report #7(a) & (b)
	<b>B</b>	Provides standards for reviewing video and audio documentation	CRIM P Art. 2.132(d)		Audit required to determine compliance. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation

## Appendix 8

### Gold and Silver Standard Comparison to TCOLE MVS Data

TEXAS STOP DATA REPORTING MAY NOT PROVIDE INSIGHTS SUFFICIENT TO IDENTIFY AND REMEDIATE BIASED OUTCOMES			
Effectiveness of Policing Strategies: Measuring the Benefits/Costs			
	CRITERIA		TEXAS REPORTING
GOLD STANDARD	Have <b>crime rates</b> increased or decreased in areas that have been the subject of recent proactive targeted enforcement?	No	Statute does not require collection or reporting of crime data in areas surrounding MV stops or areas of proactive targeted enforcement.
	Have <b>citizen complaints</b> of racial or identity profiling increased or decreased in areas that have been the subject of recent proactive targeted enforcement?	No	Complaint data reported in aggregate only. Statute does not require collection or reporting of areas of proactive targeted enforcement.
	Have <b>calls for service</b> increased or decreased in areas that have been the subject of recent proactive targeted enforcement?	No	Calls for service are not compiled or reported to TCOLE. The statute requires that the local agency collect and report the "reason" for the stop, which encompasses such calls.
SILVER STANDARD	What is the rate of vehicle stops resulting in citation or arrest?	Yes	Provided in Comparative Analysis.
	What is the rate of searches/frisks resulting from stops?	Yes	Provided in Comparative Analysis.
	What is the rate of contraband yield resulting from searches/frisks	Yes	Provided in Comparative Analysis.

Measuring Disparities in Stops to identify and Root-Out Biased Outcomes			
	CRITERIA		TEXAS REPORTING
GOLD STANDARD	Are there racial disparities in the use force among persons stopped when controlling for age, gender, offense type, and neighborhood context?	No	TCOLE requires a bivariate analysis only. Art. 2.134 requires an "evaluation" of motor vehicle stops and the race/ethnicity of the person stopped and does not preclude a multivariate regression analysis.
	Are there racial disparities in the yield rates of contraband found among perceived race of persons stopped when controlling for neighborhood context (e.g., crime, poverty)?	No	TCOLE requires a bivariate analysis only. Art. 2.134 requires agencies to evaluate and compare the hit rates and the race/ethnicity of the person stopped. It does not preclude a multivariate regression analysis.
	Are there racial disparities in the use of de-escalation techniques among perceived race of persons stopped when controlling for gender and neighborhood context?	No	The statute does not require the collection or reporting of data regarding de-escalation techniques implemented during the stop.
SILVER STANDARD	Are there racial disparities in rates of persons searched?	Yes	Provided in Comparative Analysis.
	Are there racial disparities in rates of persons arrested?	Yes	Provided in Comparative Analysis.
	Are there racial disparities in rates of persons on whom force was used?	Yes	Provided in Comparative Analysis.

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Assessing Degree of Group Representation/Proportionality			
	CRITERIA		TEXAS REPORTING
GOLD STANDARD	Are there racial disparities between the number vehicle stops across race of persons stopped compared to their representation in the population when controlling for neighborhood context?	No	TCOLE requires a bivariate analysis only. Art. 2.134 requires an "evaluation" of motor vehicle stops and the race/ethnicity of the person stopped and does not preclude a multivariate regression analysis that includes the location of the stop.
	What is the proportion of the number of citizen complaints in the neighborhood to the number of police stops in the same neighborhood when controlling for neighborhood context (e.g., crime, poverty)?	No	Complaint data reported in aggregate only and are not tied to neighborhood. The statute does not require the collection or reporting of data regarding the crime and poverty rates of the neighborhoods in which the stop is located.
	What is the proportion of citizen complaints alleging racial or identity profiling to the number of police stops when controlling for neighborhood context.	No	Complaint data reported in aggregate only and are not tied to the number and location of the stops.
SILVER STANDARD	Is the proportion of vehicle stops by race equal to their representation in the population?	No	Population estimate of reporting area is optional. Data regarding the residence of the individual stopped (i.e., within or outside the population benchmark) is not reported to TCOLE.
	Are there racial disparities between perceived race of persons identified in officer-initiated stops in proportion to the race of persons identified in all calls for service.	No	Although the agencies are required to collect and report data on the reason for the stop, TCOLE does not require the agencies to compile and report data regarding whether the stop was officer-initiated or a in response to a call for service.

Assessing Outliers in Officer behavior (Standouts)			
	CRITERIA		TEXAS REPORTING
GOLD STANDARD	Are some officers responsible for a disproportionate amount of stops when controlling for assignment type?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What common factors exist among officers with the highest rate of use of force incidents when controlling for offense type and neighborhood context (e.g., crime, poverty)?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What common factors exist among officers with the highest number of citizen complaints when controlling for offense type and neighborhood context (e.g., crime, poverty)?	No	The statute does not require agencies to collect or report information on the officer making the stop.
SILVER STANDARD	What is the average number of stops per officer?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What is the average number of searches per officer?	No	The statute does not require agencies to collect or report information on the officer making the stop.
	What percentage of each officer's searches yield contraband?	No	The statute does not require agencies to collect or report information on the officer making the stop.

## Appendix 9 TX 5 State Data Collection Requirements Comparison

[illegible]







Kim Vickers  
Executive Director

# TEXAS COMMISSION ON LAW ENFORCEMENT

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## Technical Assistance Bulletin

To: All Texas Law Enforcement Agencies, Chief Administrators, Licensees  
From: Kim Vickers, Executive Director  
Regarding: **Categories of Discharge on F-5 Separation Reports**  
Date: April 8, 2022

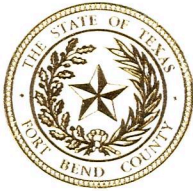
TCOLE often receives questions from chief administrators regarding which category of discharge on an F-5 report is most appropriate and the consequences of selecting a category that does not most closely meet the circumstances surrounding the separation.

This Technical Assistance Bulletin reaffirms the relevant TCOLE continuing education instruction for chief administrators of the past decade.

There is a virtually unlimited number of fact patterns that a chief administrator may be expected to apply to the F-5 statutory discharge categories. As a result, TCOLE considers discharge designations to be a subjective rating by the chief administrator.

Thus, TCOLE will continue to defer to their discretion in determining the provable facts, applying the F-5 standards, and choosing an appropriate designation.

A licensee can appeal a discharge category to the State Office of Administrative Hearings with the final determination made by an Administrative Law Judge's order and entered into TCOLE records.

**DISTRICT ATTORNEY'S OFFICE**

Fort Bend County, Texas

BRIAN M. MIDDLETON

District Attorney

(281) 341-4460

June 6, 2022

Mr. Ken Paxton  
Office of the Attorney General  
Attention: Opinion Committee  
P.O. Box 12548  
Austin, Texas 78711-2548

**Re: Request for Opinion regarding TCOLE F-5 Form**

Dear Mr. Paxton:

The Fort Bend County District Attorney's Office respectfully requests your opinion in regard to the F-5 "Separation of Licensee" Form (the "F-5 Form") propounded by the Texas Commission on Law Enforcement ("TCOLE"), a copy of which is attached hereto, as follows:

**Question Requiring an Opinion:**

Is the F-5 Form an "official government document" such that an intentional and knowing false entry therein would subject an individual to criminal prosecution for tampering with a governmental record?

**Discussion**  
**TCOLE Mission**

TCOLE is a regulatory state agency. Its mission 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. As part of that regulatory function, TCOLE records the hiring and discharge of Texas peace officers from law enforcement agencies.

### **Employment Termination Report Requirement: F-5 Form**

Pursuant to Section 1702.452 of the Texas Occupations Code, the head of a Texas law enforcement agency is required to send an employment termination report to TCOLE whenever a Texas peace officer separates from his employment with that agency. Section 1701.452(b) indicates that the head of the law enforcement agency or his designee shall include a statement explaining the type of discharge issued within the report. Use of the word “shall” imposes a duty. TEX. GOV'T CODE ANN. § 311.016 (2). This report is required to be on a form prescribed by TCOLE, which is the F-5 Form. Thus, when a Texas peace officer separates from his employer, the employer must send the F-5 Form to TCOLE as a matter of law.

### **The F-5 Form Components**

The F-5 form specifically delineates three types of termination. The three categories are: (1) honorably discharged,<sup>1</sup> (2) general discharge,<sup>2</sup> and (3) dishonorably discharged. The term “dishonorably discharged” is defined in Texas Occupations Code Sec. 1701.452(3)(A), (B) and set forth in the F-5 form as follows:

- (A) Was terminated, by a law enforcement agency or retired or resigned in lieu of termination by the agency in relation to allegations of criminal misconduct; or
- (B) Was terminated, by a law enforcement agency or retired or resigned in lieu of termination by the agency for insubordination or untruthfulness. (Emphasis Added).

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<sup>1</sup> “Honorably discharged” means a license holder who, while in good standing and not because of pending or final disciplinary actions or a documented performance problem, retired, resigned, or separated from employment with or died while employed by a law enforcement agency. Tex. Occ. Code § 1701.452(b)(1).

<sup>2</sup> “Generally discharged” means a license holder who:

- (A) was terminated by, retired or resigned from, or died while in the employ of a law enforcement agency and the separation was related to a disciplinary investigation of conduct that is not included in the definition of dishonorably discharged; or
- (B) was terminated by or retired or resigned from a law enforcement agency and the separation was for a documented performance problem and was not because of a reduction in workforce or an at-will employment decision. Tex. Occ. Code § 1701.452(b)(2).

The F-5 form also provides the following language, conspicuously bolded, just above the signature of the Agency Administrator or Designee:

I, chief administrator or designee, attest that this is a true and accurate explanation of the circumstances under which this person resigned or was terminated.

The language of the F-5 Form does not request a subjective opinion. Instead, the F-5 Form seems to call for an objective determination of the type of discharge reported and includes definitions of each type of discharge. Further, the chief administrator, by his or her signature, attests that the type of discharge is “a true and accurate explanation of the circumstances” of termination.

### **TCOLE Technical Assistance Bulletin**

Nevertheless, the Executive Director of TCOLE issued a Technical Assistance Bulletin dated April 8, 2022 (the “Bulletin”), attached hereto, contrary to the attestation and Chapter 1701 of the Texas Occupation Code. The Bulletin is published on the TCOLE web page and is available to the public. The Bulletin specifies that TCOLE considers “the discharge designations to be subjective ratings by the chief administrator.”

The Bulletin explains:

There is a virtually unlimited number of fact patterns that a chief administrator may be expected to apply to the F-5 statutory discharge categories. As a result, TCOLE considers discharge designations to be a subjective rating by the chief administrator. Thus, TCOLE will continue to defer to their discretion in determining the provable facts, applying the F-5 standards, and choosing an appropriate designation.

The Bulletin suggests that the F-5 discharge designation is an overall subjective rating of the terminated officer’s work performance related to the termination. Thus, the Bulletin implies that the selections on the F-5 Form are *not necessarily* a true and accurate explanation of the circumstances under which the officer was terminated. Accordingly, if a Texas peace officer is terminated for untruthfulness and receives a termination letter from his or her employer indicating the peace officer was terminated for untruthfulness, the chief administrator would be allowed to indicate that the termination was



honorable based entirely upon his or her own subjective opinion as to the proper designation of discharge. This contradiction between the actual cause for separation and the type of discharge reported would be contrary to definitions on the F-5 Form, which specifically cite untruthfulness within its definition of a dishonorable discharge. Same concern would be apparent if a chief administrator falsely designated a dishonorable discharge.

The Bulletin effectively re-defined the F-5 Form as a subjective designation in contravention of the law and in contradiction to the language of the form. There is no support in the law for the position expressed in the Executive Director's Bulletin.

### **Law Prohibits False Entry on Government Document**

The F-5 Form is by statute an "official government document." TEX. OCC CODE ANN. § 1701.452(g). Consequently, making a false entry on an F-5 Form is a criminal offense pursuant to Section 37.10 of the Texas Penal Code. TEX. PENAL CODE Ann. § 37.10.<sup>3</sup>

### **Prosecution was Anticipated by Venue Statute**

Further, Section 1701.458 of the Texas Occupations Code indicates that venue for the prosecution of an offense under Section 37.10 of the Texas Penal Code ("Tampering with a Governmental Record") arising from a report required under Subchapter J, such as the F-5 Form, lies in the county where the offense occurred or in Travis County. By specifically describing venue for prosecution, it is clear that the legislature anticipated viable prosecutions for tampering with the F-5 Form.

### **Terminations for Untruthfulness Require Dishonorable Discharge**

Therefore, if an officer is terminated for untruthfulness, the only lawful way to report the termination on the F-5 Form is to check the box as "Dishonorably Discharged." If a Chief administrator checked any other category, the F-5 Form would be inaccurate and deceptive. Accordingly, a false statement of this nature on an F-5 Form would be subject to

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<sup>3</sup> (a) A person commits an offense if he:

(1) knowingly makes a false entry in, or false alteration of, a governmental record; (in pertinent part)  
TEX. PENAL CODE Ann. § 37.10

prosecution under the tampering statute for “making a false entry on a government document.”

**Bulletin May Improperly Serve as a Mistake of Law Defense**

The Bulletin states that the discharge designation on the F-5 Form is a “subjective rating by the chief administrator.” We find no legal support for this interpretation of the law and this pronouncement in the Bulletin may unjustly serve as the basis for a “mistake of law” defense. See TEX. PENAL CODE § 8.03(b).<sup>4</sup>

**Allowing Subjective Opinion  
on F-5 Form would violate Legislative Intent**

Moreover, proving the falsity of a subjective rating beyond a reasonable doubt would be nearly impossible. Under the interpretation of the law as set forth in the Bulletin, the Chief Administrator could set forth any type of discharge he subjectively believes is appropriate, without any regard for the truth asserted, without regard for the specific definitions for each type of discharge, and without any ramifications for falsifying a governmental record. This contradicts the legislative intent of the statute, which clearly makes it an offense to make a false statement in a governmental record, including the F-5 Form.

The Canons of Statutory Construction as defined by the Texas Code Construction Act support the conclusion that false entries onto the F-5 Form are prohibited by law. The Code Construction Act, Chapter 311 of the Texas Government Code, applies to the construction of Texas Occupations Code Section 1701.452 (3) (A) (B). See TEX. OCC. CODE ANN. § 1.002 (2022) (Construction of Code). The Code Construction Act specifically indicates that words and phrases shall be read in context and construed according to the rules of grammar and common usage. TEX. OCC. CODE ANN. §. 311.011.

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<sup>4</sup> (b) It is an affirmative defense to prosecution that the actor reasonably believed the conduct charged did not constitute a crime and that he acted in reasonable reliance upon:

- (1) an official statement of the law contained in a written order or grant of permission by an administrative agency charged by law with responsibility for interpreting the law in question; or
- (2) a written interpretation of the law contained in an opinion of a court of record or made by a public official charged by law with responsibility for interpreting the law in question....

Tex. Pen. Code §8.03 (b)



The Texas Supreme Court has held that the truest manifestation of what legislators intended is what the lawmakers enacted, the literal text they voted on. *Alex Sheshunoff Mgmt. Servs. L.P. v. Johnson*, 209 S.W.3d 644, 651 (Tex. 2006). The Texas Court of Criminal Appeals has also indicated that when attempting to discern this legislative intent or purpose, the courts focus on the literal text of the statute in question and attempt to discern the fair, objective meaning of that text at the time of its enactment. *Boykin v. State*, 818 S.W.2d 782, 785 (Tex. Crim. App. 1991); see also *Russell v. Wendy's Int'l Inc.*, 219 S.W.3d 629, 636 (Tex. App. – Dallas 2007, writ dismissed by agreement) (“We read every word as if it were deliberately chosen and presume that omitted words were excluded purposefully”). In the instant matter, Section 1701.458 of the Texas Occupations Code expressly indicates that venue for the prosecution of an offense under Section 37.10 of the Texas Penal Code (“Tampering with a Governmental Record”) arising from a report required under Subchapter J, such as the F-5 Form, lies in the county where the offense occurred or in Travis County. Thus, the legislature clearly defined its intent in Chapter 1701 of the Texas Occupation Code, which is to criminalize false entries on the termination report. Accordingly, the literal text of Section 1701.452 requires an accurate, objective determination of the type of discharge.

### **Summary**

In summary, the plain language of the applicable statutes indicate that if an officer is terminated and separated from his employment with a law enforcement agency for “untruthfulness,” the chief administrative officer of that agency has no discretion and is required to fill out the F-5 Form indicating a dishonorable discharge. The F-5 Form specifically identifies untruthfulness as a basis for dishonorable discharge, which therefore precludes an honorable discharge if the basis of termination includes untruthfulness. The Administrative Bulletin contravenes the clear language of the statute and violates the legislative intent of the statute by making it near impossible to prosecute a violator for making a false statement in a F-5 Form, a governmental record.

It is evident that the F-5 Termination Form was intended to record the actual reason for the termination. If the Legislature intended to permit inaccurate or a general subjective assessment of the terminated officer’s overall job performance in grading the type of discharge, the Legislature

**Appendix 12**  
**Request for Attorney General Opinion**

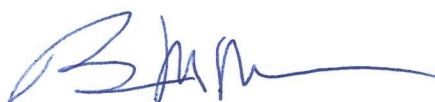
would not have provided definitions for the types of discharge or specifically provided a venue for prosecution for false entries on an F-5 Form. Instead, the legislature defined the F-5 Form as a government document and thereby subjected it to criminal prosecution for tampering with a governmental record as expressly stated in Section 1701.458 of the Texas Occupations Code. Thus, the April 8, 2022 Administrative Bulletin is inconsistent with prevailing law.

Lastly, the policy enunciated in the Administrative Bulletin will likely promote the proliferation of so-called wandering cops. "Wandering cop" is a term commonly used to describe peace officers with a pattern of poor performance and/or misconduct who continually move from one police agency to the next, with impunity, due to a lack of accurate termination reporting and/or inaccurate employment records. This lack of accurate reporting will result in a continual stream of incompetence and injustice. Clearly, the Texas Legislature enacted Section 1701.452 to prevent this cycle by providing criminal consequences for false entries.

**Conclusion**

This office respectfully requests an opinion on the above-referenced questions.

Sincerely,



Brian Middleton  
District Attorney  
Fort Bend County, Texas

**6330 East Highway 290, STE., 200, Austin, Texas 78723-1035**

**Phone: (512) 936-7700**

[www.tcole.texas.gov](http://www.tcole.texas.gov)

## Appendix 13

## Law Enforcement Agency Audit Checklist

***All Licenses - Peace Officer, Jailer, Telecommunicator***

Employee Name:		PID Number:
<input type="checkbox"/> <b>Appointed to agency prior to 4.15.1996.</b> Prior to this date TCOLE kept all required documentation for appointment on file in Austin; current firearms qualification is the only document required for individuals hired prior to that date.		
<b>New License §217.1</b>	<b>180 Days or Less Break in Service §217.7</b>	<b>More Than 180 Day Break in Service §217.7</b>
<input type="checkbox"/> L-1 / L1-T (sign & notarize page 1 & 2) <input type="checkbox"/> F5R (required only for appointments after 9.01.05, if the applicant had another license type – peace officer, jailer, TCO) <input type="checkbox"/> L-2 (drug screen/ medical exam) (Telecommunicators- drug screen only) <input type="checkbox"/> L-3 (psychological evaluation) <input type="checkbox"/> CCH (TCIC-NCIC) <input type="checkbox"/> DPS/FBI Fingerprint Return** <input type="checkbox"/> Proof of Citizenship (Effective 3.01.03) <input type="checkbox"/> Proof of Education - HS Diploma (accredited) or GED <input type="checkbox"/> Military Discharge (if applicable) <input type="checkbox"/> Personal History Statement (Effective 1.01.12) <input type="checkbox"/> Certified Copy of Court Disposition *** <input type="checkbox"/> For peace officers only- Current record of firearms qualification (once per calendar year). Does NOT apply to 1 <sup>st</sup> appointment of BPOC graduates.	<input type="checkbox"/> L-1 / L1-T (sign & notarize page one only) <input type="checkbox"/> F-5R (required only for appointments after 9.01.05) <input type="checkbox"/> CCH (TCIC-NCIC) <input type="checkbox"/> Certified Copy of Court Disposition *** <input type="checkbox"/> Military Discharge (if applicable) <input type="checkbox"/> Personal History Statement (Effective 1.1.12) <input type="checkbox"/> For peace officers only- current record of firearms qualification (once per calendar year).	<input type="checkbox"/> L-1 / L1-T (sign & notarize page 1 & 2) <input type="checkbox"/> L-2 (drug screen ) <input type="checkbox"/> L-3 (psychological evaluation) <input type="checkbox"/> F-5R (required only for appointments after 9.01.05) <input type="checkbox"/> CCH (TCIC-NCIC) <input type="checkbox"/> DPS/FBI Fingerprint Return** <input type="checkbox"/> Military Discharge (if applicable) <input type="checkbox"/> Personal History Statement (Effective 1.01.12) <input type="checkbox"/> Certified Copy of Court Disposition *** <input type="checkbox"/> For peace officers only- current record of firearms qualification (once per calendar year).

**All documentation must be in place prior to submitting the L1 appointment form. Failure to complete and document the pre-licensing requirements above is a violation of state law and may result in penalties ranging from fines (up to \$1,000 per day, per incident) to criminal charges (State Jail felony for appointment of a person with a criminal record). Texas Occupations Code 1701.507 and 1701.553.**

**\*\*Fingerprint returns can be obtained by: a) mailing a 10-print applicant card to DPS, b) using the F.A.S.T. electronic fingerprint service, c) using an agency's Live Scan provided it has been validated/approved by DPS for applicant processing. To set up a F.A.S.T. account, please contact DPS at 512-424-2365, choose option 6. To validate your agency's Live Scan contact DPS at [livescan@dps.texas.gov](mailto:livescan@dps.texas.gov).**

**\*\*\*For all charges class B and above or class C involving family violence or official duties.**

**IMPORTANT: TCOLE REQUIRED DOCUMENTS SHOULD BE KEPT TOGETHER IN A SECURE BUT EASILY-ACCESSIBLE FOLDER SEPARATE FROM PERSONNEL FILES AND OTHER DOCUMENTS.**

**---CONTACT YOUR TCOLE FIELD AGENT IF YOU NEED MORE INFORMATION---**

## PERMANENT SURRENDER OF LICENSE

Office of the Executive Director  
Texas Commission on Law Enforcement  
6330 US Highway 290 East, Suite 200  
Austin, Texas 78723

Dear Sir:

I am submitting this letter, **permanently surrendering** my license(s) and all certificates issued to me by the Texas Commission on Law Enforcement (TCOLE).

I understand that as a result of my surrender, I am no longer licensed and permanently ineligible to serve in any capacity requiring licensure by TCOLE. I have been provided with a copy of the Surrender of License Rule in effect as of this date and I am aware that this surrender should include a summary of the reason for surrender.

I understand and have knowledge of the consequences of the signing of this document.

Name: \_\_\_\_\_  
Please print

TCOLE PID: \_\_\_\_\_

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

*SWORN TO and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

***Notary Seal or Stamp***

\_\_\_\_\_  
*Signature of Notary Public, State of Texas*

\_\_\_\_\_  
*Notary's Printed or Typed Name*

\_\_\_\_\_  
*Notary's Commission Expires*



PERMANENT SURRENDER OF LICENSE  
SUMMARY OF THE REASON FOR SURRENDER

As required by Commission Rule § 223.13 (d) Surrender of License, the surrender should include a summary of the reason for the surrender. Please give a brief summary or description of the reason for the license surrender.

(Description)

Name: \_\_\_\_\_  
Please print

TCOLE PID: \_\_\_\_\_

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

*SWORN TO and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

***Notary Seal or Stamp***

\_\_\_\_\_  
*Signature of Notary Public, State of Texas*

\_\_\_\_\_  
*Notary's Printed or Typed Name*

\_\_\_\_\_  
*Notary's Commission Expires*

## Texas Administrative Code

<b><u>TITLE 37</u></b>	PUBLIC SAFETY AND CORRECTIONS
<b><u>PART 7</u></b>	TEXAS COMMISSION ON LAW ENFORCEMENT
<b><u>CHAPTER 223</u></b>	ENFORCEMENT
<b>RULE §223.13</b>	<b>Surrender of License</b>

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- (a) A licensee may surrender a license:
  - (1) as part of an employee termination agreement;
  - (2) as part of a plea bargain to a criminal charge;
  - (3) as part of an agreed settlement to commission action; or
  - (4) for any other reason.
- (b) A license may be surrendered either permanently or for a stated term.
- (c) Effective dates:
  - (1) the beginning date for any surrender shall be the date stated in the request or, if none, the date it was received by the commission;
  - (2) a term surrender shall have its ending date stated in the request; and
  - (3) any request without a stated ending date shall be construed as a permanent surrender.
- (d) A licensee may surrender any license by sending, or causing to be sent, a signed, notarized, written request to the executive director, who may accept or reject the request. The signed written request shall indicate that the licensee understands and has knowledge of the consequences of the document being signed. The executive director may accept requests for surrender submitted to the commission in any other form that indicates the licensee intends to surrender the license to the commission. The executive director may liberally construe the intent of any request. The surrender of one commission-issued license operates as a surrender of all commission-issued licenses. The surrender should include a summary of the reason for the surrender.
- (e) If accepted, the licensee is no longer licensed:
  - (1) effective on the beginning date of the surrender; and
  - (2) except for permanent surrenders, until such person applies for and meets the requirements of a new license.
- (f) The effective date of this section is February 1, 2014.

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Initials



Kim Vickers  
Executive Director

Appendix 15  
Technical Asst Bulletin\_Understanding Your PSR  
**TEXAS COMMISSION ON  
LAW ENFORCEMENT**

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## Technical Assistance Bulletin

To: All Texas Law Enforcement Agencies/Contract Training Providers/Licensees  
From: Kenny Merchant/Director, Credentialing and Field Services  
Regarding: **Reading Your PSR (Personal Status Report)**  
Date: March 2, 2020

The PSR, or Personal Status Report, is a snapshot of a licensee's record with the Commission. It contains only information submitted to the Commission by an appointing agency or by the licensee themselves- it will not reflect entries from a licensee's local paperwork or outside entities that were not submitted to the Commission. The preferred method for obtaining a PSR is for the licensee to obtain it either through their MyTCOLE account, or by requesting it from their own agency. PSR's are available through the Commission for those who do not have either of these options.

The PSR tracks a licensee's public **education, service history, service time, Commission awards and certifications, courses completed**, and coming soon, **military service**. Each of these is shown in a separate category, as follows:

**Education-** will always show zero training credit for high school- this is just a place holder. This will be followed by any college hours, and/or degrees. It is important that completed degrees are submitted, as they assist in gaining certifications. College credit hours are multiplied by 20, to give the Total Training Hours from Education. This will be later added to the Total Course Hours for Total Hours (at the bottom of the PSR). Also see the Technical Assistance Bulletin on College Credit for Licensees.

**Military-** to be added at a later date.

**Service History-** this section will reflect ALL appointments reported to TCOLE, using the dates provided by the appointing agency for appointment and separation. Please note, prior to 2010, failure of an agency to properly report a separation resulted in the separation date defaulting to the appointment date, IF another appointment occurred later. This occurred as only one appointment per license type was allowed by previous Rule. These dates may only be corrected by submission of the proper appointment (L1) or separation (F5) document from the appointing agency.

**Total Service Time-** this section will reflect total time served for each license type. Service time does not include any periods of training or assignment prior to a license being issued. Time served at multiple agencies at the same time does NOT count as additional service time. Please remember that the service time total will round UP to the nearest month on the PSR. Rounded totals do not meet service requirements for certifications or awards. The full service time required must be met.

**Award Information-** this section lists any licenses or certifications granted by TCOLE. Beginning in 2013, it also listed any action taken on the license, such as Inactivation, Suspension, Revocation, Reactivation, etc. Remember- certificates are not the same as licenses. The license gives the ability to be appointed and exercise authority. Certificates indicate either general or specific proficiencies.

**Courses Completed-** this section will list, by Training Unit, completed courses submitted to the Commission, from the most recent to the oldest. It includes the course number, course title, course hours credited, institution reporting the course, and information on whether or not the course meets a mandate. The Course Mandate column was not intended for use by licensees, but for Commission staff, and may



Kim Vickers  
Executive Director

Appendix 15  
Technical Asst Bulletin\_Understanding Your PSR  
**TEXAS COMMISSION ON  
LAW ENFORCEMENT**

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currently contain information which may appear to be confusing to licensees. Do not rely solely on the Course Mandate column when evaluating training mandates or certificate requirements. The Commission is currently in the process of modifying this column, to make it easier to understand and more user-friendly. In the meantime, a licensee may use the following 3 resources to determine if a course meets a mandate or requirement:

- Training Mandate Guide- <http://www.tcole.texas.gov/sites/default/files/documents/LTM%2001.009%20Licensee%20Training%20Mandates%2001.2019.pdf>
- Proficiency Certification Charts- <http://www.tcole.texas.gov/content/proficiency-certificates>
- Course Equivalent Charts- <http://www.tcole.texas.gov/content/course-equivalents-0>

Last on the PSR will be the compilation of Total Hours. Please note that Total Course Hours will not always reflect courses listed, IF ANY COURSES WERE COMPLETED DURING THE MONTH OF SEPTEMBER, 2017. This is because of the training extension granted due to Hurricane Harvey. Courses taken during September 2017 counted toward both the 2015-17 Training Unit requirements and the 2017-19 Training Unit requirements. They do not; however count double toward Total Course Hours.

Correction to any entries on the PSR cannot be done solely by the individual licensee, except for education (F7) and military (F8). For those 2 categories a licensee may submit the proper form for corrections/additions. All other entries come from law enforcement agencies or Training Providers and must be made by or through those same entities.